

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

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Shire President

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Date



SHIRE OF WYNDHAM | EAST KIMBERLEY

**MINUTES  
ORDINARY COUNCIL  
MEETING**

**23 September 2014**



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**SHIRE OF WYNDHAM EAST KIMBERLEY  
MINUTES OF THE ORDINARY COUNCIL MEETING  
KUNUNURRA COUNCIL CHAMBERS  
HELD ON TUESDAY, 23 SEPTEMBER 2014 AT 5:00 PM**

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

The Shire President declared the meeting open at 5:07pm.

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

**ATTENDANCE**

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

**GALLERY**

Veronica Gulland	SWEK Staff
Rourke Walsh	The Kimberley Echo
Wayne Richards	SWEK Staff
Robert Jehu	SWEK Staff
Simone Rushby	Rate Payer & Rate Payers Assoc.
Jenny Spragg	Rate Payer
Rhonda Guerinoni	Rate Payers Assoc.
Fiona Kuiper	
Sharon McLachlan	
Brian Kakoschke	Rate Payers Assoc.
Deborah Craigie	
Mark Davey	Rate Payer
Narelle Young	Rate Payer
Russell Cooke	Member of Public
Marten Yuema	Rate Payer
Asanka Jayakody	

Felicity Heading	SWEK Staff
Paulette Strongman	SWEK Staff
Mick Guerinoni	Rate Payer
Leigh Pedler	President, Rate Payers Assoc.
Ken Bond	Rate Payer
Shelley Bond	Rate Payer
Samantha Jolly	Rate Payer
Hollie Nichols	Rate Payer
Mark Crumblin	Rate Payer
David Bird	Rate Payer
Maree Gatehouse	Rate Payer & Rate Payers Assoc.
Alma Petherick	Rate Payer
Robert Storey	Rate Payer
Alan Glasgow	Rate Payer
Tara Glasgow	Rate Payer
Jennifer Kroeger	Rate Payer
Ann Jorritsma	Rate Payer
Bevan Spackman	Rate Payer
Bernice Spackman	Rate Payer
Lee Trimbell	Rate Payer
Grant Young	Plant Hire Services
Jocelyn Layton	Wyndham
Lawrence Ferguson	Wyndham
Diana Oliver	Rate Payer
Elle Davidson	SWEK Staff
Megan Callus	
Danny Carter	
Jennifer Ninyette	SWEK Staff
Jill Williams	Rate Payers Assoc.
Louise Schubert	Rate Payers Assoc.
Jenny Law	Department of Local Government & Communities
Andrew Borrett	Department of Local Government & Communities

### **APOLOGIES**

Nil

### **LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Cr Sophie Cooke

### **3. DECLARATION OF INTEREST**

- Financial Interest

Cr D Spackman declared a financial interest to item 13.2.4 T01 14/15 Flood Recovery Works – Drainage Channel Works & 13.3.4 Takeaway Alcohol Management System Funding Request

- Impartiality Interest

Cr J Moulden declared a impartiality interest to item 13.3.2 Development Application for Educational Establishment at Lot 359 Argentea Avenue, Kununurra as fellow Councillor

- Proximity Interest

Cr K Wright declared a proximity interest to item 13.2.4 T01 14/15 Flood Recovery Works – Drainage Channel Works as Director of company that owns land adjacent

Cr B Robinson declared a proximity interest to item 13.3.2 Development Application for Educational Establishment at Lot 359 Argentea Avenue, Kununurra as Cr Cooke

Cr D Learbuch declared a proximity interest to item 13.3.2 Development Application for Educational Establishment at Lot 359 Argentea Avenue, Kununurra as applicant is a fellow Councillor

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

##### **Questions taken on notice at Ordinary Council Meeting, 26 August 2014 from Simone Rushby, Rate Payer:**

**Question 1** – Why are you penalising mining leases by charging levies for waste services and not providing waste vouchers, of which are offered to other ratepayers?

Natalie Octoman, Director Corporate Services provides the following response:

The waste management fee is charged to all ratepayers as a contribution to the current and future waste management within the Shire. Waste vouchers are not related to the waste management fee, and were introduced in 2013/14 when the Council determined to no longer accept free domestic waste at the landfills. Domestic waste is not generated from a mining lease, therefore a waste voucher is not provided.

**Question 4** – We notice that tenders are up for delegation change. The Director of Infrastructure Mr Hannagan has used the terminology of “quick and dirty” tenders in conversation with us. The Shire President’s comment on this is “Kevin gets the job done”, can we please have clarification by the CEO on just how a quick and dirty tender works?

Kevin Hannagan, Acting Chief Executive Officer provides the following response:

The Shire does not do ‘quick and dirty’ tenders, as such we cannot give you clarification on how such a tender works. If you have evidence of a 'quick and dirty' tender please provide that evidence to us so that the Shire can have the matter investigated. The Shire has engaged the Western Australian Local Government Association to implement its E-quotes System and conduct Panel Tenders for those tenders that are expiring soon and undertake an independent review of all the Shires procurement processes. The Shire has also requested the Department for Local Government to undertake a 'probity audit' and they have agreed to undertake a 'probity compliance audit'. The Shire welcomes any opportunity to critically review its systems and processes so that it can make continuous improvements to better serve its community.

**Questions taken on notice at Special Council Meeting, 2 September 2014 from Simone Rushby, Rate Payer**

**Question 6-** I understand that you have altered your method of accounting and are now changing the values of some Shire assets that were previously valued at \$1.00, this action distorts the true Debt to Equity ratio, however could the Director Corporate Services please advise the Debt to Equity ratio of 12 months ago and the Debt to Equity ratio as it stands now?

Natalie Octoman, Director Corporate Services has provided a letter outlining the response.



Our Ref:GN.05.13

Your Ref:

Enquiries: Natalie Octoman

16 September 2014

Simone Rushby  
PO Box 35  
Kununurra WA 6743

Dear Simone

### Response to Public Question Taken On Notice

I refer to your question raised during Public Question Time at the Special Council Meeting of 2 September 2014 being:

*"I understand that you have altered your method of accounting and are now changing the value of some Shire assets that were previously valued at \$1.00, this action distorts the true Debt to Equity ratio, however could the Director Corporate Services please advise the Debt to Equity Ratio of 12 months ago and the Debt to Equity ratio as it stands now?"*

At the meeting I advised that the standards had changed so the Shire needed to change its methodology and indicated that I would take the debt to equity ratio comparison component on notice.

In relation to your question, the following is a more detailed response and includes some of the history as to why the Shire was required to alter its method of accounting for assets.

In late 2011, the Australian Accounting Standards allowed the option to report assets and liabilities in general purpose financial statements at either cost or fair value (being the amount for which an asset could be exchanged or a liability settled between knowledgeable, willing parties in an arm's length transaction, in accordance with the Australian Accounting Standards). At that time, The Shire of Wyndham East Kimberley was reporting assets and liabilities at cost, similar to many other local governments.

The then Minister for Local Government wrote to all local governments in Western Australia advising that a Policy Paper had been prepared whereby reporting assets and liabilities at fair value was considered essential to provide a more accurate measure of the value of community assets and liabilities than historical cost. Western Australia was understood to be the only jurisdiction not to mandate the use of fair value. The Policy Paper proposed that the *Local Government (Financial Management) Regulations 1996* be amended to also mandate the use of fair value by local governments in the State, which is now incorporated in regulation 17A.

Implementation of fair value measurement was to be phased in over three years commencing 1 July 2012 so that annual financial reports prepared for the year ending 30 June 2015 will report all assets and liabilities at fair value.



At this time, the Department of Local Government also proposed amendments to the *Local Government (Financial Management) Regulations 1996*, whereby assets, easements and land under major community facilities such as golf courses, showgrounds, racecourses and other sporting facilities of regional or state significance which the local government has control (even if it doesn't own the land on which they are situated), must now be included in the annual financial report of a local government as an asset.

The initial recognition of the land under the Shire's control in accordance with amendments to the regulations amounted to \$6,501,992 and was required to be included in operating revenue for 2012/13. An amount of \$111,314 for the reduction in fair value of the Shire's furniture and equipment was required to be included in operating expenses.

Within the audited financial report for 2012/13 however, it is recognised that the significant revenue and expense amounts outlined above distort the ratios within note 18. Based upon these amounts being one-off and non-cash in nature, the affected ratios were disclosed both including and excluding this revenue and expenditure for comparison purposes.

Officers from the Department of Local Government and Communities have confirmed that the debt to equity ratio has never been calculated by the local government sector as it has no application to local government.

However, regulation 50 of the *Local Government (Financial Management) Regulations 1996* require local governments to calculate seven (7) different ratios as part of the annual financial report, which includes a debt service cover ratio.

The debt service cover ratio is calculated as the annual operating surplus before interest and depreciation divided by principal and interest. This ratio is more relevant for local government in that it measures a Council's ability to service debt out of its uncommitted or general purpose funds available for its operations; rather than the debt to equity ratio which is a measure of how much shareholders equity is available to meet debt in the event of a company's liquidation.

The debt service cover ratio, as it does not include assets in its calculation base, is not distorted by the valuation of the assets or liabilities themselves, but it may be distorted by revaluation increases or decreases, which is then disclosed in the annual financial report.

As outlined in the Shire's audited financial report for the year ended 30 June 2013, the debt service cover ratio was 5.21, after excluding the significant revenue and expense items outlined above. The Council's auditors, UHY Haines Norton advised in the management report that the ratio was operating within acceptable limits.

The 2013/14 annual financial report is in the process of being finalised, whereby the debt service cover ratio is estimated to be approximately -4.230. This is subject to change based upon any further year-end adjustments that may be required by the auditors.



There is no legislative requirement for financial ratios to be calculated as part of the preparation of the annual budget hence they have not been included in the document considered by the Council on the 2<sup>nd</sup> of September.

Notwithstanding that there is no legislative requirement; the debt service cover ratio may be calculated based upon forecasts. Therefore, utilising the forecasts contained within the adopted budget would result in an estimated debt service cover ratio for 2014/15 of 1.321.

While the financial ratios may not be a formal requirement for the annual budget, the Department of Local Government and Communities has included key performance indicators (ratios) as a minimum standard in the development of a local government's Long Term Financial Plan as part of the Integrated Planning and Reporting Framework requirements.

As indicated at the Special Meeting of Council on the 2<sup>nd</sup> of September, the Long Term Financial Plan requires a significant review and updating to allow the Shire to plan for the future. It will also include all of the key performance indicators as outlined in the minimum standard with the intention of improving them each year where possible.

Yours sincerely

Natalie Octoman  
Director Corporate Service

## 5. PUBLIC QUESTION TIME

### Questions from Diana Oliver, 600 Riverfarm Road, Kununurra

**Question 1** – Please advise when and where the paving bricks to celebrate Kununurra's 50<sup>th</sup> Birthday will be installed and where is the money? Monies were paid in July 2013 and earlier.

Cr John Moulden, Shire President provides the following response:

The pavers are installed at White Gum Park, opposite Tuckerbox.

**Question 2** – Is there an independent Health and Building report regarding the status of the old Shire offices stating that the building was unsuitable due to the asbestos content? (many of the older homes in Kununurra are constructed from asbestos.) Is the building insured? What is the cost of insurance and how much is it insured for?

Natalie Octoman, Director Corporate Services provides the following response:

The building is currently insured. The remainder of the questions will be taken on notice.

### Questions from Simone Rushby, 101 Mills Road, Kununurra

**Question 1** – In June this year we were unsuccessful in a Tender 08 2013/14, part of the reason for this was because there was mishandling and bastardization of our Tender Documents. Under FOI, we requested a copy of our documents and it was shown that there were costs for "Extra Items, not essential" attributed to our final Tender price. It was noted specifically on our tender application that these rates were additional and would only be applicable if the item was used. I notice in tonight's Agenda, in awarding T01 14/15 you make the following statement: "Where Tenderers provided rates for additional machinery not requested in the Tender, these items were excluded from the Tendered Price evaluation process". T08 is also described as "Prices submitted are to be Schedule of Rates". Could you please now confirm for me that the added costing's attributed to our T08 Tendered price, were also attributed to all other Tendered prices, to give a fair cost evaluation.

Kevin Hannagan, Acting CEO provides the following response:

For T08 we did two calculations, one with additional machinery and one without. Tender T08 was awarded to the lowest price without additional machinery.

**Question 2** – Could you please explain to me why the Tender documents were opened on the 2<sup>nd</sup> of July, yet not witnessed until the 4<sup>th</sup> of July, where they were stored and who has access to the "opened" files in this 2 weekday period?

Kevin Hannagan, Acting CEO takes the question on notice.

## **Questions from Mark Northover, Ord River Contracting, Kununurra**

**Question 1** – Acting CEO, on multiple occasions over the past 3 years, while speaking about your duties, you have made the statements “I can do a Quick and Dirty Tender” and “I did it under a quick and dirty tender” of which have been said in my presence, Simone Rushby’s presence, in the presence of one of our staff. On top of this we are now aware of another 2 parties (one contractor and one ex-staff) who have heard the same statement made by you. You have responded to this query in this month’s Minutes (in relation to the Wyndham Ordinary Meeting), in defence of yourself, by saying that “The Shire does not do quick and dirty tenders”. Given that this is a lie to us, the Councillors and to the Shire as a whole, please tell me how you expect the community and contractors to trust you as CEO or in any other role, given this lie?

Kevin Hannagan, Acting CEO provides the following response:

We do not do ‘quick and dirty’ tenders. If you have evidence of this I suggest you already know the appropriate authorities to refer this to.

### **COUNCIL DECISION**

**Minute No: 10573**

**Moved: Cr B Robinson**

**Seconded: Cr D Spackman**

**That Council extends Public Question Time for an additional 15 minutes.**

**Carried Unanimously 8/0**

**Question 2** – Watercorp are currently completing upgrades of the Hillside Drain which will soon be handed over to OIC. Annually the drain affects the integrity of Mulligans Lagoon Road and causes damage, on top of this there has been an extreme increase of road trains on the area of Mulligans Lagoon Road that traditionally has seen very little maintenance, notwithstanding the last 12 months which has seen in excess of \$150K of WAANDRA repairs. Can you please advise if Watercorp and / or OIC will be cost sharing the upgrades and a repair to Mulligans Lagoon Road, given that under TPS 9 this area is targeted to be rezoned to General Industrial?

Kevin Hannagan, Acting CEO provides the following response:

I cannot comment on what is planned for TPS 9. I will get our engineers to check Mulligans Lagoon Road and if there are any damages I will approach Watercorp and/or OIC for a contribution.

## **Questions from Jenny Spragg, Valentine Falls Estate, Kununurra**

**Question 1** - On Fri, 30 May 2014 I received an email from Mr Gaffney that contained a slanderous comment made with the intention of belittling and discrediting me. I was not the intended recipient of the email. It was addressed to a prominent Kununurra business manager with comments that I believe breach the: Defamation and libel laws, SWEK Code of Conduct and Council Policy Manual. On Friday, 15 August 2014 I emailed Mr Moulden the following questions:

Is the CEO is above the council's own Code of Conduct?

Does SWEK endeavour to act in a transparent way?

On Fri, 19 Sep 2014 I emailed Mr Moulden the following questions:

Does council have a procedure for dealing with breaches of SWEK policies?

Since 30 May 2014, I have repeatedly requested an appropriate response to this issue. The initial response was no response. The second response (when questioned 10 weeks later) was to deny knowledge; and the third and final response as outlined in an email dated Thu, 14 Aug 2014

“Gary has taken full responsibility for his outburst and has given you an apology. Of course I cannot condone his conduct in this matter, but I am satisfied that his email was sent in the heat of the moment and I know he regrets having done it.” To which I pointed out there was no heat of the moment and the apology was because he got caught.

Can you please explain to me why this is acceptable?

Cr John Moulden, Shire President provides the following response:

I do accept your assertion that I did not respond in the first instance. When I ran into you and you brought this to my attention, I pointed out to you that I hadn't remembered the email exchange that had come via Cr Darren Spackman, rather than yourself. I apologised for this. I then told you that I thought it had been taken care of as I had spoken to Gary Gaffney about the situation and from his report it was evident the matter had been dealt with. Each day I am required to make many judgements and it was my judgement that the slight you were referring to was of a minor nature. I sat down with Gary Gaffney and went through it and did not believe it was a sack able and finable offence. Gary Gaffney apologised to you and offered to meet with you along with a mediator, you declined this opportunity.

**Question 2** - Following my attempts to gain some traction and accountability on this and other concerning issues, it has come to my attention that certain members of the council including yourself refer to myself and Simone Rushby as B1 and B2. Would you consider those names to be consistent with the SWEK Code of Conduct?

Cr John Moulden, Shire President provides the following response:

I have never referred to yourself or Simone as B1 and B2, I have also never heard of other Councillors doing it either. We would refer to you as Jenny and Simone.

## **Questions from Jill Williams on behalf of the Rate Payers Association**

**Question 1** - Re Agenda Item 13.3.2, Development application for the educational establishment at Lot 359 Argentea Avenue, Kununurra. The business has been operating outside the regulations for 2 years, so how has the business been allowed to continue to operate within this period? Home based business permits are renewed annually. Who had the authority to renew the permit knowing the business was operating outside of regulations?

Cr John Moulden, Shire President advises the questions will not be answered as it is an item to be discussed during the Council Meeting.

**Question 2** – The grant to the East Kimberley Grammar School minuted of June 24<sup>th</sup> ordinary meeting was granted to a non-legal entity, therefore who were the actual recipients? Do the council know who the stakeholders of the entity are? Did and do any other councillors have an interest financial or other in the EKGS? The EKGS feasibility study was conducted by Macro Plan Dimasi the same consultants used by the Shire. Were Shire resources, staff or financial used to collect, collate and produce the study?

Cr John Moulden, Shire President provides the following response:

The grant was originally granted to a non-legal entity, under the condition that they would not receive funds until they were legally incorporated. The funds have not yet been transferred but now can be as the EKGS is officially incorporated.

I am not completely across who is on the deed of incorporation but I can tell you the steering committee includes Sophie Cooke, Peter Stubbs, Matteo Salerno and myself. The steering group has no control of funds or anything to do with the incorporation.

The feasibility study was funded by money given to the EKGS by interested families.

#### **Questions from Leigh Peddler on behalf of the Rate Payers Association**

**Question 1** - Is there any truth in the rumour that Gary Gaffney has resigned today.

Cr John Moulden, Shire President provides the following response:

I received an email today from Gary Gaffney tendering his resignation. A Special Council Meeting was held before this meeting to consider accepting this resignation however the meeting failed to progress the situation. Council will resume this meeting later tonight.

#### **COUNCIL DECISION**

**Minute No: 10574**

**Moved: Cr K Wright**

**Seconded: Cr B Robinson**

**That Council extends Public Question Time for an additional 15 minutes.**

**Carried Unanimously 8/0**

### **Questions from Diana Oliver, 600 Riverfarm Road, Kununurra**

**Question 1** – Mr Gaffney advised at the last Annual General Meeting of Ratepayers 2014, that Council was going to advertise for sale the transportable building attached to the old Shire office. Has this been actioned?

Louise Gee, Director Community Development provides the following response:

We are in the process of developing the EOI for advertising. It will be advertised locally using all mediums such as the newspaper, our Facebook page and website.

### **Questions from Simone Rushby, 101 Mills Road, Kununurra**

**Question 1** – On the 15/07 Mr Kim Edmeades stated to Mr Mark Northover, that a document containing Mark's original signature had been omitted from the application of Tender T08. On the afternoon of the 15/09 Mark lodged a copy of a signed document at your offices, with Mr Edmeades. There are emails from several staff and Mark's diary to prove this. Could you please explain to me then why, if the document was 'missing' on the 15/07 and not received in your offices until the 15/07 was it then added back into the application and initialled as being received on the 04/07?

Kevin Hannagan, Acting CEO provides the following response:

With Tender T08, you sent in a conforming tender and an alternative tender. The conforming tender was signed and the alternative tender was not signed. The officer was just seeking clarification as to whether there was a signature for the alternative tender. We still have your email and that document is with the T08 file. You're referring to the unsigned page not the signed copy.

**Question 2** – Mr Moulden, I received an offensive and defamatory letter, which was also sent to the ratepayers association in an effort to discredit and bully me. I would like verbal confirmation that you do intend to (a) respond to my letter, (b) respond to the questions asked and (c) advise what actions will be taken going forward.

Cr John Moulden, Shire President declines to answer the question.

### **COUNCIL DECISION**

**Minute No: 10575**

**Moved: Cr K Wright**

**Seconded: Cr G King**

**That Council takes questions from members of the public who are not present with the questions being asked by a proxy.**

**Carried 7/1**

**For: Cr R Dessert, Cr D Learbuch, Cr K Wright, Cr B Robinson, Cr D Spackman, Cr G Taylor, Cr G King**

**Against: Cr J Moulden**

## **Questions from Hollie Nichols, Wyndham**

**Question 1** - What has the Area Service Manager achieved in the time that he has been employed by the Shire of Wyndham East Kimberley? What has changed in Wyndham that means we no longer require the outcomes that are currently achieved by having an area service manager in his current capacity?

Kevin Hannagan, Acting CEO provides the following response:

As the Wyndham Area Services Manager reports directly to the Chief Executive Officer, the Acting CEO is not in a position at short notice to reply, this matter will be taken 'on notice' and replied later. The Wyndham Area Services Manager position has not changed as part of the Budget Restructure and the incumbent is still in that position.

### **COUNCIL DECISION**

**Minute No: 10576**

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

**That Council extends Public Question Time for an additional 15 minutes.**

**Carried Unanimously 8/0**

**Question 2** - The Shire is planning to make cuts to Ranger Services as part of the new budget. As I have not been able to see any reduction in the numerous amount of dogs roaming my street and the town in general over the past 12 months, I would like to ask, what is the current frequency of service in this area in Wyndham? After the planned cuts in Ranger Services has been actioned, what will the frequency of service in this area be in Wyndham?

Kevin Hannagan, Acting CEO provides the following response:

The Shire does do regular patrols but these are based on complaint reports made by the community and known areas where nuisance dogs may be. As services are focussed across both Wyndham and Kununurra and quite often in relation to reports then this forms the Rangers area of focus. The Rangers Supervisor is now more 'hands on' and is assisting Rangers with animal management. The supervisor and Rangers have recently undertaken animal registration checks in selected areas of Wyndham and responded to community requests. As the service is both planned and reactionary across the Shire it is not possible to be specific about reductions in one particular area of the Shire.

**Question 3** - The Shire is planning to make cuts to Wyndham Depot workers as part of the new budget. I have noticed a reduction in the number of street bins in the worst rubbish affected areas of town, and an increase in the amount of litter in these areas and also around certain problem residences throughout town. I believe that our depot workers are extremely hard working and efficient as I frequently see them collecting litter and working around town. If our situation in this area is already worsening before the loss of a staff member, how does the Shire propose to resolve the issue if it were to cut a position from the Wyndham Shire Depot?

Kevin Hannagan, Acting CEO provides the following response:

Shire Depot Staff have advised that bin numbers on the Great Northern Highway through town were increased in number last year. Perhaps if you could advise the Kununurra Depot on 91692261 of where specifically in Wyndham bin numbers have been reduced. The reduction in manning levels will impact on service provision mainly in parks and gardens e.g. grass will not be mowed as often in some areas.

**Question 4** - I frequently work early mornings and start as early as 2am. I am dismayed to find that there are campers at the Wyndham foreshore, the Bastion and the old Branko Bp on numerous and ongoing occasions. This hurts our local accommodation businesses in town. What does the Shire propose to do to rectify this worsening situation, now and into the future, when we have fewer staff to service issues in this area in Wyndham?

Kevin Hannagan, Acting CEO provides the following response:

The issue of illegal camping is a problem across the whole of the Shire and the Shire cannot justify the expense of employing more staff, at a cost to rate payers for little revenue return as a lot of fines are related to international tourists who leave the country without paying fines.

#### **Questions from Alma Petherick on behalf of Chris McLachlan, Wyndham**

**Question 1** - I note that, in answer to a Public question on 2/9/14 (p.7, Minutes, Special Council Meeting, 2 September 2014), a table showing 'Per Head' costings for various services provided to the Kununurra and Wyndham communities was submitted. These costings were based on populations of 7000 for Kununurra and 700 for Wyndham. Could this table please be corrected, and re-tabled, to reflect the accurate populations of both communities? According to the 2011 ABS Census, these were:

- Kununurra (gazetted locality) 5525
- Wyndham (gazetted locality) 1003

Natalie Octoman, Director Corporate Services provides the following response:

The estimated population amounts provided in the table were not intended to be ABS Census data, but more reflective of the population numbers on average across the year and therefore recognising the tourists that also utilise the Shire's services and facilities. It is acknowledged that the ABS Census does not truly capture these numbers. The table can certainly be amended, but it will include a note to indicate that it doesn't reflect the average population throughout the year given the tourist season.

**Question 2** - Please provide a breakdown of the \$6.6 million expenditure budgeted for Recreation and Culture for this financial year 2014-2015?

Natalie Octoman, Director Corporate Services provides the following response:

The \$6.6 million budget for Recreation and Culture includes the following:

<b>Sub Program</b>	<b>\$</b>
Other Recreation and Sport (eg. Kununurra Leisure Centre, Wyndham Youth & Recreation Centre, Parks, Gardens and Ovals Maintenance)	4,059,413
Swimming Areas & Beaches (eg. Swimming Pools, Foreshores and Boat Ramps)	1,816,167
Libraries	399,564
Public Halls	219,782
Wyndham Community Resource Centre	118,992
Television and Radio Services	12,000
Heritage	31,869
Other Culture	500
<b>TOTAL</b>	<b>6,658,287</b>

**Question 3** - Please confirm whether the Community Resource Centre in Wyndham is currently grant-funded to employ a fulltime employee?

Natalie Octoman, Director Corporate Services provides the following response:

The Wyndham Community Resource Centre does receive funding from the Department of Regional Development for a staff member who provides community members in rural and remote areas with access to important community development services that would not otherwise be available; and to provide a human resource facility in Wyndham that will increase the level of education, training and employment.

### **Questions from Lawrence Ferguson, Wyndham**

**Question 1** – Why are we paying a dump levy and an extra \$50 to look for a new tip site? We have been paying this for the past 4 years, why haven't you found a new tip in this time?

Kevin Hannagan, Acting CEO provides the following response:

It is not unusual to take up to 6 years to find a new tip site. Council adopted its waste strategy 2 years ago which identified the need to find a new site. Since then many tasks have been undertaken to work towards finding a new site. At the moment there is currently a RFQ out to do the bore testing, you need to do 2 years of bore testing to test the water tables. It is a very long process. We have a main landfill that covers both Kununurra and Wyndham. In relation to Wyndham, the plan is to extend the site so that it can be used as the local landfill. The paperwork for this will be completed this year. The Shire has adopted a 10 year plan to fund this and the council will take a number of years to build up that fund.

### **Questions from Jenny Spragg on behalf of Terry French 8/33 Konkerberry Drive, Kununurra**

**Question 1** - I have never been provided with a waste receptacle. Why am I being charged \$280 annually for a waste receptacle?

Natalie Octoman, Director Corporate Services provides the following response:

All residential properties in the Townsites are provided with a waste receptacle for each residence on the property in accordance with Section 67 of the Waste Avoidance and Resource Recovery Act 2007.

The Shire's records indicate that a waste receptacle was provided to this property with a bin number recorded against the rates assessment.

Current records are available back to July 2005 and these records indicate that a waste receptacle was not supplied between 2005 and 2014.

The current owners have owned the property since January 2009 and each year has been charged for the provision of a waste receptacle (collection service).

It is likely that the original bin was supplied prior to the current owners purchasing the property and that it has been stolen or damaged prior to their ownership and has not been replaced.

When a waste receptacle is stolen or damaged if the property owner advises the Shire a replacement receptacle will be provided and charged at full cost recovery which is currently \$123.90.

The property concerned is on a lot with multiple dwellings so when a bin audit has been conducted it would not necessarily identify that there was not a waste receptacle at one of the dwellings.

If the property owner contacts the Shire to confirm that they have not had a waste receptacle since they have owned the property, the supply of a new waste receptacle can be arranged and the waste receptacle charges will be adjusted to commence from the date that the new receptacle is supplied.

The \$200 is a waste management charge and this is different to a waste receptacle charge. The waste management charge is applied to assist in funding the current and future waste management across the Shire, and is not related to the collection of the bin.

### **Questions from Alan Glasgow**

**Question 1** - With the current fiscal state of the shire, will the council members, shire president and the executive team starting with the CEO all stand down forfeiting all payouts and bonus' and hand control of the shire over to state administrators?

Cr John Moulden, Shire President provides the following response:

The answer is probably no. Following a resolution at the budget council meeting, council requested a probity audit. The Department was already planning to conduct this but bought it forward based on the council resolution. Jenny Law from the Department is here tonight to conduct the probity audit so please await the outcome of that audit.

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Glen Taylor applies for a leave of absence for 21 October 2014 Ordinary Council Meeting.

**COUNCIL DECISION**

**Minute No. 10577**

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

**That Council grants Cr Glen Taylor a leave of absence for 21 October 2014 Ordinary Council Meeting.**

**Carried Unanimously 8/0**

Cr Gary King applies for a leave of absence from 18 November 2014 Ordinary Council Meeting.

**COUNCIL DECISION**

**Minute No. 10578**

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

**That Council grants Cr Gary King a leave of absence for 18 November 2014 Ordinary Council Meeting.**

**Carried Unanimously 8/0**

**7. PETITIONS**

Nil

**8. CONFIRMATION OF MINUTES**

**8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 26 AUGUST 2014**

**RECOMMENDATION**

That Council confirms the Minutes of Ordinary Council Meeting held on 26 August 2014.

**COUNCIL DECISION**

**Minute No. 10579**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council confirms the Minutes of Ordinary Council Meeting held on 26 August 2014.**

**Carried Unanimously 8/0**

**8.2 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING OF 2 SEPTEMBER 2014**

That Council confirms the Minutes of Special Council Meeting of 2 September 2014.

**COUNCIL DECISION**

**Minute No. 10580**

**Moved: Cr K Wright**

**Seconded: Cr B Robinson**

**That Council confirms the Minutes of Special Council Meeting of 2 September 2014.**

**Carried Unanimously 8/0**

**8.3 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING OF 4 SEPTEMBER 2014**

That Council confirms the Minutes of Special Council Meeting of 4 September 2014.

**COUNCIL DECISION**

**Minute No. 10581**

**Moved: Cr K Wright**

**Seconded: Cr D Learbuch**

**That Council confirms the Minutes of Special Council Meeting of 4 September 2014.**

**Carried Unanimously 8/0**

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

Nil

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

Nil

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

Nil

**12. MINUTES OF COUNCIL COMMITTEE MEETINGS**

Nil

**13. REPORTS**

## 13.1 CORPORATE SERVICES

### 13.1.1 List of Accounts paid from the Municipal and Trust Fund

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Felicity Heading, Coordinator Financial Operations Victoria Nakamya, Creditors Officer
<b>REPORTING OFFICER:</b>	Natalie Octoman, Director Corporate Services
<b>FILE NO:</b>	FM.09.5

#### **PURPOSE**

To present the listing of accounts paid from the Municipal Fund and Trust Fund in accordance with the requirements of the Local Government (Financial Management) Regulations 1996.

#### **BACKGROUND**

Council delegated to CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund at the Ordinary Council Meeting of 16<sup>th</sup> August 2011.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 5.42  
Local Government (Financial Management) Regulations 1996 – Regulations 12 and 13

#### **POLICY IMPLICATIONS**

CD\GOV6113 – Payments from Municipal Fund and Trust Fund.

#### **FINANCIAL IMPLICATIONS**

Ongoing management of Council funds by providing Council with sufficient information to monitor and review payments made.

#### **STRATEGIC IMPLICATIONS**

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

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

#### **COMMENT**

In accordance with statutory requirements, each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled each month showing: the payee's name, amount of payment, date of payment and sufficient information to identify the transaction. The list is to be presented to Council at the next ordinary meeting of the Council following the

preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

**ATTACHMENTS**

Attachment 1 – List of Accounts Paid from Municipal Fund and Trust Fund

**VOTING REQUIREMENT**

Simple Majority

**OFFICER’S RECOMMENDATION**

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

Municipal EFT 121605 – 121717 (04 August – 28 August 14)	\$ 2,703,225.64
Municipal cheques 50069 - 50129 (07 August – 28 August 14)	\$ 99,590.27
Trust cheques 697 – 703 (14 August – 27 August 14)	\$ 2,522.00
Trust EFT 500769 – 500785 (01 August – 29 August 14)	\$ 16,543.00
Payroll (06 August – 22 August 14)	\$ 486,916.80
Direct bank debits (01 August – 28 August 14)	\$ 26,418.89
TOTAL	\$ 3,335,216.60

**COUNCIL DECISION**

**Minute No. 10582**

**Moved: Cr K Wright**

**Seconded: Cr G King**

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

<b>Municipal EFT 121605 – 121717 (04 August – 28 August 14)</b>	<b>\$ 2,703,225.64</b>
<b>Municipal cheques 50069 - 50129 (07 August – 28 August 14)</b>	<b>\$ 99,590.27</b>
<b>Trust cheques 697 – 703 (14 August – 27 August 14)</b>	<b>\$ 2,522.00</b>
<b>Trust EFT 500769 – 500785 (01 August – 29 August 14)</b>	<b>\$ 16,543.00</b>
<b>Payroll (06 August – 22 August 14)</b>	<b>\$ 486,916.80</b>
<b>Direct bank debits (01 August – 28 August 14)</b>	<b>\$ 26,418.89</b>
<b>TOTAL</b>	<b>\$ 3,335,216.60</b>

**Carried Unanimously 8/0**

**LIST OF ACCOUNTS SUBMITTED TO COUNCIL 23 SEPTEMBER 2014**

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT121605		CANCELLED EFT	CANCELLED EFT	-
EFT121606	04/08/2014	GUERINONI & SONS	PROGRESS CLAIMS 1-3, RECONSTRUCTION-ERYTHRINA STREET- RFQ 04-2014	374,989.62
EFT121607	07/08/2014	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	180.00
EFT121608	07/08/2014	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1,419.08
EFT121609	07/08/2014	AMANTZ ENTERPRISES PTY LTD	REPAIRS TO KERBING TOWN SITE & LAKESIDE STREETS KUNUNURRA	14,958.68
EFT121610	07/08/2014	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	225.90
EFT121611	07/08/2014	BOAB REFRIGERATION AND AIRCON	REPAIRS - AIRCON-EAST KIMBERLEY REGIONAL AIRPORT	1,019.33
EFT121612	07/08/2014	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL- JUNE 14 KUNUNURRA DEPOT	307.81
EFT121613	07/08/2014	CENTURION TRANSPORT	P384 FREIGHT - PARTS	28.25
EFT121614	07/08/2014	DSC CONTRACTING	INSTALL PHONE/DATA LINES, WYN & KNX LANDFILLS, WYN POOL, KNX LEISURE CNT	2,106.76
EFT121615	07/08/2014	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS KUNUNURRA DEPOT - JUNE 2014	181.75
EFT121616	07/08/2014	ENIGMA BUSINESS PRODUCTS	HP SIDE DOC VGA ADAPTOR - WYN COMMUNITY RESOURCE CENTRE	566.50
EFT121617	07/08/2014	FENCE FACTORY	FENCING MATERIALS - KUNUNURRA LANDFILL	1,430.40
EFT121618	07/08/2014	GUERINONI & SONS	ROLLER HIRE - FLOOD RECOVERY WRKS - LEICHARDT ST KUNUNURRA	726.00
EFT121619	07/08/2014	JSW HOLDINGS PTY LTD	FLOOD RECOVERY WORKS - IN ACCORDANCE WITH RFQ PACKAGE 3	136,570.64
EFT121620	07/08/2014	JAB INDUSTRIES	FLOOD RECOVERY WORKS - IN ACCORDANCE WITH RFQ PACKAGE 4 VARIOUS LOCS	118,667.09
EFT121621	07/08/2014	KIMBERLEY PUMPING SERVICE	REPAIRS -PUMP STATION - MESSMATE WAY	1,266.10
EFT121622	07/08/2014	KUNUNURRA COMM. BODY WORKS	P478 - EXCESS INSURANCE CLAIM/WINDSCREEN REPLACEMENT	1,020.00
EFT121623	07/08/2014	KUNUNURRA HOME & GARDEN	SUPPLIES AND MAINTENANCE -KNX AIRPORT	14.65
EFT121624	07/08/2014	KUNUNURRA SECURITY SERVICE	REPAIRS - PHONE LINES - KUNUNURRA LEISURE CENTRE	450.00
EFT121625	07/08/2014	LANGFORD MACHINERY PTY LTD	P313 REPAIRS	914.00
EFT121626	07/08/2014	OFFICE NATIONAL KUNUNURRA	SUPPLIES -12MM BLACK/WHITE TAPE - KNX AIRPORT	67.90
EFT121627	07/08/2014	OLLIE'S IRRIGATION & PLUMB. SUPPLIES	RETICULATION FITTINGS - KUNUNURRA DEPOT	3.30
EFT121628	07/08/2014	ORD FUEL SUPPLIES	BULK DIESEL 7200 LITRES - KUNUNURRA DEPOT	11,649.05
EFT121629	07/08/2014	PIVOTEL	SATELITE PHONE COSTS JULY 14	60.00
EFT121630	07/08/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	62.40
EFT121631	07/08/2014	ROCKWELL OLIVIER	PROFESSIONAL ADVICE - MULLIGANS LAGOON RD, COMMUNITY LEASES	7,915.33
EFT121632	07/08/2014	SGS ENVIRONMENTAL SERVICES	TESTING OF SAMPLES FOR LANDFILL BORES - KUNUNURRA LANDFILL	708.40
EFT121633	07/08/2014	TELESIS EVENTS	CONTRACT LAW ESSENTIALS REGISTRATION - STAFF TRAINING	1,426.70
EFT121634	07/08/2014	TOX FREE AUSTRALIA PTY LTD	STREET SWEEPING/LITTER COLLECTION KNX & WYN - JUNE 14	27,381.86
EFT121635	07/08/2014	VISION IDZ	SUPPLIES -MAGIC CARD ENDURO & PRINTER PAPER - KLC	492.80
EFT121636	07/08/2014	ORD RIVER CONTRACTING	FLOOD REC. WKS -VAR LOCS INCL WEABER PLNS RD, MILLS RD, RESEARCH STN RD	795,556.10

EFT121637		CANCELLED EFT	CANCELLED EFT	-
EFT121638	08/08/2014	MAXXIA	PAYROLL DEDUCTIONS	5,816.33
EFT121639	14/08/2014	BUDGET RENT A CAR	CAR HIRE – OFFICERS FOR KNX CIVIC CNTR & EAST LILY CK BUSINESS PLAN – JUNE 14	683.35
EFT121640	14/08/2014	CABCHARGE	CAB CHARGES PERTH - STAFF MEMBER - WORKERS COMP 20/06/14-24/06/14	299.20
EFT121641	14/08/2014	COATES HIRE OPERATIONS PTY LTD	EQUIPMENT HIRE - WYNDHAM LANDFILL SITE -JUNE 14	1,237.50
EFT121642	14/08/2014	EAGLE ELECTRICAL	REPAIRS - BORE PUMP -WYNDHAM LANDFILL	627.00
EFT121643	14/08/2014	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS KUNUNURRA DEPOT - APRIL 2014	144.25
EFT121644	14/08/2014	GUERINONI & SONS	EQUIPMENT HIRE - SIDE TIPPER - KNX LANDFILL	15,722.03
EFT121645	14/08/2014	JORRITSMA H & CO	P493 PARTS	146.00
EFT121646	14/08/2014	KIMBERLEY TRAFFIC MANAGEMENT	TRAFFIC CONTROL - VARIOUS ROADS INCLUDING VALENTINE SPRINGS ROAD	35,539.76
EFT121647	14/08/2014	KUNUNURRA BETTA ELECTRICAL & GAS	REPLACEMENT GAS OVEN - STAFF HOUSING	1,049.00
EFT121648	14/08/2014	KUNUNURRA RURAL TRADERS	6 MONTH FIRE SAFETY CHECK - DEPOT BUILDING , WYN POOL, KLC	368.00
EFT121649	14/08/2014	KUNUNURRA SECURITY SERVICE	SECURITY MONITORING & PATROLS - SHIRE BUILDINGS KNX & WYN - JUNE 14	3,235.00
EFT121650	14/08/2014	LANGFORD MACHINERY PTY LTD	P482 - REPAIRS	605.00
EFT121651	14/08/2014	MILMAR DISTRIBUTORS	EFTPOS SUPPLIES - THERMAL ROLLS - KUNUNURRA LEISURE CENTRE	34.00
EFT121652	14/08/2014	MODERN TEACHING AIDS	PROGRAM RESOURCES - WYN CHILD CARE	307.89
EFT121653	14/08/2014	OFFICE NATIONAL KUNUNURRA	STATIONERY KUNUNURRA ADMINISTRATION	89.36
EFT121654	14/08/2014	OLLIE'S IRRIGATION & PLUMB. SUPPLIES	RETICULATION SPRINKLERS - NICOLSON PARK KUNUNURRA	1,663.20
EFT121655	14/08/2014	SHELF SUPPLY	PROT. CLOTHING - OUTDOOR WORKFORCE, CAT TRAPS, DOG FOOD - KNX POUND	948.00
EFT121656	14/08/2014	SURVEY NORTH	SURVEY ERYTHRINA ST RECONSTRUCTION	2,145.00
EFT121657	14/08/2014	TNT AUSTRALIA PTY LIMITED	FREIGHT - HEALTH SAMPLES - KNX TO PERTH	754.77
EFT121658	14/08/2014	URBAN DESIGN & LANDSCAPE ARCH.	KNX COMMERCIAL BOAT HARBOUR VISIONING CONSULTANT SERVICES	10,905.73
EFT121659	14/08/2014	WALER AUSTRALIA P/L	POOL FILTER SCREEN - KUNUNURRA LEISURE CENTRE	744.00
EFT121660	21/08/2014	SHIRE OF WYNDHAM EAST KIMBERLEY	ADVERTISING IN THE BASTION - APRIL ISSUE	197.50
EFT121661	21/08/2014	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1,419.08
EFT121662	21/08/2014	AUSTRALIAN FUEL DISTRIBUTORS	FUEL COSTS MOTOR VEHICLES AND SMALL PLANT - JULY 14	941.63
EFT121663	21/08/2014	AUSTRALIA POST (KNX)	POSTAGE AND STATIONERY PURCHASES -JULY 14	937.28
EFT121664	21/08/2014	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	225.90
EFT121665	21/08/2014	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	81,248.00
EFT121666	21/08/2014	BGC ASPHALT	ASPHALT SUPPLY - RESURFACING PROGRAM COOLIBAH DRIVE KUNUNURRA	443,113.89
EFT121667	21/08/2014	BODAN CONSTRUCTIONS PTY LTD	REPAIRS - PETER REID MEMORIAL HALL ROOF FOLLOWING VANDALISM	440.00
EFT121668	21/08/2014	BEINGTHERE SOLUTIONS PTY LTD	SUBSCRIPTION - BEINGTHERE VIDEO CONFERENCING - JULY 14	715.00
EFT121669	21/08/2014	CENTURION TRANSPORT	FREIGHT - CLEANING PRODUCTS PERTH - KUNUNURRA	74.60
EFT121670	21/08/2014	CARPET, VINYL & TILE CENTRE	PAINT - BUILDING MAINTENANCE - STAFF HOUSING	84.60

EFT121671	21/08/2014	COATES HIRE OPERATIONS PTY LTD	HIRE OF ROLLER ROAD MAINTENANCE - DROVERS ROAD KUNUNURRA	5,832.02
EFT121672	21/08/2014	CORE BUSINESS AUSTRALIA PTY LTD	PREPARE ASSET MANAGEMENT PLAN - EAST KIMBERLEY REGIONAL AIRPORT	10,792.32
EFT121673	21/08/2014	GLENN MATTHEW TAYLOR	TRAFFIC MANAGEMENT PLAN -WYNDHAM TRIATHLON	2,226.71
EFT121674	21/08/2014	DAVEY TYRE & BATTERY SERVICE	P338 - TYRE REPLACEMENT	128.00
EFT121675	21/08/2014	DRYSDALE RIVER STATION	ACCOMMODATION & MEALS FOR STAFF – INSPECTION OF WORKS - 3/07/14	225.00
EFT121676	21/08/2014	EAST KIMBERLEY PLUMBING	RAISING OF FINISH GROUND LEVEL - KNX ASPHALT WORKS 2014 PROGRESS CLAIM	18,348.00
EFT121677	21/08/2014	EAST KIMBERLEY TOWING	P320 - VEHICLE RECOVERY & RETURN - VALENTINE SPRINGS TO LANDFILL KNX	453.75
EFT121678	21/08/2014	FLEET COMMERCIAL GYMNASIUMS	EQUIPMENT MAINTENANCE - KUNUNURRA LEISURE CENTRE GYM	3,454.00
EFT121679	21/08/2014	HIGHWAYS TRAFFIC (KIMBERLEY) P/L	TRAFFIC M'MENT - ASPHALT RESURFACING COLLIBAH DRIVE - 22-29 JUNE 14	25,808.20
EFT121680	21/08/2014	HYDRO KLEEN	SERVICE AIRCONDITIONERS - STAFF HOUSING	649.00
EFT121681	21/08/2014	IBAC PLUMBING PTY LTD	REPAIRS - BORE PUMP TOWN WATERING SYSTEM WYNDHAM	134.20
EFT121682	21/08/2014	JSW HOLDINGS PTY LTD	SUPPLY & DELIVERY - LATERITE GRAVEL - WEABER PLAINS ROAD	21,574.83
EFT121683	21/08/2014	JAB INDUSTRIES	FLOOD RECOVERY WORKS - PACKAGE 7 VALENTINE SPRINGS ROAD	72,559.34
EFT121684	21/08/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	139.91
EFT121685	21/08/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	334.15
EFT121686	21/08/2014	KUNUNURRA MEDICAL	EMPLOYEE FLU SHOTS , HEP A & B VACCINATION	181.50
EFT121687	21/08/2014	KIMBERLEY ECHO - ALBANY ADVERTISER	SWEK NEWS 5TH, 12TH, 19TH, 26TH JUNE 2014 EDITIONS	3,109.40
EFT121688	21/08/2014	KIMBERLEY FIRST NATIONAL REAL EST.	WATER USE - STAFF HOUSING 15/5/14 -1 4/7/14	89.77
EFT121689	21/08/2014	KUNUNURRA LOCK & KEY	REPAIR LOCKS - STAFF HOUSING	137.00
EFT121690	21/08/2014	LAWRENCE & HANSON GROUP	REPAIRS TO LIGHTING STAFF HOUSING, TIMER - WHITEGUM PARK	5,871.69
EFT121691	21/08/2014	LGIS INSURANCE BROKING	INSURANCE 14/15 - AIRPORT, BUSINESS,COUNCILLORS & OFFICERS, MOTOR VEHICLE	129,503.24
EFT121692	21/08/2014	LANDGATE	LAND ENQUIRIES - JUNE 14	216.00
EFT121693	21/08/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	62.40
EFT121694		CANCELLED EFT	CANCELLED EFT	-
EFT121695	21/08/2014	MARTIN MCCLELLAND	REPAIR DOORS - EAST KIMBERLEY REGIONAL AIRPORT	457.30
EFT121696	21/08/2014	MAXXIA	PAYROLL DEDUCTIONS	5,816.33
EFT121697	21/08/2014	MCLEAN ENTERPRISES PTY LTD	FREIGHT - FENCING MATERIALS - KUNUNURRA LANDFILL	181.50
EFT121698	21/08/2014	METALAND KUNUNURRA	MATERIALS FOR REPAIRS - AUTOMATED TOILETS KUNUNURRA	32.12
EFT121699	21/08/2014	ORICA AUSTRALIA PTY LTD	STORAGE & HANDLING OF CHLORINE GAS CYLINDERS - WYNDHAM POOL	455.07
EFT121700	21/08/2014	OLLIE'S IRRIGATION & PLUMB. SUPPLIES	RETICULATION FITTINGS - KUNUNURRA DEPOT	104.67
EFT121701	21/08/2014	ORD FUEL SUPPLIES	P390 - GREASE	206.11
EFT121702	21/08/2014	SHAWMAC PTY LTD	DETAIL DESIGN - MODIFICATION TO CAR PARK - KNX AIRPORT	11,990.00
EFT121703	21/08/2014	TNT AUSTRALIA PTY LIMITED	FREIGHT - HEALTH SAMPLES - KNX TO PERTH	566.06
EFT121704	21/08/2014	TOLL EXPRESS	FREIGHT - STATE LIBRARY SERVICES - LIBRARY KNX	484.49

EFT121705	21/08/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	142.40
EFT121706	21/08/2014	TRAFFIC MANAGEMENT PLAN SERVICES	TRAFFIC MANAGEMENT FIELD GUIDE	2,005.00
EFT121707	21/08/2014	TUCKERBOX/RETRAVISION KUNUNURRA	PROVISIONS AND MATERIALS JULY 2014 - KUNUNURRA ADMIN OFFICE	379.17
EFT121708	21/08/2014	TYREPLUS KUNUNURRA	P116 REPAIRS	350.00
EFT121709	21/08/2014	URBAN DESIGN & LANDSCAPE ARCH.	ARCHITECTUAL CONSULTANCY - KNX COMMERCIAL BOAT HARBOUR VISIONING	2,601.50
EFT121710	21/08/2014	VALEX SPECIALTY ADHESIVES	SUPPLY OF CONTACT ADHESIVE - SULLAGE PIT - KUNUNURRA LANDFILL	1,221.99
EFT121711	21/08/2014	WALGA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	61,040.55
EFT121712	21/08/2014	WA LOCAL GOVT. ASSOCIATION	ONSITE TRAINING - EMPLOYEE PERFORMANCE APPRAISALS -31/07/2014	3,850.00
EFT121713	21/08/2014	WESTERN AUST. TREASURY CORP.	LOAN REPAYMENT	73,567.75
EFT121714	28/08/2014	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	3,756.75
EFT121715	28/08/2014	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	78,665.00
EFT121716	28/08/2014	WALGA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	151.35
EFT121717	28/08/2014	WESTERN AUST. TREASURY CORP.	LOAN REPAYMENT	38,541.85
<b>TOTAL MUNICIPAL EFT PAYMENTS</b>				<b>2,703,225.64</b>

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
50069	07/08/2014	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	692.94
50070	07/08/2014	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	1,159.26
50071	07/08/2014	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	2,293.02
50072	07/08/2014	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	249.47
50073	07/08/2014	CBUS	SUPERANNUATION CONTRIBUTIONS	339.93
50074	07/08/2014	COMMONWEALTH BANK GROUP SUPER	SUPERANNUATION CONTRIBUTIONS	430.74
50075	07/08/2014	CONCEPT ONE INDUSTRY SUPER FUND	SUPERANNUATION CONTRIBUTIONS	297.42
50076	07/08/2014	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75
50077	07/08/2014	HORIZON POWER	ELECT- KNX ADMIN OFFICE, SWIM BEACH TOILETS 11/6/14-10/7/14	5,435.43
50078	07/08/2014	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	506.27
50079	07/08/2014	INTRUST SUPER	SUPERANNUATION CONTRIBUTIONS	233.83
50080	07/08/2014	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	638.38
50081	07/08/2014	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	244.74
50082	07/08/2014	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	282.50
50083	07/08/2014	REI SUPER	SUPERANNUATION CONTRIBUTIONS	412.72
50084	07/08/2014	REST SUPER	SUPERANNUATION CONTRIBUTIONS	640.35
50085	07/08/2014	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	1,001.69
50086	07/08/2014	TEX GUN SUPPLIES	SUPPLIES - BIRD ALARM AMMUNITION - EAST KIMBERLEY REGIONAL AIRPORT	1,675.00

50087	07/08/2014	THE TRUSTEE FOR HEADING SUPER	SUPERANNUATION CONTRIBUTIONS	503.12
50088	07/08/2014	UNISUPER	SUPERANNUATION CONTRIBUTIONS	162.42
50089	07/08/2014	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	3,852.00
50090	07/08/2014	WATTLEUP TRACTORS	P351 - PARTS	525.65
50091	07/08/2014	WESTSCHEME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	699.72
50092	07/08/2014	WATER CORPORATION	WATER USE CHARGES - WYN ADMIN OFFICE , WYN AIRPORT - 27/05/14-21/07/2014	1,948.41
50093	07/08/2014	WATER CORPORATION SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	209.36
50094	07/08/2014	WYNDHAM DISTRICT HIGH SCHOOL	CATERING - GOVERNOR GENERAL'S VISIT - WYNDHAM DISTRICT HIGH SCHOOL	732.00
50095	08/08/2014	TELSTRA	MOBILE PHONE COSTS - MAY 2014	4,264.55
50096	14/08/2014	COMMISSIONER OF POLICE	ANNUAL FIREARMS LICENSE 2014-2015	119.00
50097	14/08/2014	HORIZON POWER	ELECT- ADMIN OFFICE KNX 20/05/14-14/07/14	2,539.32
50098	14/08/2014	KIMBERLEY METALS GROUP PTY LTD	RATES REFUND NON CURRENT MINING TENEMENT	499.30
50099	14/08/2014	TELSTRA	LANDLINE COSTS - JUNE 2014	8,560.41
50100	14/08/2014	WATER CORPORATION	USE CHARGES - KNX ADMIN -13/05-09/07/14, SERVICE CHARGES EWIN CENTRE	1,459.58
50101	21/08/2014	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	694.65
50102	21/08/2014	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	1,092.79
50103	21/08/2014	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	2,161.34
50104	21/08/2014	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	249.47
50105	21/08/2014	CBUS	SUPERANNUATION CONTRIBUTIONS	336.80
50106	21/08/2014	COMMONWEALTH BANK GROUP SUPER	SUPERANNUATION CONTRIBUTIONS	430.74
50107	21/08/2014	CONCEPT ONE INDUSTRY SUPER FUND	SUPERANNUATION CONTRIBUTIONS	297.42
50108	21/08/2014	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75
50109	21/08/2014	HORIZON POWER	ELECT. INCL. STREET LIGHTING JUL 14, WYN POOL, WYN DEPOT, 27/05/-29/07/2014	33,913.05
50110	21/08/2014	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	400.99
50111	21/08/2014	INTRUST SUPER	SUPERANNUATION CONTRIBUTIONS	233.83
50112	21/08/2014	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	638.38
50113	21/08/2014	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	243.68
50114	21/08/2014	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	278.79
50115	21/08/2014	REI SUPER	SUPERANNUATION CONTRIBUTIONS	412.72
50116	21/08/2014	REST SUPER	SUPERANNUATION CONTRIBUTIONS	527.49
50117	21/08/2014	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	1,006.43
50118	21/08/2014	THE TRUSTEE FOR HEADING SUPER	SUPERANNUATION CONTRIBUTIONS	507.68
50119	21/08/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	39.00
50120	21/08/2014	UNISUPER	SUPERANNUATION CONTRIBUTIONS	144.38

50121	21/08/2014	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	3,807.87
50122	21/08/2014	WESTSCHEME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	701.15
50123	21/08/2014	WATER CORPORATION	SERVICE CHARGES - STAFF HOUSING, 1/7/14-31/8/14	6,929.24
50124	21/08/2014	WATER CORP. SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	209.36
50125	22/08/2014	CASH - PETTY CASH KNX OFFICE	PETTY CASH REIMBURSEMENT - KUNUNURRA DEPOT OFFICE	186.00
50126	28/08/2014	CASH - PETTY CASH KNX AIRPORT	PETTY CASH REIMBURSEMENT - KUNUNURRA AIRPORT	102.75
50127	28/08/2014	MACPHEE RESOURCES PTY LTD	RATES REFUND NON CURRENT MINING TENEMENT	823.79
50128	28/08/2014	SUPERANNUATION SAVINGS ACCOUNT	SUPERANNUATION CONTRIBUTIONS	64.45
50129	28/08/2014	THE RUSTY SHED CAFE	CATERING -AUST DAY - CHEQUE 50031 CANCELLED AS NOT RECEIVED BY CREDITOR	462.00
<b>TOTAL MUNICIPAL CHEQUE PAYMENTS</b>				<b>99,590.27</b>

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
697	14/08/2014	BRADLEY LIPPITT	HIRE AND KEY BOND REFUND	1,020.00
698	14/08/2014	EAST KIMBERLEY CONSTRUCTION P/L	KERB BOND REFUND BP#070/2014	552.00
699	21/08/2014	KELSIE HUNTER	BOND REFUND - PARK HIRE - 19/07/14	250.00
700	27/08/2014	BRETT COOPER	BOND REFUND - ASIC CARD	50.00
701	27/08/2014	CAMERON ELLIOTT	BOND REFUND - CHAIR HIRE - 05/07/14	100.00
702	27/08/2014	HONOR CHANDLER	BOND REFUND - PARK HIRE - 30/08/14	250.00
703	27/08/2014	NORTHERN AIRPORT SERVICES	BOND REFUND - EKRA ACCESS CARD	300.00
<b>TOTAL TRUST CHEQUE PAYMENTS</b>				<b>2,522.00</b>

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
500769	01/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 01/08/14	392.60
500770	04/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 04/08/14	182.85
500771	05/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 05/08/14	879.00
500772	06/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 06/08/14	458.15
500773	07/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 07/08/14	1,436.35
500774	12/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 12/08/14	529.70
500775	13/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 13/08/14	1,361.95
500776	15/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 15/08/14	154.40
500777	19/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 19/08/14	112.65
500778	20/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 20/08/14	407.05
500779	21/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 21/08/14	37.30
500780	22/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 22/08/14	3,887.10

500781	25/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 25/08/14	958.20
500782	26/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 26/08/14	84.70
500783	27/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 27/08/14	36.90
500784	28/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 28/08/14	719.30
500785	29/08/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 29/08/14	4,904.80
<b>TOTAL TRANSPORT EFT PAYMENTS</b>				<b>16,543.00</b>

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	6/08/2014	PAYROLL	PAYROLL	239,616.83
	12/08/2014	PAYROLL	PAYROLL	829.98
	12/08/2014	PAYROLL	PAYROLL	8,144.24
	20/08/2014	PAYROLL	PAYROLL	236,484.88
	22/08/2014	PAYROLL	PAYROLL	213.78
	22/08/2014	PAYROLL	PAYROLL	1,627.09
<b>TOTAL PAYROLL PAYMENTS</b>				<b>486,916.80</b>

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	1/08/2014	DIRECT DEBIT	BPAY FEES	110.07
	1/08/2014	DIRECT DEBIT	BANK FEES	173.19
	1/08/2014	DIRECT DEBIT	LEASE COSTS - 11 KWINANA STREET WYNDHAM	1,441.00
	5/08/2014	DIRECT DEBIT	LEASE COSTS - 9B PLUM COURT KUNUNURRA	1,380.50
	11/08/2014	DIRECT DEBIT	LEASE COSTS - 38 GARDENIA DRIVE KUNUNURRA	3,606.55
	11/08/2014	DIRECT DEBIT	LEASE COSTS - 5 RATTLEPOD CLOSE KUNUNURRA	2,946.66
	19/08/2014	DIRECT DEBIT	LEASE COSTS - 9B PLUM COURT KUNUNURRA	1,380.50
	20/08/2014	DIRECT DEBIT	MASTERCARD PAYMENT (SEE TRANSACTION LISTING BELOW)*	10,714.96
	27/08/2014	DIRECT DEBIT	LEASE COSTS 17/33 KONKERBERRY DRIVE KUNUNURRA	2,253.33
	29/08/2014	DIRECT DEBIT	LEASE COSTS 16/33 KONKERBERRY DRIVE KUNUNURRA	2,253.33
	29/08/2014	DIRECT DEBIT	PERIODIC PAYMENT FEES	28.80
	20/08/2014	DIRECT DEBIT	AUDIT CERTIFICATE FEE	60.00
	28/08/2014	DIRECT DEBIT	AUDIT CERTIFICATE FEE	70.00
				<b>26,418.89</b>

**\*DETAILS OF MASTERCARD TRANSACTIONS INCLUDED IN DIRECT DEBIT 20/8/14**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	1/07/2014	ORD RIVER ROADHOUSE	MEALS FOR AIRPORT STAFF - RUNWAY RESEAL PROJECT	29.00
	3/07/2014	COLES	FOOD & SOFT DRINKS - STAFF FAREWELL - TO BE REIMBURSED BY STAFF MEMBER	63.99
	3/07/2014	LIQUORLAND	REFRESHMENTS - STAFF FAREWELL - TO BE REIMBURSED BY STAFF MEMBER	103.00
	7/07/2014	KIMBERLEY COMMUNICATIONS	P322 - UHF RADIO ANTENNA AIRPORT MANAGERS VEHICLE	44.00
	28/07/2014	IATA	DANGEROUS GOODS MANUAL	386.26
	8/07/2014	HARRIS TECHNOLOGY	COMPUTER MONITOR ADAPTERS	187.50
	10/07/2014	STRETCH NOW	CREDIT FOR ANTI GLARE SCREEN FILTER	(140.00)
	14/07/2014	MESSAGE MEDIA	SMS SERVER MONITORING SERVICE	1.23
	21/07/2014	NEC AUSTRALIA	DESK PHONE LABELS	22.00
	24/07/2014	METAGEEK	WIFI MONITORING SOFTWARE AND HARDWARE	244.44
	4/07/2014	KIMBERCRUST BAKERY	KITCHEN PROVISIONS	30.00
	15/07/2014	COLES	REFRESHMENTS JULY BRIEFING SESSION	53.22
	23/07/2014	VIRGIN AUSTRALIA	FLIGHTS ELECTED MEMBERS X 2 - LOCAL GOVT WEEK CONFERENCE	708.40
	24/07/2014	COLES	REFRESHMENTS - CITIZENSHIP CEREMONY 25/7/14	60.59
	24/07/2014	WALKABOUT SOUVENIERS	GIFTS FOR CITIZENSHIP CEREMONY 25/7/14	48.90
	28/07/2014	COLES	REFRESHMENTS - ELECTED MEMBERS IN HOUSE TRAINING	82.61
	3/07/2014	QANTAS AIRWAYS	FLIGHT CHANGE FEE LOCAL GOVT CONVENTION	108.00
	28/07/2014	AIRNORTH	FLIGHT CHANGE FEE LOCAL GOVT CONVENTION	66.66
	29/07/2014	AIRNORTH	REFUND FLIGHT ELECTED MEMBER LOCAL GOVT CONVENTION	(282.00)
	29/07/2014	AIRNORTH	REFUND FLIGHT ELECTED MEMBER LOCAL GOVT CONVENTION	(282.00)
	8/07/2014	MASTERCARD	FOREIGN TRANSACTION FEE	18.60
	8/07/2014	QANTAS AIRWAYS	FLIGHTS PER-KNX 11/7/14 OFFICER - KNX CIVIC CNTR & EAST LILY CK BUSINESS PLAN	767.00
	8/07/2014	AUST. INST. OF COMPANY DIRECTORS	PROF MEMBERSHIP AS PER EMPLOYMENT CONTRACT	524.00
	9/07/2014	QANTAS AIRWAYS	FLIGHTS KNX-PER 16/7/14 OFFICER - KNX CIVIC CNTR & EAST LILY CK BUSINESS PLAN	1,137.00
	16/07/2014	AIRNORTH	FLIGHT PER-KNX 9/8/14 STAFF MEMBER - TRAINING	380.77
	17/07/2014	AGA TRAVEL INSURANCE	FLIGHT INSURANCE 22/7/14 WALGA INVESTIGATOR - WORKPLACE INVESTIGATION	13.50
	17/07/2014	VIRGIN AUSTRALIA	FLIGHT KNX-PER STAFF MEMBER - TRAINING	354.20
	18/07/2014	VIRGIN AUSTRALIA	FLIGHT KNX-PER 22/7/14 WALGA INVESTIGATOR - WORKPLACE INVESTIGATION	654.20
	19/07/2014	QANTAS AIRWAYS	FLIGHTS KNX-PER-KNX 24/9/14, 11/10/14 2 X STAFF - WASTE M'MENT CONFERENCE	1,925.54
	23/07/2014	QANTAS AIRWAYS	FLIGHT KNX-PER 25/7/14 - WALGA INVESTIGATOR - WORKPLACE INVESTIGATION	837.01
	25/07/2014	AGA TRAVEL INSURANCE	FLIGHT INSURANCE KNX-PER 28/7/14 - STAFF MEMBER - TRAINING	13.50
	25/07/2014	AGA TRAVEL INSURANCE	FLIGHT INSURANCE PER-KNX 11/8/14/14 STAFF MEMBER - TRAINING	13.50

25/07/2014	AIRNORTH	FLIGHT KNX - PER 2/8/14 - STAFF MEMBER - TRAINING	380.77
25/07/2014	AIRNORTH	FLIGHT PER-KNX 16/8/14 - STAFF MEMBER - TRAINING	380.77
25/07/2014	WOTIF	ACCOMODATION PERTH 28/7/14-2/8/14 - STAFF MEMBER - TRAINING	1,050.50
25/07/2014	AIG AUSTRALIA	FLIGHT INSURANCE 28/7/14 - STAFF MEMBER - TRAINING	9.95
25/07/2014	AIG AUSTRALIA	FLIGHT INSURANCE 11/8/14 - STAFF MEMBER - TRAINING	9.95
25/07/2014	VIRGIN AUSTRALIA	FLIGHT KNX-PER 28/7/14 - STAFF MEMBER - TRAINING	354.20
25/07/2014	VIRGIN AUSTRALIA	FLIGHT KNX-PER 11/8/14 - STAFF MEMBER - TRAINING	354.20

### 13.1.2 Interim Monthly Financial Reports for July 2014

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Asanka Jayakody, Coordinator Financial Management
<b>REPORTING OFFICER:</b>	Natalie Octoman, Director Corporate Services
<b>FILE NO:</b>	FM.09.5

#### **PURPOSE**

For the Council to note and accept the Interim Monthly Financial Report for July 2014 noting that the financial reports will remain interim until the Council's auditors have finalised their audit of the 2013/14 financial year.

#### **BACKGROUND**

The Council is required to prepare Monthly Financial Reports as required by the Local Government (Financial Management Regulations) 1996.

As the 2014/15 annual budget was adopted by the Council at its Special Meeting on 2 September 2014, the year-to-date budget amounts have been included to reflect the actual revenue and expenditure for that period. This will change from the September monthly financial reports to reflect the anticipated revenue and expenditure amounts.

#### **STATUTORY IMPLICATIONS**

Section 6.4 Local Government Act 1995  
Regulation 34, Local Government (Financial Management Regulations) 1996.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of the report.

#### **FINANCIAL IMPLICATIONS**

Monthly financial reporting is a primary financial management and control process, it provides Council with the ability to oversee the Shire's financial performance against budgeted target.

#### **STRATEGIC IMPLICATIONS**

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

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

#### **COMMENT**

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

**ATTACHMENTS**

Attachment 1 – Monthly Financial Report

**VOTING REQUIREMENT**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council accepts the Interim Monthly Financial Report for the month of July 2014.

**COUNCIL DECISION**

**Minute No. 10583**

**Moved: Cr K Wright**

**Seconded: Cr G King**

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

**Carried Unanimously 8/0**



# Shire of Wyndham East Kimberley

## Interim Monthly Financial Report 2014/2015

**As at 31 July 2014**

Contents:

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

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

# Shire of Wyndham East Kimberley

## Statement of Financial Activity (Interim Report)

Year to Date Actual v Year to Date Budget  
as at 31 July 2014

	YTD	YTD Budget	YTD Variance	
	Actual 2014/15 \$	2014/15 \$	2014/15 \$	%
<b>Revenue</b>				
General Purpose Funding	36,376	36,376	0	0%
Governance	960,608	960,608	0	0%
Law, Order, Public Safety	2,663	2,663	0	0%
Health	3,066	3,066	0	0%
Education and Welfare	16,317	16,317	0	0%
Housing	12,052	12,052	0	0%
Community Amenities	14,303	14,303	0	0%
Recreation and Culture	22,787	22,787	0	0%
Transport	449,207	449,207	0	0%
Economic Services	6,143	6,143	0	0%
Other Property and Services	0	0	0	0%
	<u>1,523,521</u>	<u>1,523,521</u>	<u>0</u>	<u>0%</u>
<b>Expenses</b>				
General Purpose Funding	(1,899)	(1,899)	0	0%
Governance	(1,955)	(1,955)	0	0%
Law, Order, Public Safety	(27,548)	(27,548)	0	0%
Health	(12,126)	(12,126)	0	0%
Education and Welfare	(13,057)	(13,057)	0	0%
Housing	(16,925)	(16,925)	0	0%
Community Amenities	(122,286)	(122,286)	0	0%
Recreation & Culture	(237,087)	(237,087)	0	0%
Transport	(1,339,425)	(1,339,425)	0	0%
Economic Services	(6,671)	(6,671)	0	0%
Other Property and Services	(265,192)	(265,192)	0	0%
	<u>(2,044,172)</u>	<u>(2,044,172)</u>	<u>0</u>	<u>0%</u>
<b>Adjustments for Cash Budget Requirements:</b>				
<b>Non-Cash Expenditure and Revenue</b>				
(Profit)/Loss on Asset Disposals	0	0	0	0%
Movement in Accruals and Provisions	(1,409)	(1,409)	0	0%
Depreciation on Assets	0	0	0	0%
<b>Capital Expenditure and Revenue</b>				
Purchase Land Held for Resale	0	0	0	0%
Purchase Land and Buildings	0	0	0	0%
Purchase Infrastructure Assets - Roads	(429,151)	(429,151)	0	0%
Purchase Infrastructure Assets - Footpaths	0	0	0	0%
Purchase Infrastructure Assets - Drainage	0	0	0	0%
Purchase Infrastructure Assets - Other	(314,685)	(314,685)	0	0%
Purchase Plant and Equipment	0	0	0	0%
Purchase Furniture and Equipment	(7,438)	(7,438)	0	0%
Grants / Contributions for Development of Assets	629,496	629,496	0	0%
Proceeds from Disposal of Assets	0	0	0	0%
Proceeds from Sale of Land Held for Resale	0	0	0	0%
Repayment of Debentures	0	0	0	0%
Proceeds from New Debentures	0	0	0	0%
Transfers to Reserves (Restricted Assets)	0	0	0	0%
Transfers from Reserves (Restricted Assets)	0	0	0	0%
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,423,053)	(1,423,053)	0	0%
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	(2,066,891)	(2,066,891)	0	0%
<b>Amount Required to be Raised from Rates</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>

**Shire of Wyndham East Kimberley**  
**Note to Statement of Financial Activity (Interim Report)**  
**Net Current Assets**  
**as at 31 July 2014**

**NET CURRENT ASSETS**

**Composition of Estimated Net Current Asset Position**

	<b>YTD Actual 2014/15</b>	<b>Brought Forward 1 July 2014</b>
<b>CURRENT ASSETS</b>		
Cash - Unrestricted	609,618	608,534
Cash - Restricted	8,303,180	8,303,180
Cash - Restricted Unspent Grants	0	0
Receivables	1,516,253	1,607,123
Inventories	<u>12,268</u>	<u>17,037</u>
	10,441,320	10,535,875
<b>LESS: CURRENT LIABILITIES</b>		
Payables and Provisions	(4,205,031)	(3,655,748)
Less: Cash - Restricted	<u>(8,303,180)</u>	<u>(8,303,180)</u>
<b>NET CURRENT ASSET POSITION</b>	<u><u>(2,066,891)</u></u>	<u><u>(1,423,053)</u></u>

**Shire of Wyndham East Kimberley**  
**Notes to Statement of Financial Activity (Interim Report)**  
For the Period Ended 31 July 2014

**Explanation of Material Variances**

*Variances +/- \$50,000 at Financial Statement Level*  
*Variances +/- \$20,000 and 10% at Account Level*

**Operating**

**Recurrent Income - Excluding Rates**

**General Purpose Funding**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Governance**

No material variances to report

As above

**Law, Order and Public Safety**

No material variances to report

As above

**Health**

No material variances to report

As above

**Education and Welfare**

No material variances to report

As above

**Housing**

No material variances to report

As above

**Community Amenities**

No material variances to report

As above

**Recreation and Culture**

No material variances to report

As above

**Transport**

No material variances to report

As above

**Economic Services**

No material variances to report

As above

**Other Property and Services**

No material variances to report

As above

**Recurrent Expenditure**

**General Purpose Funding**

No material variances to report

As above

**Governance**

No material variances to report

As above

**Law, Order and Public Safety**

No material variances to report

As above

**Health**

No material variances to report

As above

**Education and Welfare**

No material variances to report

As above

**Housing**

No material variances to report

As above

**Community Amenities**

No material variances to report

As above

**Shire of Wyndham East Kimberley**  
**Notes to Statement of Financial Activity (Interim Report)**  
**For the Period Ended 31 July 2014**  
*(continued)*

**Recurrent Expenditure (Continued)**

**Recreation and Culture**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Transport**

No material variances to report

As above

**Economic Services**

No material variances to report

As above

**Other Property and Services**

No material variances to report

As above

**Non Cash Expenditure and Revenue**

**Adjustments and Accruals**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Capital**

**Purchase Land Held for Resale**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Purchase Land and Buildings**

No material variances to report

As above

**Purchase Infrastructure Assets - Roads**

No material variances to report

As above

**Purchase Infrastructure Assets - Footpaths**

No material variances to report

As above

**Purchase Infrastructure Assets - Drainage**

No material variances to report

As above

**Purchase Infrastructure Assets - Other**

No material variances to report

As above

**Purchase Plant and Equipment**

No material variances to report

As above

**Purchase Furniture and Equipment**

No material variances to report

As above

**Grants / Contributions for Development of Assets**

No material variances to report

As above

**Shire of Wyndham East Kimberley**  
**Notes to Statement of Financial Activity (Interim Report)**  
For the Period Ended 31 July 2014  
*(continued)*

**Capital** *(continued)*

**Proceeds from Disposal of Assets**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Debentures**

No material variances to report

As above

**Reserves**

No material variances to report

As above

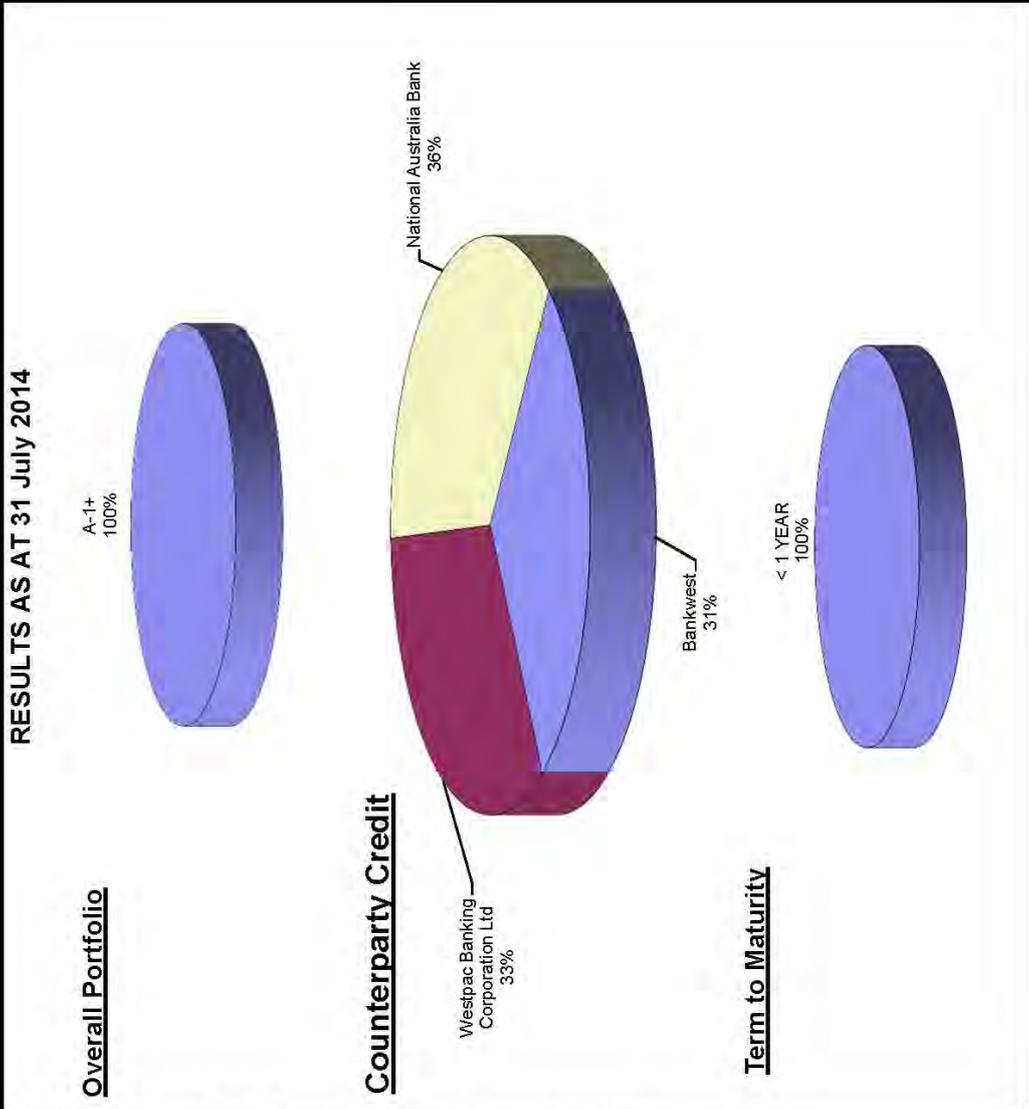
# Shire of Wyndham East Kimberley

## Statement of Financial Activity (Interim Report)

Budget Remaining to Collect/Spend  
as at 31 July 2014

	YTD Actual 2014/15 \$	Annual Budget 2014/15	Budget Remaining 2014/15	
			\$	%
<b>Revenue</b>				
General Purpose Funding	36,376	4,413,934	4,377,558	99% ▼
Governance	960,608	1,086,042	125,434	12% ▼
Law, Order, Public Safety	2,663	59,350	56,687	96% ▼
Health	3,066	80,500	77,434	96% ▼
Education and Welfare	16,317	77,000	60,683	79% ▼
Housing	12,052	430,453	418,401	97% ▼
Community Amenities	14,303	2,483,863	2,469,560	99% ▼
Recreation and Culture	22,787	724,402	701,615	97% ▼
Transport	449,207	5,750,793	5,301,586	92% ▼
Economic Services	6,143	97,923	91,780	94% ▼
Other Property and Services	0	103,266	103,266	100% ▼
	<u>1,523,521</u>	<u>15,307,526</u>	<u>13,784,005</u>	<u>90% ▼</u>
<b>Expenses</b>				
General Purpose Funding	(1,899)	(559,166)	(557,266)	100% ▼
Governance	(1,955)	(1,440,658)	(1,438,703)	100% ▼
Law, Order, Public Safety	(27,548)	(700,194)	(672,646)	96% ▼
Health	(12,126)	(324,635)	(312,509)	96% ▼
Education and Welfare	(13,057)	(290,794)	(277,737)	96% ▼
Housing	(16,925)	(768,906)	(751,981)	98% ▼
Community Amenities	(122,286)	(5,446,553)	(5,324,267)	98% ▼
Recreation & Culture	(237,087)	(6,658,287)	(6,421,200)	96% ▼
Transport	(1,339,425)	(9,579,827)	(8,240,402)	86% ▼
Economic Services	(6,671)	(517,691)	(511,020)	99% ▼
Other Property and Services	(265,192)	(936,967)	(671,775)	72% ▼
	<u>(2,044,172)</u>	<u>(27,223,677)</u>	<u>(25,179,505)</u>	<u>92% ▼</u>
<b>Adjustments for Cash Budget Requirements:</b>				
<b>Non-Cash Expenditure and Revenue</b>				
(Profit)/Loss on Asset Disposals	0	(210,891)	(210,891)	100% ▼
Movement in Accruals and Provisions	(1,409)	5,000	6,409	128% ▼
Depreciation on Assets	0	6,036,820	6,036,820	100% ▼
<b>Capital Expenditure and Revenue</b>				
Purchase Land Held for Resale	0	0	0	0% ▼
Purchase Land and Buildings	0	(638,000)	(638,000)	100% ▼
Purchase Infrastructure Assets - Roads	(429,151)	(2,393,929)	(1,964,778)	82% ▼
Purchase Infrastructure Assets - Footpaths	0	(31,000)	(31,000)	100% ▼
Purchase Infrastructure Assets - Drainage	0	(358,358)	(358,358)	100% ▼
Purchase Infrastructure Assets - Other	(314,685)	(1,901,535)	(1,586,850)	83% ▼
Purchase Plant and Equipment	0	(124,962)	(124,962)	100% ▼
Purchase Furniture and Equipment	(7,438)	(116,500)	(109,062)	94% ▼
Grants / Contributions for Development of Assets	629,496	6,491,991	5,862,495	90% ▼
Proceeds from Disposal of Assets	0	394,000	394,000	100% ▼
Proceeds from Sale of Land Held for Resale	0	0	0	0% ▼
Repayment of Debentures	0	(2,406,937)	(2,406,937)	100% ▼
Proceeds from New Debentures	0	1,803,218	1,803,218	100% ▼
Transfers to Reserves (Restricted Assets)	0	(4,000,605)	(4,000,605)	100% ▼
Transfers from Reserves (Restricted Assets)	0	1,253,687	1,253,687	100% ▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,423,053)	(1,423,053)	0	0% ▼
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	(2,066,891)	(356,592)	1,710,299	-480% ▼
<b>Amount Required to be Raised from Rates</b>	<u>0</u>	<u>9,180,615</u>	<u>9,180,615</u>	<u>100% ▼</u>

# MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)



INVESTMENT POLICY F17			
"Overall Portfolio Limits"			
S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	60%	80%
<p>Note: "S &amp; P" relates to Standard &amp; Pooers credit rating agency</p>			
"Counterparty Credit Framework"			
S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AA	A-1+	45%	50%
AA	A-1	35%	45%
A	A-2	20%	40%
"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%		
Portfolio % > 5 year	25%		
Individual Investment Maturity Limits			
ADI	5 years		
Non ADI	3 years		
<p>Note: "ADI" relates to an Authorised Deposit Institution (authorised under the Banking Act 1959)</p>			

### 13.1.3 Interim Monthly Financial Reports for August 2014

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Asanka Jayakody, Coordinator Financial Management
<b>REPORTING OFFICER:</b>	Natalie Octoman, Director Corporate Services
<b>FILE NO:</b>	FM.09.5

#### **PURPOSE**

For Council to note and accept the Interim Monthly Financial Report for August 2014 noting that the financial reports will remain interim until the Council's auditors have finalised their audit of the 2013/14 financial year.

#### **BACKGROUND**

Council is required to prepare Monthly Financial Reports as required by the Local Government (Financial Management Regulations) 1996.

As the 2014/15 annual budget was adopted by the Council at its Special Meeting on 2 September 2014, the year-to-date budget amounts have been included to reflect the actual revenue and expenditure for that period. This will change from the September monthly financial reports to reflect the anticipated revenue and expenditure amounts.

#### **STATUTORY IMPLICATIONS**

Section 6.4 Local Government Act 1995  
Regulation 34, Local Government (Financial Management Regulations) 1996.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of the report.

#### **FINANCIAL IMPLICATIONS**

Monthly financial reporting is a primary financial management and control process, it provides Council with the ability to oversee the Shire's financial performance against budgeted target.

#### **STRATEGIC IMPLICATIONS**

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

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

#### **COMMENT**

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

**ATTACHMENTS**

Attachment 1 – Monthly Financial Report

**VOTING REQUIREMENT**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council accepts the Interim Monthly Financial Report for the month of August 2014.

**COUNCIL DECISION**

**Minute No. 10584**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

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

**Carried Unanimously 8/0**



# Shire of Wyndham East Kimberley

## Interim Monthly Financial Report 2014/2015

**As at 31 August 2014**

Contents:

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

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

# Shire of Wyndham East Kimberley

## Statement of Financial Activity (Interim Report)

Year to Date Actual v Year to Date Budget

as at 31 August 2014

	YTD Actual 2014/15 \$	YTD Budget 2014/15 \$	YTD Variance 2014/15	
			\$	%
<b>Revenue</b>				
General Purpose Funding	950,928	950,928	0	0%
Governance	963,029	963,029	0	0%
Law, Order, Public Safety	4,734	4,734	0	0%
Health	7,305	7,305	0	0%
Education and Welfare	43,852	43,852	0	0%
Housing	27,668	27,668	0	0%
Community Amenities	103,632	103,632	0	0%
Recreation and Culture	125,254	125,254	0	0%
Transport	2,431,427	2,431,427	0	0%
Economic Services	13,876	13,876	0	0%
Other Property and Services	4,611	4,611	0	0%
	<u>4,676,317</u>	<u>4,676,317</u>	<u>0</u>	<u>0%</u>
<b>Expenses</b>				
General Purpose Funding	(4,634)	(4,634)	0	0%
Governance	(7,164)	(7,164)	0	0%
Law, Order, Public Safety	(75,701)	(75,701)	0	0%
Health	(53,939)	(53,939)	0	0%
Education and Welfare	(46,597)	(46,597)	0	0%
Housing	(59,431)	(59,431)	0	0%
Community Amenities	(408,914)	(408,914)	0	0%
Recreation & Culture	(553,428)	(553,428)	0	0%
Transport	(1,633,904)	(1,633,904)	0	0%
Economic Services	(38,857)	(38,857)	0	0%
Other Property and Services	(695,116)	(695,116)	0	0%
	<u>(3,577,685)</u>	<u>(3,577,685)</u>	<u>0</u>	<u>0%</u>
<b>Adjustments for Cash Budget Requirements:</b>				
<b>Non-Cash Expenditure and Revenue</b>				
(Profit)/Loss on Asset Disposals	0	0	0	0%
Movement in Accruals and Provisions	(1,411)	(1,411)	0	0%
Depreciation on Assets	0	0	0	0%
<b>Capital Expenditure and Revenue</b>				
Purchase Land Held for Resale	0	0	0	0%
Purchase Land and Buildings	(6,080)	(6,080)	0	0%
Purchase Infrastructure Assets - Roads	(666,881)	(666,881)	0	0%
Purchase Infrastructure Assets - Footpaths	0	0	0	0%
Purchase Infrastructure Assets - Drainage	0	0	0	0%
Purchase Infrastructure Assets - Other	(469,392)	(469,392)	0	0%
Purchase Plant and Equipment	0	0	0	0%
Purchase Furniture and Equipment	(3,975)	(3,975)	0	0%
Grants / Contributions for Development of Assets	877,123	877,123	0	0%
Proceeds from Disposal of Assets	0	0	0	0%
Proceeds from Sale of Land Held for Resale	0	0	0	0%
Repayment of Debentures	(56,040)	(56,040)	0	0%
Proceeds from New Debentures	0	0	0	0%
Transfers to Reserves (Restricted Assets)	0	0	0	0%
Transfers from Reserves (Restricted Assets)	0	0	0	0%
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,423,053)	(1,423,053)	0	0%
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	(651,077)	(651,077)	0	0%
<b>Amount Required to be Raised from Rates</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>

**Shire of Wyndham East Kimberley**  
**Note to Statement of Financial Activity (Interim Report)**  
**Net Current Assets**  
**as at 31 August 2014**

**NET CURRENT ASSETS**

**Composition of Estimated Net Current Asset Position**

	<b>YTD Actual 2014/15</b>	<b>Brought Forward 1 July 2014</b>
<b>CURRENT ASSETS</b>		
Cash - Unrestricted	996,517	608,534
Cash - Restricted	8,305,633	8,303,180
Cash - Restricted Unspent Grants	0	0
Receivables	1,217,031	1,607,123
Inventories	8,824	17,037
	<u>10,528,005</u>	<u>10,535,875</u>
<b>LESS: CURRENT LIABILITIES</b>		
Payables and Provisions	(2,873,450)	(3,655,748)
Less: Cash - Restricted	<u>(8,305,633)</u>	<u>(8,303,180)</u>
<b>NET CURRENT ASSET POSITION</b>	<u><u>(651,077)</u></u>	<u><u>(1,423,053)</u></u>

**Shire of Wyndham East Kimberley**  
**Notes to Statement of Financial Activity (Interim Report)**  
For the Period Ended 31 August 2014

**Explanation of Material Variances**

*Variances +/- \$50,000 at Financial Statement Level*  
*Variances +/- \$20,000 and 10% at Account Level*

**Operating**

**Recurrent Income - Excluding Rates**

**General Purpose Funding**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Governance**

No material variances to report

As above

**Law, Order and Public Safety**

No material variances to report

As above

**Health**

No material variances to report

As above

**Education and Welfare**

No material variances to report

As above

**Housing**

No material variances to report

As above

**Community Amenities**

No material variances to report

As above

**Recreation and Culture**

No material variances to report

As above

**Transport**

No material variances to report

As above

**Economic Services**

No material variances to report

As above

**Other Property and Services**

No material variances to report

As above

**Recurrent Expenditure**

**General Purpose Funding**

No material variances to report

As above

**Governance**

No material variances to report

As above

**Law, Order and Public Safety**

No material variances to report

As above

**Health**

No material variances to report

As above

**Education and Welfare**

No material variances to report

As above

**Housing**

No material variances to report

As above

**Community Amenities**

No material variances to report

As above

**Shire of Wyndham East Kimberley**  
**Notes to Statement of Financial Activity (Interim Report)**  
**For the Period Ended 31 August 2014**  
*(continued)*

**Recurrent Expenditure (Continued)**

**Recreation and Culture**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Transport**

No material variances to report

As above

**Economic Services**

No material variances to report

As above

**Other Property and Services**

No material variances to report

As above

**Non Cash Expenditure and Revenue**

**Adjustments and Accruals**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Capital**

**Purchase Land Held for Resale**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Purchase Land and Buildings**

No material variances to report

As above

**Purchase Infrastructure Assets - Roads**

No material variances to report

As above

**Purchase Infrastructure Assets -  
Footpaths**

No material variances to report

As above

**Purchase Infrastructure Assets - Drainage**

No material variances to report

As above

**Purchase Infrastructure Assets - Other**

No material variances to report

As above

**Purchase Plant and Equipment**

No material variances to report

As above

**Purchase Furniture and Equipment**

No material variances to report

As above

**Grants / Contributions for Development of  
Assets**

No material variances to report

As above

**Shire of Wyndham East Kimberley**  
**Notes to Statement of Financial Activity (Interim Report)**  
For the Period Ended 31 August 2014  
*(continued)*

**Capital** *(continued)*

**Proceeds from Disposal of Assets**

No material variances to report

Budget was adopted after the reporting period. Actuals for end of the period have been used as the YTD Budget amount. This will continue until the September reports when the budget was adopted by Council.

**Debentures**

No material variances to report

As above

**Reserves**

No material variances to report

As above

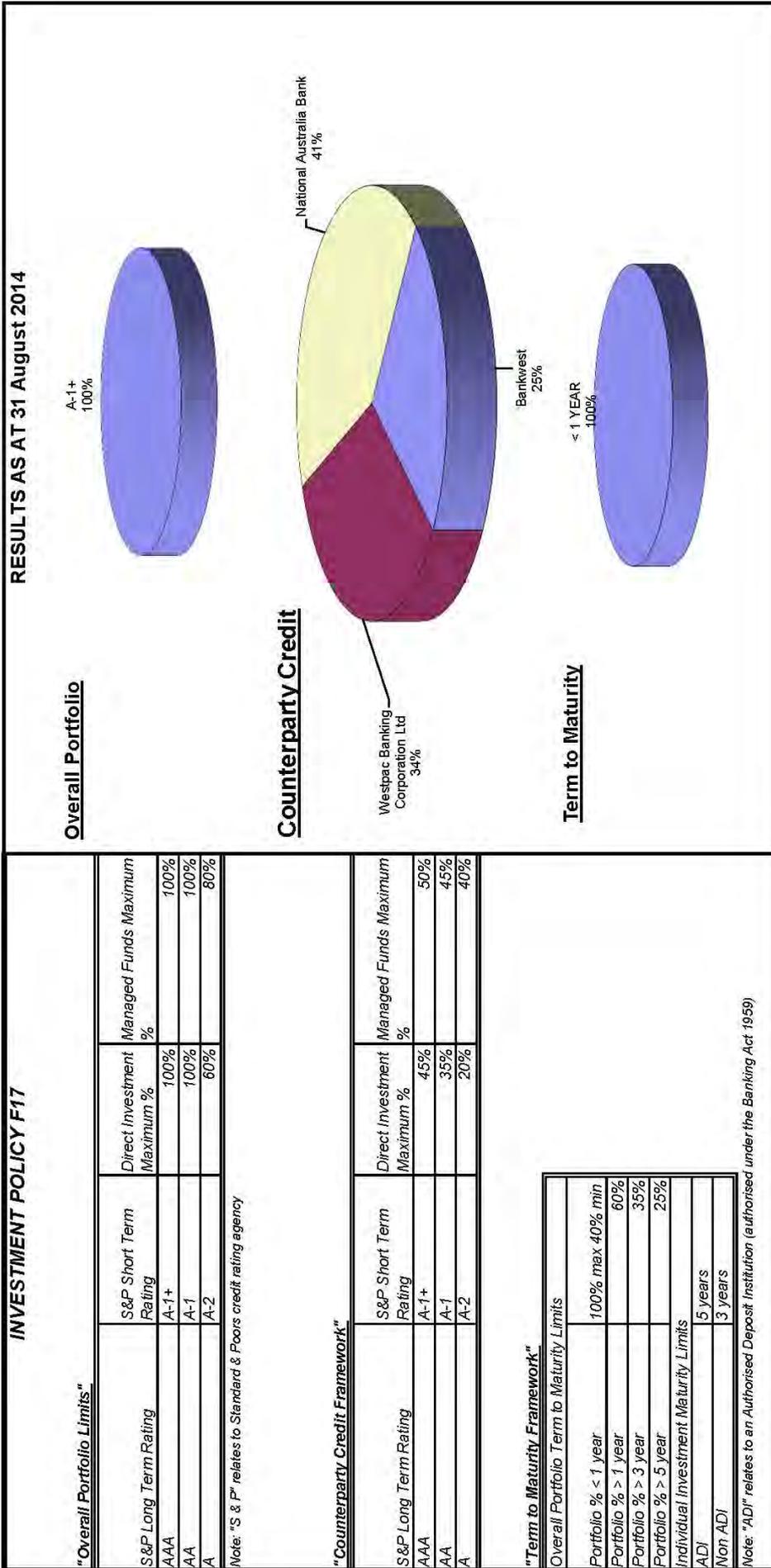
# Shire of Wyndham East Kimberley

## Statement of Financial Activity (Interim Report)

Budget Remaining to Collect/Spend  
as at 31 August 2014

	YTD Actual 2014/15 \$	Annual Budget 2014/15	Budget Remaining 2014/15	
			\$	%
<b>Revenue</b>				
General Purpose Funding	950,928	4,413,934	3,463,006	78% ▼
Governance	963,029	1,086,042	123,013	11% ▼
Law, Order, Public Safety	4,734	59,350	54,616	92% ▼
Health	7,305	80,500	73,195	91% ▼
Education and Welfare	43,852	77,000	33,148	43% ▼
Housing	27,668	430,453	402,785	94% ▼
Community Amenities	103,632	2,483,863	2,380,231	96% ▼
Recreation and Culture	125,254	724,402	599,148	83% ▼
Transport	2,431,427	5,750,793	3,319,366	58% ▼
Economic Services	13,876	97,923	84,047	86% ▼
Other Property and Services	4,611	103,266	98,655	96% ▼
	<u>4,676,317</u>	<u>15,307,526</u>	<u>10,631,209</u>	<u>69% ▼</u>
<b>Expenses</b>				
General Purpose Funding	(4,634)	(559,166)	(554,532)	99% ▼
Governance	(7,164)	(1,440,658)	(1,433,494)	100% ▼
Law, Order, Public Safety	(75,701)	(700,194)	(624,493)	89% ▼
Health	(53,939)	(324,635)	(270,696)	83% ▼
Education and Welfare	(46,597)	(290,794)	(244,197)	84% ▼
Housing	(59,431)	(768,906)	(709,475)	92% ▼
Community Amenities	(408,914)	(5,446,553)	(5,037,639)	92% ▼
Recreation & Culture	(553,428)	(6,658,287)	(6,104,859)	92% ▼
Transport	(1,633,904)	(9,579,827)	(7,945,923)	83% ▼
Economic Services	(38,857)	(517,691)	(478,834)	92% ▼
Other Property and Services	(695,116)	(936,967)	(241,850)	26% ▼
	<u>(3,577,685)</u>	<u>(27,223,677)</u>	<u>(23,645,992)</u>	<u>87% ▼</u>
<b>Adjustments for Cash Budget Requirements:</b>				
<b>Non-Cash Expenditure and Revenue</b>				
(Profit)/Loss on Asset Disposals	0	(210,891)	(210,891)	100% ▼
Movement in Accruals and Provisions	(1,411)	5,000	6,411	128% ▼
Depreciation on Assets	0	6,036,820	6,036,820	100% ▼
<b>Capital Expenditure and Revenue</b>				
Purchase Land Held for Resale	0	0	0	0% ▼
Purchase Land and Buildings	(6,080)	(638,000)	(631,920)	99% ▼
Purchase Infrastructure Assets - Roads	(666,881)	(2,393,929)	(1,727,049)	72% ▼
Purchase Infrastructure Assets - Footpaths	0	(31,000)	(31,000)	100% ▼
Purchase Infrastructure Assets - Drainage	0	(358,358)	(358,358)	100% ▼
Purchase Infrastructure Assets - Other	(469,392)	(1,901,535)	(1,432,143)	75% ▼
Purchase Plant and Equipment	0	(124,962)	(124,962)	100% ▼
Purchase Furniture and Equipment	(3,975)	(116,500)	(112,525)	97% ▼
Grants / Contributions for Development of Assets	877,123	6,491,991	5,614,868	86% ▼
Proceeds from Disposal of Assets	0	394,000	394,000	100% ▼
Proceeds from Sale of Land Held for Resale	0	0	0	0% ▼
Repayment of Debentures	(56,040)	(2,406,937)	(2,350,898)	98% ▼
Proceeds from New Debentures	0	1,803,218	1,803,218	100% ▼
Transfers to Reserves (Restricted Assets)	0	(4,000,605)	(4,000,605)	100% ▼
Transfers from Reserves (Restricted Assets)	0	1,253,687	1,253,687	100% ▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,423,053)	(1,423,053)	0	0% ▼
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	(651,077)	(356,592)	294,485	-83% ▼
<b>Amount Required to be Raised from Rates</b>	<u>0</u>	<u>9,180,615</u>	<u>9,180,615</u>	<u>100% ▼</u>

**MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)**



### 13.1.4 Rates Exemptions for 2014/15 and 2015/16

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Veronica Gulland, Senior Rates Officer
<b>REPORTING OFFICER:</b>	Natalie Octoman, Director of Corporate Services
<b>FILE NO:</b>	FM.11.60

#### **PURPOSE**

For the Council to consider further rates exemption applications for inclusion in the 2014/15 and 2015/16 Budget.

#### **BACKGROUND**

Each year, as part of the Annual Budget, the Council provides rates concessions and exemptions to a number of community, recreation and welfare organisations.

In March 2014, the Council adopted a Rates Concession Policy (Rateable Land) and a Rates Exemptions for Charitable Organisations Policy (Non-Rateable Land) to assist the Council in determining community rate concessions and to identify applicable exemptions.

As per these policies, community groups are required to reapply for rates concessions or exemption every two years. The policies and associated applications forms were sent out to community, recreation and welfare organisations.

The additional rates exemptions that the Council are requested to consider would be applied for the 2014/15 and 2015/16 financial years allowed within the policies. While the applications have been received after the closing dates, the council resolution in May 2014 indicated the Council's willingness to consider late applications given these are new policies.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995

##### *6.26. Rateable land*

*(1) Except as provided in this section all land within a district is rateable land.*

*(2) The following land is not rateable land —*

*(a) land which is the property of the Crown and —*

*(i) is being used or held for a public purpose; or*

*(ii) is unoccupied, except —*

*(1) where any person is, under paragraph (e) of the definition of **owner** in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the Mining Act 1978 in respect of land the area of which does not exceed 10 hectares or a miscellaneous licence held under that Act; or*

*(II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of **owner** in section 1.4 occupies or makes use of the land;*

*(b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government;*

*(c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government;*

*(d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood;*

*(e) land used exclusively by a religious body as a school for the religious instruction of children;*

*(f) land used exclusively as a non-government school within the meaning of the School Education Act 1999;*

*(g) land used exclusively for charitable purposes;*

*(h) land vested in trustees for agricultural or horticultural show purposes;*  
*(i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the Financial Management Act 2006) by that company and used solely for the storage of grain where that company has agreed in writing to make a contribution to the local government;*

*(j) land which is exempt from rates under any other written law; and*

*(k) land which is declared by the Minister to be exempt from rates.*

*(3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that company or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.*

*(4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.*

*(5) Notice of any declaration made under subsection (4) is to be published in the Gazette.*

*(6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.*

*[Section 6.26 amended by No. 36 of 1999 s. 247; No. 77 of 2006 Sch. 1 cl. 102.]*

## **POLICY IMPLICATIONS**

1. Rates Exemptions for Charitable Organisations Policy (Non-Rateable Land)

## **FINANCIAL IMPLICATIONS**

A transitional budget of \$5400 was included in the 2014/15 budget. If the officer's recommendation is supported, there will be a negative budget impact of \$10,756.30 that will require funds to be sourced in the mid-year budget review process.

## **STRATEGIC IMPLICATIONS**

Strategic Community Plan

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability.

Objective 1.4: Business innovation, efficiency and improved service.

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

Strategy 1.4.3: Maintain Council's long term financial viability.

## **COMMUNITY CONSULTATION**

As per the Council's Rates Exemptions for Charitable Organisations Policy (Non-Rateable Land), applications for rates concessions or exemptions must be made prior to the rating year that precedes the financial year to which the application relates.

The due date for the applications was 9 April. This was advertised to the community through local newspaper, on the Facebook page and applications were either posted or emailed to community, recreation and welfare organisations. A follow up phone call was also made and the due date for the applications was extended to the 15 April based on the delays in some organisations receiving the information.

Follow up phone calls and emails were made to the community, recreation and welfare organisations that had not submitted applications or contacted the Shire.

These applications have since been received after the secondary closing date, but will be considered in light of the Council resolution in May.

## **COMMENT**

The Council offering concessions to rates payable by community, recreation and welfare organisations demonstrates its support and assistance to the community. The Council cannot have input into rating exemptions given the legislation that surrounds them, although organisations need to clearly demonstrate that they are exempt in accordance with section 6.26 of the *Local Government Act 1995*.

As per Council's Rates Exemptions for Charitable Organisations Policy (Non Rateable Land) recently adopted, the applicant has submitted a copy of their constitution, copies of their audited financial statements and written statements outlining the purpose of the property their exemption application is relating to.

The organisation of Yawoorrong Miriuwung Gajerrong Yirreb Noong Dawang Aboriginal Corporation (MG Corporation) has requested a rates exemption for the following properties:

Assessment Number	Rates Raised for 2014/15 Incl. Waste Management Charge	LAND USE/RATING CATEGORY
A1052	\$2,550.28	GRV Residential - Leased
A1209	\$2,227.69	GRV Residential - Leased
A1532	\$2,550.28	GRV Residential - Leased
A97	\$7,179.09	GRV Other Vacant
A7091	\$3,656.31	GRV Other Vacant
A7468	\$1,350.32	GRV Commercial Vacant
A1071	\$1,234.00	GRV Commercial - Leased
A7469	\$9,522.30	GRV Commercial (Head Office)

Due to the extent of information received in the applications, it is impractical to provide a complete copy to each Councillor as part of this report. The information is however available for Councillor's to review if required.

#### **SUMMARY OF APPLICATIONS:**

Yawoorrong Miriuwung Gajerrong Yirreb Noong Dawang Aboriginal Corporation (MG Corporation)

##### Benefit to the Community

The MG Corporation provides direct relief from poverty and disadvantage as well as undertakes community development for the benefit of the Miriuwung and Gajerrong people (MG people).

##### Financial Information

The Yawoorrong Miriuwung Gajerrong Yirreb Noong Dawang Aboriginal Corporation (MG Corporation) receives funding from grant funding, contributions from Landcorp, interest income, income from investments and considerable other income. Financial information has been supplied and shows that the Yawoorrong Miriuwung Gajerrong Yirreb Noong Dawang Aboriginal Corporation has made a profit of \$4,832,782.00 for the financial year ending 2013.

The Australian Taxation Office has issued a notice of endorsement for charity tax concessions to the Yawoorrong Miriuwung Gajerrong Yirreb Noong Dawang Aboriginal Corporation (MG Corporation) based on it being a charitable institution.

**A7469** - Main Office for Yawoorrong Miriuwung Gajerrong Yirreb Noong Dawang Aboriginal Corporation (MG Corporation) based on a GRV of \$95,628 the rates exemption for 2014/15 for GRV Commercial is \$9,322.30 plus the \$200 waste management charge, therefore totalling \$9,522.30.

In accordance with section 6.26(g) the Yawoorrong Miriuwung Gajerrong Yirreb Noong Dawang Aboriginal Corporation (MG Corporation) is utilising the land exclusively for charitable purposes, therefore the land is not rateable and the Council has no discretion in this matter.

**A1071** - Based on a GRV Commercial of \$10,500 the rates exemption for 2014/15 would be \$1,034.00 plus the \$200 waste management charge, therefore totalling \$1,234.00.

Use and Occupancy of the Property as stated on their Written Statement is:

The property located at 15 Pindan Avenue (the Pindan Centre) currently operates as a preschool facility, providing culturally-appropriate early childhood education for the exclusive benefit of indigenous children. It is leased to the Gawooleng Yawoodeng Aboriginal Corporation (GY). While the area is leased, the Gawooleng Yawoodeng Aboriginal Corporation is registered as a charity on the Australian Charities and Not-for-profits Commission and is utilising the centre for charitable purposes.

The following properties are not used exclusively for charitable purposes and therefore are not exempt under section 6.26(g) of the *Local Government Act 1995*.

**A97** – Based on a GRV of \$52,500 the rates exemption for 2014/15 would be \$6,979.09 plus the \$200 waste management charge, therefore totalling \$7179.09.

Use and occupancy of the property as stated on their written statement is:

*“The property at Lot 3000 Bandicoot Drive is leased to the Commissioner of Main Roads (WA) for use as a depot.”*

**A1532** - Based on a GRV of \$26,520 the rates exemption for 2014/15 would be \$2,350.28 plus the \$200 waste management charge, therefore totalling \$2,550.28.

Use and occupancy of the property as stated on their written statement is:

*“The property at 17 Woollybutt Place is a residential property which is currently being leased by a member of the MG community.”*

**A1209** - Based on a GRV of \$22,880 the rates exemption for 2014/15 would be \$2,027.69 plus the \$200 waste management charge, therefore totalling \$2,227.69.

Use and occupancy of the property as stated on their written statement is:

*“The property at 34 Ironwood Drive is a residential property which is currently being leased by a member of the MG community.”*

**A1052** - Based on a GRV of \$26,520 the rates exemption for 2014/15 would be \$2,350.28 plus the \$200 waste management charge, therefore totalling \$2,550.28.

Use and occupancy of the property as stated on their written statement is:

*“The property at 5 Eucalyptus Close is a residential property which is currently being leased by a member of the MG community.”*

**A7091** - Based on a GRV of \$26,000 the rates exemption for 2014/15 would be \$3,456.31 plus the \$200 waste management charge, therefore totalling \$3,656.31.

Use and occupancy of the property as stated on their written statement is:

*“The property at 6 Kentia Way is currently vacant. It is undergoing development for future use by MG Corp.”*

**A7468** – Based on a GRV of \$11,800 the rates exemption for 2014/15 would be \$1,150.32 plus the \$200 waste management charge, therefore totalling \$1,350.32.

Use and occupancy of the property as stated on their written statement is:

*“The property at 21 Lirata Pass is currently a vacant lot.”*

## ATTACHMENTS

Nil

## VOTING REQUIREMENT

Absolute Majority

## OFFICER'S RECOMMENDATION

That Council:

1. Notes that Yawoorrong Miriuwung Gajerrong Yirreb Noong Dawang Aboriginal Corporation (MG Corporation) is registered with the Australian Charities and Not-for-profits Commission as a charitable organisation.
2. Acknowledges that Assessment 7469 and A1071 is used exclusively for charitable purposes and is exempt from Rates under Section 6.26(g) under the *Local Government Act 1995*, and writes off rates and charges of \$10,756.30.
3. Notes the negative budget impact of \$10,756.30 that will require funds to be sourced in the mid-year budget review.
4. Notes that Assessments A7091, A1052, A1209, A1532, A97 and A7468 are not use for exclusively charitable purposes and are not exempt from Rates under Section 6.26(g) under the *Local Government Act 1995*.

## COUNCIL DECISION

**Minute No. 10585**

**Moved: Cr B Robinson**

**Seconded: Cr G King**

**That Council:**

1. **Notes that Yawoorrong Miriuwung Gajerrong Yirreb Noong Dawang Aboriginal Corporation (MG Corporation) is registered with the Australian Charities and Not-for-profits Commission as a charitable organisation.**
2. **Acknowledges that Assessment 7469 and A1071 is used exclusively for charitable purposes and is exempt from Rates under Section 6.26(g) under the *Local Government Act 1995*, and writes off rates and charges of \$10,756.30.**
3. **Notes the negative budget impact of \$10,756.30 that will require funds to be sourced in the mid-year budget review.**
4. **Notes that Assessments A7091, A1052, A1209, A1532, A97 and A7468 are not use for exclusively charitable purposes and are not exempt from Rates under Section 6.26(g) under the *Local Government Act 1995*.**

**Carried Unanimously 8/0**

## 13.2 INFRASTRUCTURE

### 13.2.1 Request for Exemption to 1m<sup>3</sup> Daily Limit of Green Waste

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Kununurra Progress Association
<b>LOCATION:</b>	Picture Gardens, Kununurra
<b>AUTHOR:</b>	Kevin Hannagan, Director Infrastructure
<b>REPORTING OFFICER:</b>	Kevin Hannagan, Director Infrastructure
<b>FILE NO:</b>	WM.05.2

#### **PURPOSE**

For the Council to consider a request from the Kununurra Progress Association for the Shire to waive the 1m<sup>3</sup> daily limit of Green Waste disposal at the Kununurra Landfill.

#### **BACKGROUND**

In the 2013/14 Financial Year the Shire adopted a 'user pays' approach to waste management, setting fees and charges on a 'whole of life cycle' cost basis.

Currently community members may dispose of up to 1m<sup>3</sup> of green waste (uncontaminated) to the landfill green waste storage area for free. The 1m<sup>3</sup> limit was set to ensure that commercial operators such as home handy businesses etc. paid for their 'commercial' waste disposal.

The Kununurra Progress Association on behalf of the Kununurra Picture Gardens has requested an exemption to the 1m<sup>3</sup> daily limit of green waste disposal at the Landfill.

The Kununurra Progress Association ('KPA') has recently been successful in obtaining a grant under the Annual Community Grants Process. Their project involves the establishment of a reticulation system and a new lawn area.

In preparation for the reticulation system to be installed, a 'Busy Bee' was undertaken on Sunday 31 August 2014 to clear a large area of leaf litter. This green waste is now required to be disposed of at the Kununurra Landfill Site. It is not practical for the Association to dispose of the green waste, one trailer load at a time per day. They would prefer to dispose of the green waste in a one day working bee with volunteers providing trailers.

Since speaking to a member of the Association, it is intended to conduct 'Busy Bees' on a regular basis to avoid any fire hazard on the property. This will mean that on more occasions the association would like to remove all green waste which would amount to more than the 1m<sup>3</sup> daily limit.

#### **STATUTORY IMPLICATIONS**

There are no statutory implications associated with this report.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

## **FINANCIAL IMPLICATIONS**

Council needs to ensure that it does not create a 'precedent' with implications for its adopted Fees and Charges. The Kununurra Picture Gardens could dispose of 1m<sup>3</sup> of green waste on a daily basis at no cost to them. It is acknowledged that if the green waste was removed all at once the end result would be the same.

## **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 3.4: Protection and enhancement of community facilities

Strategy 3.4.3: Ensure Shire facilities are planned and managed to meet community needs

## **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

## **COMMENT**

Shire Officers do not have delegated authority to approve this request. The Council is not in a position to issue Waste Vouchers in this instance as there is no Fee or Charge for Green waste but delivery is subject to the daily 1m<sup>3</sup> limit. The Council could consider issuing a letter approving the request and include a 'coupon' for delivery of up to 50 trailer loads of waste for the year. This would enable the presentation of the voucher to be 'punched' by the Kununurra Landfill Gate Keeper to accept green waste (uncontaminated) from the Kununurra Progress Association for the Picture Gardens 'working bees' in loads more than the 1m<sup>3</sup> daily limit.

## **ATTACHMENTS**

Attachment 1 – Letter from Kununurra Progress Association

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council:

- 1) approves the Kununurra Progress Association's request for the Shire to waive the 1m<sup>3</sup> daily limit for disposal of uncontaminated green waste at the Kununurra Landfill;
- 2) provides the Kununurra Progress Association with a coupon for disposal of up to 50m<sup>3</sup> of uncontaminated green waste, to be presented for punching by the Landfill Gate Keeper; and
- 3) provides a copy of the Council Resolution to the Kununurra Gate Keeper.

**COUNCIL DECISION**

**Minute No. 10586**

**Moved: Cr K Wright**

**Seconded: Cr D Learbuch**

**That Council:**

- 1) approves the Kununurra Progress Association's request for the Shire to waive the 1m<sup>3</sup> daily limit for disposal of uncontaminated green waste at the Kununurra Landfill;**
- 2) provides the Kununurra Progress Association with a coupon for disposal of up to 50m<sup>3</sup> of uncontaminated green waste, to be presented for punching by the Landfill Gate Keeper; and**
- 3) provides a copy of the Council Resolution to the Kununurra Gate Keeper.**

**Carried Unanimously 8/0**



Mr Kevin Hannagan  
Shire of Wyndham East Kimberley  
PO Box  
KUNUNURRA WA 6743

Dear Kevin

I am writing to on behalf of the Kununurra Progress Association, and our recent success in obtaining a grant under the Annual Community Grants Process.

Our project involves the greening and revegetation of the Kununurra Picture Gardens, and establishment of reticulation, and a new lawn area.

In order to commence our works, we need to be able to dispose of the current green waste to the Rubbish Tip. As there are now restrictions as to how much green waste can be disposed of on a daily basis, we are writing to request exemption to this throughout this project.

I spoke to Wayne Richards regarding this a couple of weeks ago, and he advised that he had organised a similar proposal for the Executive Meeting, that was held on Wednesday for discussion.

As we are a Community Space, and volunteer run, and not for profit, we would like to ask for exemption to the 1m<sup>3</sup> limit of green waste to the tip. This Sunday we are holding our first busy bee, where we need to clear a large area of leaf litter, in order for new reticulation pipes to be laid during the week.

I am writing this to you as a matter of urgency, as we need to know where we stand, in terms of how we need to proceed at our Busy Bee on Sunday.

We hope you look favourably on our request, to assist in the success of our project.

You can contact me directly on 0409 372 466 if you have any further queries.

Thank you for your time.

Janine Fulcher  
Vice President – KPA

29 August 2014

### 13.2.2 Regional Road Group Grant Program 2015-16

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Lake Argyle Road
<b>AUTHOR:</b>	Peter Kerp, Manager Engineering Services
<b>REPORTING OFFICER:</b>	Kevin Hannagan, Director Infrastructure
<b>FILE NO:</b>	GS.05.39

#### **PURPOSE**

For the Council to endorse the submission for consideration by Main Roads WA for Regional Road Grants 2015/2016.

#### **BACKGROUND**

Main Roads WA invited submissions from local governments for grant funding under the Regional Road Grant 2015/2016 with submissions closing Friday 5 September 2014.

#### **STATUTORY IMPLICATIONS**

There are no statutory implications associated with this report.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

The funds set aside by the WA State Regional Road Grant Program are funded by MRWA 2/3: and Local Government 1/3.

The normal 2015/16 proportion MRWA funds would have been approximately \$460,000. However the Shire brought forward some funds from the 2015/16 program to enable completion of the Coolibah Drive Asphalt project to save on mobilisation costs and gain economies of scale. Additionally each Regional Road Grant Program in the State has been cut for 2014/15 due to the reduction in funding of \$70m by the State Government. The funding cut for the Shire and the funds brought forward total \$200,000. As such, the Shire can only access 2/3 MRWA funding of \$260,000.

Should the application be successful, the Council would need to consider the matching funds of \$130,000 in its 2015/16 Budget process. Should the Shire not proceed with the project, the funds will be re-allocated by the Kimberley Regional Road Group to another project that was submitted but not funded.

## **STRATEGIC IMPLICATIONS**

### **Strategic Community Plan 2012-2022**

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

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

Strategy 2.3.2: Plan, design and budget for sustainable infrastructure

## **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

## **COMMENT**

Councillors have previously raised the maintenance of edge drop offs on this narrow sealed road. The Shire's depot staff have already commenced edge maintenance for the road using the 2014/15 Road Maintenance budget. However, due to the narrow seal width continual edge maintenance will be required given the type and number of traffic movements involved. The Shire has recently requested MRWA to review the speed limit on the road.

Infrastructure Directorate has nominated improvements to Lake Argyle Road as the project for funding consideration, commencing works in 2015/16. The project falls under the category of 'Improvement Project' as it involves upgrading of an existing road to a higher standard than currently exists.

Road Projects are scored by a MRWA independent road engineer auditor under 6 categories of criteria:

1. Project Type – either Preservation/Improvement/Expansion;
2. Roads 2030, Regional Development Strategy for the Kimberley Region – purpose of the strategy is to broadly prioritise improvement and expansion projects that ensure the road network meets the demand of road users;
3. Traffic – traffic counts indicative of level of service required and the demand placed on the road network;
4. Economic – rated from highly beneficial to neutral for their role in supporting economic and regional development plus minimising road transport costs;
5. Social – rated from highly beneficial to neutral for their role in ensuring social needs of Kimberley communities are taken into account when providing for the road network; and
6. Safety – rated from highly beneficial to neutral for their role in eliminating the road environment as a major contributing factor to death and injury.

Lake Argyle Road is sealed over its full length to an average width of 5.3m which is considered inadequate for the road function it performs as a major tourist road with reasonably large and wide recreational vehicles traversing it. The road is also used by local traffic all year round for access to Lake Argyle for boating and other recreational purposes.

There is a considerable number of road crossings comprising corrugated galvanised steel and corrugated aluminium pipes of varying diameters plus various sizes of concrete box culverts installed under the road over its entire length.

The long-term strategy is to increase the seal width from its current 5.3m to 7.2m with unsealed shoulders of 1.4m. Increasing the lane and shoulder widths has clear safety benefits as wider road seals provide increased room for manoeuvring and recovery, and reduces the risk of loss of control on gravel shoulders. Evidence suggests that seal widths of 7m to 10m on busy two lane roads and with the sizes and types of recreational vehicles using Lake Argyle Road, that increasing the seal width to 7.4m will have significant safety impacts.

Prior to road widening construction, the existing road drainage crossings require extending to accommodate the increased road pavement width to follow at a later stage. The attached funding submission is to commence extending the width of existing drainage crossings for future road widening.

The funding application whilst relatively straight forward in completion has been delayed due to an unknown change in funding criteria. Traditionally priority was given to 'preservation' type projects using MRWA terminology, (or 'renewal' projects using Shire Asset Management terminology). However, Shire Officers have only recently become aware that the funding criteria priority is now 'improvement' using MRWA terminology (or 'upgrade' projects using Shire Asset Management terminology). As such Shire Officers had to confirm this with MRWA and at a late stage, change projects to ensure the Shire submission would score well against the MRWA scoring matrix. The Director Infrastructure and the Shire's Regional Road Group Councillor representative have had this matter listed as an agenda item on the next Regional Road Group meeting to find out why the criteria was changed and what consultation process was undertaken by WALGA.

## **ATTACHMENTS**

- Attachment 1 – Completed Nomination Form
- Attachment 2 – Cost Estimate
- Attachment 3 – Culvert Locations
- Attachment 4 – Traffic Counts

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council

1. endorses the submission of the attached Lake Argyle Road 2015/16 Kimberley Regional Road Group funding application totalling \$390,000 (\$260,000 MRWA funding) to Main Roads WA by the due date of 5 September 2014,
2. Notes that the \$130,000 one third contribution is subject to approval in the Shires 2015/16 Budget, and
3. Acknowledges that should the Shires contribution not be funded the \$260,000 Main Roads WA funds will be re-allocated by the Kimberley Regional Road Group.

**COUNCIL DECISION**

**Minute No. 10587**

**Moved: Cr D Spackman**

**Seconded: Cr K Wright**

**That Council**

- 1. endorses the submission of the attached Lake Argyle Road 2015/16 Kimberley Regional Road Group funding application totalling \$390,000 (\$260,000 MRWA funding) to Main Roads WA by the due date of 5 September 2014,**
- 2. Notes that the \$130,000 one third contribution is subject to approval in the Shires 2015/16 Budget, and**
- 3. Acknowledges that should the Shires contribution not be funded the \$260,000 Main Roads WA funds will be re-allocated by the Kimberley Regional Road Group.**

**Carried Unanimously 8/0**



The long-term strategy is to increase the seal width of Lake Argyle Road to 7.2m with 1.4m unsealed shoulders over its whole length due to the significant number of recreational vehicles that traverse the road that is currently inadequate in width for these type of vehicle combinations and the inadequate road seal width could be considered safety hazard to road users.

Increasing lane and shoulder widths have clear safety benefits as wider seals provide increased room for manoeuvring and recovery, and reduce the risk of loss of control on gravel shoulders.

Evidence suggests that seal widths of 7m to 10m are well justified on busy two-lane roads and with the sizes and types of recreational vehicles using Lake Argyle Road, increasing the current seal width to 7.4m will have significant safety impacts. Prior to road widening construction, the existing road drainage crossings require extending the varying sizes of corrugated galvanised steel pipes, corrugated aluminium pipes and concrete box culverts and pre-cast end headwalls to accommodate the wider pavement formation.

Proposed strategy is to extend existing road culvert crossings between Victoria Highway and Spillway Creek bridge and follow up with widening road works to the bridge following completion of the drainage crossings extensions. The strategy of extending road culvert crossings followed by future widening and seal works from Spillway Bridge to Lake Argyle Resort.

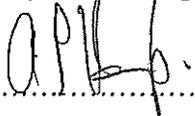
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#### **ENVIRONMENTAL ASSESSMENTS**

*Local Government will conduct the necessary environmental assessments and accepts responsibility for environmental consequences, implementing land resumptions and any claims for damage arising from the execution of works in this application.*

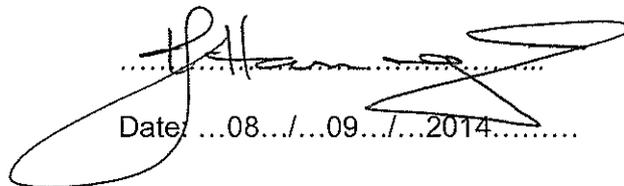
Local Government is also responsible for obtaining heritage and Aboriginal site clearance.

Works Supervisor/Engineer Peter Kerp

  
.....

Date: .....08.../...09.../...2014.....

A/Chief Executive Officer Kevin Hannagan

  
.....

Date: ...08.../...09.../...2014.....

**Attachment 2 - continued**

**PROPOSED STANDARDS**

Type Cross Section .....10.m..... \* Formation Width ...13.....m  
Pavement Width .....10.....m      Shoulder Width .....1.4.....m  
Nominal Primerseal/Seal Width .....7.2.....m \* Design Speed .....km/h  
(Excluding widening on curves and crests)      (\*Only for new construction or reconstruction)

**TRAFFIC VOLUME      SEE ATTACHMENT**

If primersealing or sealing is included in this project, state the average daily traffic volumes and the months and years when they were taken. (See traffic count specification).

Average Daily Traffic	Count 1	.....	Count 2	.....	Count 3	.....	Average	.....
	Month	.....	.....	.....	.....	.....		
	Year	.....	.....	.....	.....	.....		

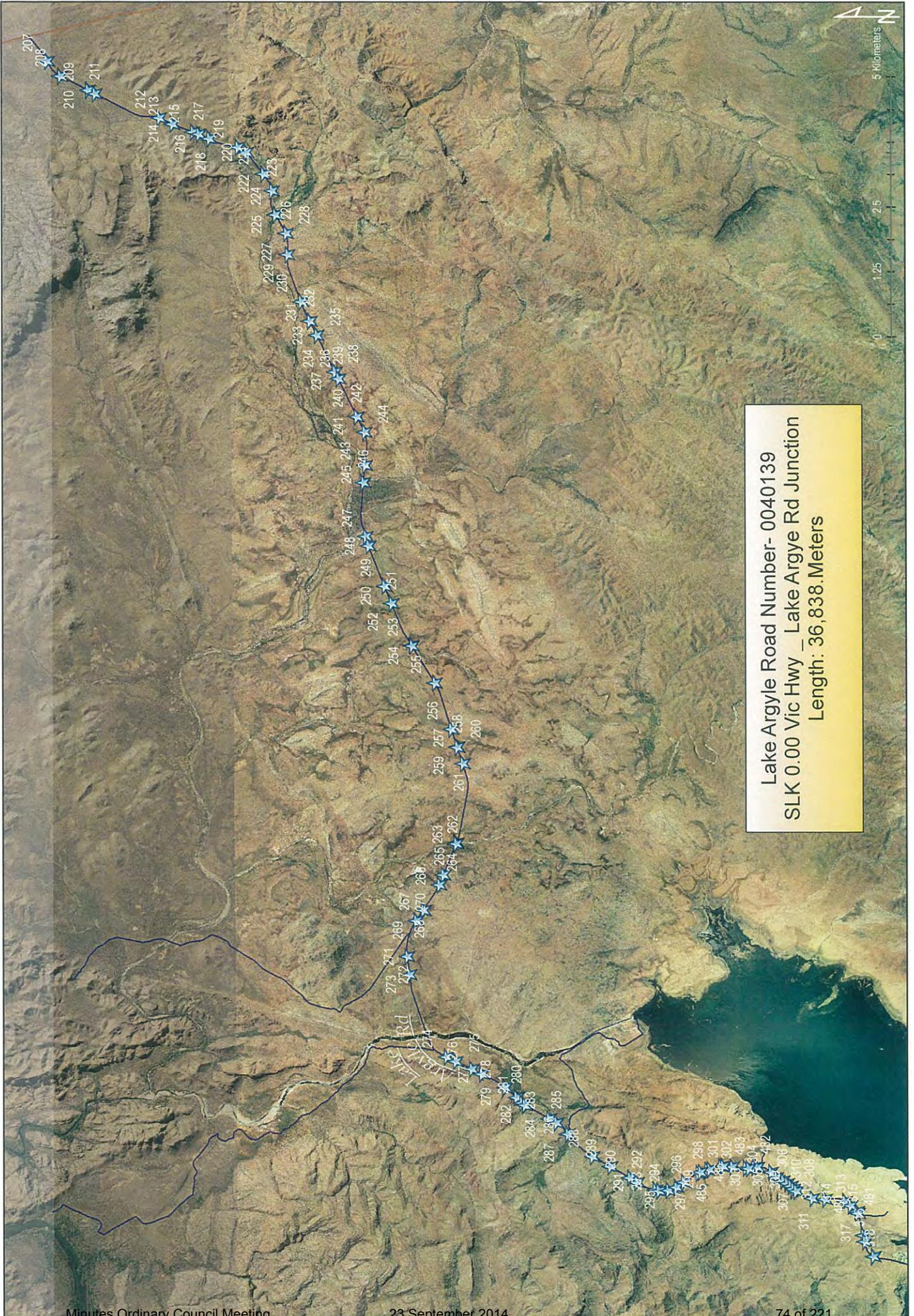
**Note:** 1. This Statement is required where the work is on a local road that is already sealed or will be sealed in the near future. It is not required for reseals and enrichment seals.

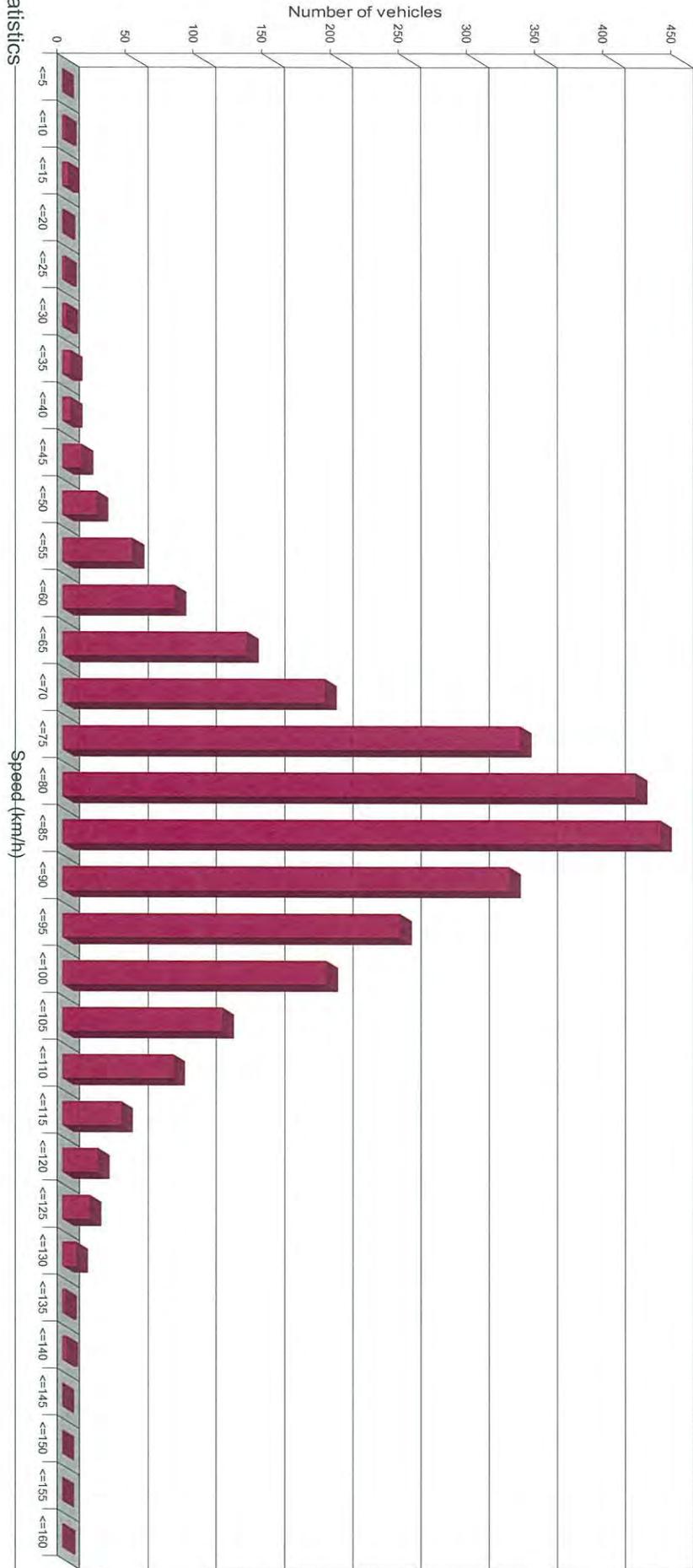
2. Approval of this project for construction does not imply that it will be approved for sealing at a later date unless the sealing warrant is met.

<b>COST ESTIMATE - LAKE ARGYLE ROAD - ROAD CROSSINGS CULVERT EXTENSIONS</b>
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Item	Description	Unit	Quantity	Rate (\$)	Amount (\$)
1.	<u>General Items</u>				
1.1	Supervision	Item	5%	-	18,600.0
1.2	Survey & Setting Out	Item	-	-	14,000.0
1.3	Mobilisation/Demobilisation	Item	1	5,000	3,545.0
1.4	Camp/Accommodation	Item	-	-	-
1.5	Other General Items				
1.5.1	Freight for RCBC/RCP	Item	1		20,750.0
2.	<u>Earthworks</u>				
2.1	Clearing	ha	-	-	-
2.2	Topsoil Removal & Respread	ha	-	-	-
2.3	Embankment Foundation	m <sup>2</sup>	-	-	-
2.4	Embankment Construction	m <sup>3</sup>	-	-	-
2.5	Subgrade Preparation	m <sup>2</sup>	-	-	-
2.6	Forming & Shaping (Unsealed Roads Only)	m <sup>2</sup>	-	-	-
3.	<u>Pavement &amp; Surfacing</u>				
3.1	Gravel Sheeting (Unsealed Roads Only)	m <sup>2</sup>			-
3.2	Sub-base	m <sup>2</sup>			-
3.3	Basecourse	m <sup>2</sup>	-	-	-
3.4	Extra over for Cement Stabilisation	m <sup>2</sup>	-	-	-
3.5	Prime	m <sup>2</sup>	-	-	-
3.6	Primerseal	m <sup>2</sup>	-	-	-
3.7	First Coat Seal	m <sup>2</sup>	-	-	-
3.8	Second Coat Seal	m <sup>2</sup>	-	-	-
3.9	Asphalt	m <sup>2</sup>	-	-	-
3.10	Microsurfacing	m <sup>2</sup>	-	-	-
4.	<u>Drainage</u>				
4.1	Diversion & Cut-off Drains	m	-	-	-
4.2	Culvert Inlet & Outlet Drains	m	-	-	-
4.3	Levees	m	-	-	-
4.4	Table Drain Blocks	No.	-	-	-
4.5	Corrugated Galvanised steel/corrugated aluminium pipes 450mm dia.	m	60.0	568.0	34,080.0
4.6	Corrugated Galvanised steel/corrugated aluminium pipes 600mm dia.	m	61.0	896.0	54,656.0
4.7	Corrugated Galvanised steel/corrugated aluminium pipes 900mm dia.	m	32.0	1,208.0	38,656.0
4.8	RCBC 1200x450	m	13.0	1,350.0	17,285.0
4.9	RCBC 1200X600	m	19.0	1,640.0	31,160.0
4.1	Culvert End Treatments	No.	48.0	1,600.0	76,800.0
4.11	Drainage Pits	No.	-	-	-
4.12	Rock Protection	m <sup>2</sup>	155.0	200.0	31,000.0
4.13	Kerbing	m	-	-	-
4.14	Concrete Wall	m	-	-	-
5.	<u>Miscellaneous</u>				
5.1	Signs	No.	-	-	-
5.2	Guide Posts	No.	62.0	66.0	4,092.0
5.3	Stock Grids	No.	-	-	-
5.4	Safety Barrier	m	-	-	-
5.5	Traffic Management	Item	-	-	46,000.0
5.6			-	-	-
5.7			-	-	-
5.8			-	-	-
	<b>TOTAL</b>				<b>390,624.0</b>

Lake Argyle Road Culvert Locations



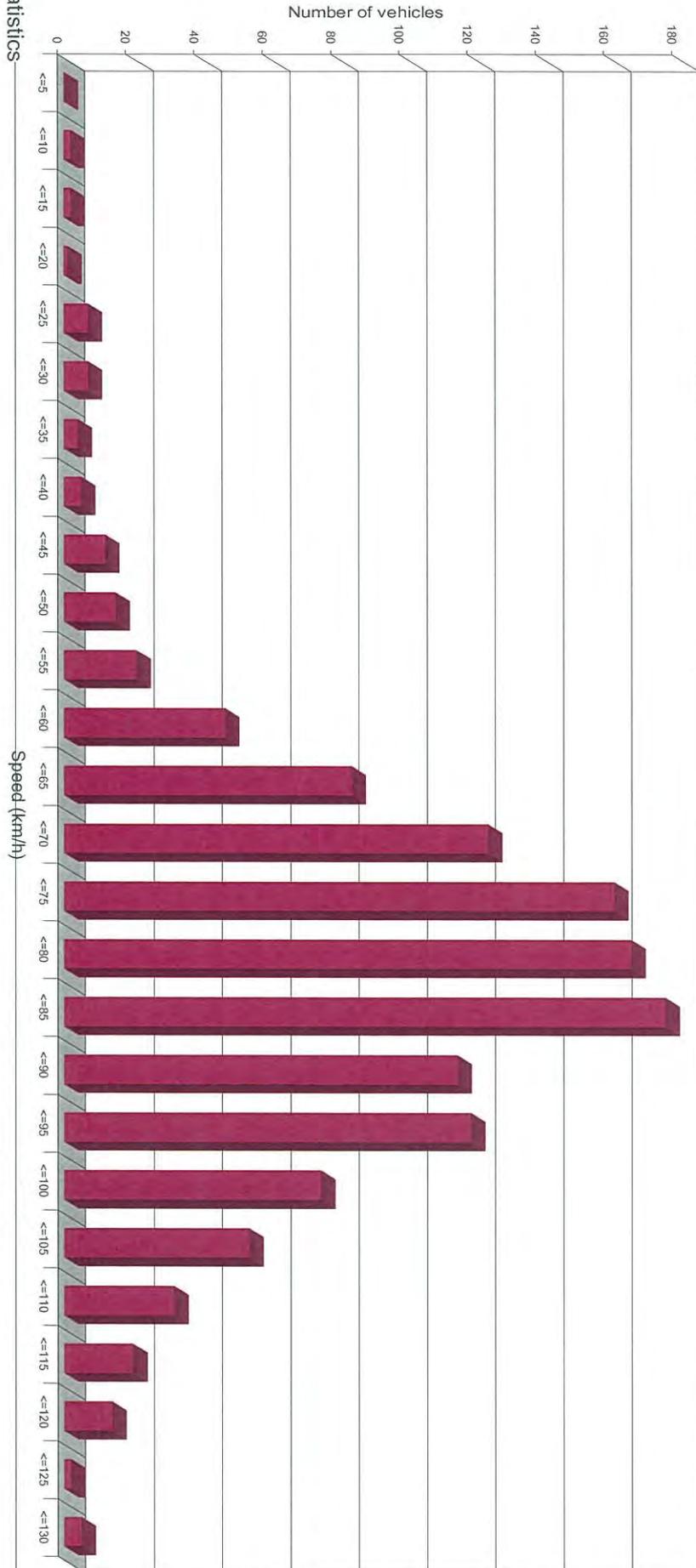


Statistics

Monday, 25 June 2012, 11:58 o'clock to Tuesday, 3 July 2012, 10:51 o'clock

Speed violations:	0 %	Motorcycle	Count +	71	%	5	Count -	55	%	4	Total	126	%	4.5	V15 +	70	Va +	83	V85 +	100	Vmax+	126	V15 -	66	Va -	81	V85 -	97	Vmax -	128
Average time interval:	1.1 sec	Car	Count +	62	%	4.4	Count -	58	%	4.2	Total	120	%	4.3	V15 +	71	Va +	85	V85 +	101	Vmax+	125	V15 -	71	Va -	91	V85 -	112	Vmax -	139
Traffic in column:	14 %	Truck	Count +	504	%	35.5	Count -	877	%	64.1	Total	1381	%	49.6	V15 +	72	Va +	85	V85 +	100	Vmax+	132	V15 -	69	Va -	85	V85 -	101	Vmax -	158
ADT:	350	Long truck	Count +	781	%	55.1	Count -	378	%	27.6	Total	1159	%	41.6	V15 +	67	Va +	79	V85 +	89	Vmax+	127	V15 -	63	Va -	77	V85 -	91	Vmax -	118
Truck Share:	91 %	Total	Count +	1418	%	50.9	Count -	1368	%	49.1	Total	2786	%	100	V15 +	69	Va +	81	V85 +	95	Vmax+	132	V15 -	66	Va -	83	V85 -	99	Vmax -	158





Statistics

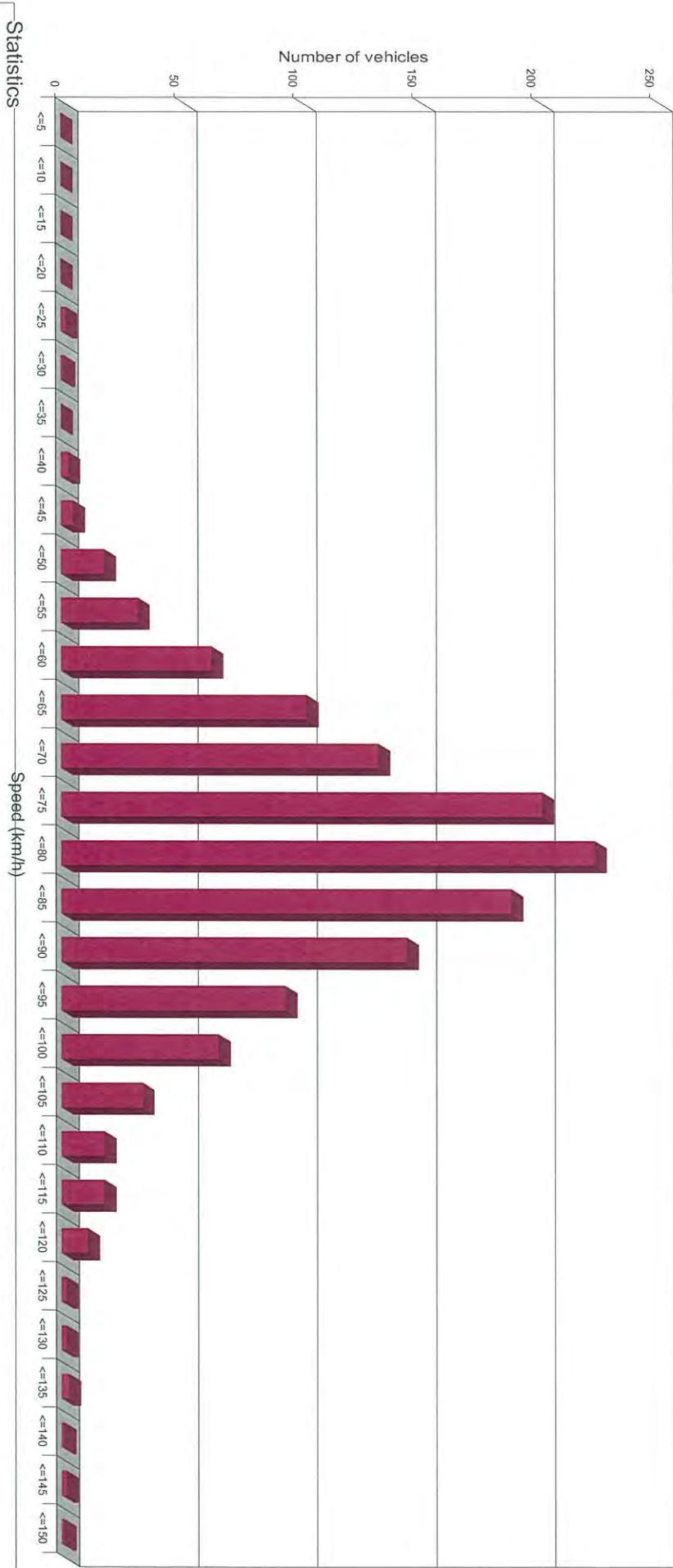
Period: Wednesday, 1 May 2013, 11:43 o'clock to Tuesday, 7 May 2013, 16:11 o'clock

Speed violations:  
Average time interval:  
Traffic in column:  
ADT:  
Truck Share:

0 % Motorcycle  
1.2 sec Car  
5 % Truck  
205  
49 %

	Count +	%	Count -	%	Total	%	V15 +	Va +	V85 +	Vmax+	V15 -	Va -	V85 -	Vmax -
Motorcycle	6	1	11	1.7	17	1.3	69	80	86	87	13	64	82	103
Car	323	51.9	309	47.7	632	49.8	66	83	102	126	66	83	100	129
Truck	282	45.3	277	42.7	559	44	61	77	93	124	65	77	91	116
Long truck	11	1.8	51	7.9	62	4.9	35	64	81	91	61	71	82	101
Total	622	49	648	51	1270	100	64	80	97	126	65	79	95	129





Statistics

Monday, 23 June 2014, 12:18 o'clock to Friday, 27 June 2014, 21:43 o'clock

Period:

Speed violations: 0 % Motorcycle

Average time interval: 1.5 sec Car

Traffic in column: 8 % Truck

ADT: 312

Truck Share: 68 %

Count +	%	Count -	%	Total	%	V15 +	Va +	V85 +	Vmax+	V15 -	Va -	V85 -	Vmax -
10	1.4	4	0.6	14	1	69	78	91	106	59	83	89	112
71	10	358	54.2	429	31.3	73	85	100	140	66	84	99	148
450	63.3	285	43.1	735	53.6	68	80	92	120	60	75	88	116
180	25.3	14	2.1	194	14.1	64	73	83	91	47	65	80	93
711	51.8	661	48.2	1372	100	66	78	90	140	62	79	95	148



### 13.2.3 Proposed DotAG Courthouse Parking Area

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Peter Kerp, Manager Engineering Services
<b>REPORTING OFFICER:</b>	Kevin Hannagan, Director Infrastructure
<b>FILE NO:</b>	RD.16.1

#### **PURPOSE**

For the Council to consider the location of a proposed new Kununurra Courthouse car park facility.

#### **BACKGROUND**

The Council at its Ordinary Meeting 24 June 2014 resolved:

#### **COUNCIL DECISION**

**Minute No. 10455**

**Moved: Cr R Dessert**

**Seconded: Cr D Spackman**

***That Council write to the Department of the Attorney General that this is not an acceptable proposal due to the lack of public pedestrian access and requests that representatives of the Department of the Attorney General be invited to the July council briefing session to discuss parking within the vicinity of the Court House.***

**Carried 8/1**

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

A teleconference was arranged with Councillors, DotAG representatives and their Architect. The car parking matter was not resolved at the teleconference.

The Director Infrastructure met with Chris Davis, Director Asset Management and Contracts, (DotAG), Michael Spight and TAG Architects on Tuesday 19 August 2014 to discuss car parking options and attached is their letter 'Kununurra Replacement Courthouse, Provision of Additional Off-Site Parking' (Attachment No.1) in response to that meeting.

From this meeting DotAG has also submitted three (3) Options on the parking layout and location for Council consideration (Attachments 2, 3 and 4):

1. Option 1A - Proposed Parking Layout opposite new Kununurra Courthouse with landscaping enhancement;
2. Option 1B - Proposed Car Parking Layout opposite new Kununurra Courthouse without landscaping; and
3. Option 2 - Proposed Car Parking Layout on Government Offices Property, Corner Messmate Way and Konkerberry Drive.

DotAG's preferred location is still Coolibah Drive road reserve as it is directly opposite the Courthouse and is seen as the most practical and convenient location for all court users.

DotAG advises that should this location be acceptable to Council, they will contribute the sum of \$220,000 (including GST) towards the construction of the car parking and associated landscaping works subject to the following conditions:

1. The car park will be designed, constructed and owned by SWEK;
2. SWEK will be responsible for all associated ongoing repairs and maintenance, insurance and liability;
3. The financial contribution will be for the construction of the car bays and associated landscaping works and no funding will be provided by the courthouse project;
4. Payment will be made to SWEK upon completion of construction of the car bays and following receipt of an invoice.

Note: Option 2 if constructed is not on Shire road reserve land but on private land and maintenance and liability issues remain the responsibility of the State in perpetuity.

### **STATUTORY IMPLICATIONS**

There are no statutory implications associated with this report.

### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

### **FINANCIAL IMPLICATIONS**

DotAG has offered \$220,000 (inclusive of GST) for the construction of a minimum of 16 car bays on Coolibah Drive road reserve located opposite the Courthouse subject to the four conditions noted above.

Completion of the car park facility would remain a SWEK asset with all ongoing operating and maintenance costs borne by SWEK in perpetuity.

Should the Shire wish to construct the potential additional car-parks, this will require additional unbudgeted 2014/15 Capital Works funding by the Shire and allocation of operating/maintenance and renewal costs in future budgets.

### **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 2.3.1: Manage and maintain assets in strategic and cost effective manner

### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

## **COMMENT**

Proposed construction of car parking on Coolibah Drive road reserve opposite the Courthouse as sought by DotAG will result in the complete removal of all existing trees and grass area plus irrigation reticulation systems. The two (2) options proposed by DotAG at this location include:

1. Option 1A, concept plan SK.02 (Attachment 2) landscaping included (trees planted on street verge); and
2. Option 1B, concept plan SK.03 (Attachment 3) landscaping not included.

Should Council accept either Option 1A or Option 1B, DotAG will provide the sum of \$220,000 (inclusive GST) to construct, with responsibility of design and ongoing costs borne by SWEK.

If the Coolibah Drive road reserve location opposite the Courthouse is unacceptable to Council, DotAG will proceed with the parking on the Kununurra Government Offices site in accordance with Option 2, concept drawing A.01 Revision K (Attachment 4). No additional parking or funding will be provided by DotAG and the offer of \$220,000 (including GST) is withdrawn from the table.

Should Option 2 be proceeded to be built on the Government Building Offices site corner Messmate Way and Konkerberry Drive, the expanded car parking area will be open for public access during normal courthouse business hours Monday to Friday. The car parking area will be closed at nights and weekends similar to the current hours of opening of the government office site. Option 2 concept plan show a 2m wide pathway connecting the pedestrian access point from the expanded car park area to the existing pathway at the intersection of Messmate Way and Konkerberry Drive, thereby providing pedestrian connectivity from the car park to the Courthouse.

Preliminary assessment of the concept plan indicates that it appears to conform to current Australian Standards for off-street parking facilities but would be evaluated at the time of final design stage should Council accept Option 2 as the preferred location.

Investigation of underground utility services show water and sewer located on the opposite side of Coolibah Drive in front of the Police Station. Telstra network and underground power is located on the verge in front of the Country Club and major construction issues could potentially be encountered. The Shire also has its main irrigation line that comes up from Messmate Way from Lily Creek Lagoon and crosses the front verge in front of the Country Club verge where construction would also be a major issue.

The location of Telstra, power and main irrigation pipeline will create major constraints during construction with potential for damages to services with the added exposure of controlling construction expenditure.

It is clear the risk the Shire is exposed to with a budget limit of \$200,000 (ex GST) is that any expenditure over this figure will be borne by the Shire and will mean a cut to another budget item as the Shire has no discretionary budget items in its 2014/15 adopted budget.

The proposed location of the car park facility in front of the Country Club is not supported due to the high risk of damage to underground services during construction and the adverse impacts the proposed location would have to the ambience and amenity of the streetscape entry statement that is currently provided at this location.

## **ATTACHMENTS**

Attachment 1 – TAG Architect letter  
Attachment 2 – Concept Option 1A  
Attachment 3 – Concept Option 1B  
Attachment 4 – Concept Option 2

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council advises Department of the Attorney General that it does not support the construction of a 16 bay car parking facility in front of the Kununurra Country Club as:

- 1) its location will adversely impact the ambience and amenity of the streetscape entry statement that this location currently provides; and
- 2) the location of underground services will create major construction constraints with potential for damages to services exposing the Shire to major risk in controlling unbudgeted construction expenditure within the funding offered.

## **MOTION**

Cr K Wright moves that Council proceeds with the parking areas as per Attachment 3 – Concept Option 1B

## **COUNCIL DECISION**

**Minute No. 10588**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council proceeds with the parking areas as per Attachment 3 – Concept Option 1B.**

**Tied 4/4**

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

**Against: Cr J Moulden, Cr R Dessert, Cr B Robinson, Cr G Taylor**

**Casting Vote: Cr J Moulden against the motion**

**COUNCIL DECISION**

**Minute No. 10589**

**Moved: Cr G Taylor**

**Seconded: Cr B Robinson**

**That Council advises Department of the Attorney General that it does not support the construction of a 16 bay car parking facility in front of the Kununurra Country Club as:**

- 1) its location will adversely impact the ambience and amenity of the streetscape entry statement that this location currently provides; and**
- 2) the location of underground services will create major construction constraints with potential for damages to services exposing the Shire to major risk in controlling unbudgeted construction expenditure within the funding offered.**

**Carried 5/3**

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

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

Cr D Spackman leaves the chambers at 6.30pm

## KUNUNURRA REPLACEMENT COURTHOUSE

TAG ARCHITECTS



Iredale Pedersen Hook ARCHITECTS

Architects in Association

26th August 2014

Mr Kevin Hannagan  
Director Infrastructure Services  
Shire of Wyndham East Kimberley  
PO Box 614  
Kununurra WA 6743

- VIA EMAIL -

Attention: Mr Kevin Hannagan

**RE: KUNUNURRA REPLACEMENT COURTHOUSE  
PROVISION OF ADDITIONAL OFF-SITE CAR PARKING**

Dear Kevin,

Thank you for meeting with Chris Davis, Director Asset Management and Contracts, Department of the Attorney General (DotAG) and myself on Thursday last week to discuss the above.

### Background

Over the course of the project we have put forward a number of alternate proposals to provide a total of 30 publicly accessible parking bays intended for use by court users. At the time of finalising detailed design proposals for the courthouse, DotAG resolved with Building Management and Works (BMW) to provide an additional 16 parking bays on the Kununurra Government Offices site. This would bring the total number of public parking bays to 30 (including 5 on the Courthouse site and 9 on the Messmate Road Reserve which have already been constructed).

On the 8<sup>th</sup> August 2014 we submitted to you via email a sketch proposal for additional parking to be sited on the Coolibah Drive road reserve opposite the new replacement courthouse (outside the Kununurra Country Club) in lieu of parking on the Kununurra Government Offices site. This was submitted on the understanding that Council was supportive of providing parking in this location. We now understand that for various reasons, at the recent Council meeting this matter was deferred and therefore no resolution was reached.

### Proposals

We have now been instructed by DotAG to submit to the Shire the following three alternative proposals for review:

- Option 1A  
Parking on the Coolibah Drive road reserve (opposite the Courthouse, outside the Country Club)  
Alternative A - with landscaping enhancement (16 + additional bays).
- Option 1B  
Parking on the Coolibah Drive road reserve (opposite the Courthouse, outside the Country Club)  
Alternative B - without landscaping enhancement (16 + additional bays).

## KUNUNURRA REPLACEMENT COURTHOUSE

TAG ARCHITECTS



Iredale Pedersen Hook ARCHITECTS

Architects in Association

- Option 2  
Parking on the Kununurra Government Offices property, Lot 501, corner of Messmate Way and Konkerberry Drive (16 additional bays total).

DotAG's preferred location for the parking is still the Coolibah Drive road reserve as it is directly opposite the Courthouse and is seen as the most practical and convenient location for all court users. Should this location be acceptable to SWEK, DotAG will contribute the sum of \$220,000.00 towards the construction of the car parking and associated landscaping works.

We note that both Options 1A and 1B are drawn to show 16-17 car bays, however, this could be extended at Council's discretion to provide additional bays but funding from DotAG would remain capped at \$220,000.00.

As previously advised it shall be noted that:

1. The carpark will be designed, constructed and owned by SWEK.
2. SWEK will be responsible for all associated ongoing repairs and maintenance, insurance and liability.
3. The financial contribution noted above will be for the construction of the car bays and associated landscaping works and no additional funding will be provided by the courthouse project.
4. Payment will be made to SWEK upon completion of construction of the car bays and following receipt of an invoice.

Should this location be unacceptable to SWEK, DotAG will proceed with the parking on the Kununurra Government Offices site in accordance with sketch drawing SK.01 Revision K. No additional parking or funding will be provided.

We note that we have endeavoured to resolve this for some time and as the building is nearing completion, the matter is now urgent. DotAG are keen to resolve this matter expeditiously and seek your assistance in this regard.

Attached for your information are three sketch drawings and a parking summary outlining the number of car bays provided on the previous and current courthouse sites.

Should you require any additional information please do not hesitate to contact me.

Yours Sincerely,



Michael Spight  
Director

TAG Architects on behalf of TAG Architects and iredale pedersen hook architects

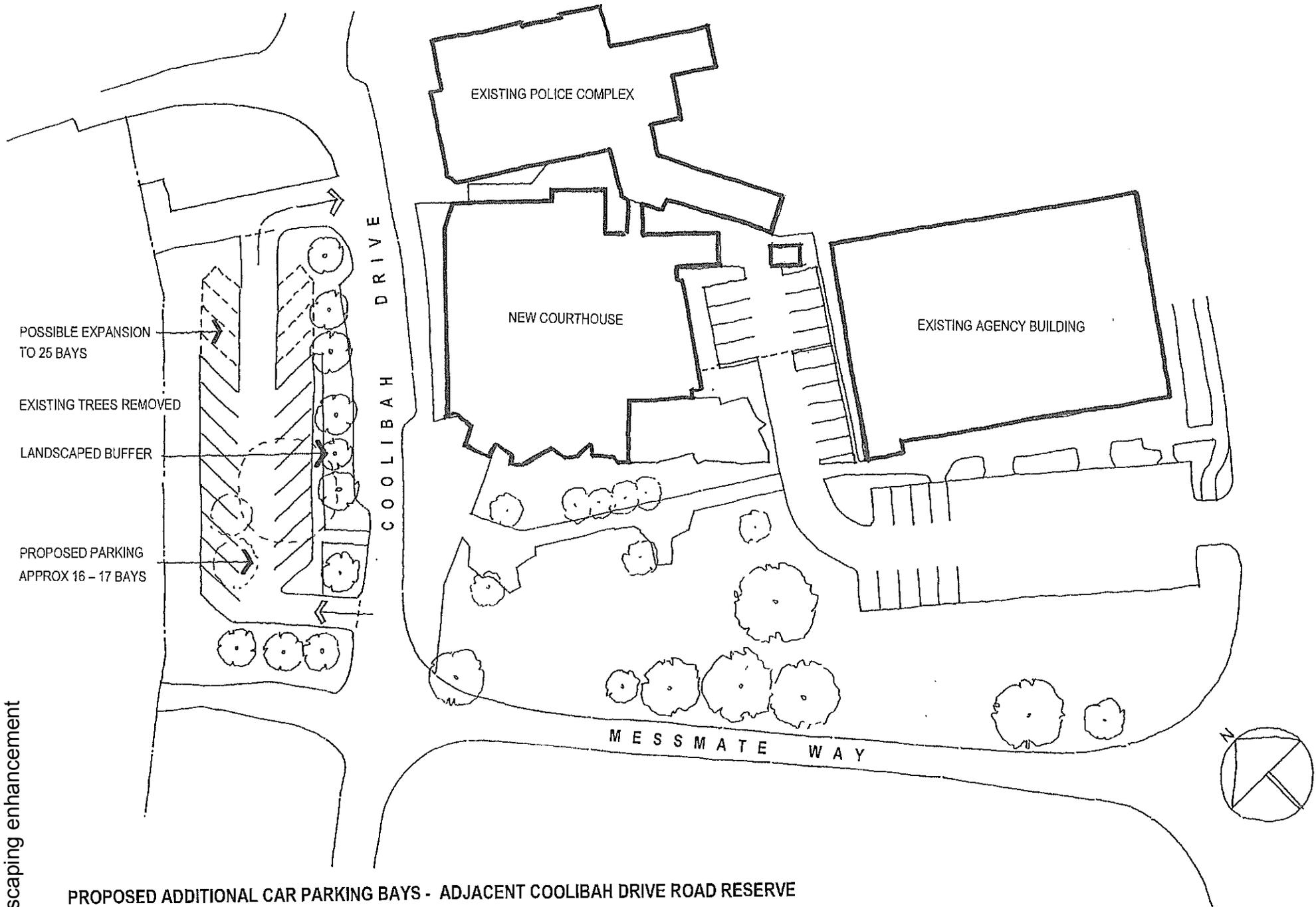
Encs:

Drawing A.02 Option 1, Alternative A  
Drawing A.03 Option 1, Alternative B  
Drawing A.01 Rev K – Additional Parking Lot 501 Cnr Konkerberry Drive and Messmate Way  
Memo dated 26/08/2014 outlining parking numbers.

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□ TAG Architects - 95 Stirling Street Perth WA 6000 P: 9227 0511 ABN: 57 096 012 899  
□ Iredale Pedersen Hook Architects - Murray Mews Perth 6000 P: 9322 9750 ABN: 70 290 955 007

Attachment 2 - Option 1A Proposed Parking Layout opposite new Kununurra Courthouse  
with landscaping enhancement



PROPOSED ADDITIONAL CAR PARKING BAYS - ADJACENT COOLIBAH DRIVE ROAD RESERVE

# KUNUNURRA REPLACEMENT COURTHOUSE

LOT 24 COOLIBAH DRIVE Meeting

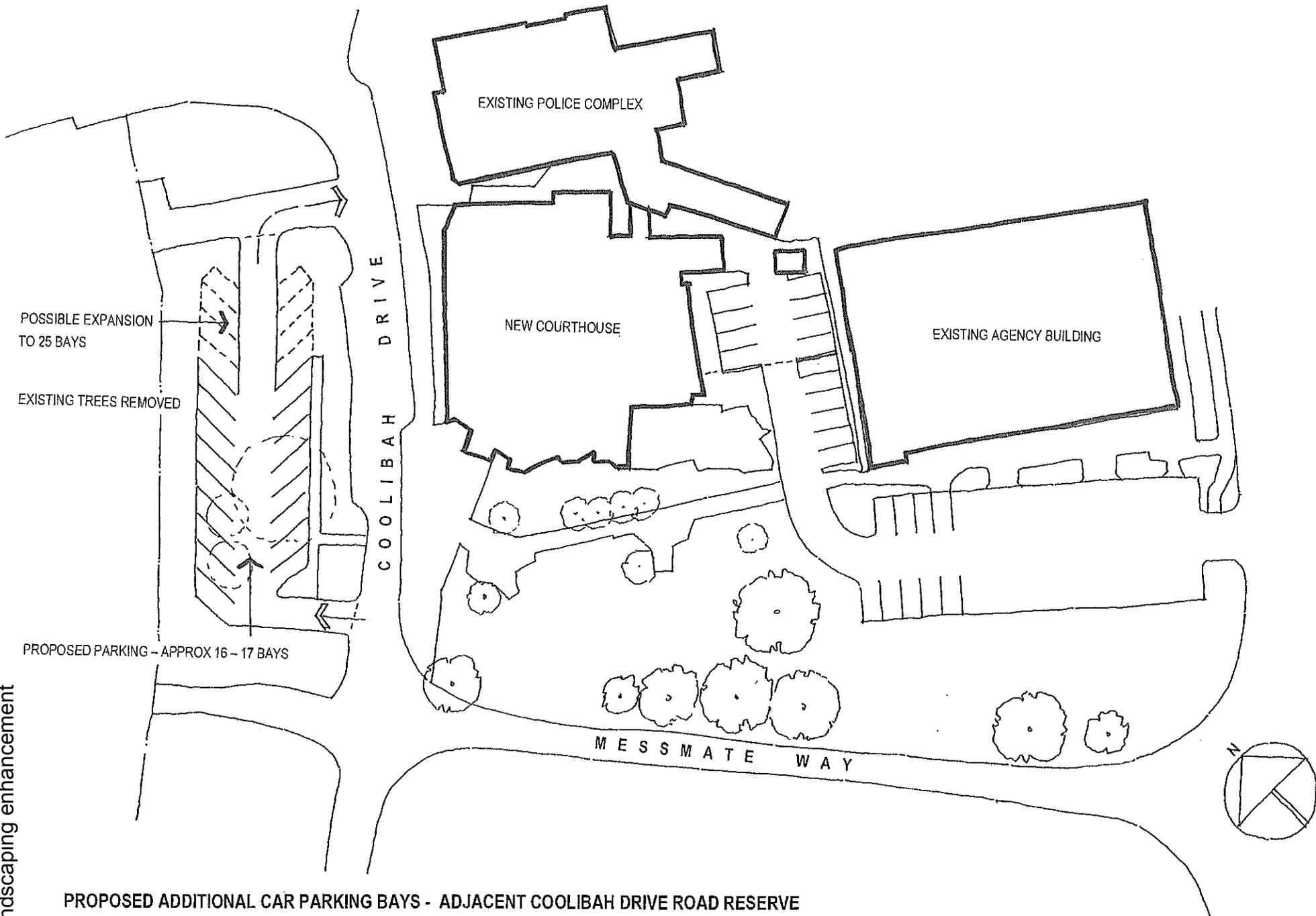
23 September 2014

**TAG Architects + iredale pedersen hook architects**

DRAWING SK.02 OPTION 1A - 26/08/2014

SCALE 1:500 AT A3  
85 of 221

Attachment 3 - Option 1B Proposed Car Parking Layout opposite new Kununurra Courthouse  
without landscaping enhancement



PROPOSED ADDITIONAL CAR PARKING BAYS - ADJACENT COOLIBAH DRIVE ROAD RESERVE

# KUNUNURRA REPLACEMENT COURTHOUSE

LOT 94 COOLIBAH DRIVE  
Minutes Ordinary Council Meeting

23 September 2014

**TAG Architects + iredale pedersen hook architects**

DRAWING SK.03 OPTION 1B - 26/08/2014

SCALE 1:500 AT A3  
88 of 221



### 13.2.4 T01 14/15 Flood Recovery Works – Drainage Channel Works

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Peter Kerp, Manager Engineering Services
<b>REPORTING OFFICER:</b>	Kevin Hannagan, Director Infrastructure
<b>FILE NO:</b>	CM.16.85

#### **PURPOSE**

To provide the Council with the details of the tender assessment for Tender T01 14/15 Flood Recovery Works – Drainage Channel Works and to make a recommendation for the awarding of a contract.

#### **BACKGROUND**

##### Tender

Tenders were advertised in the West Australian on Wednesday 16 July 2014, the Kimberley Echo on Thursday 17 July 2014 and also on the Shire's website. Tenders closed at 2.00pm, Wednesday 13 August 2014.

The works tendered were for the flood events of January and February 2014 which caused substantial damage to the Shire's drainage channels including scouring, silting and loss of armouring at various locations in and near Kununurra (see Attachment 1 Job Locality Map).

During the tender advertising period six (6) Addendums ("Addendum No. 1, 2, 3, 5, 6, 7" - Addendum 4 was missing in the numbering sequence only) and a range of questions/responses were sent to all 27 respondents who had requested the tender document. The Addendums and questions/ responses are contained in this report as Attachment 2.

Of the 27 respondents provided with tender documents, four (4) submissions were received by the Closing Date:

- 1) JAB Industries;
- 2) Plant Hire Services Pty Ltd;
- 3) Martinjinni Pty Ltd;
- 4) JSW Holdings Pty Ltd.

##### Tender Evaluation

A tender evaluation panel was formed at the direction of the Director Infrastructure. The following evaluation criteria were used for the tender evaluation process:

<b>Criteria</b>	<b>Weighting</b>
<b>Compliance Criteria</b>	<b>10%</b>
<b>Qualitative Criteria</b>	<b>50%</b>
<i>Relevant Experience</i>	<i>(10%)</i>
<i>Key Personnel Skills &amp; Experience</i>	<i>(10%)</i>
<i>Tenders Resources</i>	<i>(10%)</i>
<i>Demonstrated Understanding</i>	<i>(20%)</i>
<b>Tendered Price</b>	<b>40%</b>

This Tender was a 'Schedule of Rates' for Labour and Plant only. Therefore to arrive at a score for Tendered Price all common labour components and machinery rates as tendered were estimated against a set quantity of labour and machine hours for the estimated works required. Where Tenderers provided rates for additional machinery not requested in the Tender, these items were excluded from the Tendered Price evaluation process.

Following consideration of the submissions in accordance with the tender criteria, all four (4) companies demonstrated the capability, resources and personnel to complete the works. However, the information provided in the submission received from Plant Hire Services Pty Ltd demonstrated higher score in the compliance criteria; which best satisfied the specification requirements; best value for the Shire and therefore is recommended as the Preferred Tenderer.

### **STATUTORY IMPLICATIONS**

The tender process has been conducted in accordance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.

### **POLICY IMPLICATIONS**

The tender process has been conducted in accordance with the Shire's Purchasing Policy CP/FIN-3204.

### **FINANCIAL IMPLICATIONS**

The Tender will result in a contract for Schedule of Rates. As this project is as a result of the February 2014 floods, funding will be provided by WANDRRA. Due to the tight timeframes for the project of four (4) weeks from award to completion, the Shire will receive one (1) progress claim plus final claim for the contract.

### **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 2.3.1: Manage and maintain assets in strategic and cost effective manner

### **COMMUNITY CONSULTATION**

Community consultation is not required for this report.

### **COMMENT**

No further comments are offered in relation to this tender evaluation.

## **ATTACHMENTS**

Attachment 1 – Map showing locality of works

Attachment 2 – Addendums with additional information provided to Tenderers

Attachment 3 – Confidential Evaluation Report (*provided under separate cover*)

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council:

- 1) notes the Confidential Evaluation Report;
- 2) awards Tender T01 14/15 Flood Recovery Works - Drainage Channel Works to Plant Hire Services Pty Ltd, 2204 Stockman Road, Kununurra WA 6743 for a Schedule of Rates in accordance with the Schedule of Rates tendered; and
- 3) authorises the Chief Executive Officer to enter into a Contract for Tender T01 14/15 Flood Recovery Works – Drainage Channel Works with Plant Hire Services Pty Ltd, 2204 Stockman Road, Kununurra WA 6743 using the WALGA template, General Conditions of Contract for the Provision of Goods and Services and Minor Works; and
- 4) advises unsuccessful tenderers the award of a contract to Plant Hire Services Pty Ltd, 2204 Stockman Road, Kununurra, WA 6743 for a Schedule of Rates in accordance with the Schedule of Rates tendered.

## **COUNCIL DECISION**

**Minute No. 10590**

**Moved: Cr K Wright**

**Seconded: Cr G King**

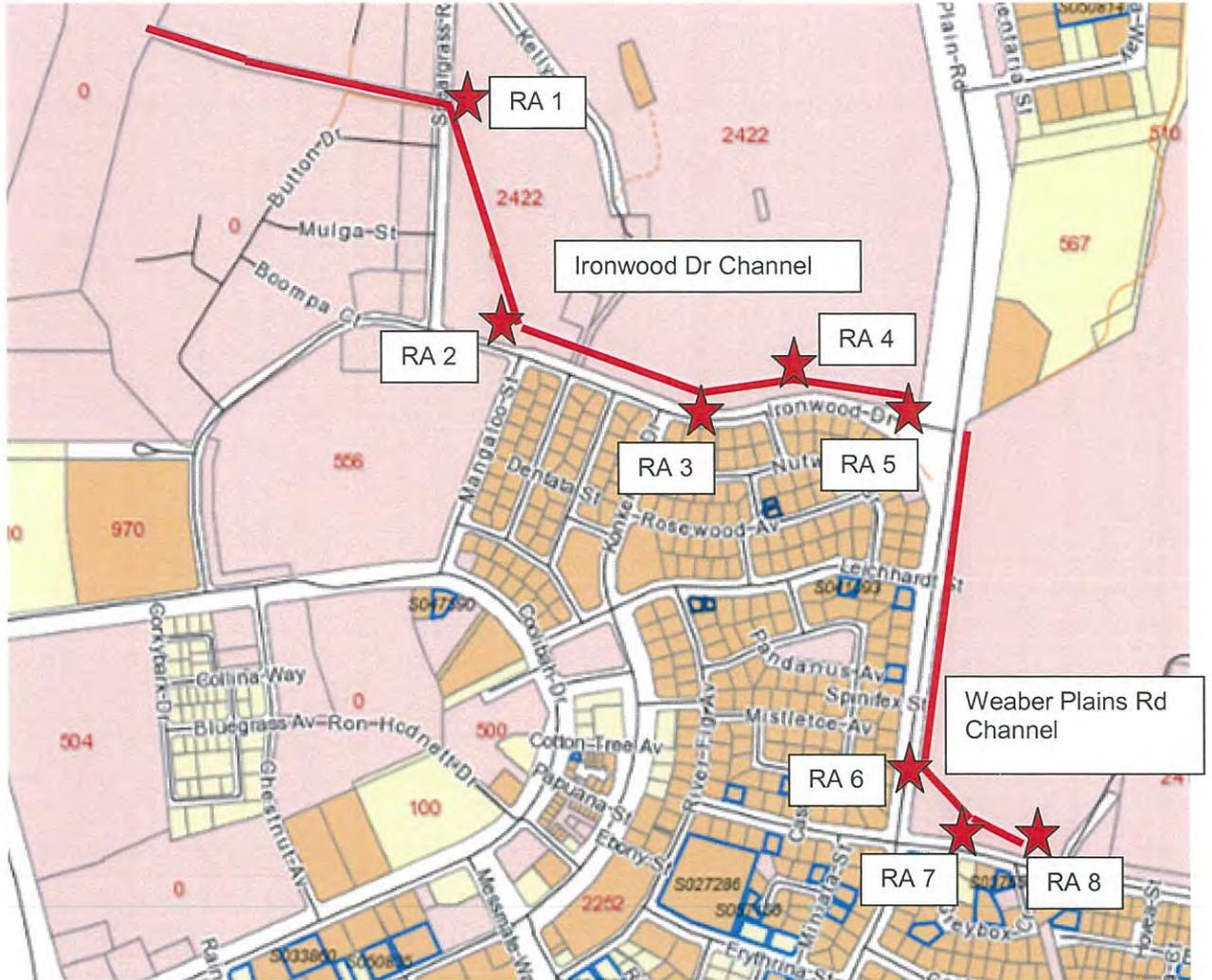
**That Council:**

- 1) notes the Confidential Evaluation Report;**
- 2) awards Tender T01 14/15 Flood Recovery Works - Drainage Channel Works to Plant Hire Services Pty Ltd, 2204 Stockman Road, Kununurra WA 6743 for a Schedule of Rates in accordance with the Schedule of Rates tendered; and**
- 3) authorises the Chief Executive Officer to enter into a Contract for Tender T01 14/15 Flood Recovery Works – Drainage Channel Works with Plant Hire Services Pty Ltd, 2204 Stockman Road, Kununurra WA 6743 using the WALGA template, General Conditions of Contract for the Provision of Goods and Services and Minor Works; and**
- 4) advises unsuccessful tenderers the award of a contract to Plant Hire Services Pty Ltd, 2204 Stockman Road, Kununurra, WA 6743 for a Schedule of Rates in accordance with the Schedule of Rates tendered.**

**Carried Unanimously 7/0**

Cr K Wright declares a proximity interest in the next item.

3.6.2 ROCK ARMOUR AND CHANNEL WORKS LOCALITY PLAN



Drainage channels are at the locations indicated by thick red lines above.  
Proposed rock armour works locations are indicated by the red stars.



**No: T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works**

**&**

**No: T02 2014 / 2015 Flood Recovery Works Lake Argyle Road – Design & Construct Culvert Repairs**

**ADDENDUM NO. 1**

This addendum is issued to all registered tenderer's for the above project and shall form part of the tender documents for this tender.

The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

Tender 01 2014/2015

1. Part 6 Tenders Offer as Stated

In response to the Tender T09 2013 / 2014 Flood Recovery Works – Drainage Channel Works

*The Tender Offer should state*

*In response to the Tender T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works*

Tender 02 2014/2015

2. Part 6 Tenders Offer as Stated

In response to the Tender T08 2013 / 2014 Flood Recovery Works – Kalumburu Rd, Pt Warrender Rd and Mt Elizabeth Rd

*The Tender Offer should state*

*In response to the Tender T02 2014 / 2015 Flood Recovery Works Lake Argyle Road – Design & Construct Culvert Repairs*

**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

**Date of Issue: 6 August 2014**



**No: T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works**

**&**

**No: T02 2014 / 2015 Flood Recovery Works Lake Argyle Road – Design & Construct Culvert Repairs**

**ADDENDUM NO. 2**

This addendum is issued to all registered tenderer's for the above project and shall form part of the tender documents for this tender.

The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

Tender 01 2014/2015

1. Advertised Closing Date on Website  
Reads as 13 August 2014, 4pm

*The Tender Closing Date  
Should read 13 August 2014, 2pm*

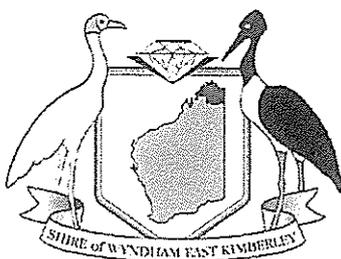
Tender 02 2014/2015

2. Advertised Closing Date on Website  
Reads as 13 August 2014, 4pm

*The Tender Closing Date  
Should read 13 August 2014, 2pm*

**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

**Date of Issue: 6 August 2014**



**No: T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works**

**ADDENDUM NO. 3**

This addendum is issued to all registered tenderer's for the above project and shall form part of the tender documents for this tender.

The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

1. Price Schedule of Rates Item No. 4.01  
Should Item 4.01 be in Square Metres not Linear?

*Item No. 401*

*The net rate is measured in Linear Metres with a width of 4.0metres*

**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

**Date of Issue: 6 August 2014**



## No: T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works

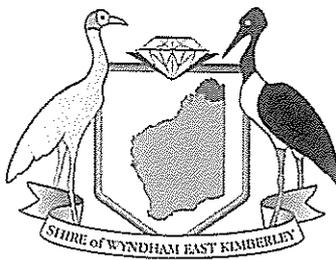
### ADDENDUM NO. 5

This addendum is issued to all registered tenderers for the above project and shall form part of the tender documents for this tender. The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

1. We are concerned that you will factor in a generalisation with the number of hours required to complete the works. Using this formula will there be penalties for the use of larger machines Please advise how this is mitigated?  
*This is a Schedule of Rates Contract, Rates for larger capacity equipment is to be inserted in 6.4.2 Price Schedule – Schedule of Rates.*
2. Are you using a productivity chart (i.e. CHB 28 section 21-1) in your calculations for different / larger / smaller machines in your price assessment?  
*This is a Schedule of Rates Contract. Assessments shall be made on the Wet Rates Submitted.*
3. Under the price schedule of rates 6.4.2, in section 2.01 to 2.06, please provide an estimation of the 'in use' hours requires for difference machines, so that we can formulate a Hire Rate.  
*This is a Schedule of Rates Contract. All Rates are to be contract hire rates.*
4. Under the price schedule of rates 6.4.2, in section 2.01 to 2.06, regarding the labour component, please advise the supervisory hours, general labour hour and the number of staff required.  
*This is a Schedule of Rates Contract. All Rates are to be contract hire rates.*
5. Could we please have the number and types of Trucks / Excavators / Watercarts required to fulfil the works.  
*This is a Schedule of Rates Contract. All Rates for Trucks / Excavators / Watercarts and the capacities are to be submitted in 6.4.2 Price Schedule – Schedule of Rates.*
6. Under Section 4.01 regarding the Geotextile – please specify the quality required i.e. the thickness not “so that it doesn't tear”?  
*Geofabric to be Bidum A64.*
7. The rock armour – do you require a specific shape and hardness of rock armoury?  
*Rock Armour to be Nom 200 +/- local durable rock that will not decompose or break up.*
8. Please advise if the spoils are to be removed from site or lost on site?  
*All spoil is to be removed off site.*
9. If they are removed from site, is an ATV required?  
*ATV not required.*
10. If they are lost on site, is a grader required?  
*Not applicable, refer to Question 9.*

**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

**Date of Issue: 15 August 2014**



**No: T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works**

**ADDENDUM NO. 6**

This addendum is issued to all registered tenderers for the above project and shall form part of the tender documents for this tender.

The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

1. Your response on the rock armour is vague at best. Please provide more specific "Hardness" Classifications than "not decompose or breakup", as all rock will decompose overtime.

*This has been answered in Addendum No. 5. The contractor is to nominate the Rock armour type to be used and the rate/ton.*

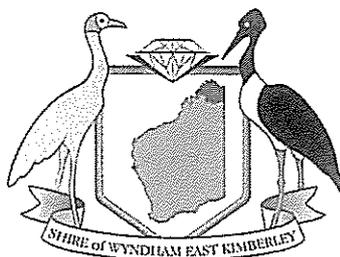
2. Is it essential that the spoils be taken to the landfill site.

*Spoil to be taken to sites nominated by the Flood Recovery Office.*



**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

Date of Issue: 20 August 2014



**No: T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works**

**ADDENDUM NO. 7**

This addendum is issued to all registered tenderers for the above project and shall form part of the tender documents for this tender.

The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

1. Has the “Approx” depth of the drain in section 3.6.1 (pg 17) already been calculated at the 3:1 grade of the drain bank? Or is this the vertical depth, and the bank width from the 3:1 bank grade requirement need to be calculated from this?

*The “Approx” depth of the drain is the vertical depth from which the 3:1 bank grade is to be extrapolated.*



**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

Date of Issue: 22 August 2014

### 13.2.5 T02 14/15 Flood Recovery Works – Lake Argyle Road, Design and Construct Drainage Culvert Repairs

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Lake Argyle Road
<b>AUTHOR:</b>	Peter Kerp, Manager Engineering Services
<b>REPORTING OFFICER:</b>	Kevin Hannagan, Director Infrastructure
<b>FILE NO:</b>	CM.16.86

#### **PURPOSE**

To provide the Council with the details of tender assessment for Tender T02 14/15 Flood Recovery Works – Lake Argyle Road, Design and Construct Culvert Repairs and recommendation for the awarding of a contract.

#### **BACKGROUND**

##### Tender

Tenders were advertised in the West Australian on Wednesday 16 July 2014, the Kimberley Echo on Thursday 17 July 2014 and also on Councils website. Tenders closed at 2.00pm, Wednesday 13 August 2014.

The works tendered were for the flood events of January and February 2014 which caused substantial damage to Council drainage channels including scouring, silting and loss of armouring at three (3) separate locations along Lake Argyle Road (Attachment 1 Job Locality Map). The Contract work is to commence within 14 days of award (approximately) and is to be completed prior to Friday the 31 October 2014.

During the tender advertising period four (4) Addendums (“Addendum No. 1, 2, 4, 5” – Addendum 3 missing in the numbering sequence only) and a range of questions/responses were sent to all nine (9) respondents who had requested a tender document. The Addendums and questions/responses are contained in this report as Attachment 2.

Of the nine (9) Respondents provided with tender documents, two (2) submissions were received by the Closing Date:

1. JAB Industries
2. Plant Hire Services Pty Ltd

## Tender Evaluation

A tender evaluation panel was formed at the direction of the Director Infrastructure. The following evaluation criteria were used for the tender evaluation process:

<b>Criteria</b>	<b>Weighting</b>
<b>Compliance Criteria</b>	<b>10%</b>
<b>Qualitative Criteria</b>	<b>50%</b>
<i>Relevant Experience</i>	<i>(10%)</i>
<i>Key Personnel Skills &amp; Experience</i>	<i>(10%)</i>
<i>Tenders Resources</i>	<i>(10%)</i>
<i>Demonstrated Understanding</i>	<i>(20%)</i>
<b>Tendered Price</b>	<b>40%</b>

This Tender was a Lump Sum Tender and as such Tendered Price scoring is based upon the Tenderers lump sum submitted in their tender.

Following consideration of the submissions in accordance with the tender criteria, the submission from Plant Hire Services Pty Ltd was considered 'non-conforming' and as such was not considered any further. The information provided in the submission received from JAB Industries demonstrated best compliance with the criteria and demonstrated understanding which best satisfied the specification requirements and therefore is recommended as the Preferred Tenderer.

### **STATUTORY IMPLICATIONS**

The tender process has been conducted in accordance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.

### **POLICY IMPLICATIONS**

The tender process has been conducted in accordance with the Shire's Purchasing Policy CP/FIN-3204.

### **FINANCIAL IMPLICATIONS**

The Tender will result in a Lump Sum Contract being awarded. As this project is as a result of the February 2014 floods, funding will be provided by WANDRRA. Due to the tight timeframes for the project of less than four (4) weeks from award to completion, the Shire will receive one (1) progress claim plus final claim.

### **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 2.3.1: Manage and maintain assets in strategic and cost effective manner

## **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this report. However when repair works commence it is acknowledged that the works will not unduly impede traffic (traffic management will be in place) or impact local activities.

## **COMMENT**

No further comments are offered in relation to this tender evaluation.

## **ATTACHMENTS**

Attachment 1 – Map showing locality of works under contract

Attachment 2 – Addendums with additional information provided to Tenderers

Attachment 3 – Confidential Evaluation Report (*provided under separate cover*)

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council:

- 1) notes Attachment 3, Confidential Evaluation Report;
- 2) authorises the Chief Executive Officer to enter into pre-contract negotiations with the preferred tenderer JAB Industries;
- 3) authorises the Chief Executive Officer to award Tender T02 14/15 Flood Recovery Works – Lake Argyle Road, Design and Construct Repairs to JAB Industries, 15 Eucalyptus Close, Kununurra WA 6743 once pre-contract negotiations are concluded;
- 4) authorises the Chief Executive Officer to enter into a Contract for Tender T02 14/15 Flood Recovery Works - Lake Argyle Road Design and Construct Repairs using the WALGA template, General Conditions of Contract for the Provision of Goods and Services, and
- 5) advises unsuccessful tenderers the award of a contract to JAB Industries, 15 Eucalyptus Close, Kununurra WA 6743.

## **COUNCIL DECISION**

**Minute No. 10591**

**Moved: Cr B Robinson**

**Seconded: Cr G King**

**That Council:**

- 1) notes Attachment 3, Confidential Evaluation Report;**
- 2) authorises the Chief Executive Officer to enter into pre-contract negotiations with the preferred tenderer JAB Industries;**
- 3) authorises the Chief Executive Officer to award Tender T02 14/15 Flood Recovery Works – Lake Argyle Road, Design and Construct Repairs to JAB Industries, 15 Eucalyptus Close, Kununurra WA 6743 once pre-contract negotiations are concluded;**
- 4) authorises the Chief Executive Officer to enter into a Contract for Tender T02 14/15 Flood Recovery Works - Lake Argyle Road Design and Construct Repairs using the WALGA template, General Conditions of Contract for the Provision of Goods and Services, and**
- 5) advises unsuccessful tenderers the award of a contract to JAB Industries, 15 Eucalyptus Close, Kununurra WA 6743.**

**Carried Unanimously 7/0**

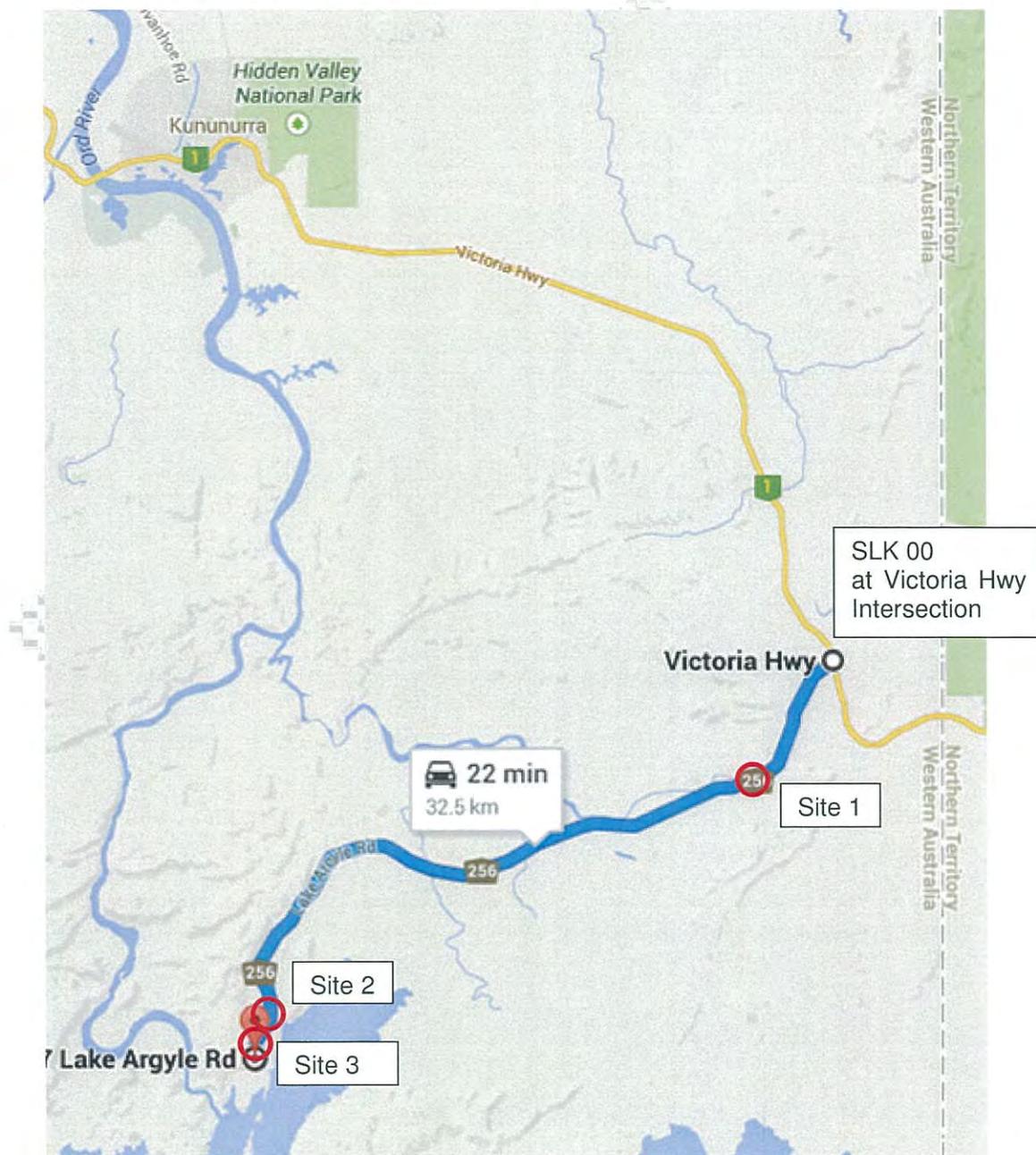
Cr D Spackman enters the Chambers at 6.31pm

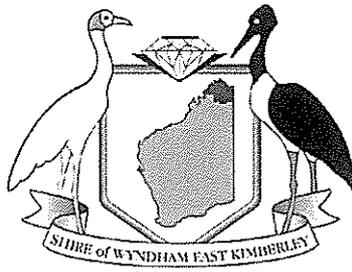
**3.6.4 ROCK ARMOUR CONSTRUCTION**

**3.7 INDICATIVE WORKS SCHEDULE**

**3.7.1 CULVERT LOCATION SUMMARY**

Item	Description
1	6.6km – Triple CSP 1200mm nominal diameter
2	30.6km – Single CSP 1620mm nominal diameter
3	32.5km – Double CSP 1200mm nominal diameter





**No: T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works**

**&**

**No: T02 2014 / 2015 Flood Recovery Works Lake Argyle Road – Design & Construct Culvert Repairs**

**ADDENDUM NO. 1**

This addendum is issued to all registered tenderer's for the above project and shall form part of the tender documents for this tender.

The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

Tender 01 2014/2015

1. Part 6 Tenders Offer as Stated

In response to the Tender T09 2013 / 2014 Flood Recovery Works – Drainage Channel Works

*The Tender Offer should state*

*In response to the Tender T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works*

Tender 02 2014/2015

2. Part 6 Tenders Offer as Stated

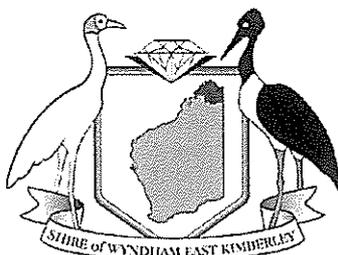
In response to the Tender T08 2013 / 2014 Flood Recovery Works – Kalumburu Rd, Pt Warrender Rd and Mt Elizabeth Rd

*The Tender Offer should state*

*In response to the Tender T02 2014 / 2015 Flood Recovery Works Lake Argyle Road – Design & Construct Culvert Repairs*

**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

**Date of Issue: 6 August 2014**



**No: T01 2014 / 2015 Flood Recovery Works – Drainage Channel Works**

**&**

**No: T02 2014 / 2015 Flood Recovery Works Lake Argyle Road – Design & Construct Culvert Repairs**

**ADDENDUM NO. 2**

This addendum is issued to all registered tenderer's for the above project and shall form part of the tender documents for this tender.

The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

Tender 01 2014/2015

1. Advertised Closing Date on Website  
Reads as 13 August 2014, 4pm

*The Tender Closing Date  
Should read 13 August 2014, 2pm*

Tender 02 2014/2015

2. Advertised Closing Date on Website  
Reads as 13 August 2014, 4pm

*The Tender Closing Date  
Should read 13 August 2014, 2pm*

**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

**Date of Issue: 6 August 2014**



## No: T02 2014 / 2015 Flood Recovery Works – Lake Argyle Road Design & Construct Culvert Repairs

### ADDENDUM NO. 4

This addendum is issued to all registered tenderers for the above project and shall form part of the tender documents for this tender. The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

1. Please provide information regarding the current approved work zone areas for the three (3) culvert sites?

*Lake Argyle Road has no biodiversity values. Work zone to be confined around the culvert area and will be determined on site when works commence.*

2. Clearing Permits, Detours and Work Zones

*Clearing Permits and work zones are addressed in Addendum No.1 Where the half the road is closed due to the culvert installation, the shoulder widening on the opposite side may be required to allow traffic to pass through the site. Traffic Management would be required to limit the delays to 10 minutes.*

3. Confirm tender requires pricing for the inclusion of bitumen seal reinstatement at culvert repair sites

*All disturbed and damaged pavement areas are to be reinstated to a similar standard to the pavement adjacent to the damaged areas.*

4. Items 3.4.2, 3.6.6, 3.7.1 Condition State Report queries

*This is a Design and Construct Contract and the Condition State Report was provided so that the Designer can have an appreciation of existing conditions. The Contractor and the Designer are to visit the site and form his/her own opinions as to the site conditions and to allow for all contingencies when pricing the work.*

5. Item 3.7.1 Please confirm nominal diameter of pipes

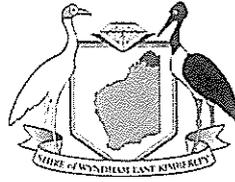
As per all instructions in Table Part of Item 3.4.2

There is clear instruction in regards to replacing headwall at site 1 and site 2. Site 3 there is no mention of any headwall repair or removal. The Pipes cannot be removed without damaging existing temporary headwall. Should we allow in the lump sum price to replace both or part of these headwalls?

*Please be advised that the Condition State Reports are **NOT INSTRUCTIONS** See Point 4.*

**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

Date of Issue: 15 August 2014



**No: T02 2014 / 2015 Flood Recovery Works – Lake Argyle Road  
Design & Construct Culvert Repairs**

**ADDENDUM NO. 5**

This addendum is issued to all registered tenderers for the above project and shall form part of the tender documents for this tender.

The purpose of the addendum is to notify of omissions and/or clarifications in the Tender document.

1. I have not seen any evidence of a clearing permit or explanation of an exemption that may apply. Either of these would be required in order to clear native vegetation?

*Clause 3.3.11 and 3.3.12 – The contractor will be required to obtain the necessary permits and to conduct their own review of the information. The Environmental Assessment Report done by The Department of Parks and Wildlife has been forward to Department of Environmental Regulation which may assist in obtaining the Exemption.*

**GARY GAFFNEY**  
**CHIEF EXECUTIVE OFFICER**

Date of Issue: 21 August 2014

## 13.3 COMMUNITY DEVELOPMENT

### 13.3.1 Disability Access and Inclusion Plan

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Wayne Richards, Manager Community Services
<b>REPORTING OFFICER:</b>	Louise Gee, Director Community Development
<b>FILE NO:</b>	CS.09.2

#### **PURPOSE**

For the Council to approve the advertising of the Draft Reviewed Disability Access and Inclusion Plan.

#### **BACKGROUND**

It is a requirement for all Local Governments to have and report on a Disability Access and Inclusion Plan under the Disability Services Act 1993 (amended 2004).

This Plan must be reviewed every two years, with a thorough formal review required at the end of five years. The most recent formal review was completed and adopted two years ago at the December 2012 Ordinary Council Meeting and is now due for the biennial desktop review.

Leading into this review, officers received a bulletin from the Disability Services Commission stating that each Plan must include a seventh outcome, "People with disability have the same opportunities as other people to obtain and maintain employment within the public sector". Originally the due date for this amendment was July 2014 however this was later extended to July 2015.

#### **STATUTORY IMPLICATIONS**

Under the Disability Services Act 1993 (amended 2004), all Local Governments must have and report on a Disability Access and Inclusion Plan under the Disability Services Act 1993 (amended 2004).

#### **POLICY IMPLICATIONS**

The Plan includes "Incorporate recommendation from WALGA regarding encouraging procurement from WA Disability Enterprises in the Shire's Purchasing Policy" as a strategy within the document.

While other strategies recommend new processes there are no implications for other Shire Council Policies.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

## **STRATEGIC IMPLICATIONS**

Strategic Community Plan 2012-2022

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

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

Strategy 2.4.1: Advocate for improved health and community services

## **COMMUNITY CONSULTATION**

The Plan was reviewed with Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment within the public sector added. The reviewed plan was forwarded to the Disability Services Commission for comment who, in turn, sought feedback from a committee of local parents of people with disability. Further amendments have been made to the Plan based on this feedback.

## **COMMENT**

This reviewed Plan must be endorsed by Council. Prior to this endorsement, Council must advertise the reviewed Plan publically for a period of 28 days. Feedback received during this advertising period will be considered prior to returning the Plan to the next possible Ordinary Council Meeting.

## **ATTACHMENTS**

Attachment 1 - Draft Reviewed Access and Inclusion Plan 2013-2017

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council:

- Approve the advertising of the Draft Reviewed Disability Access and Inclusion Plan for a period of 28 days with any feedback considered prior to returning the final draft to Council for endorsement.

**COUNCIL DECISION**

**Minute No. 10592**

**Moved: Cr G King**

**Seconded: Cr D Spackman**

**That Council:**

- **Approve the advertising of the Draft Reviewed Disability Access and Inclusion Plan for a period of 28 days with any feedback considered prior to returning the final draft to Council for endorsement.**

**Carried Unanimously 8/0**



SHIRE OF WYNDHAM | EAST KIMBERLEY

# Disability Access & Inclusion Plan (DAIP)

2013-2017

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## **Acknowledgements**

The Shire of Wyndham East Kimberley acknowledges the input received from many individuals and groups within the community, which has been invaluable in the review of the Disability Access and Inclusion Plan.

In particular, thanks are given to the Disability Access Planning Committee members, Disability Services Commission, Shire staff and individual community members.

## **Contact**

If you would like further information or to provide feedback about this plan, please contact the Shire's Community Development team.

Phone: (08) 9168 4100

Email: [mail@swek.wa.gov.au](mailto:mail@swek.wa.gov.au)

## **Definitions**

**Disability Services Act 1993 (amended 2004)** will be referred to as The Disability Services Act

**Disability Access and Inclusion Plan** will be referred to as DAIP

**Disability Services Regulations (2004)** will be referred to as The Regulations

This Plan is available in alternate formats such as large print, electronic format (disc or emailed), audio or Braille, on request.

## Introduction:

The Shire of Wyndham East Kimberley is located in the ruggedly picturesque and sparsely populated north east corner of Western Australia (WA), stretching from the Northern Territory border to the northern most tip of WA. The Shire includes the towns of Kununurra and Wyndham, the township of Kalumburu, over 40 Indigenous communities and a number of other small settlements and station homesteads. The Shire covers 121,000 square kilometres and is one of the four local governments that make up the Kimberley region. The population, according to 2011 census data, is 7,799 and 38 percent of Shire residents identify as Indigenous.

### **Kununurra**

Kununurra was formed in the early 1960s to service the construction of the Ord Irrigation Scheme. The town has seen the transformation of ancient river plains into one of the most diverse and productive agricultural areas in Australia. Harnessing the mighty Ord River opened up the area to horticulture, aquaculture, eco-tourism and agri-tourism.

### **Wyndham**

Wyndham is the second largest town in the Shire and is the most northern town in Western Australia. The population of Wyndham stands at around 800 today, but was once a bustling town, with the arrival of news of gold discoveries at Halls Creek. The Wyndham Port was first established at the base of the Bastion Range in the 1880s and today provides for the state ship service, the import of fuel, ammonium nitrate, general freight and the export of live cattle, iron ore and nickel. It is also a key stopping point for cruise ships.

### **Functions, Facilities and Services (both in-house and contracted) provided by the Shire of Wyndham East Kimberley.**

The Shire of Wyndham East Kimberley is responsible for the provision of a range of functions, facilities and services.

#### *Services to property including:*

Construction and maintenance of Shire-owned buildings, roads, footpaths and cycle facilities; land drainage and development; waste collection and disposal; litter control and street cleaning; street lighting; public landscaping and street tree planting and care; numbering of buildings and lots; and bush fire control.

#### *Services to the community including:*

Provision and maintenance of recreation areas, playing areas, parks, gardens, reserves and facilities for sporting and community groups; management of recreation centres and swimming pools and associated programs, activities and events; public halls; public library and information services; child care centre services; provision of youth facilities; community and cultural events.

#### *Regulatory services including:*

Planning of road systems, sub-divisions and town planning schemes; building approval for construction, additions or alterations to buildings; environmental health services including Aboriginal communities; and ranger services including dog control.

- Disability Services Commission Area Manager works in collaboration with LEMC to identify people with disabilities who may be at high risk during an emergency event.

*General administration including:*

The provision of general information to the public; the lodging of complaints; and the collection of payments such as rates, facility hire fees and dog licences.

*Processes of government including:*

Feedback is valuable to the Shire and is welcome.

## **People with disability in the Shire of Wyndham East Kimberley**

### **What is disability?**

A disability is any continuing condition that restricts everyday activities. The Disability Services Act (1993) defines 'disability' as meaning a disability:

- which is attributable to an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment or a combination of those impairments
- which is permanent or likely to be permanent
- which may or may not be of a chronic or episodic nature
- which results in substantially reduced capacity of the person for communication, social interaction, learning or mobility and a need for continuing support services.

With the assistance of appropriate aids and services, the restrictions experienced by many people with a disability may be overcome.

### **Types of disability**

The main categories of disability are physical, sensory, psychiatric, neurological, cognitive and intellectual. Many people with disability have multiple disabilities. A physical disability is the most common type of disability, followed by intellectual and sensory disability. Physical disability generally relates to disorders of the musculoskeletal, circulatory, respiratory and nervous systems. Sensory disability involves impairments in hearing and vision. Neurological and cognitive disability includes acquired disability such as multiple sclerosis or traumatic brain injury. Intellectual disability includes intellectual and developmental disability which relate to difficulties with thought processes, learning, communicating, remembering information and using it appropriately, making judgments and problem solving. Intellectual disability is the result of interaction between developmentally attributable cognitive impairment, attitudinal and environmental barriers. Psychiatric disorders resulting in disability may include anxiety disorders, phobias or depression.

It is estimated that there are almost 850 people with disabilities living within the Shire according to the current statistics (compiled by the WA Disability Services Commission based on Australian Bureau of Statistics (ABS) synthetic estimates). Over 59% of people with disability identified a physical condition as the main disabling condition followed by 27% identifying a psychological condition as the main disabling condition. In addition, 41% of people with a disability are aged between 24 and 44 years, with another 26% aged between 45 and 64 years. These factors inform

the type of strategies developed to improve access and inclusion for all the Shire's residents.

*The influx of tourists during the 'dry season' and people from outlying indigenous communities during the 'wet season', must also be considered as the number of people with disability within the community during these periods may increase significantly. Planning for improved access and inclusion*

The Disability Services Act 1993 (The Act) requires all Western Australian public authorities including local governments to develop, implement and review a Disability Access and Inclusion Plan (DAIP) to ensure that people with disability have equal access to facilities and services.

Other legislation underpinning access and inclusion includes the Western Australia Equal Opportunity Act 1984 and the Commonwealth Disability Discrimination Act 1992, both of which make it unlawful to discriminate on the basis of a person's disability.

## Progress to date – current status and key achievements

The Shire of Wyndham East Kimberley is continuing to work towards the facilitation of services and access to public facilities for people with disability. The following are some of the key achievements.

- Shire's Quick and Annual Grant application forms require applicants to consider Disability Services Commission disability access checklist.
- Shire venues are accessible to ensure access and inclusion.
- Events are planned using the Creating Accessible Events checklist.
- A number of Shire facilities have been retrofitted through upgrade projects including;
  - Leisure Centre hall and gym
  - Kununurra Community Library
  - Regional Airport terminal
  - Wyndham fishing jetty
  - Wyndham Swimming Pool
- Staff training regarding disability awareness including access and inclusion strategies.
- Accessible complaints handling is promoted within grievance and complaints mechanisms and processes.
- Community consultation process included forums held at accessible venues.
- Council meetings are held at disability accessible venues.
- Promotion and application of the Companion Card, providing free entry for carers accompanying disabled persons to Shire services and facilities e.g. Kununurra Leisure Centre, Wyndham Recreation Centre and Wyndham Swimming Pool.
- Public library resources are available in various formats (e.g. large print and audio).
- Wyndham Pool upgrade included pool entry ramp with submersible wheel chair and rails, construction of accessible toilet and installation of compliant access ramps, hand rails and visual markers at facility entrance.

## Access and Inclusion Policy Statement:

The Shire of Wyndham East Kimberley is committed to ensuring that the community is accessible for and inclusive of people with disability, their families and carers. People with disability – just like everyone else – have abilities, aspirations and contributions to make to their local communities.

The Shire of Wyndham East Kimberley interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disability, providing them with equal opportunities within the community.

### **The Shire of Wyndham East Kimberley:**

- recognises that people with disability are valued members of the community who make a variety of contributions to local social, economic and cultural life;
- believes that a community that recognises its diversity and supports the participation and inclusion of all of its members makes for a richer community life;
- believes that people with disability, their families and carers should be supported to remain in the community;
- is committed to consulting with people with disability, their families and carers, and service organisations in addressing barriers to access and inclusion;
- will ensure its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan;
- is committed to supporting local community groups and businesses to provide access and inclusion of people with disability; and
- is committed to achieving the seven desired outcomes of the DAIP

### **Seven outcomes for improved access and inclusion**

The seven desired outcomes of the DAIP for improving access and inclusion are:

1. People with disability have equal opportunities to access the services of, and any events organised by, the relevant public authority.
2. People with disability have equal opportunities to access the buildings and other facilities of the relevant public authority.
3. People with disability receive information from the relevant public authority in a format that will enable them to access the information readily.
4. People with disability receive the same level and quality of service from the staff of the relevant public authority.
5. People with disability have equal opportunities to make complaints to the relevant public authority.
6. People with disability have equal opportunities to participate in any public consultation by the relevant public authority.
7. People with disability have the same opportunities as other people to obtain and maintain employment within the public sector.

# Review of the Disability Access and Inclusion Plan:

## Responsibility for the process

The Disability Access Planning Committee was established by the Council and meets biannually. The Committee is comprised of two elected members of Council, Shire officer/s and representatives from the community with personal and/or professional knowledge of disability issues including people with disability. The objective of the Committee is to oversee and advise on the implementation, review and evaluation of the DAIP. The draft DAIP is adopted by Council and it is the responsibility of all Shire officers to implement the relevant strategies and tasks.

## Community Consultation Process

The Disability Access Planning Committee meets to identify access and inclusion barriers that people with disability and their families may experience in using the Council's functions, facilities and services. The Committee also develops strategies to address these identified barriers.

The process for developing and implementing the DAIP includes:

- Review of the previous DAIP and subsequent progress reports to identify achievements and actions still required;
- Consultation with key Shire staff; and
- Consultation with the community.

The community provides input into the development and implementation of the DAIP by:

- Liaising with representatives of the Disability Access Planning Committee;
- Talking to their elected Council representatives;
- Writing to the Council expressing their concerns;
- Making enquiries at the Shire's Administration Offices; and
- Responding to the Shire's requests for public submissions.

The Disability Services Regulations 2004 (The Regulations) outline the minimum consultation requirements for public authorities in relation to the development of Disability Access and Inclusion Plans. Local governments must call for submissions (either general or specific) by notice in a newspaper circulating in the local government area or on any website maintained by or on behalf of the local government. Other mechanisms should also be used including face to face consultation, notices around town and in communities.

## **Responsibility for implementing the DAIP**

Implementation of the DAIP is the responsibility of all areas and staff of the Shire. The Act requires all public authorities to take all practical measures to ensure that the DAIP is implemented by its officers, employees, agents and contractors.

## **Communicating the plan to staff and the community**

Communication of the DAIP to Shire councillors, staff, people with disability and the wider community will be achieved through the following actions:

- The DAIP will be endorsed by the Council on an annual basis;
- The Council will advise through its media releases (newspaper and radio) that copies of the DAIP are available to the community upon request and in alternate formats if required, including hard copy in standard and large print, electronic format, audio format on cassette or CD, by email and on the Shire's website; and
- As the DAIP is amended the Council's staff and the community will be advised of the availability of the updated plans, using the above methods.

## **Review and evaluation mechanisms**

The Act requires that DAIPs be reviewed at least every five years. Whenever the DAIP is amended, a copy of the amended plan must be lodged with the WA Disability Services Commission. The Implementation Plan can be updated more frequently if desired.

### **Monitor and Review**

A status report will be provided to management and the Council on progress and recommended changes to the Implementation Plan annually. The Council will formally consider these reports.

### **Evaluation**

Evaluation mechanisms for the DAIP will include:

- The Council will consider the status reports on the disability access planning and implementation process;
- The Council will provide regular advice to the community regarding the implementation of the projects outlined in the Disability Access and Inclusion Plan;
- The Disability Access Planning Committee will seek to identify any additional barriers that have not already been identified;
- The Disability Access Planning Committee will use a continuing consultation process to include further community response;
- Elected members of the Council and the Shire Officers will provide feedback on how well the strategies are working and make suggestions for improvement;
- The Disability Access and Inclusion Plan will be amended based on the feedback received and endorsed by the Council and copies of the amended DAIP will be made available to the community;

- Following the Council's endorsement, the amended DAIP will be submitted to the WA Disability Services Commission;
- An overall evaluation will occur as part of the five-yearly review of the DAIP; and
- The community, Shire staff and Councillors will be consulted as part of any evaluation.

## **Reporting on the DAIP**

The Disability Services Act requires the Shire to report on the implementation of its DAIP in its Annual Report outlining:

- Progress towards the seven desired outcomes of its DAIP;
- Progress of its agents and contractors towards meeting the seven desired outcomes; and
- The strategies used to inform agents and contractors of its DAIP.

The Shire is also required to report on progress in the prescribed format to the WA Disability Services Commission by 31 July each year.

## Current and future strategies used to improve access and inclusion:

### **Current and future Strategies used to improve access and inclusion:**

The following overarching strategies have been developed to address the seven desired outcome areas of the Disability Services Act and form the basis of the access and inclusion plan.

- The Council will undertake to review and modify its procedures and practices to improve access to its services.
- The Council will undertake to incorporate the priorities regarding access and inclusion as identified during the preparation and review of the Disability Access & Inclusion Plan. Capital Works will be carried out, as funds are made available.
- The Council will undertake to liaise with property developers to increase their awareness of the access requirements of people with disabilities.
- The Council will endeavour to produce all of its information relating to Council facilities, functions and services using clear and concise language and accessible formats.
- The Council will advise the community that, upon request, information about the Council's functions, facilities and services may be made available in alternate formats.
- The Council, in partnership with relevant agencies will provide opportunities to improve awareness throughout the community of the need for all people to be able to participate in community life.
- The Council will undertake training of its staff when appropriate to increase the recognition of and improved communication with all people.
- The Council will ensure that information is available in clear and concise language on how residents can participate in decision-making processes, public consultations, council meetings and grievance mechanisms.
- The Council will ensure that people with disability have the same opportunities as other people to obtain and maintain employment with the Shire.

**OUTCOME 1: People with disability have equal opportunities to access the services of and any events organised by the Shire of Wyndham East Kimberley.**

<b>Area – Functions/Facilities/ Services</b>	<b>Barrier</b>	<b>Strategies</b>	<b>Responsibility</b>	<b>Timeline</b>
Applies to all the Council's functions, facilities and services	Coordination of Shire plans and documents	Incorporate the objectives and strategies of the DAIP into the Shire's existing planning processes, particularly the Strategic Plan	All Managers	Ongoing – through statutory review processes
	Events not always planned with consideration of accessibility	Encourage, and where possible influence events, whether provided or funded, to use the Accessible Events Checklist to ensure accessibility and inclusion.	All Managers	Ongoing – each event
Libraries	Access to information	Provide large print books and audio for relevant community members	Manager Library	Ongoing
Community Services	Limited access for young people with disability to attend school holiday programs	Continue free admission to Kununurra Leisure Centre for carers accompanying people with disability.	Recreation and Leisure Coordinator	Ongoing – Annual Review
	Lack of awareness from staff and the community regarding entry policy	Promote and improve staff community awareness of the Companion Card	Manager Community Services	Ongoing - Annual Review
	Limited access to suitable equipment at Shire parks and recreation facilities	Consideration of accessible equipment when purchasing park equipment, gym equipment and other items available for public use.	Manager Community Services	Ongoing

**OUTCOME 2: People with disability have equal opportunities to access buildings and other facilities of the Shire of Wyndham East Kimberley.**

<b>Area – Functions/Facilities/ Services</b>	<b>Barrier</b>	<b>Strategies</b>	<b>Responsibility</b>	<b>Timeline</b>
All Shire facilities and buildings	Disability access requirements not met on some Shire buildings or facilities.	Review of Shire facilities and buildings in view of access for people with disability Early community consultation during the development phase of projects. Plan, build and maintain new facilities to be accessible as per National building codes /standards.	All Managers Property and Regulatory Services All project managers	Ongoing – each project
Toilets	Older public toilets constructed without disability access requirements	Any works to public toilet facilities to consider disability access requirements Upgrades and works to older public toilet facilities will ensure disability access requirements are met.	Property and Regulatory Services Infrastructure project managers	Ongoing - each project
Non-Shire buildings and facilities	Other Community members and visitors not aware of disability access measures or accessible facilities	Promotion of “You’re Welcome” program and similar.	Manager Community Services	Ongoing – annual review

**OUTCOME 3: People with disability receive information from the Shire of Wyndham East Kimberley in a format that will enable them to access the information readily.**

<b>Area – Functions/Facilities/ Services</b>	<b>Barrier</b>	<b>Strategies</b>	<b>Responsibility</b>	<b>Timeline</b>
Website	Difficulty in utilising relevant Shire online information, in particular the Shire Website.	Incorporate W3C web content guidelines and good practice standards into the new website design	Manager Information Services	Ongoing – Review Annually
Signage	Staff not aware of suitable formats  Older signage not in suitable format	Staff training  Audit of public signage and templates	Org Dev Coordinator  Community Development Support Officer	Ongoing – Annual Training  Annual
Public Notices	Notice Formats not compliant with DSC recommendations	Review of all public documents with regard to DSC guidelines	Governance Support Officer	Ongoing - Annual

**OUTCOME 4: People with disability receive the same level and quality of service from the employees of the Shire of Wyndham East Kimberley.**

<b>Area – Functions/Facilities/ Services</b>	<b>Barrier</b>	<b>Strategies</b>	<b>Responsibility</b>	<b>Timeline</b>
Applies to all Council's functions, facilities and services	Council Officers may be unfamiliar with needs of people with a disability or those of culturally and linguistically diverse backgrounds	Key Council Officers are to receive disability awareness training and include in Council's Training Manual and Induction pack.	Corporate Services	Ongoing
		To work in collaboration with other agencies to achieve the best level of service possible for people with disability.	Org Dev Coordinator	Ongoing
Availability of key Shire contacts regarding disability services	Lack of promotion of key personnel	Include names of contacts on SWEK website	Manager IT	Ongoing - Review Annually

**OUTCOME 5: People with disability have equal opportunities to provide feedback to the Shire of Wyndham East Kimberley.**

Area – Functions/Facilities/ Services	Barrier	Strategies	Responsibility	Timeline
Applies to all Councils functions, facilities and services	Current grievance mechanisms may not be accessible for people with disability	<p>Incorporate methods of providing feedback such as web-based forms into new website design.</p> <p>Ensure customer request system continues to capture feedback via phone, in person, written.</p>	<p>IT Administrator</p> <p>Team Leader Customer Service/Records</p>	<p>Ongoing Annual Review</p> <p>Ongoing Annual Review</p>
	Front line staff not possessing the skills to communicate effectively with people with disability.	<p>Ensure front line staff receive access and inclusion training.</p> <p>All staff and Councillors to apply high customer service standards and practices when engaging with people with disability                      Incorporate good practice in receiving feedback from people with disability into induction and disability awareness training for both staff and Councillors</p>	<p>Org Dev Coordinator</p> <p>Org Dev Coordinator</p>	<p>Ongoing Annual training</p> <p>Ongoing Annual Review</p>
	Reception Area not 'people with disability' friendly.	<p>Incorporate accessibility works to front counter area into forward capital works plan.</p>	<p>Director Corporate Services</p>	<p>June 2015</p>

**OUTCOME 6: People with disability have equal opportunities to participate in any public consultation by the Shire of Wyndham East Kimberley.**

Area – Functions/Facilities/ Services	Barrier	Strategies	Responsibility	Timeline
Applies to all Council's functions, facilities and services	View of people with disability may not be heard.	<p>Include appropriate questions about access and inclusion in general surveys and consultation</p> <p>Ensure all public consultations are held at venues with suitable disability access</p> <p>Ensure Disability Services Commission, people with disability and established community reference groups are actively included in consultation practices.</p>	<p>All Managers</p> <p>All Managers</p> <p>Community Development Officer</p>	Ongoing – Review each project
Written consultation	Surveys and written requests for input may not be in a suitable format	Ensure documents are available in suitable formats on request	All Managers	Ongoing

**OUTCOME 7: People with disability have the same opportunities as other people to obtain and maintain employment within the public sector.**

Area – Functions/Facilities/ Services	Barrier	Strategies	Responsibility	Timeline
Organisational Development	Difficulty for people with disability during the employment application process	<p>Ensure advertising for positions is available in suitable formats on request</p> <p>Ensure your website’s recruitment page is accessible and includes information on where people can apply.</p> <p>Ensure images and non-text items have text labels so that people with vision impairment can use the site using screen reading software. Check that any automated scanning and sorting software does not discriminate against people with disability.</p> <p>Ensure that all online tests and interviews are accessible and non-discriminatory.</p> <p>Provide the contact details of an individual who can offer more information about the specific role and alternative methods of application. This is especially important if the recruitment website you are advertising through does not meet the required accessible standard.</p>	Coordinator Organisational Development	Ongoing – Review Annually

Organisational Development	Creating an accessible and welcoming workplace	<p>Include "The Shire of Wyndham East Kimberley promotes a workplace that actively seeks to include, welcome and value unique contributions of all people. In all advertising and position descriptions</p> <p>Maintain a range of publications which aim to assist supervisors in ensuring an accessible and welcoming environment.</p> <p>Include equal opportunity information in induction processes, including information about disability</p> <p>Appoint workplace champions at all levels across the Shire to raise awareness of and build commitment to inclusive disability practices</p> <p>SWEK is committed to all staff undertaking online disability training.</p> <p>Encourage managers to attend disability training, including disability awareness in recruitment and selection training.</p>	Coordinator Organisational Development	Ongoing - Review Annually
Organisational Development	Prevent discrimination against people with disability	<p>Review how selection criteria and job descriptions may disadvantage people with disability and adjust inherent requirements accordingly</p> <p>Review job descriptions and adverts to ensure inclusive and non-discriminatory language is</p>	Coordinator Organisational Development	Ongoing - Review Annually

		used		
Governance	Poor perception or lack of knowledge of disability accessible employment practices within the Community	Share success stories across the public sector and the community.	Governance Officer	Ongoing
Organisational Development	Absence of recognition of inclusive disability employment practices in strategic documentation	Ensure Public Service Commission Disability Employment Strategy is made known and utilised in the development of the Workforce Plan	Coordinator Organisational Development	Ongoing
Corporate Services	Awareness raised of WA Disability Enterprises as an option for procurement of goods and services.	Incorporate recommendation from WALGA regarding encouraging procurement from WA Disability Enterprises in the Shire's Purchasing Policy	Director Corporate Services	Next Policy Review Date

### 13.3.2 Development Application for Educational Establishment at Lot 359 Argentea Avenue, Kununurra

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Sophie Cooke
<b>LOCATION:</b>	Lot 359 Argentea Avenue, Kununurra
<b>AUTHOR:</b>	Elle Davidson, Planning Officer
<b>REPORTING OFFICER:</b>	Louise Gee, Director Community Development
<b>FILE NO:</b>	A7187P

#### **PURPOSE**

For Council to consider a development application for an Educational Establishment at Lot 359 Argentea Avenue, Kununurra.

#### **BACKGROUND**

An application for planning approval was lodged on 22 August 2014 by Sophie Cooke for the development of an Educational Establishment at Lot 359 Argentea Avenue, Kununurra.

The property is located in a residential locality and has an area of 522m<sup>2</sup>. The land is zoned R20 under *Town Planning Scheme No. 7 – Kununurra and Environs (TPS 7)* and contains an existing residential dwelling.



Location of Subject Site

An initial application was lodged on 20 February 2012 by Sophie Cooke for a Home Occupation at the subject property. Although the applicant detailed that there would be one employee not a member of the household, a Home Occupation approval was issued, which did not allow for individuals who did not live at the property to be employed.

Following identification of this issue by Shire Officers, a full review of all home based occupations operating in Residential Zones was undertaken. In total 15 business operators were contacted to enquire if they employ any individual not part of their household to ensure they are not operating as a Home Business. The Shire received responses from 11 people stating they do not employ anyone outside of the household, 2 businesses are no longer operating and 2 businesses employ people who are not part of the household, inclusive of the current applicant. The other operations that do not comply are being followed up by the Shire to ensure conformity with the relevant planning provisions.

### *Proposal*

The applicant proposes to develop an Educational Establishment to allow for the continuation of the existing business that operates from the premises. The business would operate from two rooms within the dwelling, employ two teachers (not members of the household) and meet all insurance requirements. The hours of operation are between 2:30pm and 5:30pm Monday-Thursday with a maximum of 8 students accessing the service at any one time. The applicant states that parking would be minimal as 70% of the students access the service via bike or by foot.

### **STATUTORY IMPLICATIONS**

#### *Town Planning Scheme No. 7 – Kununurra Townsite and Environs*

The land at Lot 359 Argentea Street is zoned R20 under *TPS7*. The objective of this zone is:

- a) To allocate a density coding for the Residential zone throughout the Scheme Area designed to :
  - a. Provide sufficient land in appropriate locations for residential development to meet the needs of the Scheme Area's anticipated growth and population without unduly restricting the choice of sites;
  - b. Promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas;
  - c. Allow redevelopment opportunities for areas of older housing stock.

A Home Business is defined as:

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

- a) *Does not employ more than 2 people not members of the occupiers household;*
- b) *Will not cause injury to or adversely affect the amenity of the neighbourhood;*
- c) *Does not occupy an area greater than 20m<sup>2</sup>;*

- d) *Does not involve the retail sale, display or hire of goods of any nature;*
- e) *In relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and*
- f) *Does not involve the use of an essential service of greater capacity than normally required in the zone.*

A Home Business is not permissible within the Residential Zone and a Home Occupation does not allow for the employment of anyone who is not a member of the household.

An Educational Establishment is defined as:

*Premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre.*

The proposed tutoring business fits within this definition as it is a premise used for the purpose of education. An Educational Establishment is classified as SA under Table 1 of TPS7, which is a land use that requires Council's discretion and public advertising.

Under the provisions of the proposed Local Planning Scheme No. 9, which covers the entire Shire and is to be advertised in the near future, a Home Business is classified as A (the equivalent of SA) and therefore the proposed use can be approved by Council.

### **POLICY IMPLICATIONS**

No policy implications associated with this report.

### **FINANCIAL IMPLICATIONS**

No financial implications associated with this report.

### **STRATEGIC IMPLICATIONS**

Strategic Community Plan 2012-2022

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

Objective 2.5: East Kimberley residents have access to a board range of educational opportunities

Strategy 2.4.4: Provide an environment where youth are empowered to develop their potential

### **COMMUNITY CONSULTATION**

Notification was sent to all landowners on Argentea Avenue on 25 August 2014 with any submissions to be made by 16 September 2014. Shire Officers have received one submission from a resident of Argentea Avenue (refer Attachment 2), who has concerns with the operation if more than 2 students are at the dwelling at any one time. Shire Officers

have forwarded clarification around the existing business operation i.e. up to eight students at any one time, to the submitter but have not received a response to-date.

### **COMMENT**

Under the provisions of TPS7 a Home Business is not permissible in the Residential Zone and therefore the application for an Educational Establishment has been lodged. The Strategic Community Plan identifies the need to offer a range of educational opportunities within the Shire. It is acknowledged that this business offers an additional educational support for students and meets some of the objectives outlined in the Strategic Community Plan.

Smarties Tutoring has been operating at this premises since 2012 and the Shire have never received any complaints or concern from adjoining properties in relation to this business. The operations are not proposed to change from the existing arrangements and therefore Shire Officers do not foresee any future conflicts with this business continuing to operate from a Residential Zone.

In the new Town Planning Scheme No. 9 provisions, it is proposed that a Home Business can be approved by the Council with the appropriate advertising. This allows for an approval to be issued in the future and therefore Shire Officers recommend that the approval for an Educational Establishment be issued on a temporary basis.

### **ATTACHMENTS**

Attachment 1 - Submission and Plans

Attachment 2 – Resident Submission

### **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council approves the planning application for an Educational Establishment at Lot 359 Argentea Avenue, Kununurra, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Shire.
2. This approval is issued for a period of 2 years or until Local Planning Scheme No. 9 is adopted by Council. At this time the applicant is required to apply for a Home Business approval to continue operating this business.
3. The operations of the business are restricted to 2.30pm-5.30pm, Monday-Thursday. Any changes to these operating hours will require further endorsement by Council.
4. The use shall not occupy an area in excess of 20m<sup>2</sup>.
5. The operations shall not adversely impact the residential amenity of the locality. The Shire reserves the right to revoke the approval at any time should it consider the operation is impacting on the residential amenity of the area.
6. In relation to vehicles and parking, the operation does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight.

## **MOTION**

Cr K Wright moves that Council:

- 1) Not authorise an "*Educational Establishment*" to operate from Lot 359 Argentea Avenue, Kununurra and not consider any such subsequent application for operation from this address until such time and the new Town Planning Scheme for the area (TPS9) has been completed and gazetted.
- 2) Following gazettal of TPS9, with the inclusion of adequate and complete definition of "Educational Establishment", consideration of an operation of this type in the residential area can be further considered.
- 3) That council allow the currently operating establishment or tutoring system to operate for a period of 3 months to allow for alternative arrangements to be made that comply with this motion

## **COUNCIL DECISION**

**Minute No. 10593**

**Moved: Cr K Wright**

**Seconded: Cr G King**

**That Council**

- 1) Not authorise an “*Educational Establishment*” to operate from Lot 359 Argentea Avenue, Kununurra and not consider any such subsequent application for operation from this address until such time and the new Town Planning Scheme for the area (TPS9) has been completed and gazetted.**
- 2) Following gazettal of TPS9, with the inclusion of adequate and complete definition of “*Educational Establishment*”, consideration of an operation of this type in the residential area can be further considered.**
- 3) That council allow the currently operating establishment or tutoring system to operate for a period of 3 months to allow for alternative arrangements to be made that comply with this motion**

**Tied 4/4**

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

**Against: Cr J Moulden, Cr R Dessert, Cr B Robinson, Cr G Taylor**

**Casting Vote: Cr J Moulden against the motion**

## **FORESHADOWED MOTION**

**Moved: Cr B Robinson**

**That Council defers the item to a future briefing session.**

## **COUNCIL DECISION**

**Minute No. 10594**

**Moved: Cr G Taylor**

**Seconded: Cr R Dessert**

**That Council approves the planning application for an Educational Establishment at Lot 359 Argentea Avenue, Kununurra, subject to the following conditions:**

- 1. Development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Shire.**
- 2. This approval is issued for a period of 2 years or until Local Planning Scheme No. 9 is adopted by Council. At this time the applicant is required to apply for a Home Business approval to continue operating this business.**
- 3. The operations of the business are restricted to 2.30pm-5.30pm, Monday-Thursday. Any changes to these operating hours will require further endorsement by Council.**
- 4. The use shall not occupy an area in excess of 20m<sup>2</sup>.**
- 5. The operations shall not adversely impact the residential amenity of the locality. The Shire reserves the right to revoke the approval at any time should it consider the operation is impacting on the residential amenity of the area.**
- 6. In relation to vehicles and parking, the operation does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight.**

**Lost 3/5**

**For: Cr J Moulden, Cr R Dessert, Cr G Taylor**

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

**COUNCIL DECISION**

**Minute No. 10595**

**Moved: Cr B Robinson**

**That Council defers the item to a future briefing session.**

**Carried 8/0**



21/8/2014

Dear Ellie,

Please find attached my Development Application for an Educational Establishment at 9 Argentea Ave, Kununurra. The business is currently operating as a Home Occupation however demand has increased and as such I would like to extend the business to incorporate another available room (5m<sup>2</sup>) and employ an additional person, not a member of the household, per afternoon. The business would only employ qualified educators and meets all appropriate insurance requirements.

The business operates between 2:30pm and 5:30pm Monday-Thursday. There would be a maximum of 8 students accessing the service at any one time. Approx 70% of the students currently enrolled in the programme access the service via bike or foot therefore traffic congestion is not an issue.

The application does not conflict with any of the objectives of the Residential Zone:

5.8.1

Objectives

- (a) to allocate a density coding for the Residential zone throughout the Scheme Area designed to:
- (i) provide sufficient land in appropriate locations for residential development to meet the needs of the Scheme Area's anticipated growth and population without unduly restricting the choice of sites;
  - (ii) promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas;
  - (iii) Allow redevelopment opportunities for areas of older housing stock

TPS 7 defines an Educational Establishment as;  
premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre. Within this definition I would suggest that we would be considered an "other educational centre".

If you require any further information please do not hesitate to contact me.

Kind Regards

Sophie Cooke



Phone 0407 344 399  
Email [smartiestutoringsewa@gmail.com](mailto:smartiestutoringsewa@gmail.com)  
Postal PO Box 1343 Kununurra, WA 674

## **Greg Sagers**

---

**From:** >  
**Sent:** Friday, 12 September 2014 11:10 AM  
**To:** Mail  
**Cc:**  
**Subject:** Educational Establishment at LOT #359 (9) Argentea Avenue

Attn: Chief Executive Officer

In relation to the currently operating home business at the mentioned address my partner and I have no objections to it continuing in its current state, that being no more than 2 hours on 4 afternoons per week for the purposes of tutoring students.

As the owner of however there would be concerns if the business was to seek to extend its operating hours or if it was to change from a tutoring business to one that would see more than 1 or 2 children (not related to the owners) at the property at the same time.

Sincerely

### 13.3.3 Public Art Project

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	LandCorp
<b>LOCATION:</b>	Coolibah Estate
<b>AUTHOR:</b>	Louise Gee, Director Community Development
<b>REPORTING OFFICER:</b>	Louise Gee, Director Community Development
<b>FILE NO:</b>	RC.07.4

#### **PURPOSE**

The purposed of this report is to seek the Council's consideration and endorsement to the provision of public art in the Coolibah/Chestnut Subdivision.

#### **BACKGROUND**

At the Ordinary Council Meeting on 18 May 2010 (Item 15.6), the Council considered a request for support from LandCorp in relation to two funding applications under the Regional Development Assistance Program, for the provision of landscape treatments and public art within the Coolibah/Chestnut Subdivision, now referred to as the Coolibah Estate.

LandCorp was seeking to secure \$688,000 for landscaping and \$300,000 for public art on the basis that both projects would assist in yielding the following benefits:

- An increased sense of community for residents within the subdivision;
- Continued capacity building of Indigenous Programs within Kununurra;
- Strengthening the pedestrian link between the town centre and the subdivision; and
- Increasing architectural outcomes within the Estate.

The Council endorsed the provision of public art in the Coolibah subdivision, and resolved as follows:

**Minute No: 9178**

***That Council inform LandCorp that it supports two funding applications under the Regional Development Assistance Program for the provision of landscape treatments and public art to be incorporated into the Coolibah/Chestnut Subdivision subject to final design approval by Council.***

LandCorp secured funding and engaged ArtSource to facilitate the public art project, and they have in turn engaged Waringarri Aboriginal Arts to design public art concepts specific to the estate. UDLA were also appointed to undertake the landscape design for the Coolibah Estate, which has been completed.

Waringarri Aboriginal Arts presented the four proposed public art concepts to LandCorp, UDLA, and ArtSource on 12 July 2012, and the three preferred concepts were presented to Council at the November 2012 Briefing Session. A presentation on the project and accompanying drawings as provided at this briefing are attached. Refer to Attachment 1.

At this Briefing Session, Council did not raise any issues in regard to the proposed public art concept, however did recommend that the proposal be advertised to the broader community for comment. Accordingly the proposed concepts were advertised for a period of 47 days; however no submissions were received during the advertising period.

In March 2013, LandCorp wrote to the Shire President and Shire to outline the next phases for the project including the next steps for the work including continued consultation with, and gaining relevant approvals from, the Shire, finalising detailed design, installation requirements, maintenance programs and eventual handover of the assets. A copy of LandCorp's correspondence is provided as Attachment 1.

This correspondence was provided with a report to the Council at the May 2013 briefing session, wherein it was discussed that the Shire would not be able to determine any financial implications that the Council will need to consider until a maintenance program and proposal for handover of the assets had been prepared.

UDLA have now provided the Shire with the Waringarri Public Art Document package for approval of the installation of the Boab and Totem public art at Coolibah Estate.

This document package, refer at Attachment 1, includes;

- Landscape Architectural Plans (including Coolibah Estate Landscape site plans, installation location plans, and artistic concept graphics);
- UDLA Documentation Drawings For Construction (Certified by GHD structural Engineers); and
- Public Art Maintenance Plans X 2 (Boab Nut and Totem Pole)

### **STATUTORY IMPLICATIONS**

There are no statutory implications associated with this report.

### **POLICY IMPLICATIONS**

There are no policy implications in relation to this proposal.

However, it is noted that Council Policy CMS 3 – Percent for Art, adopted on 19 May 2009, promotes the allocation of one (1) percent of total Shire project costs over \$1m in value, (excluding civil engineering works such as roads) to be expended on works which are artistic, cultural, or pleasing to users and visitors or a proposed building or park. This Policy is presently being reviewed.

### **FINANCIAL IMPLICATIONS**

#### **Insurance**

The art works were planned and designed by accredited structural engineering consultants, and will be erected in situ by a registered builder in accordance with an approved Building Permit.

The art works will be located in road reserve and designated public open space already vested to the Shire, and will therefore be covered under the Shire's Public Liability Policy at no additional cost to the Shire. However, given that people may sit/play on the artwork there may be a need for relevant signage around the area regarding risk.

If the art works were to be handed over to the Shire, the art works will need to be valued every 3 years for property insurance purposes and included in the Shire's Property Insurance Schedule. The Shire would therefore incur costs for the valuation of the art works, and the associated increase in insurance premiums. The works of art will also need to be placed on Council's Asset Register.

## Maintenance

LandCorp's consultants have provided a detailed maintenance regime for the art works (refer Attachment 1). LandCorp have advised the Shire (refer Attachment 2) that the long term maintenance costs, inclusive of a provisional sum for graffiti removal, is estimated at \$2,000 per year to cover materials and labour for the maintenance of the installation. As part of the contract, Waringarri Aboriginal Arts will provide maintenance for the first two years at no cost to the Shire. LandCorp will provide to the Shire \$10,000 to put into a reserve to maintain the art works for a further five (5) years subsequent to the two (2) year period by Waringarri Aboriginal Arts.

## Lighting

It is proposed that the art works will be up-lit; the electricity costs associated with this will be incurred by the Shire.

## **STRATEGIC IMPLICATIONS**

Strategic Community Plan 2012-2022

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

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

Strategy 3.3.1: Improve streetscapes in town and urban centres incorporating public art and designing out crime principles

## **COMMUNITY CONSULTATION**

Waringarri Aboriginal Arts has involved a level of community input in the development of the project and resulting artworks through the input of local artists.

Broader community consultation for the three proposed concepts and locations was undertaken from 20 December 2012 to 5 February 2013, however no submissions were received.

## **COMMENT**

UDLA have requested the Council's approval for the installation of the Waringarri's art works, and advice as to what other approvals will be required. They have advised that they wish to get the installation of the art works underway immediately to meet the following timeline;

- Installation Date: Late Aug-early September 2014
- Opening Date: to coincide with LandCorp Board Site Visit between 30 September and 3 October 2014.

Shire Officers have advised UDLA that a certified building application will be required to be lodged, and it is noted that they have already supplied details certified by a structural engineer. Officers have also advised that Council is required to be updated, and may have further input in regards to the proposed handover of the art works.

The Shire's Strategic Community Plan identifies the intent to improve streetscapes in town and urban centres through the incorporation of public art. However, as outlined in this report there are financial implications associated with the ongoing maintenance and risk

management of art works in the ownership of Council. Council can facilitate this intent by approving of the installation of art works on land vested in its control and management whilst allowing for the ownership and maintenance of art works to remain with a third party.

It is therefore recommended that Council endorse the proposed location of the art works in Coolibah Estate subdivision and advise LandCorp that it will not accept handover of the art works following installation.

### **ATTACHMENTS**

Attachment 1 - Coolibah Public Art Concert Presentation  
Attachment 2 – Email from LandCorp 16 September 2014

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That Council:

1. Request LandCorp to provide a public risk assessment of the proposed installed art works for approval of the Shire, prior to the installation of the art works.
2. Request LandCorp to provide details of the process of de-accessioning the art work from public display, e.g. if there was deterioration of the art works condition where public safety is at risk; prior to the installation of the art works.
3. Request LandCorp to modify the art work installation details to remove the need for lighting.
4. Advise LandCorp that it endorses the proposed installation of the art works within the Coolibah Estate subdivision on the identified sites within the road reserve and designated public open space already vested to the Shire, in accordance with an approved Building Permit.
5. Advise LandCorp that Council will not accept the works of art and the associated funding for the ongoing maintenance of the art works.
6. Request LandCorp to provide details of the management of insurance risk in regard to the installed art works within the Coolibah Estate subdivision for the approval of the Shire.

### **MOTION**

Cr J Moulden moves to defer the item to a future briefing session.

### **COUNCIL DECISION**

**Minute No. 10596**

**Moved: Cr J Moulden**  
**Seconded: Cr K Wright**

**That Council defers the item to a future briefing session.**

**Carried 8/0**

Cr D Spackman leaves the Chambers at 6.56pm

# Coolibah public art concept presentation

12<sup>th</sup> July 2012

Beverley Iles, Artsource





Beverley Iles (Artsource); Ertan Barkman (LandCorp) and Anna Duncan (UDLA) visited the Waringarri Aboriginal Arts Centre to view the concept presentation for provision of public art for the Coolibah subdivision.

Cath Cummins, Art Centre Manager, presented four concepts on behalf of the Waringarri artists. About fifteen to seventeen Waringarri artists were present to help expand on concepts as needed.

**Project Management:** Cath Cummins as Art Centre Manger would project manage and oversee the whole project, perhaps delegated financial and administrative tasks within the organisation as happens with other public art projects they are managing. A key figure in providing guidance and advice is Glen Clark, Studio Manager and experienced public artist. Fabrication would be managed locally whenever possible, providing local employment opportunities and raising the arts centre's profile within the town business community. About fifteen artists would be involved in the creative and fabrication part of the project, spreading earnings through the community and developing skills within the artistic community. Cath has indicated that a number of new artists would be involved in the carving, extending Waringarri's reputation for carving.

Image shows the lead carver (centre) and Chris, studio assistant to the right. Previous page image of some of the other Waringarri artists who designed concepts for the public works.

Senior artists Alan and Peggy Griffiths at left and senior artist with Glen Clarke, below.



**Concept 1** is a work based on the idea of shelter. The land where the subdivision is now sited was what the artists call a "long grass" area, that is, a camping area where aboriginal people would erect humpies of paperbark and decorate the internal surface with paintings and designs. The surrounding country was used to source bush medicines and food.

The design for this concept was presented by a maquette showing a gently curved arch, almost wave like, intended to be high enough for someone to walk underneath (approximately 2 meters high and 7 meters in length). The upper surface is to be made from steel, allowed to rust, and layered to reflect the texture of the paperbark, whilst underneath would be either an anodised coloured aluminium or stainless steel with cut out design. The inner surface reflects the designs that once were painted on the interior surface of the humpies. Aesthetically, it would provide a colour and texture contrast to the rusted metal exterior and encourage people to look up in order to read the design. Waringarri artists are able to oversee the fabrication of this work using local businesses.

I feel this artwork works well both conceptually and aesthetically. The simple

shape, suggested textural materials and ability to tell stories through the designs is cohesive. This work is viewed by the artists as the key work - one they feel very strongly about siting well, with people being able to see through it to open ground beyond. We feel that there may be an opportunity to site the work on the second entry to the site, near the out of school care, neighbourhood centre and St Joseph's Parish School. Whilst there may be some negotiation around final ownership, as I understand this land will return to SWEK, there is the opportunity to site it with views of hills as viewpoints through the work and embed it in appropriate landscaping such as grasses and paperbarks. One concern was the ability of the work to be climbed, with the risk of harm if falling from 2 meters. One option for dealing with this were to site it in a minimum of 400 mm mulch, possible with the proposed siting. Another option, not discussed with the artists, might be about making it lower to allow easy walking access to children and to shift people's perspective to child height.



**Concept 1** at right showing the paper bark type layers proposed for the external layer; below, showing the inner layer of laser cut aluminium or steel detailing designs with colour and textual contrast.



Possible site for concept one – alternative entry to subdivision, showing area which could be landscaped to suit and viewpoint through to distant hills, reflecting the curve of the work.



**Concept 2** is a series of 3 or 5 large poles, made from locally sourced timber and carved in the style of the boab nut. The carvings would reflect shelter, bush medicine, birds and animals. Poles would be approximately 10 meters in height, with a shorter pole to be placed laying on the ground for children to play on or people to sit on. Aesthetically, the carvings would look like the carvings traditionally done on boabs, enlarged, with the timber left either varnished, oiled or sealed for protection. Poles would be installed and treated in a way to minimise rot and white ant damage.

The timber is able to be sourced locally, including iron wood which has been used for carved poles outside the police station and are still rot free after 20 years. The most exciting part of this concept is that the project involves a number of new, younger artists who will be able to learn use of hand tools such as chainsaws and routers, as well as being artistically mentored by a lead carver.

After discussion with the artists, we felt that these works may make a great entry statement, with their height and solidity a good counterpoint for the imposed MG Corp building on the opposite corner. Their placement is a little variable so avoiding underground services can be easily achieved.

Image at right shows the carving aesthetic and sample designs



Concept 2 below shows details of the carving, at scale; at right, proposed placement of logs with at least one acting as a bench or interactive piece.



Image at right shows the new MG Corporation building. Concept two is proposed for the adjacent corner. The visual lines of the poles reflects the verticals in the building and the visual weight of the poles will counter balance the solidness of the building and have a substantial feel.



**Concept 3** involves a number, maybe three of enlarged boab shapes and part boab shapes (approximately a meter in height or 300 mm for a half shape) which will have their carving lines cast in metal, probably aluminium, potentially leaving a visually light and airy shape. Again, the engraved artists line is the key part to the work. This work was less resolved in terms of fabrication and cost because they may have to be done offsite. If they were to be cast in a foundry, an artist would accompany the works and go to the foundry to learn some metal casting skills. This concept meets the original idea of boab shapes with which children can interact and would be reproducible in multiples.

Because of the smaller size of these works, they are more flexible with siting with the boab garden area being one possible site. Visually, these works have the potential to become somewhat of an iconic form for the subdivision, especially if multiples were made and sited to emphasise a pathway into town.

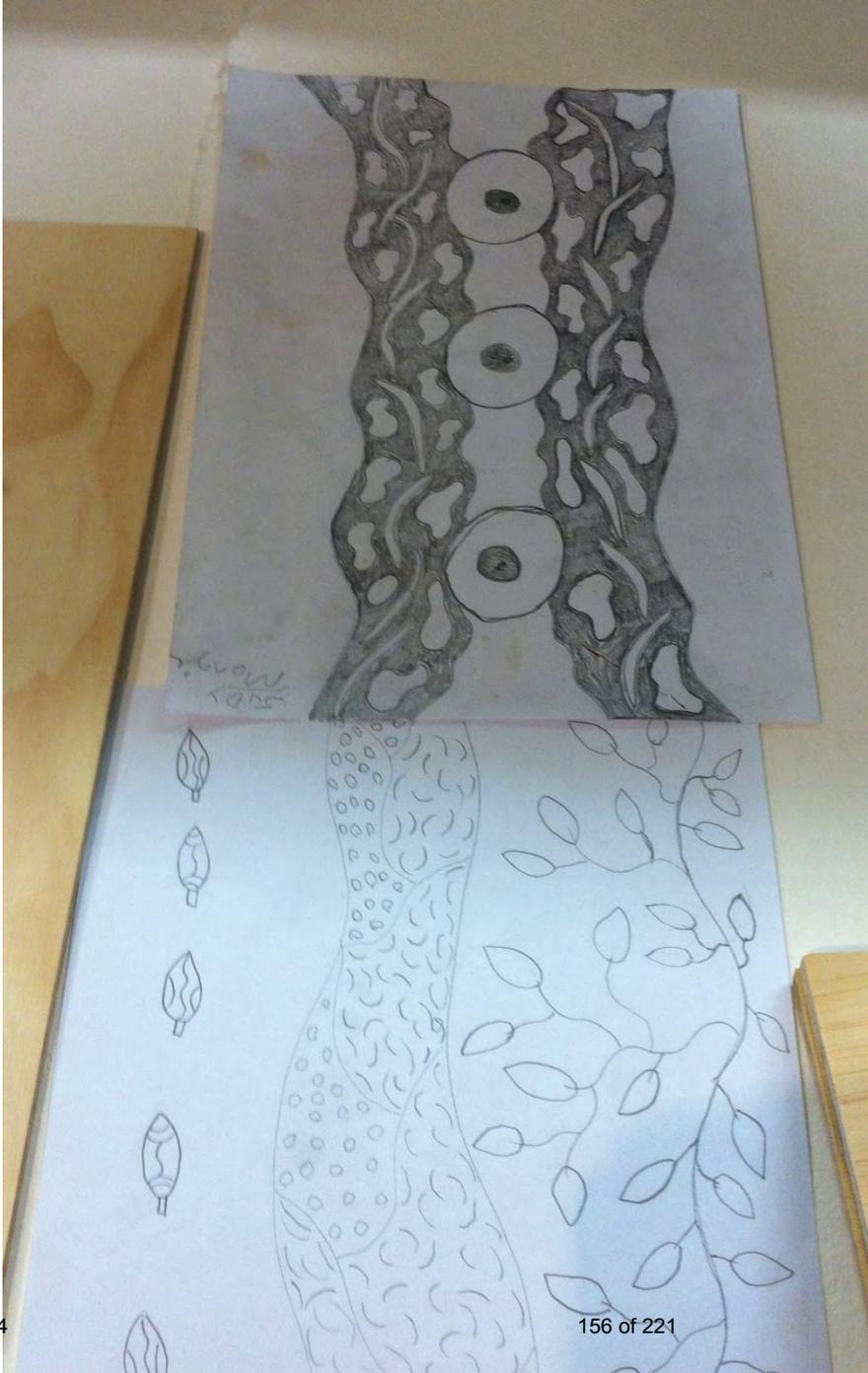
Image below shows cut away design in a half boab; image at right shows a potential arrangement of full and part boabs.



Minutes Ordinary Council Meeting

**Concept 4** involves designs to be etched or marked into paving as a way of linking the works, surrounding the works or passing under the works, such as the shelter work. The artists seemed flexible about this work as to some extent it is dependent on the placement of the other works. The artists have worked in this way before with etched concrete slabs being part of the Waringarri Art centre extensions and the work is able to be done using local resources and labour. Potentially, this work could be placed into the paving insert spaces left by UDLA in the existing paving and be used as part of a pathway into town.

Image at right shows examples of the types of designs that could be carved or marked with oxides into paving.



**Response:** In the last six months to a year, the Waringarri Arts Centre has undergone a fairly steep learning curve in relation to the provision of public art. They have secured commissions to create a bush medicine based mural for the interior of the new health complex, a community project using local high school students for a curved wall at the school and a carved wood block work for the MG Corporation building. They have been approached by architects and state government percent for art coordinators to commission other works. The Coolibah project would be the largest and most sculptural series of works for Waringarri. In terms of the skills development of existing artists, mentoring of new and younger artists and the to secure work which provides an economic reward back to into the broader community; the delivery of the project in the way proposed by Waringarri shows considerable artistic, social and economic benefits for the Kununurra community.

In addition, the works have the potential to add landmarks to the site, based on an existing and increasingly recognised artistic style of art, particularly through the use of an iconic boab nut, cast in metal, and situated in places around the town. For LandCorp the ability to manage all their public art requirements in the one process would be time and cost effective.

Waringarri Arts Centre are to be congratulated for the level of engagement, thorough research and ambition shown in their desire to undertake this commission. The concepts are meaningful, site specific, relevant, deliverable and remain true to their artistic skills, with the emphasis on carved design. The generosity of response and value for money engendered by use of local artists and fabricators reflects well for LandCorp. I feel that sufficient skills exists within, and sufficient support is available to, Waringarri Arts Centre for them to successfully deliver this commission.

Image shows a site visit with artists to discuss potential sites and limitations to installation from underground services.



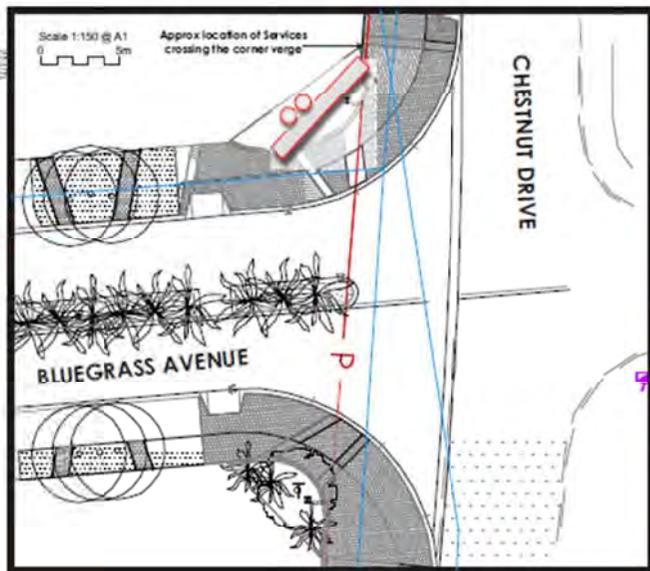
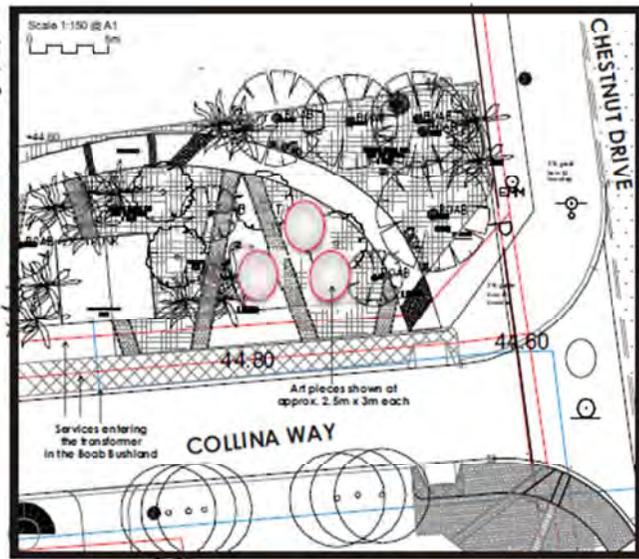
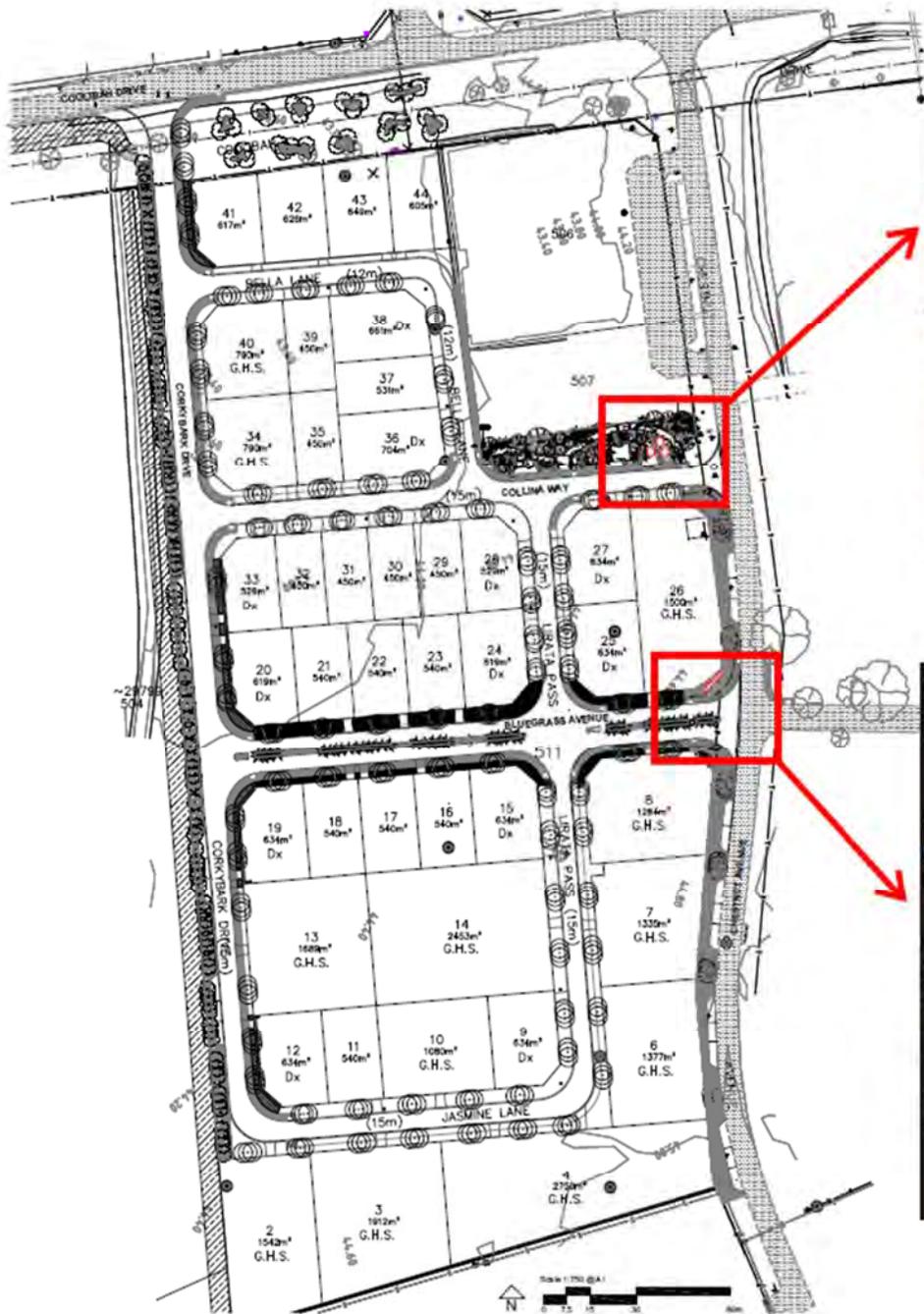
**Recommendations:**

- \* Waringarri source final costings for delivery of concept three;
- \* LandCorp consider releasing the total budget, including the component for linking the subdivision back into the town, to Waringarri for delivery of concepts 1 to 4;
- \* A timeframe be established for the delivery of the works;
- \* UDLA and LandCorp open discussions with SWEK about the siting of the Shelter work (refer to Anna and Ertan for more details) and possible linking works which will not be sited in the subdivision;
- \* UDLA and LandCorp discuss siting options for concepts 2 and 3;
- \* All siting options be presented to Waringarri for negotiation.

If siting, budget and timeframe can be agreed upon I recommend that this be documented and a contract be issued to Waringarri for the provision of public art works for the Coolibah subdivision.

Image shows some of the Waringarri artists to be involved in the project looking at a potential site for concept two.





COOLIBAH RESIDENTIAL INFILL  
 WARINGARRI ART PROJECT - CONCEPT LOCATION PLAN



**Our Ref** A510600  
**Enquiries** (08) 9482 7589 [will.eyres@landcorp.com.au](mailto:will.eyres@landcorp.com.au)

Cr John Moulden  
Shire President  
Shire of Wyndham East Kimberley  
PO BOX 614  
KUNUNURRA WA 6743

Dear Cr Moulden

### **Coolibah Estate - Waringarri Arts Project**

Following the closure of the Advertising Period for the Coolibah Public Art Project, LandCorp wishes to outline to the Shire of Wyndham East Kimberley (SWEK) the next phases for the project.

For your information and records we have detailed both the process undertaken to date and proposed next steps for the works, including future consultation with SWEK.

#### Background

LandCorp approached the Shire of Wyndham East Kimberley in 2010 to posit the Waringarri Public Art opportunity and received in principal to progress the project.

Public art consultants, Artsource then prepared an artist brief to engage a head artist to lead a collaborative process with Waringarri Artist Studio to deliver the works.

To assess the initial proposals LandCorp assembled a consultative panel consisting of Artsource, Estate Landscape Architects UDLA, Waringarri Art Consultant Seva Frangos, and LandCorp.

While assessing the proposals it was agreed by the panel that the best means to meaningfully engage Waringarri Arts in the project was to directly engage them rather than appoint an external head artist. Waringarri Arts will now be guided by LandCorp's panel and most importantly by Waringarri Arts General Manager, Cath Cummins and Studio Manager, Glen Clark.

The Council resolved at its December 2012 official meeting to advance to public advertising the Waringarri Artists concepts including the proposed installation locations within the Coolibah Estate. Advertising of the Public Art concepts was then advanced through SWEK's planning department and no comments were received during the advertising period which closed on 5 February 2013.

#### Next Steps

LandCorp is preparing to award the contract for delivery of the Coolibah Public Art project to Waringarri Arts, with the contract administrated by Artsource and process managed by LandCorp's consultant panel. The awarding of this contract is imminent with a proposed works delivery program as follows:

1. Detail design/approvals - APRIL/MAY 2013

2. Construction - JUN/SEP 2013
3. Site assembly - OCT/NOV 2013
4. Official opening - EARLY DEC 2013

To facilitate the construction and site assembly component of these works Artsource and LandCorp's panel shall prepare detailed design documentation and work with SWEK to advance the necessary formal approvals.

Further, LandCorp will continue to liaise with Shire Officers regarding the construction, siting, asset management planning, maintenance and handover of the public art work.

Should you have any queries please do not hesitate to contact me on the details provided above.

Yours sincerely

Will Eyres  
**Senior Project Manager, Regional**

27 March 2013

Cc Gary Gaffney, Nick Kearns,

## Jennifer Ninnette

---

**From:** Anna Duncan <anna@udla.com.au>  
**Sent:** Thursday, 21 August 2014 3:31 PM  
**To:** Peter Kerp; Jennifer Ninnette  
**Cc:** Waringarri Arts - Admin; Greg Grabasch  
**Subject:** RE: KUNCO Coolibah Estate Waringarri Public Art Installation - LandCorp  
**Attachments:** Waringarri Public Art Documents for SWEK Approval Rev1.pdf

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Peter and Jennifer,

As previously discussed, please see attached the Waringarri Public Art Document for your approval of the Boab and Totem install at Coolibah Estate.

This document package includes;

- Landscape Architectural Plans (including Coolibah Estate Landscape site plans, installation location plans, and artistic concept graphics);
- UDLA Documentation Drawings For Construction (Rev H Certified by GHD structural Engineers); and
- Maintenance Manuals X 2 (Boab Nut and Totem Pole)

Can you please have a look through this set and reply with your approval of Waringarri's installation proposal? Or advise of anything else we need to do to gain this?

Once we hear back from you we hope to get the install underway immediately as we have the following timeline planned;

- Installation Date: Late Aug-early September 2014
- Opening Date: Coincide with LandCorp Board Site Visit between September 30th and October 3rd 2014

Looking forward to your reply and approval,

Kind Regards,

Anna Duncan

BLarch  
Registered Landscape Architect AILA

The logo for UDLA (Urban Design Landscape Architects) features the lowercase letters 'udla' in a stylized, orange, hand-drawn font. The letters are connected and have a slightly irregular, artistic feel. Below the text is a thin, horizontal orange line.

Level 1A 3-5 Josephson Street Fremantle WA 6160  
p: +61 8 9336 7577 | f: +61 8 9430 7060 | m: +61 438 987 492  
e: [anna@udla.com.au](mailto:anna@udla.com.au) w: [udla.com.au](http://udla.com.au)

**UDLA Broome Office Open!**

Unit 2/24 Dampier Terrace Broome WA 6725  
p: +61 8 9192 8531

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**From:** Anna Duncan  
**Sent:** Wednesday, 30 July 2014 11:02 AM  
**To:** 'Peter Kerp'

**Cc:** Navneet Raheja; Jennifer Ninyette  
**Subject:** RE: KUNCO Coolibah Estate Waringarri Public Art Installation - LandCorp

Thanks Peter,

Nice to hear back from you.  
I'm so glad you have already had contact with the artists. I am working closely with Cathy Cummings who is the Arts & Business Manager at Waringarri so perhaps it was her and an artist? Waringarri have engaged registered builder MarrBuilt Homes to undertake the installation based on our details and GHD certified drawings.

I will send through the documents today and then give you a call to discuss and request your approval of the proposal and a building licence to proceed. LandCorp are visiting Kununurra for the opening between 30<sup>th</sup> September and 3<sup>rd</sup> of October so we'd like it in by mid-September at the latest to achieve this timeline. I'll be in touch,

Kind Regards,

**Anna Duncan**  
BLArch  
Registered Landscape Architect ALLA



Level 1A 3-5 Josephson Street Fremantle WA 6160  
p: +61 8 9336 7577 | f: +61 8 9430 7060 | m: +61 438 987 492  
e: [anna@udla.com.au](mailto:anna@udla.com.au) w: [udla.com.au](http://udla.com.au)

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**From:** Peter Kerp [<mailto:Peter.Kerp@swek.wa.gov.au>]  
**Sent:** Wednesday, 30 July 2014 10:53 AM  
**To:** Anna Duncan  
**Cc:** Navneet Raheja; Jennifer Ninyette  
**Subject:** RE: KUNCO Coolibah Estate Waringarri Public Art Installation - LandCorp

Hi Anna

Yes long since we last spoke

Planning information send to Jennifer Ninyette, Senior Planning officer [Jennifer.ninyette@swek.wa.gov.au](mailto:Jennifer.ninyette@swek.wa.gov.au)

Engineering send to me – both Jen and I have spoken with the art person who's name I can't recall at the moment - Jen and I also met with the sculptor

Will look forward to receiving the package below

regards

**Peter Kerp**  
Manager Engineering Services

SHIRE of WYNDHAM | EAST KIMBERLEY

20 Coolibah Drive, PO Box 614 Kununurra WA 6743 | T: (08) 9168 4164 | F: (08) 9168 1798 | M: 0419 764 334 | [www.swek.wa.gov.au](http://www.swek.wa.gov.au)

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**From:** Anna Duncan [<mailto:anna@udla.com.au>]  
**Sent:** Tuesday, 29 July 2014 4:06 PM  
**To:** Navneet Raheja; Peter Kerp  
**Subject:** KUNCO Coolibah Estate Waringarri Public Art Installation - LandCorp

Hi Nav and Peter,

How are you both? Long-time no speak ☺ I hope all is well in sunny Kununurra.

I would like to send some information to SWEK's building department re: the Waringarri public art pieces we are installing in Coolibah Estate through LandCorp. Can you please let me know who I should contact regarding this?

It would be good to have the contacts for the planning department, engineering department and the Chief Executive Officer too please as we want to send everyone the;

1. Architectural designs including site plans to show the location and any elevations / sections etc.
2. Full engineering designs
3. Maintenance manual

Please let me know. Look forward to hearing back from you as soon as you're able so we can get this exciting project installed,

Kind Regards,

Anna Duncan

BLArch  
Registered Landscape Architect AILA



---

Level 1A 3-5 Josephson Street Fremantle WA 6160  
p: +61 8 9336 7577 | f: +61 8 9430 7060 | m: +61 438 987 492  
e: [anna@udla.com.au](mailto:anna@udla.com.au) w: [udla.com.au](http://udla.com.au)

**UDLA Broome Office Open!**

Unit 2/24 Dampier Terrace Broome WA 6725  
p: +61 8 9192 8531

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# WARINGARRI PUBLIC ART PROJECT, COOLIBAH ESTATE, KUNUNURRA FOR CONSTRUCTION



## **Landscape Architectural Plans**

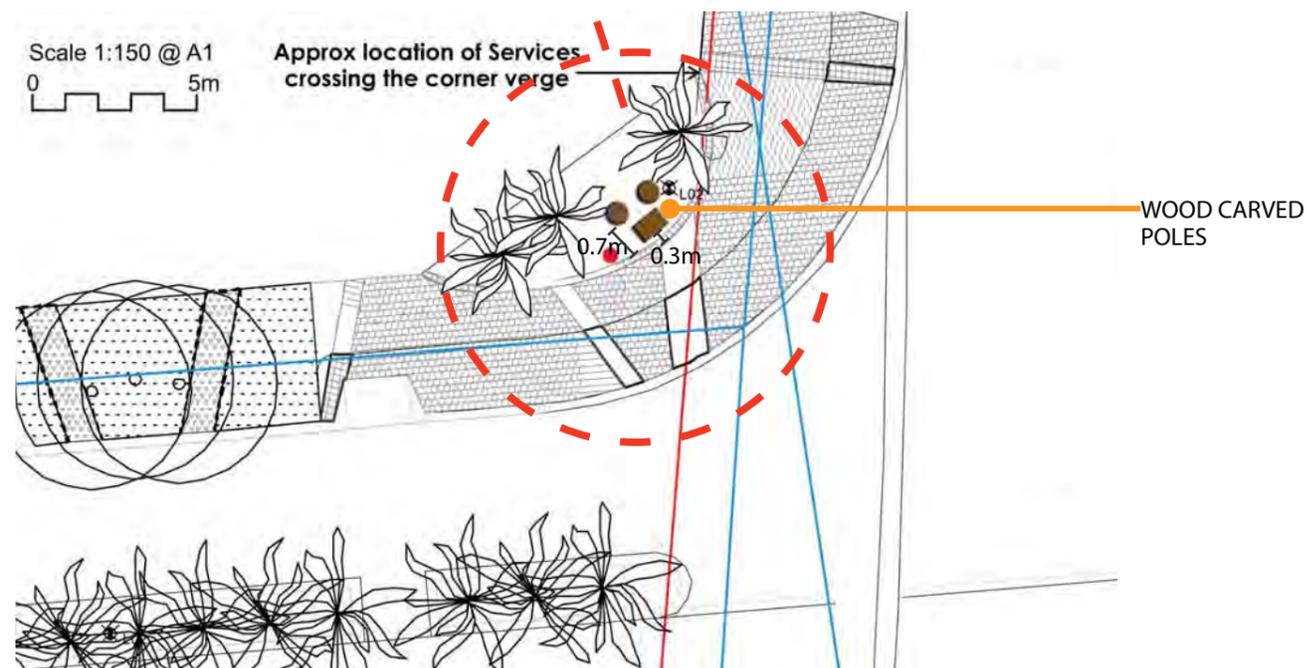
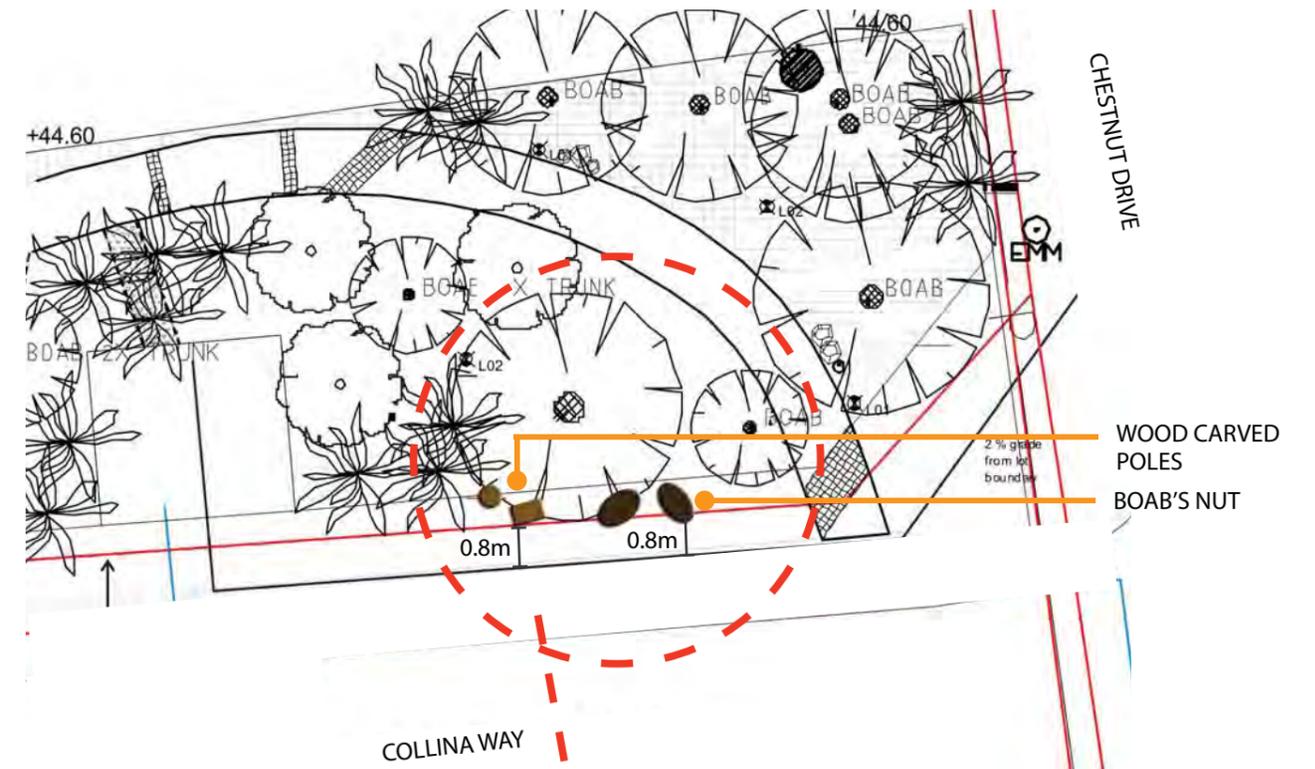
(including Coolibah Estate Landscape site plans, installation location plans, artistic concept graphics)

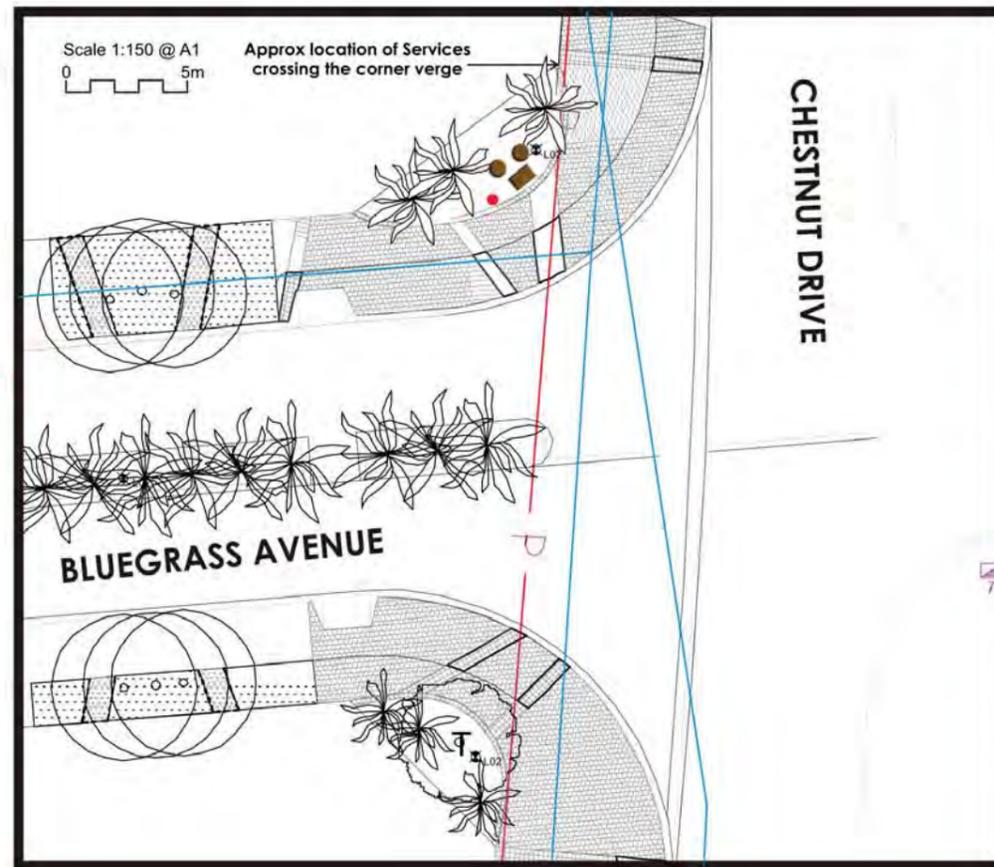
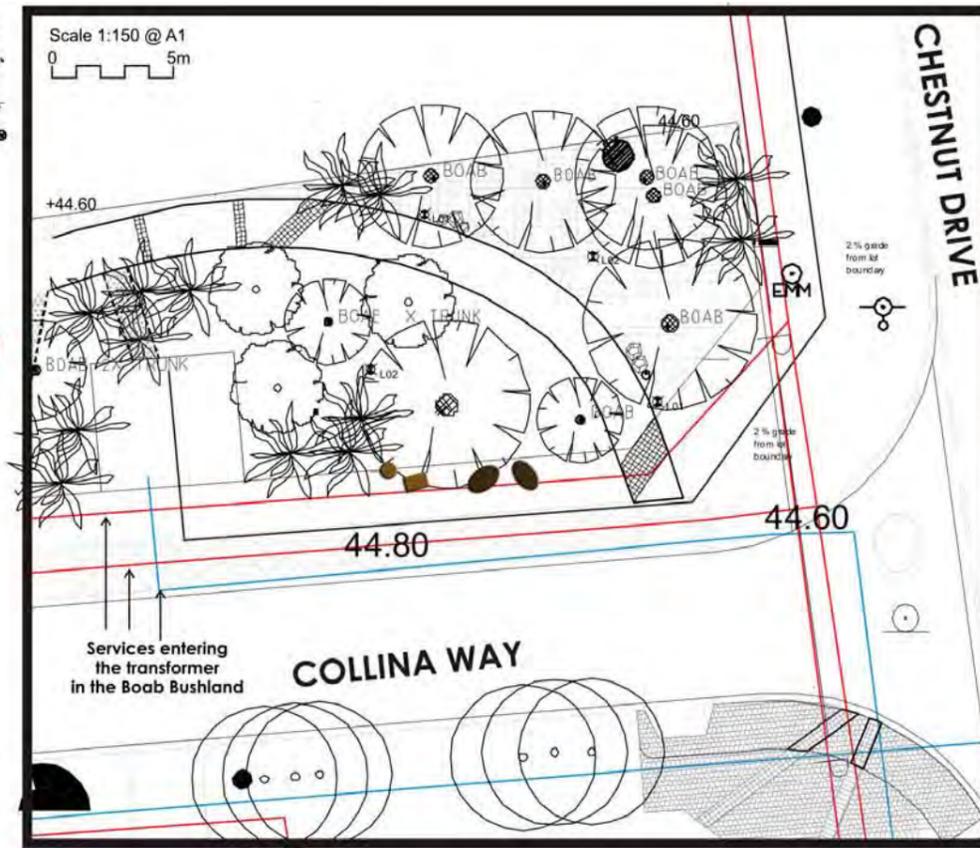
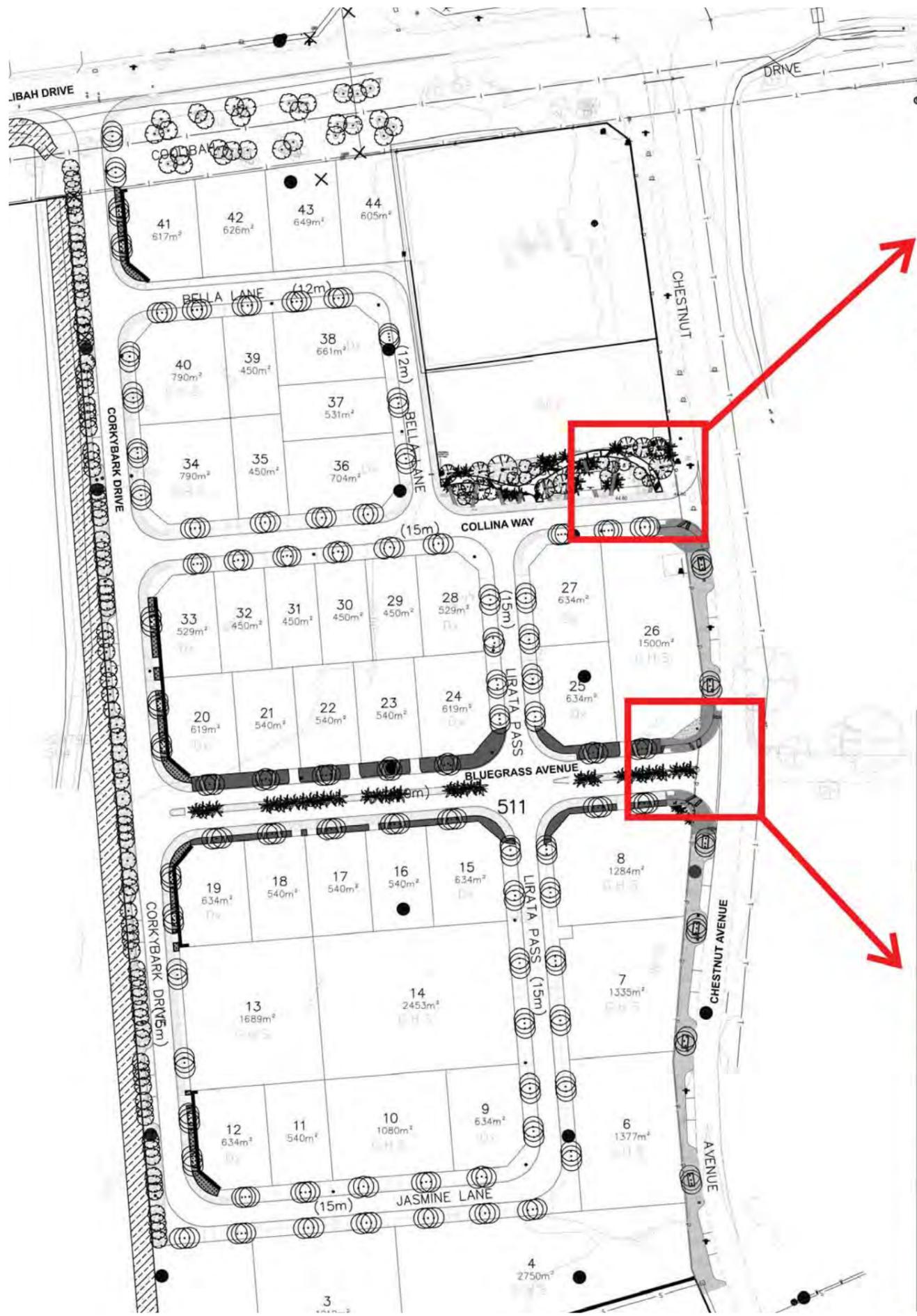
## **UDLA Documentation Drawings For Construction**

(Rev H Certified by GHD structural Engineers)

## **Maintenance Manuals X 2**

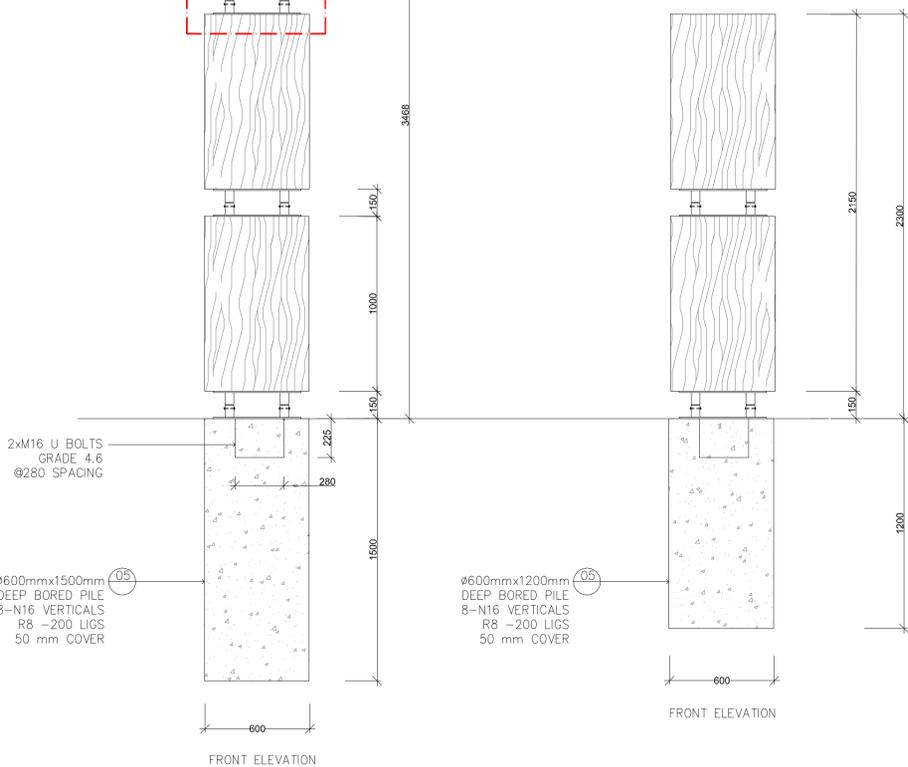
(Boab Nut and Totem Pole)



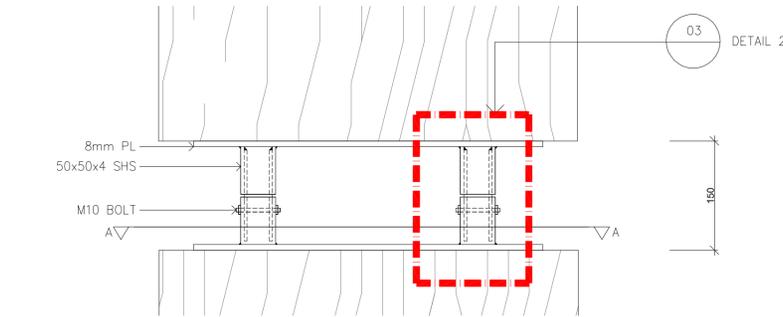


TIMBER BLOCKS  
MAHOAGANY AND  
MELALEUCA

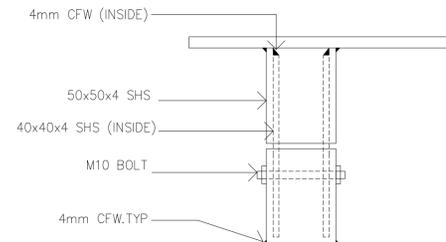
DETAIL 1  
02



01 ARTWORK DETAIL - WOOD CARVED POLES  
L01 ELEVATION 1:20 @ A1

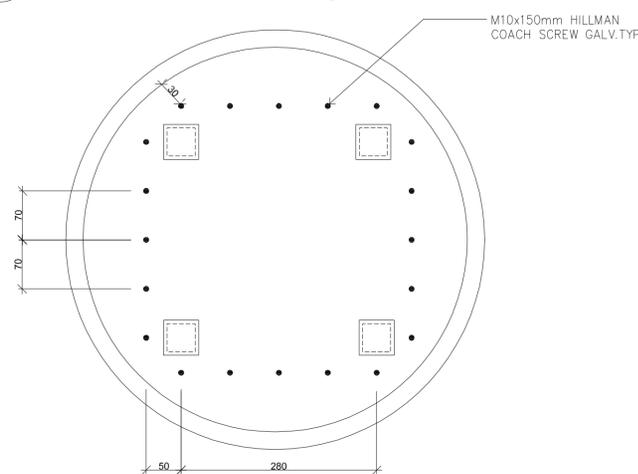


02 DETAIL 1  
L01 SECTION 1:5 @ A1



NOTE:  
THE TOP HALF WILL BE  
INSERTED INTO LOWER  
HALF DURING ERECTION  
OF STRUCTURE AND  
BOLTED.

03 DETAIL 2  
L01 SECTION 1:2.5 @ A1



04 SECTION AA  
L01 SECTION 1:5 @ A1

GENERAL NOTES  
G1 DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE STRUCTURAL DRAWINGS.  
G2 SETTING OUT DIMENSIONS SHOWN ON THE DRAWINGS SHALL BE VERIFIED BY THE BUILDER.  
G3 DURING CONSTRUCTION THE STRUCTURE SHALL REMAIN IN A STABLE CONDITION AND NO PART SHALL BE OVER-STRESSED.  
G4 ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT BUILDING AUTHORITIES.  
G5 CARRY OUT WORK IN A SAFE MANNER IN ACCORDANCE WITH APPLICABLE STATUTORY REGULATIONS, BY-LAWS OR RULES. COMPLY WITH OCCUPATIONAL HEALTH AND SAFETY ACT INCLUDING ASSOCIATED REGULATIONS AND CODES OF PRACTICE. CONTRACTOR IS RESPONSIBLE FOR OCCUPATIONAL HEALTH AND SAFETY OF SITE PERSONNEL AND GENERAL PUBLIC IN ACCORDANCE WITH LEGISLATIVE REQUIREMENTS, INDUSTRIAL AGREEMENTS AND ACCEPTED INDUSTRY PRACTICE.

CONCRETE  
C1 ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH AS3600  
C2 CONCRETE QUALITY:  
FOOTINGS  
CEMENT TYPE GP  
ADMIXTURES Nil  
GRADE N25  
C3 MINIMUM CLEAR CONCRETE COVER TO REINFORCEMENT SHALL BE 50mm.  
C4 NO HOLES OR CHASES OTHER THAN THOSE SHOWN ON THE STRUCTURAL DRAWINGS SHALL BE MADE IN CONCRETE MEMBERS WITHOUT THE PRIOR APPROVAL OF THE ENGINEER.  
C5 REINFORCEMENT LAP LENGTH SHALL BE 400mm UNLESS OTHERWISE NOTED.  
C6 REINFORCEMENT SHALL COMPLY WITH AS4671.

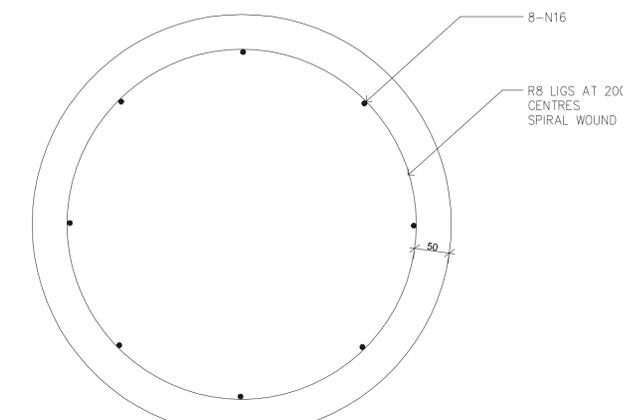
STEEL  
S1 ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH AS4100.  
S2 UNLESS OTHERWISE NOTED, ALL STEEL SHALL BE IN ACCORDANCE WITH:  
AS 1163 GRADE 350 FOR SQUARE HOLLOW SECTION.  
AS 3678 FOR PLATES  
S3 WELDERS SHALL BE CATEGORY GP TO AS1554 UNLESS OTHERWISE NOTED.  
S4 STRUCTURAL STEEL WORK SHALL HAVE THE FOLLOWING SURFACE TREATMENT:  
Element All Steelwork  
Surface cleaning Acid bath  
Coating Hot dip galvanize  
Coating/Dry film thickness To AS 4680  
S5 ALL BOLTS, NUTS, WASHERS AND SCREWS SHALL BE GALVANISED.  
S6 REPAIR GALVANISED COATING TO AS4680 SECTION 8 - REPAIR AFTER GALVANISING.

FOUNDATIONS/SLABS ON GROUND  
F1 FOOTINGS HAVE BEEN DESIGNED FOR A SAFE WORKING BEARING PRESSURE OF 100 kPa IN UNDISTURBED NATURAL SOIL.  
F2 KEEP EXCAVATIONS FREE OF WATER. PROVIDE ADEQUATE DRAINAGE TO ENSURE FORMATION IS NOT AFFECTED BY MOISTURE. PREVENT FOUNDATION DRYING OUT DUE TO EXPOSURE. PLACE BUNDING, FOOTINGS, PILES AND BACKFILL AS SOON AS PRACTICABLE AFTER EXCAVATION.  
F3 ENSURE EXCAVATIONS ARE STABLE AND PROTECT SURROUNDING PROPERTY AND SERVICES FROM ADVERSE EFFECTS OF GROUND WORKS.

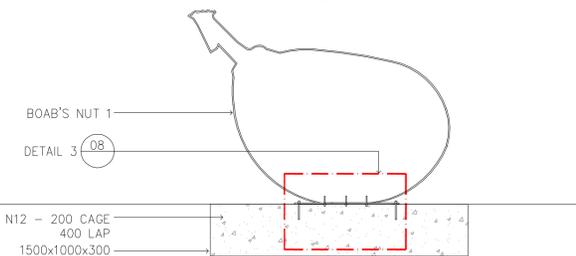
TIMBER  
T1 DESIGN, WORKMANSHIP AND MATERIALS TO BE TO AS1720, AS1684, AND AS5604.  
T2 TIMBER TO BE FREE OF LOOSE GUM VEINS, POCKETS, UNSOUND KNOTS, KNOT HOLES, SHAKES, SPLITS, TERMITES, GALLERIES AND OTHER DEFECTS. TIMBER TO BE COMPLETELY FREE OF ANY DEFECTS WITHIN 200 mm OF CONNECTIONS.  
T3 EXPOSED TIMBER TO BE HARDWOOD WITH NATURAL DURABILITY OF HEARTWOOD CLASS 1 OR 2 TO AS5604  
T4 DRILL HOLES FOR COACH SCREWS AS FOLLOWS: HOLE FOR SHANK = SHANK DIAMETER PLUS 1 mm.  
T5 PROVIDE WASHERS UNDER HEAD AND NUT OF BOLTS.  
T6 M10 BOLT - 3/4" x 2.5 THICK WASHERS  
RETIGHTEN ALL BOLTS AT COMPLETION OF CONTRACT

Revisions			
Code	Description	Issued By	Date
H	ISSUE FOR STRUCTURAL ENGINEER APPROVAL	GG	19/08/2014
G	ISSUE FOR STRUCTURAL ENGINEER APPROVAL	GG	14/08/2014
F	ISSUE FOR STRUCTURAL ENGINEER APPROVAL	GG	13/08/2014
E	ISSUE FOR STRUCTURAL ENGINEER APPROVAL	GG	06/08/2014
D	ISSUE FOR STRUCTURAL ENGINEER APPROVAL	GG	26/06/2014
C	ISSUE FOR STRUCTURAL ENGINEER APPROVAL	GG	23/06/2014
B	ISSUE FOR STRUCTURAL ENGINEER APPROVAL	GG	20/06/2014
A	ISSUE FOR INFORMATION	GG	5/06/2014

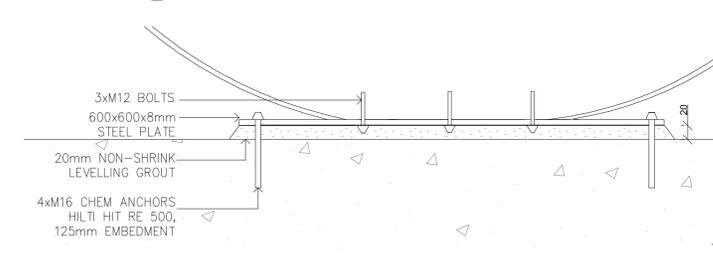
PRELIMINARY ONLY  
LEGEND



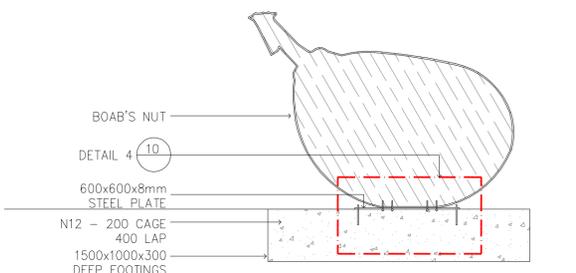
05 BORED PILE DETAIL  
L01 PLAN 1:5 @ A1



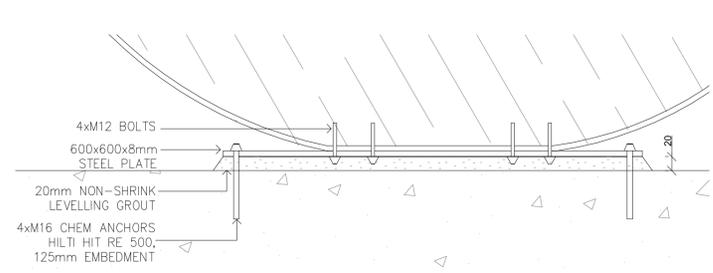
07 ARTWORK DETAIL - BOAB'S NUT 1 (OPEN BASE)  
L01 SECTION 1:20 @ A1



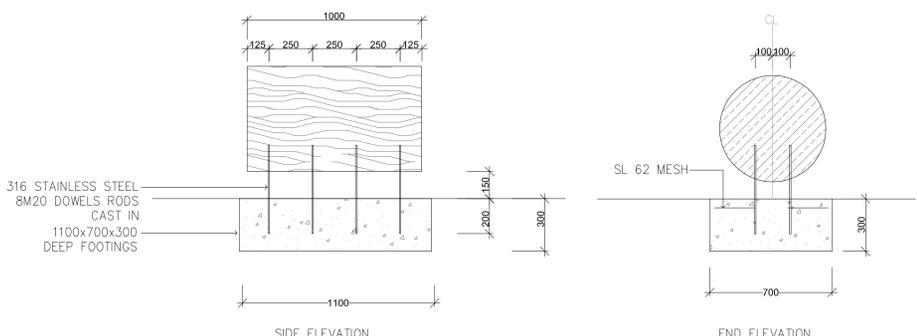
08 DETAIL 3  
L01 SECTION 1:5 @ A1



09 ARTWORK DETAIL - BOAB'S NUT 2 (ENCLOSED BASE)  
L01 SECTION 1:20 @ A1



10 DETAIL 4  
L01 SECTION 1:5 @ A1



06 ARTWORK DETAIL - WOOD CARVED POLES  
L01 ELEVATION 1:20 @ A1

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LEVEL 1A, 3-5 JOSEPHSON STREET, FREMANTLE WA 6160  
t +61 (08) 9336 7577  
www.udla.com.au

Client  
**LANDCORP**

Project  
**WARINGARRI ART PROJECT  
(COOLIBAH STATE KUNUNURRA)**

Drawing  
**DETAIL**

Drawing Number  
**L01**

Issue  
**ISSUED FOR INFORMATION**

Project No. <b>KUNCO</b>	Sheet <b>1 of 1</b>	Scale <b>AS SHOWN</b>
Approved <b>GG</b>	Drawn By <b>MB</b>	Date <b>19/08/2014</b>



GENERAL NOTES  
- ALL LEVELS AND DIMENSIONS INDICATED ON PLANS ARE INDICATIVE AND NEED TO BE CONFIRMED ON SITE BY THE CONTRACTOR. PRIOR TO COMMENCING WORKS THE CONTRACTOR SHALL LIAISE DIRECTLY WITH RELEVANT SERVICE AUTHORITIES TO ASCERTAIN THE LOCATION OF ANY SERVICES.  
- ALL SERVICES SHALL BE PHYSICALLY LOCATED BY HAND PRIOR TO THE USE OF ANY EXCAVATION EQUIPMENT. SERVICES IN CLOSE PROXIMITY TO PROPOSED WORKS SHALL BE EXPOSED BY HAND BEFORE WORK IS TO COMMENCE.  
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR BEARING THE COST OF MAKING GOOD ANY DAMAGE TO EXISTING SERVICES AND MAINS WHETHER OR NOT THESE ARE SHOWN ON THE DRAWINGS. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO FULLY INFORM THEMSELVES OF THE LOCATIONS OF SERVICES AND TO MAKE NECESSARY PROVISIONS. ALL WORK SHALL BE IN ACCORDANCE WITH THE APPROPRIATE AUSTRALIAN STANDARDS AND AS OUTLINED IN THE LANDSCAPE SPECIFICATION

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27 June 2014

Greg Grabasch  
Urban Design Landscape Architecture  
Level 1A, 3-5 Josephson Street  
FREMANTLE WA 6160

Our ref: 61/31050  
Your ref: 142761

Dear Greg

**Waringarri Art Project - Sculpture Supports  
Structural Engineering Certification**

GHD has undertaken a review of UDLA's current architectural drawings for the Waringarri Art Project sculpture supports.

The following drawings form the extent of this engineering certificate:

Architectural Drawing No	Revision
L01	H

GHD has completed a structural review of the above drawings and hereby certifies that the design complies with Section B of the BCA and relevant Structural Australian Standards.

Sincerely  
GHD Pty Ltd

**Peter Tonkin**  
Service Group Manager - Structures  
6222 8202

# PUBLIC ART MAINTENANCE PLAN

Artist name: Waringarri Arts  
 Address: Speargrass Road Kununurra WA 6743  
 Email: admin@waringarriarts.com.au  
 Phone: (08) 9168-2212

Artwork Name: Boab's Nuts (Two Pieces)  
 Location: Coolibah State, Kununurra  
 Cost: Boabs \$45,000 each (2 x pieces) (Currently valued at \$65K -\$75K each for future commissions)

Year Fabricated/Installed: 2014

## Maintenance information

	Details	Client notes
<b>Media</b>	As per UDLA drawing L01 Rev D 26/06/14 certified by GHD. Brass cast boab nut artwork, Installation materials include: 316 stainless steel 8m20 dowels rods cast in 1100x700x300 deep footings, sl 62 mesh, n12 - 200 cage 400 lap 1500x1000x300 deep footings, 4 x angle fastenings, 2xzenith 12gx35mm gal hex head metal, m16 hilti-hit-hy200 gal 125 embedment, neoprene pad, bent 8mm plate	
<b>Surface coatings</b>	Casting brass with anti-graffiti coating	
<b>Fabricated methodology</b>	The form for the artwork was made from polystyrene layers glued together to form a mould. This was then cut with hot wire, plastered and sanded into the shape of the boab nuts. The form was then covered with 6mm of wax which 11 x Waringari artists etched into. The wax was removed from the moulds and placed into cradle mounts and freighted to the foundry. The wax form was used to create the lost wax technique for casting in bronze.	
<b>Installation methodology</b>	The artwork was transported to site from Waringari Aboriginal Arts Centre in Kununurra. The concrete footing is to be made by the local Registered Builder, as per UDLA Landscape Architects drawing and GHD certified structural details. The art work is lifted into position by an all-terrain forklift supplied by the local registered builder. On completion of installation, UDLA will confirm it complies to the certified engineer drawings. In addition, UDLA and SWEK will inspect the installation to ensure the Shire accept/approve it.	
<b>Maintenance requirements</b>	Cleaning vandalism & re-apply anti-graffiti coating as per product recommendation. Cleaning associated up-lights of leaf debris and soil; opening cages, cleaning out/wiping light lense and locking the cages again. Hand/chemical weeding around the artwork.	
<b>Maintenance provider</b>	Waringarri Aboriginal Arts (monthly checks for a 12 month period) Shire of Wyndham East Kimberley (SWEK) Local Authority	
<b>Maintenance cost</b>	Variable	
Contact details of fabricators and/or installers	Waringarri Aboriginal Arts: 08 91682212 SWEK: 08 91684100 Local Registered Builder Marrbuilt Homes: 0407 633 882	



Minutes Ordinary Council Meeting



23 September 2014



170 of 221

# PUBLIC ART MAINTENANCE PLAN

Artist name: Waringarri Arts  
 Address: Speargrass Road Kununurra WA 6743  
 Email: admin@waringarriarts.com.au  
 Phone: (08) 9168-2212

Artwork name: Totem Poles (six Pieces)  
 Location: Coolibah State Kununurra  
 Cost: Each totem piece \$4,500 each (10 pieces)

Year fabricated/installed: 2014

## Maintenance Information

	Details	Client notes
<b>Media</b>	As per UDLA drawing L01 Rev D 26/06/14 certified by GHD Carved African Mahogany and Melaleuca timber blocks. Installation Materials Include: 2 x M16 U Bolts Grade 4.6 @ 280 Spacing, ø 600mm x 1200 mm Deep Bored Pile 8-N16 Verticals R8 -200 LIGS 50 Mm Cover, 316 Stainless Steel 8m20 Dowels Rods Cast In 1100 x 700 x 300 Deep Footings 8-N16, R8 LIGS At 200 Centres Spiral Wound, M10 x 150 mm Hillman Coach Screw Galv.TYP, 4mm CFW, 50x50x4 SHS, 40x40x4 SHS, M10 Bolt, 4mm CFW.TYP	
<b>Surface Coatings</b>	Carved timber with anti-graffiti coating	
<b>Fabricated Methodology</b>	Totem poles are made from African Mahogany and Melaleuca log sections, the bark was taken off, and then they were sanded and carved into. Each totem pole is made of several logs erected vertically to create two and three log high totems poles.	
<b>Installation Methodology</b>	The artwork will be transported to site in sections from Waringarri Aboriginal Arts by all terrain forklift or hiab truck, supplied by Local Registered Builder. The concrete footing is to be made by the Local Registered Builder on site at the agreed locations, as per UDLA Landscape Architects drawing and GHD certified structural details. The Art work is to be lifted into position by crane and fixed as per drawing. On completion of installation, UDLA or Art Source consultants will confirm it complies with the certified engineer drawings. In addition, UDLA and SWEK will inspect the installation to ensure the Shire accept/approve it.	
<b>Maintenance Requirements</b>	Cleaning vandalism & re-apply anti-graffiti coating as per product recommendation. Cleaning associated up-lights of leaf debris and soil; opening cages, cleaning out/wiping light lense and locking the cages again. Hand/chemical weeding around the artwork.	
<b>Maintenance Provider</b>	Waringarri Aboriginal Arts (monthly checks for a 12 month period) Shire of Wyndham East Kimberley (SWEK) Local Authority	
<b>Maintenance Cost</b>	Variable	
<b>Contact details of fabricators and/or installers</b>	Waringarri Aboriginal Arts: 08 91682212 SWEK: 08 91684100 Local Registered Builder Marrbuilt Homes: 0407 633 882	



## Louise Gee

---

**From:** Paul Ferrante <Paul.Ferrante@landcorp.com.au>  
**Sent:** Tuesday, 16 September 2014 1:46 PM  
**To:** Louise Gee  
**Cc:** Ertan Barkman; Will Eyres  
**Subject:** 1014 - 09 -16 KUNCO Kununurra Public Art Project Background and Offer to fund first 7 years maintenance  
**Attachments:** KUNCO 2010-04-22 Letter to SWEK seek in principal support to progress an....pdf; KUNCO 2010-05-25 Letter from Shire of Wyndham - East Kimberley - Finding....pdf; KUNCO 2012-12-07 Waringarri Public Art A0 Board (1).pdf; Waringarri Public Art Documents for SWEK Approval Rev1.pdf

Dear Louise

I understand there is an item on the agenda for the next Ordinary Council meeting dealing with the public art proposed at the Coolabah project. I have not seen the paper but am aware that there have been some changes of staff and councillors both at the Shire and LandCorp. Given this and the considerable amount of money, time and effort put into the project including that of 18 local artists, it's important to us the Council understand the intent and background of the project which is in effect a gift to the community.

### Background

LandCorp initiated the Coolabah Public Art Project in April 2010. An exchange of letters followed which outlined the project objectives and proposed structure with a view to:

- Create a community engendered public art project to strengthen the pedestrian link between the town centre and the subdivision;
- Create an increased sense of community ownership within the subdivision;
- Increase architectural outcomes within the subdivision; and
- Support the capacity building of indigenous employment programs within Kununurra.

As noted in LandCorp's letter of 22 April 2010 where LandCorp requested the Shire's support for the project, we committed to assist the maintenance of the Art Works and proposed the Shire would eventually take over the management of the assets in line with standard contractual process (please see the first attachment). The Shire provided in principle support via a letter dated 25 May 2010 (please see the second attachment). This was based on a resolution of OCM on 18 May 2010.

Minutes of the OCM notes the unanimous Council decision to be 'That Council inform LandCorp that it supports the two funding applications under the Regional Development Assistance Program for the provision of landscape treatments and public art to be incorporated into the Coolabah/Chestnut Subdivision subject to final design approval by the Shire'.

LandCorp contracted local Waringarri Aboriginal Arts to design, construct, install and maintain the Art Works as the biggest solely Traditional Owner commissioned public art project in WA. Eighteen artists were involved in the creative and fabrication part of the project, spreading earnings through the community and developing skills within the Kununurra/East Kimberley artistic community.

LandCorp informed all key stakeholders including Shire throughout the project and during the key milestones. In accordance with the Councillors' recommendation the Art Works concepts and proposed locations were publically advertised to the broader community in December 2012 (please see the third attachment).

### Public Liability

The Art Works were planned and designed by accredited structural engineering consultants, and will be erected in situ by a registered builder.

The Art Works will be located in road reserve and designated POS already vested to the Shire and we are advised they will be covered by its blanket insurance policies, and therefore should have no impact on SWEK's insurance cover or premiums. Nevertheless the Shire should make its own enquiries with its insurer if this is an issue.

### Maintenance

LandCorp's experience across regional WA shows that public art works produced by local communities are far less susceptible to vandalism; notwithstanding this the Art Works are coated by a weather proofing anti-graffiti product.

LandCorp's consultants have provided a detailed maintenance regime for the Art Works with the application for installation approval (please see the fourth attachment). It is important to note the maintenance regime is very minimal and straight forward. Nevertheless we have received advice from our consultants regarding the long term maintenance costs and inclusive of a provisional sum for graffiti removal, it is estimated it will cost approximately \$2,000 per year to cover materials and labour for maintenance of the installation.

However, as part of the contract, Waringarri Aboriginal Arts will provide maintenance for the first two years at no cost to the Shire. As per our initial commitment in the letter dated 22 April 2010, LandCorp will provide SWEK \$10,000 to put into a fund to maintain the Art Works for a further 5 years subsequent to the two year period by Waringarri Aboriginal Arts. In effect this means the Shire should have no foreseen costs associated with the installation for the first seven years.

Should the Shire agree to accepting the public art, upon receiving an invoice from the Shire, LandCorp would be happy to formalise arrangements and pay the Shire the \$10,000 for future maintenance now so it can accrue interest in a special fund.

In accordance with our charter and in collaboration with SWEK and other community groups, LandCorp has committed to enrich the cultural and economic landscape of Kununurra.

We believe the Coolibah Public Art Project is a strong example of LandCorp's commitment to the township, which highlights its rich cultural heritage and the latent capacity within its own community to provide iconic works while fulfilling Shire's place making and sense of community ownership goals.

We are more than happy to provide the Shire further information and clarifications, should it be requested.

Kind regards

**Paul Ferrante**  
Manager North West



---

Level 6 Wesfarmers House, 40 The Esplanade Perth Western Australia 6000  
T 08 9482 7453 F 08 9481 0861 M 0417 932 497 W [landcorp.com.au](http://landcorp.com.au)

*Before printing this email, please consider the environment.*

### 13.3.4 Takeaway Alcohol Management System Funding Request

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Wayne Richards, Manager Community Services
<b>REPORTING OFFICER:</b>	Louise Gee, Director Community Development
<b>FILE NO:</b>	CS.08.1

#### **PURPOSE**

For the Council to consider endorsement of a request to the Kimberley Zone regarding contribution towards funding a 12 month trial of a Take Away Alcohol Management System within the Shire of Wyndham East Kimberley.

#### **BACKGROUND**

The Kununurra Wyndham Alcohol Accord is a co-operative arrangement aimed at developing safe and well managed environments in and around licensed premises. It is part of a strategy to achieve a standard of practice that fosters a responsible drinking culture, ensures safety in the local community, and promotes effective communication and problem solving between licensees and key stakeholders.

The Alcohol Accord encourages the adoption of a range of positive and effective community based harm minimisation and prevention strategies aimed at reducing crime, violence and anti-social behaviour stemming from the excessive consumption of alcohol.

The recognition of these issues resulted in the introduction of alcohol sales restrictions being implemented in February 2011; these were further amended in March 2012 and again in November 2012. A fact sheet on the current Liquor restrictions is attached.

One barrier to implementing these restrictions is the difficulty in enforcing them. There is the possibility that an individual will purchase their limit at one outlet, then drive to another outlet and purchase additional alcohol. Or, if an outlet does not recognise the individual, they may return to the same venue to purchase additional alcohol.

There are three venues within the Shire that sell takeaway alcohol:

- Kununurra Hotel
- Gullivers Tavern
- Vaggs Liquor - Wyndham

The recent focus of the Alcohol Accord has been on a mechanism to police this restriction on the volume of alcohol able to be purchased per day. This mechanism is known as a Takeaway Alcohol Management System (TAMS). A fact sheet on this system is attached, however as a summary:

- A customer has their identification scanned, with personal details captured. These details remain on the system for 24 hours.
- The volume of alcohol purchased is entered. Once the customer purchases more than their limit, the screen will respond with notification that they are over their limit and cannot purchase more.
- This information is linked between outlets so that the individual cannot purchase their limit at multiple outlets.

There are a vast number of considerations that have been raised and need to be taken into account. These have been discussed at length within the Alcohol Accord and it is believed that each of these considerations can be resolved by good planning, policies and procedures.

At the 9 July Alcohol Accord meeting, Ches Rafferty from supplier Scantek presented the proposed system via video link. Ches's feedback was that the system is extremely flexible, allowing for solutions to the considerations above to be worked into the process.

A lease arrangement has been investigated with a quotation received listing a price of \$5000.00 per unit for a period of 12 months, with a 10% discount made available if the total amount is paid up front. Licensees have stated that they support the trial but will not agree to install the system if there is any financial cost to them and therefore the amount of \$13,500.00 excluding GST must be raised from external sources.

Shire President Councillor John Moulden received an offer from Regional Development Australia (RDA) to assist in the implementation of a trial for a period of 12 months within the Shire of Wyndham East Kimberley. Regional Development Australia is offering an amount of \$6567.00 towards the overall cost of the trial leaving an outstanding amount of \$6933.00 excluding GST.

At the Kimberley Zone meeting held in Perth in the first week of August a request was made that all Kimberley councils contribute to the cost of the trial. If the other Kimberley Councils agree to funding the trial, final agreement will be required by all Accord members to accepting the offer and implementing the project for a period of 12 months.

### **STATUTORY IMPLICATIONS**

There are no statutory implications associated with this report.

### **POLICY IMPLICATIONS**

There are no policy implications associated with this report

### **FINANCIAL IMPLICATIONS**

This item seeks endorsement to request \$6933 from the Kimberley Zone as a contribution towards a 12 month trial of a Take Away Alcohol Management System (TAMS). There will be no financial cost to the Shire.

### **STRATEGIC IMPLICATIONS**

Strategic Community Plan 2012-2022

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

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

Strategy 2.4.1: Advocate for improved health and community services

## **COMMUNITY CONSULTATION**

Consultation with key stakeholders regarding this matter occurs through the Kununurra Wyndham Alcohol Accord meetings.

## **COMMENT**

There is clear evidence that excessive consumption of alcohol causes problems within the Shire of Wyndham East Kimberley. Alcohol is a significant contributing factor to social issues such as domestic violence, low school attendance, anti-social behaviour as well as health problems.

Liquor restrictions have been put in place by the State to assist in the management of this issue; however these alone have not been able to control individuals being able to access large quantities of alcohol. The TAMS is seen as a mechanism that will assist in the implementation of the liquor restrictions and desired outcome.

## **ATTACHMENTS**

Attachment 1 - Alcohol Restrictions Fact Sheet

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council requests the Chief Executive Officer (or delegate) to write to the Secretariat of the Kimberley Zone seeking a contribution of \$6933.00 (excluding GST), towards the 12 month trial of a Takeaway Alcohol Management System within the Shire of Wyndham East Kimberley.

## **COUNCIL DECISION**

**Minute No. 10597**

**Moved: Cr K Wright**

**Seconded: Cr R Dessert**

**That Council requests the Chief Executive Officer (or delegate) to write to the Secretariat of the Kimberley Zone seeking a contribution of \$6933.00 (excluding GST), towards the 12 month trial of a Takeaway Alcohol Management System within the Shire of Wyndham East Kimberley.**

**Carried 7/0**

Cr D Spackman enters the Chambers at 6.56pm

DEPARTMENT OF RACING, GAMING AND LIQUOR

# LIQUOR RESTRICTIONS IN KUNUNURRA & WYNDHAM

This fact sheet provides information about purchasing and consuming liquor in Kununurra & Wyndham, Western Australia.

... on public roads and in private vehicles is an offence (except where a permit or licence applies). This includes drinking in a motor vehicle on any public road or street.

... in parks and other public places is an offence without the consent of the owner or controlling authority. This includes areas such as parks, reserves, beaches and so on.

- The sale and supply of liquor for consumption at hotel or tavern premises is prohibited before 12 noon except where it is sold ancillary to a meal (or to a lodger at hotel premises).
- Takeaway alcohol restrictions are detailed below:

	Alcohol Strength	Trading hours	Quantity (per person, per day)
a)	Low strength alcohol (i.e. 2.7% or less)	Monday to Saturday 12pm to 8pm	No limit
b)	Mid to full strength alcohol (i.e. 2.7% to 7%)	Monday to Saturday 12pm to 8pm	22.5 litres (e.g. two cartons of beer)
c)	Full strength alcohol (i.e. 7% to 15%)	Monday to Saturday 12pm to 8pm	4.5 litres (e.g. six bottles of wine)
d)	Greater than 15% (e.g. some spirits, wines,	Monday to Saturday 12pm to 8pm	1 litre

Liquor may be purchased in the quantities specified in either (b) or (c) or (d) or half quantity combinations of (b) and (c).

- Special exemptions\* for takeaway liquor apply to:
    - Station owners;
    - Liquor merchants;
    - Mail order sales; and
    - A person who has pre-ordered using a Bulk Purchase Order Form at least 72 hours in advance of pick-up/delivery.
- \*conditions apply

### Kimberley Wide Restrictions

In addition to the liquor restrictions specific to Kununurra and Wyndham, the following liquor restrictions exist for the entire Kimberley region:

- Takeaway liquor may not be sold:
  - in individual containers of more than one litre of liquor with an alcohol content of 6% or more (for example, wine casks of more than one litre); and
  - in glass bottles of 400ml or more of beer.

## 13.4 CHIEF EXECUTIVE OFFICER

### 13.4.1 Use of Common Seal

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Monika Tonkin, Executive Assistant
<b>REPORTING OFFICER:</b>	Gary Gaffney, Chief Executive Officer
<b>FILE NO:</b>	GN.02.1

#### **PURPOSE**

For Council to receive this report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 27 August to 22 September 2014.

#### **STATUTORY IMPLICATIONS**

*Local Government Act 1995*

Council's Standing Order Local Law makes reference to the application of the Common Seal.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item.

#### **STRATEGIC IMPLICATIONS**

This report aligns with Council's focus on Governance, Goal 1 of Council's Strategic Community Plan.

#### **COMMENT**

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

<b>Date of Use</b>	<b>Document</b>
3/09/2014	Master Lending Agreement between West Australian Treasury Corporation & Shire of Wyndham East Kimberley

#### **ATTACHMENTS**

There are no attachments associated with this report.

#### **VOTING REQUIREMENT**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 27 August to 22 September 2014.

**COUNCIL DECISION**

**Minute No. 10598**

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

**That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 27 August to 22 September 2014.**

**Carried 8/0**

### 13.4.2 Delegated Authority Report

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Monika Tonkin, Executive Assistant
<b>REPORTING OFFICER:</b>	Gary Gaffney, Chief Executive Officer
<b>FILE NO:</b>	PL.02.1

#### **PURPOSE**

To report to Council on the use of Delegated Authority by Officers for the period 1 - 31 August 2014.

#### **BACKGROUND**

Use of Council approved Delegated Authority by Officers is reported to Council on a monthly basis.

The attached tables outline use of Delegated Authority by relevant Officers for the above period.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 - Sect 5.46

5.46. Register of, and records relevant to, delegations to CEO's and employees.

- 1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- 2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- 3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications associated with this matter

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

**COMMENT**

The attached report outlines the use of Delegated Authority by relevant Council Officers for endorsement by Council.

**ATTACHMENTS**

Attachment 1 – Delegated Authority Report

**VOTING REQUIREMENT**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council receives the Delegated Authority Report for the period 1 – 31 August 2014.

**COUNCIL DECISION**

**Minute No. 10599**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council receives the Delegated Authority Report for the period 1 – 31 August 2014.**

**Carried 8/0**

**Attachment: Delegated Authority Report**

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

APPLIC NO	DATE APPLIC RECVD	DATE ISSUED	ASSESS NO.	CERT No	LOCATION	DESCRIPTION
101452	2/06/2014	1/08/2014	A2859P	BA6872	Lot 322 Old Darwin Road Kununurra	Class 10A Shower Block (TEMPORARY)
101453	4/08/2014	5/08/2014	A7256P	BA6886	Lot 2420, Strata 17 (66) Casuarina Way, Kununurra	Class 1A dwelling with attached Class 10A garage & outdoor living & FRL60/60/60 fire rated party wall
101454	4/08/2014	7/08/2014	A7257P	BA6891	Lot 2420, Strata 18 (66) Casuarina Way, Kununurra	Class 1A dwelling with attached Class 10A garage & outdoor living & FRL60/60/60 fire rated party wall
101462	12/08/2014	18/08/2014	A994P	BA6911	Lot 1474 (9) Dryandra Road Kununurra	Class 10A Shed / Garaport with reduced setback to southern boundary
101337	25/03/2014	18/08/2014	A7751P	BA6915	384 Packsaddle Road Kununurra	Class 1A dwelling with 2 x attached Class 10A verandah & decks
101469	18/08/2014	21/08/2014	A576P	BA6930	Lot 473 Crossing Falls Road Kununurra	Class 10B deck
101463	13/08/2014	22/08/2014	A7345P	BA6934	Lot 112 Berkeley Crescent Kununurra	Class 1A dwelling with attached Class 10A verandah
101475	25/08/2014	26/08/2014	A1111P	BA6941	Lot 124 (21) Nutwood Crescent Kununurra	Class 10A New Veranda Roof over Existing Deck Area

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

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	EST. VALUE	COMMENT / PROCESSING TIME - WORKING DAYS
077/ 2014	2/06/2014	1/08/2014	Shire of Wyndham - East Kimberley (Kununurra Rodeo Association)	Kununurra Rodeo Association	Lot 322 Old Darwin Road Kununurra	Class 10A Shower Block (TEMPORARY)	Add	\$ 5,000.00	
078/ 2014	4/08/2014	5/08/2014	JSW Holdings Pty Ltd	Ben Marr	Lot 2420, Strata 17 (66) Casuarina Way, Kununurra	Class 1A dwelling with attached Class 10A garage & outdoor living & FRL60/60/60 fire rated party wall	New	\$ 526,692.00	1/25 assess days
079/ 2014	4/08/2014	7/08/2014	JSW Holdings Pty Ltd	Ben Marr	Lot 2420, Strata 18 (66) Casuarina Way, Kununurra	Class 1A dwelling with attached Class 10A garage & outdoor living & FRL60/60/60 fire rated party wall	New	\$ 526,692.00	3/25 assess days
080/ 2014	12/08/2014	18/08/2014	Blair Kimpton	Blair Kimpton	Lot 1474 (9) Dryandra Road Kununurra	Class 10A Shed / Garaport with reduced setback to southern boundary	New	\$ 11,000.00	1+1/25 assess days + 2/21 pending
081/ 2014	15/08/2014	18/08/2014	Mungalalu Truscott Airbase Pty Ltd (Lessee) / Wunambal Gaambera Aboriginal Corporation	Pattermore Constructions	MT Lease area Doongan Loc 35 Reserve 24705 Truscott Airbase Via Wyndham	Class 10A Helicopter Shelters (Shipping containers with Canvas canopy)	New	\$ 839,192.00	1/10 assess days

044/ 2014	25/03/2014	18/08/2014	TFS Properties Ltd	Glendale Homes	384 Packsaddle Road Kununurra	Class 1A dwelling with 2 x attached Class 10A verandah & decks	New	\$ 267,234.00	
082/ 2014	18/08/2014	21/08/2014	John Moulden & Patricia Handasyde	John Moulden & Patricia Handasyde	Lot 473 Crossing Falls Road Kununurra	Class 10B deck	New	\$ 2,000.00	2/25 assess days
083/ 2014	13/08/2014	22/08/2014	Keda-Jane & Timothy Bond	Tier Nominees Pty Ltd	Lot 112 Berkeley Crescent Kununurra	Class 1A dwelling with attached Class 10A verandah	New	\$ 335,647.00	6/25 assess days
084/ 2014	25/08/2014	26/08/2014	Robert & Tania Dallavanzi	Ryan Chinnery	Lot 124 (21) Nutwood Crescent Kununurra	Class 10A New Veranda Roof over Existing Deck Area	Add	\$ 15,000.00	1/25 assess days

#### OCCUPANCY PERMITS (Form BA10) ISSUED – 01 to 31 August 2014

OCCUP PERMIT NO	DATE	BUILDING PERMIT / LICENCE NO	ASSESS NO.	Receipt No	Building Class	OWNER	BUILDER	BRB / OB NO	LOCATION	DESCRIPTION
BA6918	19/08/2014	131/2011	A7120P	N/A prior to 01.04.2012	7A	McLean Enterprises Pty Ltd	Ben Marr	S1158	Lot 24 Ivanhoe Road Kununurra	Class 7A - carport lean to addition to existing Class 7B/8
BA6928	20/08/2014	134/2013	A7090P	390188	5 & 9B	Kimberley Group Training Inc	Top End Building Company	WA 12796	Lot 107 (5) Kentia Way Kununurra	KGT Skills Training Centre 1 x Class 5 Administration Block 1 x Class 9B Training Workshop

### SIGN LICENCES – 01 to 31 August 2014

SIGN LIC#	DATE APPLIC RECD	DATE LICENCED	ASSESS NO.	Receipt No	LOCATION	DESCRIPTION	PLANNING APPROVAL / DELEGATION
SL02/ 2014	25/07/2014	1/08/2014	A2859P	N/A	Road Reserves: 1. Corner of Victoria Highway & Messmate Way 2. Corner of Victoria Highway & Drovers Road	2 x portable signs	N/A

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

- AMENDMENTS TO EXISTING BUILDING PERMIT (Form BA04)
- DEMOLITION PERMITS (Form BA06)
- OCCUPANCY PERMITS – STRATA (BA12)
- BUILDING APPROVAL CERTIFICATES (BA14)
- BUILDING APPROVAL CERTIFICATES – STRATA (Form BA16)
- CERTIFICATES OF CONSTRUCTION COMPLIANCE (Form BA17)
- CERTIFICATES OF BUILDING COMPLIANCE (Form BA18)
- FORMAL NOTICE / BUILDING ORDER – pursuant to Building Act 2011
- EXTENSIONS OF TIME
- SIGN LICENCES

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

- BUILDING PERMITS (BA04)
- DEMOLITION PERMITS (BA06)
- OCCUPANCY PERMITS (Form BA10) OCCUPANCY PERMITS – STRATA (BA12)
- BUILDING APPROVAL CERTIFICATES (BA14)
- BUILDING APPROVAL CERTIFICATES – STRATA (Form BA16)

## PLANNING DELEGATED AUTHORITY APPROVALS - 1 - 31 August 2014

Application / Delegation Number	Approval Type	Date Received	Owner	Address	Proposed Development	Assess' t Number	Approval Date	Approved By
DA65/14	P	18/07/2014	Jans Pech	Lot 37 Bella Lane, Kununurra	Proposed - Single Dwelling	7498	1/08/2014	Approved by Jennifer Ninyette
DA67/14	P	8/08/2014	Tre-Vag Pty Ltd	Lot 185 Corkwood Court, Kununurra	Proposed Unit developments	6924	22/08/2014	Approved by Jennifer Ninyette
DA68/14	P	8/08/2014	Ord Irrigation Cooperative	Lot 14 Carpentaria Street, Kununurra	Construction of Diesel Backup Generator & Installation of Diesel Dispenser for private use and Retaining Wall	7569	28/08/2014	Approved by Julia Hall
DA69/14	HOCC	6/08/2014	Bryan Carson	Lot 296/30 Zamia Link, Kununurra	HBB Approval - Lightwork Therapies	7523	18/08/2014	Approved by Julia Hall
DA71/14	HOCC	13/08/2014	Kellie Jackson	Lot 1801, Palm Court, Kununurra	Renewal HBB - Moo Woo	1909	22/08/2014	Approved by Jennifer Ninyette
DA77/14	P	20/08/2014	Mark Phillips & Susie Williams	Lot 42 Weaber Plain Road, Kununurra	Proposed modifications to existing shed	3279	27/08/2014	Approved by Julia Hall
DA78/14	HOCC	21/08/2014	Linda Cunningham	Lot 1765 (2) Hibiscus Drive, Kununurra	Renewal of HBB - Kimberley Boab Kreations	1971	22/08/2014	Approved by Jennifer Ninyette

### 13.4.3 Delegated Authority Report (Planning)

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Jill Magee, Community Development Support Officer
<b>REPORTING OFFICER:</b>	Gary Gaffney, Chief Executive Officer
<b>FILE NO:</b>	N/A

#### **PURPOSE**

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

#### **BACKGROUND**

The use of the Council approved Delegated Authority by Officers is usually reported to the Council on a monthly basis; however this did not occur for the period 1 April to 31 July 2014 due to an administrative error.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 - Sect 5.46

5.46. Register of, and records relevant to, delegations to CEO's and employees.

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

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

A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications associated with this matter

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

## **COMMENT**

These reports are given to the Council on a monthly basis. It has been identified that during the period of 1 April 2014 to 31 July 2014, only the building delegations were reported and the reports did not include planning delegations.

The attachments to this report outline the use of Delegated Authority for planning by relevant Council Officers for endorsement by the Council.

## **ATTACHMENTS**

Attachment 1 – Delegated Authority Report (planning) April 2014  
Attachment 2 – Delegated Authority Report (planning) May 2014  
Attachment 3 – Delegated Authority Report (planning) June 2014  
Attachment 4 – Delegated Authority Report (planning) July 2014

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council receives the Delegated Authority Reports (planning) for the period 1 April to 31 July 2014.

## **COUNCIL DECISION**

**Minute No. 10600**

**Moved: Cr G King**

**Seconded: Cr B Robinson**

**That Council receives the Delegated Authority Reports (planning) for the period 1 April to 31 July 2014.**

**Carried 8/0**

**PLANNING DELEGATED AUTHORITY APPROVALS - 1 - 30 April 2014**

<b>Application / Delegation Number</b>	<b>Approval Type</b>	<b>Date Received</b>	<b>Owner</b>	<b>Address</b>	<b>Proposed Development</b>	<b>Assess't Number</b>	<b>Approval Date</b>	<b>Approved By</b>
DA11/14	P	27/02/2014	Shire of Wyndham East Kimberley	Lot 502 Old Darwin Road, Kununurra	Coffee Van at Celebrity Tree Park	5622	2/04/2014	Approved by Julia Hall
DA20/14	p	11/03/2014	Tropical Forestry Services Pty Ltd	Lot 384 Packsaddle Road, Kununurra	Caretaker's single dwelling	7751	2/04/2014	Approved by Julia Hall
DA21/14	HOCC	21/03/2014	Robert & Claire Stuetzel	Lot 1976 Casuarina Way, Kununurra	Home Based Business – RC Engineering	1614	10/04/2014	Approved by Julia Hall
DA22/14	HOCC	18/03/2014	Wisestar investments	Lot 3 Grevillea Ave, Kununurra	Home Based Business - Pandanus Skin Spa	7068	2/04/2014	Approved by Julia Hall

**PLANNING DELEGATED AUTHORITY APPROVALS - 1 - 31 May 2014**

<b>Application / Delegation Number</b>	<b>Approval Type</b>	<b>Date Received</b>	<b>Owner</b>	<b>Address</b>	<b>Proposed Development</b>	<b>Assess't Number</b>	<b>Approval Date</b>	<b>Approved By</b>
DA19/14	P	11/03/2014	JSW Holdings Pty Ltd	Lot 114 Salacca Loop, Kununurra	Light Industrial Shed, Showroom/Office and Caretaker's Dwelling	7104	26/05/2014	Approved by Wayne Richards
DA25/14	P	17/04/2014	MG Corporation	Lot 108 Kentia Way, Kununurra	Storage Shed	7091	14/05/2014	Approved by Julia Hall
DA26/14	CoU	18/04/2014	MG Agencies Pty Ltd	Lot 1 Coolibah Drive, Kununurra	Change of Use – Motor Vehicle Repair	6560	14/05/2014	Approved by Julia Hall
DA29/14	P	28/04/2014	Shire of Wyndham East Kimberley	Lot 311 Laine Jones Drive, Kununurra	Storage Shed	2212	14/05/2014	Approved by Julia Hall
DA30/14	P	17/04/2014	Green Country Holdings Pty Ltd	Lot 102 Bullrun Road, Kununurra	Vehicle Wash Bay	76	14/05/2014	Approved by Julia Hall
DA33/14	P	5/05/2014	William & Keryn Withey	Lot 111 Berkeley Crescent, Kununurra	Single Dwelling	7344	29/05/2014	Approved by Wayne Richards
DA41/14	P	15/05/2014	Jason Lerch	Lot 259 Arawodi Road, Kununurra	Farm Shed	34	27/05/2014	Approved by Julia Hall
DA42/14	P	23/05/2014	Clinton & Tanya Pearson	Lot 158 Berkeley Crescent, Kununurra	Dwelling/Shed	7374	29/05/2014	Approved by Wayne Richards

## PLANNING DELEGATED AUTHORITY APPROVALS - 1 - 30 June 2014

Application / Delegation Number	Approval Type	Date Received	Owner	Address	Proposed Development	Assess't Number	Approval Date	Approved By
DA34/14	P	5/05/2014	Michael Scott & Katy Hyde	Lot 34 Egret Close, Kununurra	Storage Shed	7071	6/06/2014	Approved by Julia Hall
DA35/14	P	6/05/2014	Kelly Walburn & Ben Sneath	Lot 180 Pentecost Elbow, Kununurra	Single dwelling	7317	5/06/2014	Approved by Julia Hall
DA36/14	P	15/05/2014	VFE Investments Pty Ltd	Lot 182 Pentecost Elbow, Kununurra	Single Dwelling	7385	9/06/2014	Approved by Julia Hall
DA37/14	P	15/05/2014	VFE Investments Pty Ltd	Lot 110 Berkeley Crescent, Kununurra	Single Dwelling	7343	9/06/2014	Approved by Julia Hall
DA38/14	P	15/05/2014	VFE Investments Pty Ltd	Lot 156 Berkeley Crescent, Kununurra	Single Dwelling	7372	9/06/2014	Approved by Julia Hall
DA39/14	P	15/05/2014	VFE Investments Pty Ltd	Lot 173 Pentecost Elbow, Kununurra	Single Dwelling	7377	9/06/2014	Approved by Julia Hall
DA40/14	P	15/05/2014	VFE Investments Pty Ltd	Lot 177 Pentecost Elbow, Kununurra	Single Dwelling	7381	9/06/2014	Approved by Julia Hall
DA44/14	P	6/06/2014	JSW Holdings Pty Ltd	Lot 18 Casuarina Way, Kununurra	Single Dwelling	7256	26/06/2014	Approved by Julia Hall
DA45/14	P	6/06/2014	JSW Holdings Pty Ltd	Lot 17 Casuarina Way, Kununurra	Single Dwelling	7257	26/06/2014	Approved by Julia Hall
DA46/14	P	30/05/2014	TFS	Lot 384 Packsaddle Road, Kununurra	Garage	7751	23/06/2014	Approved by Julia Hall
DA47/14	P	20/06/2014	John Nicholson	Lot 541 Packsaddle Road Kununurra	Renewal of HBB - Firearms and Accessories	617	24/06/2014	Approved by Julia Hall
DA51/14	HOCC	27/06/2014	Narelle Brook	Lot 1040 Carbeen Street, Kununurra	Renewal of HBB - Brook Project Management & Marketing	1126	27/06/2014	Approved by Julia Hall
DA52/14	HOCC	27/06/2014	Danee Finckh	Lot 750 Weaber Plains Road, Kununurra	Renewal of HBB - Stitched up Embroidery	1948	27/06/2014	Approved by Julia Hall

## PLANNING DELEGATED AUTHORITY APPROVALS - 1 - 31 July 2014

Application / Delegation Number	Approval Type	Date Received	Owner	Address	Proposed Development	Assess't Number	Approval Date	Approved By
DA50/14	P	25/06/2014	Tony Tuohey	Lot 120 Weaber Plain Road, Kununurra	Carport	5095	2/07/2014	Approved by Julia Hall
DA53/14	HOCC	26/06/2014	Elise & Steve Petter	Lot 36 Weaber Plains Road, Kununurra	Renewal of Home Based Business - Bangle Business	2711	1/07/2014	Approved by Julia Hall
DA54/14	HOCC	27/06/2014	Ruth Francis	Lot 759 Calythrix Street, Kununurra	Renewal of Home Based Business - In Balance Naturopathy	1343	3/07/2014	Approved by Louise Gee
DA55/14	HOCC	27/06/2014	Sally Earl	Lot 261 Riverfig Avenue, Kununurra	Renewal of Home Based Business - Ord Valley Chiropractic	1280	3/07/2014	Approved by Louise Gee
DA56/14	HOCC	27/06/2014	Mark Pedretti	Lot 1700 Mills Road, Kununurra	Home Based Business Approval - Wild Mango Gelato	2495	17/07/2014	Approved by Jennifer Ninnette
DA57/14	HOCC	25/06/2014	Jeffrey Done	Lot 1078 Weaber Plain Road, Kununurra	Renewal of HBB - Jeff Done Computing	1936	3/07/2014	Approved by Louise Gee
DA58/14	HOCC	26/06/2014	Carrie-Anne Martin	Lot 3 Grevillea Ave, Kununurra	Renewal of Home Based Business - Pandanus Skin Spa	7068	3/07/2014	Approved by Louise Gee
DA59/14	HOCC	30/06/2014	Amanda Dietrich	Lot 2 Crossing Falls Road, Kununurra	Renewal of Home Based Business - Boabs in the Kimberley	5993	3/07/2014	Approved by Louise Gee
DA60/14	HOCC	2/07/2014	Deane Spurge	Lot 462 Crossing Falls Road, Kununurra	Renewal of Home Based Business - Fish Storage	578	3/07/2014	Approved by Louise Gee
DA61/14	P	4/07/2014	The Shell Company of Australia Limited	Lot 301 Dusty Rankin Drive, Kununurra	Upgrade to Existing Fuel Storage Facility	2208	15/07/2014	Approved by Jennifer Ninnette
DA62/14	P	3/07/2014	Robert Boshhammer/Chris Magnay	Lot 1519 Victoria Highway, Kununurra	Coffee Van	1091	8/07/2014	Approved by Julia Hall
DA63/14	HOCC	9/07/2014	Kristen Grove	Lot 156 Barding Loop, Kununurra	Renewal of Home Based Business - Baby Gecko	2566	10/07/2014	Approved by Julia Hall
DA66/14	HOCC	30/07/2014	Robert and Claire Stuetzel	Lot 1976 Casuarina Way, Kununurra	Renewal of Home Based Business - RC Engineering	1614	30/07/2014	Approved by Jennifer Ninnette

## **13.5 ELECTED MEMBER REPORTS**

### **Shire President, John Moulden**

28 & 29 August 2014	Kimberley Economic Forum
4 September 2014	Meeting with Horizon Power
11 September 2014	Pre Meeting re Regional Cabinet Meeting
11 September 2014	WALGA eQuotes presentation
12 September 2014	Meeting with Department of Transport
15 September 2014	SAT Teleconference

### **Cr Glenn Taylor**

2 September 2014	Meeting with Caravan Parks and Agricultural Society
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### **Cr Don Learbuch**

27 August 2014	Roadwise Committee
2 September 2014	Meeting with Caravan Parks and Agricultural Society
2 September 2014	Disability Access and Inclusion Meeting

### **Cr Keith Wright**

28 & 29 August 2014	Kimberley Economic Forum
11 September 2014	Library Committee Meeting
17 September 2014	Performed Australian Citizenship Ceremony
18 September 2014	Kununurra Visitor Centre Board Meeting

### **COUNCIL DECISION**

**Minute No. 10601**

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

**That Council accepts the elected member reports for September 2014.**

**Carried Unanimously 8/0**

### **13.6 CHIEF EXECUTIVE OFFICER REPORTS**

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

- 29 August 2014 CEO Sorby Hills Development
- 1 September 2014 Zone CEO Video Conference
- 4 September 2014 Meeting with Horizon Power
- 9 September 2014 Watercorp, OIC, DAA, Feb Flood Damage and future impacts for town flooding
- 11 September 2014 Pre Meeting re Regional Cabinet Meeting
- 11 September 2014 WALGA Equotes presentation, local contractors
- 12 September 2014 Meeting with Department of Transport
- 15 September 2014 SAT Tele Conference
- 17 September 2014 Young Indigenous Leadership Program IMPACT

#### **COUNCIL DECISION**

**Minute No. 10602**

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

**That Council accepts the Chief Executive Officer Reports for September 2014**

**Carried Unanimously 8/0**

#### 14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

##### **Crs King, Spackman and Wright wish to raise the matter of rescission of Motion 10547**

*NOTE: President to call for a show of hands in favour (1/3 of members) to consider the partial revoking of Council Resolution (Minute Number 10343) of Agenda Item 11.1 'Adoption of 2014/15 Fees and Charges and Elected Member Allowances' presented to the Special Council Meeting held on 18 March 2014 and recorded on page 20 of those minutes; and Council Resolution (Minute Number 10547) of Agenda Item 12.1.1 'Adoption of 2014/15 Budget' presented to the Special Council Meeting held on 2 September 2014 and recorded on page 102 of those minutes:*

##### **VOTING REQUIREMENT**

Absolute Majority

##### **RECOMMENDATION 1**

That the Council:

1. Revokes part 2 (c) of the Council Decision (Minute Number 10343) from 18 March 2014 recorded on page 20 of those minutes:

*"Pursuant to sections 5.98, 5.98A, 5.99, 5.99A of the Local Government Act 1996 and regulation 30 of the Local Government (Administration) Regulations 1996, that Council adopts the following Council Member fees and allowances for 2014/15:*

<i>Annual Attendance Fees for Council Members other than the President</i>	<i>\$15,080</i>
<i>Annual Attendance Fee for a Council Member who holds the office of President</i>	<i>\$14,500</i>
<i>Annual Allowance for a President</i>	<i>\$30,000</i>
<i>Annual Allowance for a Deputy President (25% of President's Annual Allowance)</i>	<i>\$7,500</i>

2. Revokes Council Decision (Minute Number 10547) from 2 September 2014 recorded on page 102 of those minutes:

*"That Council continues to support the previous approval for Council Member fees and allowances for 2014/15."*

**COUNCIL DECISION**

**Minute No. 10603**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That the Council:**

- 1. Revokes part 2 (c) of the Council Decision (Minute Number 10343) from 18 March 2014 recorded on page 20 of those minutes:**

***“Pursuant to sections 5.98, 5.98A, 5.99, 5.99A of the Local Government Act 1996 and regulation 30 of the Local Government (Administration) Regulations 1996, that Council adopts the following Council Member fees and allowances for 2014/15:***

<b><i>Annual Attendance Fees for Council Members other than the President</i></b>	<b><i>\$15,080</i></b>
<b><i>Annual Attendance Fee for a Council Member who holds the office of President</i></b>	<b><i>\$14,500</i></b>
<b><i>Annual Allowance for a President</i></b>	<b><i>\$30,000</i></b>
<b><i>Annual Allowance for a Deputy President (25% of President’s Annual Allowance)</i></b>	<b><i>\$7,500</i></b>

- 2. Revokes Council Decision (Minute Number 10547) from 2 September 2014 recorded on page 102 of those minutes:**

***“That Council continues to support the previous approval for Council Member fees and allowances for 2014/15.”***

**Lost 3/5**

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

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

**15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**16. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

**COUNCIL DECISION**

**Minute No. 10604**

**Moved: Cr K Wright**

**Seconded: Cr D Learbuch**

**That Council accepts the following items as urgent business:**

**16.1 Forward Capital Works Program Update**

**16.2 Development Application for the Development of Above Ground Fuel Storage and Pylon Signage Associated with a Service Station at Lot 1 Great Northern Highway, Wyndham.**

**Carried Unanimously 8/0**

## 16.1 FORWARD CAPITAL WORKS PROGRAM UPDATE

<b>DATE:</b>	23 September 2014
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Natalie Octoman, Director Corporate Services
<b>REPORTING OFFICER:</b>	Natalie Octoman, Director Corporate Services
<b>FILE NO:</b>	FM.05.2

### **PURPOSE**

For the Council to consider incorporating projects that were approved in the 2014/15 budget into the Council's Forward Capital Works Program, and to modify who the 2011/12 Regional Country Local Government Fund allocation is to be returned to.

### **BACKGROUND**

On 2 September 2014, the Council adopted the 2014/15 budget. Council decision (Minute No. 10546) requested that the CEO or their delegate was to seek a variation from the Department of Regional Development to the current funding agreements associated with Country Local Government Fund as follows:

#### **COUNCIL DECISION**

**Minute No. 10546**

**Moved: Cr G Taylor**

**Seconded: Cr B Robinson**

#### **That the Council:**

- 1. Agrees to return the Regional CLGF allocation of \$956,842 to the Department of Regional Development and Lands as the Shire no longer requires funding for key worker housing at this time; and**
- 2. Requests the CEO, or their delegate to seek a variation from the Department of Regional Development and Lands to the funding agreement requesting to transfer Shire-related funding of \$771,887 to the following projects:**
  - a. \$123,000: 2014-15 Lilly Creek Lagoon Boating Facilities: Shire Contribution**
  - b. \$212,934: 2015-16 Lilly Creek Lagoon Boating Facilities: Shire Contribution**
  - c. \$230,203: Drainage Upgrade – Konkerberry Drive**
  - d. \$26,250: Collapsed Drain, Miniata Street**
  - e. \$65,000: Seal Entry from Victoria Highway, Egret Close**
  - f. \$73,500: Reinstate Drainage Entry Points, M1 Channel, Weaber Plains Road**
  - g. \$21,000: Kerb Renewal, Townsite**
  - h. \$20,000: Finalise fit-out of new housing in Kununurra**

**Carried Unanimously 9/0**

In order for a variation to the agreements to be considered favourably, the Department of Regional Development needs to be assured that the projects are incorporated into the Council's Forward Capital Works Plan. The Department has also advised that subject to confirmation of a successful variation to the Regional CLGF; that the funds are to be returned to the Shire of Broome, as the Kimberley Zone Secretariat.

## **STATUTORY IMPLICATIONS**

### **Local Government (Administration) Regulations 1996**

#### **Part 2**

#### **10. Revoking or changing decisions (Act s. 5.25(1)(e))**

*(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —*

*(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or*

*(b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*

*(1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*

*(2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —*

*(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or*

*(b) in any other case, by an absolute majority.*

*(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

#### **Voting Requirements**

*1. To consider - 1/3 of members (3 elected members)*

*2. To revoke – absolute majority (5 elected members)*

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

If the Department of Regional Development approve the variations, there will be no funding implications as all variations have been incorporated into the 2014/15 Annual Budget.

## **STRATEGIC IMPLICATIONS**

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability.

Objective 1.4: Business innovation, efficiency and improved service

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

## **COMMUNITY CONSULTATION**

The Department of Regional Development, along with the Kimberley Zone Secretariat and the Zone CEO's (Broome, Halls Creek and Derby) have been informed of the Council decision verbally as the variations impact both individual Shire and Regional CLGF allocations. The Department of Transport have also been advised as the Lily Creek Lagoon Boating Facilities project is subject to the variation approvals from the Department of Regional Development in the first instance.

## **COMMENT**

The 2014/15 Budget was adopted by the Council at its Special Meeting on 2 September 2014 where a Council decision (Minute No. 10546) requested that a variation be sought to current funding agreements.

The variations sought affect four (4) funding agreements with the Department of Regional Development, and two (2) with the Kimberley Zone; and they are all interrelated. Signing of the funding agreement for the Lily Creek Lagoon Boating Facilities project is also subject to a favourable outcome from the Department of Regional Development.

Officers have been in discussion with the Department of Regional Development and the Kimberley Zone Secretariat as to the most appropriate and expedient method to ensure that variations to the funding agreements can be favourably considered. Advice has been received from the Department of Regional Development indicating that the projects that Council wish to utilise the Country Local Government Funds for are required to be included in the Council's Forward Capital Works Plan. Officers have also been advised that subject to a favourable outcome from the Department of Regional Development that the regional funds should be returned to the Kimberley Zone Secretariat and not to the Department of Regional Development.

The Forward Capital Works Plan for the financial years ended 30 June 2011 to 2015 was adopted by the Council on 15 March 2011. Given the development that has occurred since 2011 and the current economic climate, the Forward Capital Works Plan requires a major review, and will integrate with the review of the Long Term Financial Plan.

Officers from the Department of Regional Development have advised that providing the projects are incorporated into the next version of the Forward Capital Works Plan, and there is a Council decision to support this action, then the funding variations can be considered and may be approved subject to receiving the 2013-14 Audited Annual Financial Reports, which are currently being prepared.

If the final audited amounts vary, then adjustments will be required to the projects to ensure that both the source of funding and the expenditure match. These adjustments can be made as part of the Mid-Year Budget Review process. However, if the variation requests are approved by the Department of Regional Development, then the Shire can sign the funding agreement for the Lily Creek Lagoon Boating Facilities project with the Department of Transport.

It would be preferable for the funding agreement with the Department of Transport not to be subject to adjustments, and it is therefore recommended that any adjustments as a result of the audits are not made to the Lily Creek Lagoon Boating Facilities project. This will then allow for the funding agreement to be signed and the project commence.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Absolute Majority

## **OFFICER'S RECOMMENDATION 1**

*NOTE: President to call for a show of hands in favour (1/3 of members) to consider the partial revocation of Minute Number 10546 of Agenda Item 12.1 'Adoption of 2014/15 Budget' presented to the Special Meeting of Council held on 2 September 2014, and recorded on page 101 of the Minutes.*

That Council:

1. Revokes part 1 of Minute Number 10546 of the Agenda for Item 12.1 'Adoption of 2014/15 Budget' presented to the Special Meeting of Council held on 2 September 2014 being:

*"Agrees to return the Regional CLGF allocation of \$956,842 to the Department of Regional Development and Lands as the Shire no longer requires funding for key worker housing at this time"*

## **COUNCIL DECISION**

**Minute No. 10605**

**Moved: Cr R Dessert**

**Seconded: Cr G Taylor**

**That Council:**

1. **Revokes part 1 of Minute Number 10546 of the Agenda for Item 12.1 'Adoption of 2014/15 Budget' presented to the Special Meeting of Council held on 2 September 2014 being:**

***"Agrees to return the Regional CLGF allocation of \$956,842 to the Department of Regional Development and Lands as the Shire no longer requires funding for key worker housing at this time"***

**Carried Unanimously 8/0**

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION 2**

That Council:

1. Subject to the Department of Regional Development approving the funding agreement variation, approves the return of funds associated with the 2011-12 Regional CLGF allocation of \$956,842 to the Shire of Broome, as the Kimberley Zone Secretariat, as the Shire no longer requires funding for key worker housing at this time;
2. Acknowledges that the Shire will not be participating in the 2012-13 Regional CLGF round as the Shire no longer requires funding for key worker housing at this time;

3. Requests the CEO, or their delegate, in the variation request to the Department of Regional Development, to indicate the Council's support for the Regional CLGF monies to remain in the Kimberley region;
4. Approves the inclusion of the following projects into the Council's Forward Capital Works Plan:

Project	Amount	Source of Funds
1. 2014-15 Lily Creek Lagoon Boating Facilities: Shire Contribution	\$123,000	2012-13 Individual CLGF
2. 2015-16 Lily Creek Lagoon Boating Facilities: Shire Contribution	\$212,934	2012-13 Individual CLGF
3. Drainage Upgrade – Konkerberry Drive	\$230,203	2012-13 Individual CLGF
4. Collapsed Drain, Miniata Street	\$26,250	2012-13 Individual CLGF
5. Seal Entry from Victoria Highway, Egret Close	\$65,000	2011-12 Individual CLGF
6. Reinstate Drainage Entry Points, M1 Channel, Weaber Plains Road	\$73,500	2012-13 Individual CLGF
7. Kerb Renewal, Townsite	\$21,000	2012-13 Individual CLGF
8. Finalise fit-out of new housing in Kununurra	\$20,000	2012-13 Individual CLGF

5. Acknowledges that the Annual Financial Reports for 2013-14 are currently being prepared ready for audit;
6. Agrees that as part of the Mid-Year Budget Review, any amendments required as a result of the final audits are to be adjusted against the projects listed in item (4) above, excluding those relating to the Lily Creek Lagoon Boating Facilities project which is not to be adjusted;
7. Notes that the Forward Capital Works Plan will be reviewed and integrated with the Long Term Financial Plan for future consideration.

## **COUNCIL DECISION**

**Minute No. 10606**

**Moved: Cr G Taylor**

**Seconded: Cr B Robinson**

**That Council:**

- 1. Subject to the Department of Regional Development approving the funding agreement variation, approves the return of funds associated with the 2011-12 Regional CLGF allocation of \$956,842 to the Shire of Broome, as the Kimberley Zone Secretariat, as the Shire no longer requires funding for key worker housing at this time;**
- 2. Acknowledges that the Shire will not be participating in the 2012-13 Regional CLGF round as the Shire no longer requires funding for key worker housing at this time;**
- 3. Requests the CEO, or their delegate, in the variation request to the Department of Regional Development, to indicate the Council's support for the Regional CLGF monies to remain in the Kimberley region;**
- 4. Approves the inclusion of the following projects into the Council's Forward Capital Works Plan:**

<b>Project</b>	<b>Amount</b>	<b>Source of Funds</b>
<b>1. 2014-15 Lily Creek Lagoon Boating Facilities: Shire Contribution</b>	<b>\$123,000</b>	<b>2012-13 Individual CLGF</b>
<b>2. 2015-16 Lily Creek Lagoon Boating Facilities: Shire Contribution</b>	<b>\$212,934</b>	<b>2012-13 Individual CLGF</b>
<b>3. Drainage Upgrade – Konkerberry Drive</b>	<b>\$230,203</b>	<b>2012-13 Individual CLGF</b>
<b>4. Collapsed Drain, Miniata Street</b>	<b>\$26,250</b>	<b>2012-13 Individual CLGF</b>
<b>5. Seal Entry from Victoria Highway, Egret Close</b>	<b>\$65,000</b>	<b>2011-12 Individual CLGF</b>
<b>6. Reinstate Drainage Entry Points, M1 Channel, Weaber Plains Road</b>	<b>\$73,500</b>	<b>2012-13 Individual CLGF</b>
<b>7. Kerb Renewal, Townsite</b>	<b>\$21,000</b>	<b>2012-13 Individual CLGF</b>
<b>8. Finalise fit-out of new housing in Kununurra</b>	<b>\$20,000</b>	<b>2012-13 Individual CLGF</b>

- 5. Acknowledges that the Annual Financial Reports for 2013-14 are currently being prepared ready for audit;**
- 6. Agrees that as part of the Mid-Year Budget Review, any amendments required as a result of the final audits are to be adjusted against the projects listed in**

**item (4) above, excluding those relating to the Lily Creek Lagoon Boating Facilities project which is not to be adjusted;**

- 7. Notes that the Forward Capital Works Plan will be reviewed and integrated with the Long Term Financial Plan for future consideration.**

**Carried Unanimously 8/0**

**16.2 DEVELOPMENT APPLICATION FOR THE DEVELOPMENT OF ABOVE GROUND FUEL STORAGE AND PULON SIGNAGE ASSOCIATED WITH A SERVICE STATION AT LOT 1 GREAT NORTHERN HIGHWAY, WYNDHAM**

<b>DATE:</b>	23/09/2014
<b>PROPONENT:</b>	United Petroleum
<b>LOCATION:</b>	Lot 1 Great Northern Highway, Wyndham
<b>AUTHOR:</b>	Elle Davidson, Planning Officer
<b>REPORTING OFFICER:</b>	Louise Gee, Director Community Development
<b>FILE NO:</b>	A7431P

**PURPOSE**

For the Council to consider a development application for the development of Above Ground Fuel Storage and Pylon Signage associated with a Service Station at Lot 1 Great Northern Highway, Wyndham.

**BACKGROUND**

An application for planning approval was lodged on 15 September 2014 by United Petroleum for the development of Above Ground Fuel Storage and Pylon Signage associated with a Service Station at Lot 1 Great Northern Highway, Wyndham.

The property is located on the corner of Baker Street and Great Northern Highway and has an area of 2,678m<sup>2</sup>. The land is zoned Special Site – Service Station/Roadhouse under *Town Planning Scheme No. 6 – Wyndham Townsite (TPS6)* and contains an existing service station comprising of a main building with a retail store and workshop containing 3 working bays, bowsers under a canopy and an existing storage shed. From the aerial photography it is noted that historically the rear of the property has been accessed via an informal use of the adjoining property. This service station has not been operating for a period of time in excess of 1.5 years



Location of Subject Site

### *Proposal*

The applicant proposes to reopen the existing service station, which includes an internal fit out of the retail store area, new signage attached to the canopy and existing façade, new bowsers, a 6m pylon signage for fuel pricing and a new 69KL Diesel Self-Bunded tank and a 5KL Ad-Blue Above Ground Tank. Under *TPS6*, the internal alterations and signage attached to the building and under canopy is exempt from planning approval. Therefore, the work associated with this approval is the proposed Above Ground tanks and 6x2.2m pylon signage.

As part of the reopening of the Service Station, the application proposes to fence the rear and side boundaries and limit access to the rear of the property through a new gate to the west of the retail store. Further, 4 parking spaces are provided at the new bowsers and an additional 8 spaces are provided for staff and patrons of the retail store.

Due to the engagement of contractors associated with the proposed work to begin work at the site on 6 October 2014, Shire Officers have brought this item to Council as an urgent matter of business. Should this application not receive endorsement at the September 2014 Ordinary Council Meeting the contractors would not be available until Mid-2015 to complete the work.

### **STATUTORY IMPLICATIONS**

#### *Town Planning Scheme No. 6 – Wyndham Townsite*

The land at Lot 1 Great Northern Highway is zoned Special Site – Service Station/Roadhouse under *TPS6*. The application of Development Standards within this zone states that:

*Land within the Special Site Zone may be used for the purposes specified on the Scheme Map and the schedule in Appendix No. 3 as application to that site and for no other purpose except for a use that Council deems is incidental to the predominant use. Council may apply such development standards to a*

*proposal as it thinks fit providing such standards are not less than pertaining to similar uses permitted under the Scheme.*

A Service Station is defined as:

*Land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use, but does not include transport depot, panel beating, spray painting, major repairs or wrecking.*

The proposed business fits within the definition of a Service Station, which is the intent of the special site as outlined in Appendix 3 of *TPS6*. Under section 32 of the current Delegations Register the CEO is delegated powers and duties for Town Planning Scheme No. 7 – Kununurra and environs and therefore cannot approve any application in Wyndham.

Further, the applicant seeks concession on the number of parking spaces provided on site and for which Council consideration is also required. Under Appendix IV of *TPS6*, parking requirements for a service station are outlined and state that 2 spaces are required for every working bay and 1 bay for each employee. Council are afforded the ability to consider a variation to development standards under section 5.3 of *TPS6*, which states:

*The power conferred by this Clause may only be exercised if the Council is satisfied that:*

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

## **POLICY IMPLICATIONS**

### *Local Planning Policy 15 – Signage*

The objectives of Local Planning Policy 15 – Signage (LPP15) are to:

- Control signs in order to safeguard the visual amenity of the Shire
- Ensure safety on state lands and local thoroughfares
- Set out standards which apply to development applications for a range of different signs

A pylon sign is defined as:

*An advertisement supported by one or more piers and which is not attached to a building and includes a detached sign framework supported on one or more piers to which sign infill might be added.*

The following provisions apply to pylon signage under section 4.3.14(2):

- a) Not exceed 3.5m in width or 6m in height; and
- b) Not exceed 9m<sup>2</sup> in area.

- c) Be constructed to prevent access under the sign or have a minimum clearance of 2.6 metres.

### **FINANCIAL IMPLICATIONS**

No financial implications associated with this report.

### **STRATEGIC IMPLICATIONS**

Strategic Community Plan 2012-2022

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

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

Strategy 3.3.2: Promote greater vibrancy and activity within town centres, particularly through a mix of restaurants and accommodation

### **COMMUNITY CONSULTATION**

A copy of the application has been forwarded to Main Roads WA for comment relating to connection into Great Northern Highway. No response has been received to date, however a condition relating to an upgrading of the proposed crossovers has been recommended. The Department of Mines and Petroleum have advised that a licence for the above ground tanks will be required prior to construction.

### **COMMENT**

The site has been designated as a special site for the purpose of Service Station/Roadhouse and therefore the refurbishment and reopening of this facility complies with the intent for this property. Due to the number of staff and working bays within the workshop 9 parking bays are required and only 8 have been provided. The applicant is requesting concession for the number of parking spaces as they state the provision of parking responds to the characteristics of the site and the proposed operation of the use. Further, the applicant states that the combination of permanent and short term car parking spaces will adequately satisfy demand and that adjoining landowners will not be affected as all parking will be contained within the site. Should additional parking spaces be required, the applicant notes that the informal use of the road reserve connected to the property can be used for parking. The applicant states that the proposal responds to the spirit and purpose of the car parking requirement as the service station will largely accommodate short term stays associated with the purchase of fuel.

The proposed pylon sign also does not comply with LPP15, as the sign has a total area of 13.2m<sup>2</sup> and therefore exceeds the maximum 9m<sup>2</sup>. A concession has been sought as the proposed signage is consistent with United Petroleum operations across Australia and the size is necessary to adequately communicate the price of fuel on the site.

It is concluded that the concessions sought by the applicant are suitably addressed as they are consistent with the orderly and proper planning of the area, will not cause any adverse effect upon the occupiers or users of the development and are compliant with the spirit and purpose of the requirements.

### **ATTACHMENTS**

Attachment 1 - Plans and Submission

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council approves the planning application for Above Ground Fuel storage and a pylon sign at Lot 1 Great Northern Highway, Wyndham, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Shire.
2. A total of 8 parking spaces are to be provided, aside from the 4 bays associated with the bowsers.
3. The existing crossovers are to be upgraded to Shire and Main Roads WA specifications and satisfaction.
4. Prior to construction, the applicant is to apply for a licence for the diesel tanks from the Department of Mines and Petroleum in relation to the placement of the above ground fuel storage facility. Should this change the layout of the proposed development, further Shire approval will be required.

## **COUNCIL DECISION**

**Minute No. 10607**

**Moved: Cr K Wright**

**Seconded: Cr R Dessert**

**That Council approves the planning application for Above Ground Fuel storage and a pylon sign at Lot 1 Great Northern Highway, Wyndham, subject to the following conditions:**

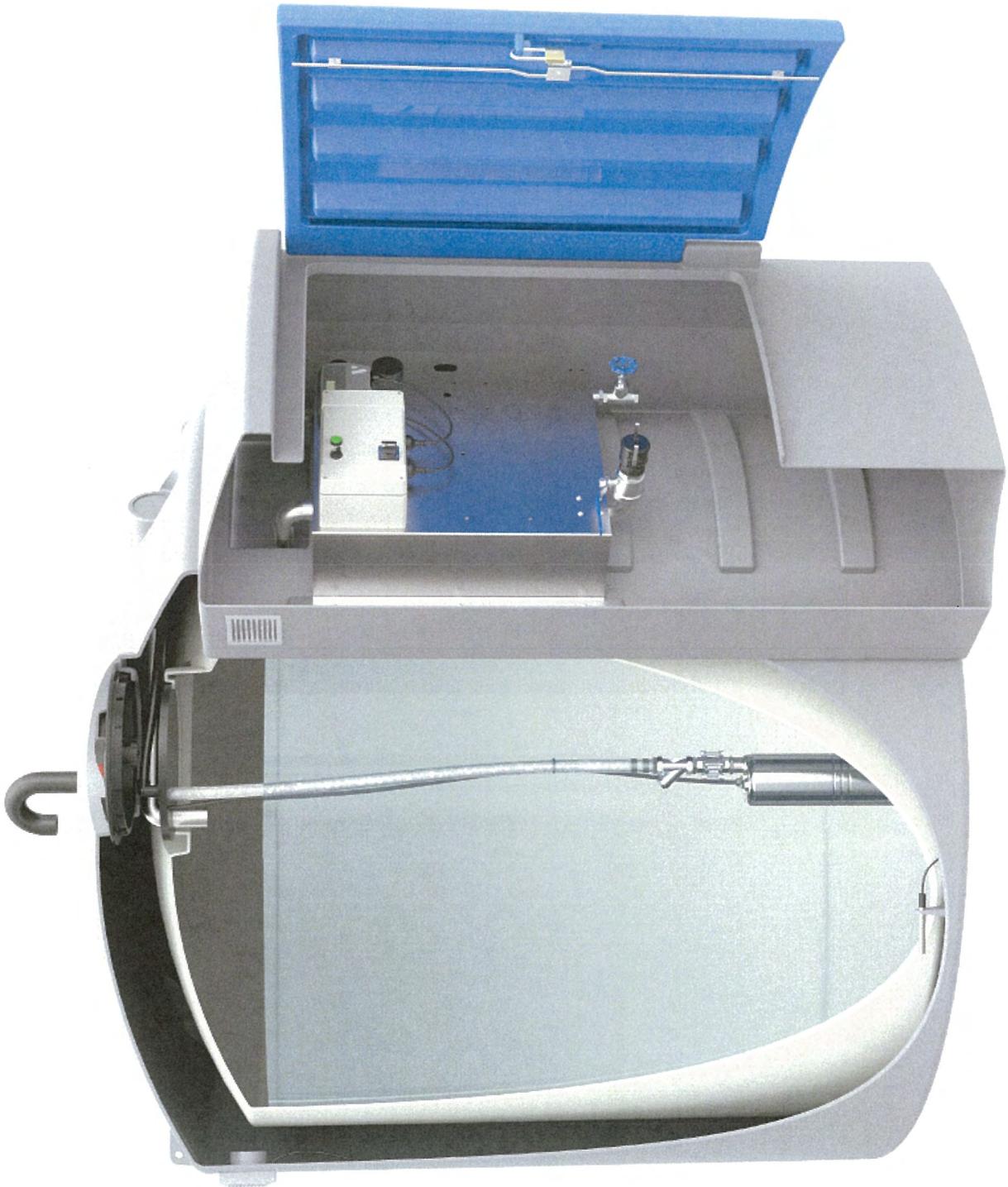
- 1. Development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Shire.**
- 2. A total of 8 parking spaces are to be provided, aside from the 4 bays associated with the bowsers.**
- 3. The existing crossovers are to be upgraded to Shire and Main Roads WA specifications and satisfaction.**
- 4. Prior to construction, the applicant is to apply for a licence for the diesel tanks from the Department of Mines and Petroleum in relation to the placement of the above ground fuel storage facility. Should this change the layout of the proposed development, further Shire approval will be required.**

**Carried Unanimously 8/0**











## Elle Davidson

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**From:** Christopher Hatcher <christopher.hatcher@unitedpetroleum.com.au>  
**Sent:** Friday, 19 September 2014 3:14 PM  
**To:** Elle Davidson  
**Cc:** Peter Seymour  
**Subject:** RE: 1 Great Northern Highway Wyndham  
**Attachments:** TP03\_PROPOSED SITE PLAN\_REV D.PDF

Thank you Elle, we do appreciate your efforts with this application.

Please advise if there is any benefit in me presenting the proposal to Councillors at the meeting on Tuesday (if your meetings allow for applicants to present)?

### Revised Site Plan

In response to your further information request please see attached a revised site plan detailing the following:

1. Three additional permanent car parking bays on-site. This takes the total number of permanent car parking bays to 7, plus 4 informal bays at the fuel bowzers, Refer to discussion below for the justification for car parking concession.
2. The retention of the existing shed. As discussed we are not seeking to undertake any works to this building at this point in time, but do not wish to demolish it.
3. Nomination of the 3 existing work bays within the workshop. As discussed United is not seeking to re-open this building at this point in time but its use has been nominated based on the historic use of the building.
4. Consequential minor increase in proposed concrete area.

We await further advice regarding the requirements for crossover upgrades.

### Car Parking Concession

Based on the provision of 3 working bays and 3 employees a total of 9 car parking spaces are required on site in accordance with Appendix IV of Town Planning Scheme No. 6 – Wyndham Townsite (TPS6). A total of 7 permanent spaces are allocated onsite, together with 4 informal spaces at the petrol bowzers.

We therefore seek a car parking concession and respond to Clause 5.3 of the planning scheme as follows:

*a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and preservation of the amenities of the locality;*

The site is allocated for service station use within the planning scheme and the proposal utilises the existing buildings on-site and is generally in accordance with the previous service station site layout. The operation of the site represents a non-intensive land use and is consistent with the orderly and proper planning of the locality. The proposed car parking provision responds to the characteristics of the site and the proposed operation of the use. The combination of permanent and short term car parking spaces will adequately satisfy demand.

*b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality;*

It is submitted that the provision of permanent and short term on-site car parking will adequately cater for demand and will not be detrimental to surrounding properties or the occupiers of the site. In the rare event that car parking provision on the site is fully utilised, there is adequate space within the adjoining Great Northern Highway road reserve to accommodate short term parking demand without detrimentally impacting on the operation of the road. The proposed car parking provision will not be detrimental to surrounding residential streets.

*c) the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.*

The proposal responds to the spirit and purpose of the requirement on the basis that the service station use will largely accommodate short term stays associated with the purchase of fuel together with the ancillary convenience store. The four petrol bowser spaces will primarily accommodate the short term stays, and the remaining 7 permanent

spaces will more than satisfy the longer term car parking demand on the site. When considered collectively, the car parking spaces adequately address the car parking provision requirements within the planning scheme.

## Signage

The proposed internally illuminated pylon fuel price board exceeds the maximum of 9m<sup>2</sup> required under Clause 4.3.14 2(b) of Councils signage policy. The pylon sign is 6 metres high by 2.2 metres wide. The signage as proposed is consistent with our operations across Australia and its size is necessary to adequately communicate the price of fuel on the site, providing adequate warning to vehicles wishing to enter the site from Great Northern Highway. The signage is appropriate for the land use proposed, and will not contribute to or support a proliferation of signage in the immediate or broader locality having regard to the site context.

If any have any further queries please contact me on the mobile.

Kind Regards



**Christopher Hatcher** | National Town Planner

United Petroleum Pty Ltd | 200 Hoddle St. Abbotsford Vic Australia 3067

P: 03 9413 1669 | M: 0433 095 836 | F: 03 9413 1401 | E: [chris.hatcher@unitedpetroleum.com.au](mailto:chris.hatcher@unitedpetroleum.com.au)

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**From:** Elle Davidson [mailto:[Elle.Davidson@swek.wa.gov.au](mailto:Elle.Davidson@swek.wa.gov.au)]

**Sent:** Friday, 19 September 2014 12:51 PM

**To:** Christopher Hatcher

**Cc:** Peter Seymour

**Subject:** RE: 1 Great Northern Highway Wyndham

Good morning Chris,

Thank you for the revised site plan. I have attached a further information request for your review. As you will note, should the matters outlined in this letter be addressed by COB today, Louise is willing to take your application as a late item to the OCM to be held on Tuesday 23 September 2014 next week.

Should you wish to discuss the further information request, please feel free to give me a call. My direct phone line is 9168 4177.

Regards

Elle Davidson  
Planning Officer

SHIRE of WYNDHAM | EAST KIMBERLEY

20 Coolibah Street, PO Box 614 Kununurra WA 6743 | T: (08) 9168 4100 | F: (08) 9168 1798 | [www.swek.wa.gov.au](http://www.swek.wa.gov.au)

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**C** Please consider the environment before printing this e-mail

**From:** Christopher Hatcher [mailto:christopher.hatcher@unitedpetroleum.com.au]  
**Sent:** Thursday, 18 September 2014 3:39 PM  
**To:** Elle Davidson  
**Cc:** Peter Seymour  
**Subject:** 1 Great Northern Highway Wyndham

Hi Elle

Further to discussions with Louise and yourself regarding the service station I had had the proposed site plan slightly modified to address some of the initial queries. Refer to the attached site plan and discussion below:

### **Underground Tanks**

The underground fuel tanks are now shown on the revised site plan. The tanks are located to the south of the fuel canopy and can be driven over by vehicles (this was queried by Louise).

The guard rail that is located to the west of the shop (nearby to where the above ground fuel tanks are proposed) was provided to protect the gas tanks that were previously sited in this location. We are not proposing to reinstate the gas tanks and that guard rail will be removed. See the attached 2010 street view with the former gas tanks.

### **Rear of the site**

Unlike the previous use of the site, the rear of the property will not be accessed by vehicles, and the side access via the adjoining property will be closed and the boundary fenced. A gate has been installed to the side of the shop to restrict access (see revised plan). Access to the workshop is provided from the front of the property.

### **Car Parking**

In accordance with Appendix IV of the planning scheme, 2 car parking spaces are required for every working bay and 1 for each employee for motor repair station/service station. The workshop accommodates up to 3 working bays and a total of 2 employees on the site. Therefore 8 spaces have been provided on-site, two to the south of the fuel canopy, two to the west of the shop and 4 at the bowsers (given that most of the car parking at the site will be short term and associated with the purchase of fuel).

I will be on the mobile for the rest of the day so feel free to call if you have any other queries after your site visit, otherwise I will phone in the morning.

Kind Regards



**Christopher Hatcher** | National Town Planner

United Petroleum Pty Ltd | 200 Hoddle St. Abbotsford Vic Australia 3067

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Elle Davidson  
Planning Officer

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Attention: Elle Davidson

12 September 2014

Dear Elle

**Re: Development Application  
Alterations to Service Station  
Lot 475,1 Great Northern highway Wyndham, East Kimberley, Western Australia**

Further to our recent discussions, United Petroleum submits this application to undertake alterations to the existing service station site near the corner of Baker st and great Northern Highway, in Wyndham, Western Australia.

We are seeking to reopen the service station and the works proposed aim to facilitate this, and include the following:

- Installation of an above ground diesel fuel storage facility measuring 12 metres in length and 2.4 metres in width.
- Internal refurbishment of the convenience store and modifications to the shopfront to improve the presentation of the building.
- Upgrade of fuel pumps, bollards and fuel forecourts underneath the fuel canopy, similar to the previous operation of the site.
- Resealing of the site, misc minor landscaping and other miscellaneous works.
- Installation of new signage as follows:
  - Internally illuminated 6 metre pylon fuel price board to the frontage
  - Painted (non-illuminated) "Diesel" sign to the new diesel canopy

Previously submitted are the following information to support the application:

- Existing building elevations
- Proposed plans comprising:
  - Proposed Site Plan
  - Proposed Elevations

200 HODDLE ST., ABBOTSFORD VIC 3067, PHONE: (03) 9413 1400, FAX: (03) 9413 1401  
P.P Box 1028, COLLINGWOOD, VIC 3066

- Proposed Canopy Plan and Elevations
- Proposed Signage
- Statement of Environmental Effects;
- Completed application form;
- Recent copy of Titles;

I understand that some history and delay have been procured in association with this particular D.A. application.

As you know there has been previous ill advised communication in relation to this particular site location that has created some awareness that a DA would not be required.

However in the meantime we have procured a substantial amount of time, effort and resources to prepare this location for immediate works.

These works are documented and resourced to commence on 6.10.2014 for all the mentioned scope of works.

Unlike any of our projects Australia wide, this has now fallen into the critical file for delivery and we ask that this application be immediately reviewed by council in this months sitting.

As you can see this facility would be highly favoured by the local community and would also generate trade within and obvious associated benefits financially in this high end remote location.

We request that as a highly visual and somewhat important commercial facility that this application be viewed with importance for the community of the local Wyndham district.

I am already aware that you and I have spoken about the late submission and I will do whatever is required to assist with the successful procurement of this project.

It is submitted that the works are appropriate to the site and context and will not generate any material detriment.

We look forward to Council's consideration of this application and should you have any queries please contact me on (03) 9413-1567 or 0438 360-350.

Yours Sincerely,

**Peter Seymour**  
**National Construction Manager**  
**United Petroleum**

**17. MATTERS BEHIND CLOSED DOORS**

Nil

**18. CLOSURE**

The Shire President declares the meeting closed at 7:21pm.