



# MINUTES

ORDINARY COUNCIL MEETING

**Tuesday  
23<sup>rd</sup> August 2016**

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## **SHIRE OF DALWALLINU**

**MINUTES** of the Ordinary Meeting of Council held at the Council Chambers, Shire Administration Centre, Dalwallinu on Tuesday, 23<sup>rd</sup> August 2016.

### **1.0 OPENING & ANNOUNCEMENT OF VISITORS**

The Chairperson (President) opened the meeting at 3.30pm.

### **2.0 ATTENDANCE RECORD**

#### **2.1 Present**

Shire President	Cr SC Carter
Deputy President	Cr KL Carter
	Cr RS Nixon
	Cr GH Sanderson JP
	Cr KM McNeill JP
	Cr IW Hyde
	Cr NW Mills
	Cr KJ Christian

#### **IN ATTENDANCE**

Acting Chief Executive Officer	Mr KT Jones
Executive Support Officer	Mrs GC Matias

#### **2.2 Apologies**

Chief Executive Officer	Mr AJR Doust
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#### **2.3 Leave Of Absence Previously Granted**

Cr AR Dickins

### **3.0 PUBLIC QUESTION TIME**

Nil

**4.0 APPLICATIONS FOR LEAVE OF ABSENCE**

**4.1 Cr NW Mills – 27<sup>th</sup> September 2016**

**MOTION 8666**

Moved Cr KM McNeill JP  
Seconded Cr KJ Christian

That the application for leave of absence of Cr NW Mills to the Ordinary Meeting of Council to be held on 27<sup>th</sup> September 2016 be approved.

**CARRIED 8/0**

**5.0 MINUTES OF PREVIOUS MEETINGS**

**5.1 Ordinary Council Meeting – 26<sup>th</sup> July 2016**

**MOTION 8667**

Moved Cr KL Carter  
Seconded Cr RS Nixon

That the Minutes of the Ordinary Meeting of Council held 26<sup>th</sup> July 2016 be confirmed.

**CARRIED 8/0**

**6.0 NOTICES OF URGENT BUSINESS**

- 6.1 (18.1) Appointment of Acting CEO – Mr Keith Jones
- 6.2 (18.2) Appointment of New CEO - Jean Maree Sutherland

**7.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED**

Nil

**8.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/  
SUBMISSIONS**

Nil

**9.0 MEMBERS REPORTS**

- 9.1 Declarations of Interest
  - 9.1.1 Cr KM McNeill JP – Proximity interest – Item 12.2

## 10.0 MATTERS FOR CONSIDERATION – WORKS

### 10.1 Award of Tender 2016-05 AGRN673 Flood Recovery Minor Works

Applicant:	Shire of Dalwallinu
File No:	RO/28 Roads- WANDRRA Flood Damage
Previous Meeting Reference:	Nil
Attachments:	CONFIDENTIAL Panel Report
Author:	Engr. Vincent Kwong
Disclosure of Interest:	Nil
Date of Report:	12 August 2016
Senior Officer:	Mr Keith Jones

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#### Purpose of Report

To consider the successful tenderer for the purpose of Flood Recovery Minor Works relating to AGRN673 Western Australia National Disaster Relief and Recovery Arrangements (WANDRRA) event.

#### Background

A surface trough triggered thunderstorms leading to heavy rainfall and widespread flooding over northern and central parts of the State during the period 22 July 2015 to 25 July 2015. The shire suffered considerable damage to its road network.

Pursuant to Section 2.1.1 of the National Disaster Relief and Recovery Arrangements (NDRRA) Determination 2012 Version 1, 'flood' is deemed to be an eligible natural disaster event.

For the purposes of the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) this event will be referred to as 'AGRN661 Surface Trough and Associated Flooding (22 July 2015 to 25 July 2015)'.

The Shire issued a request for tender for suitably qualified and experienced companies to submit their proposal to complete restoration works.

The tender was advertised State-wide on Saturday 23<sup>rd</sup> July 2016 in the West Australian. Tenders closed 2pm WST, Monday 8<sup>th</sup> August 2016. Thirty-Three (33) companies made enquiries during the tender period. Twelve (12) Companies submitted tenders by the deadline.

Tenders were received (in order of opening at the tender opening) from:

- Mining and Drilling Services Pty Ltd (16 Woodland Pl, Casuarina, WA 6160);
- WCP Civil Pty Ltd (PO Box 579 Floreat Forum, WA 6014);
- Texcom Mining & Civil (431 Harts Road Coolup, WA 6214);
- RDH “Red Dust Holdings” (62 Edward Rd, Utakarra WA 6530);
- SSP Diverse (Suite 5 178 Great Eastern Highway Ascot, WA 6104);
- Vernice Pty Ltd (920 Clackline, Toodyay Road, WA 6566);
- AC “Australian Civils” (29 Canning Highway, East Fremantle, WA 6158);
- Robbro WA Pty Ltd (61 Hoy Road, Gingin, WA 6503);
- River Hill Contracting (26 Mary St, Halls Head, WA 6210);
- BPH WA Pty Ltd (96 Farell Street, Perenjori, WA 6620)
- Road Contractors Pty Ltd (2 Ridgewood, Danesville, WA 6211)
- CCS “Consolidated Rentals” Pty Ltd (12 Meadow Court, Cooloongup, WA 6168)

### Comment

#### **Independent Specification, Administration and Assessment of Tenders**

Tenders were assessed by a panel including Vincent Kwong from Civil Engineering Project Management (CEPM) Pty Ltd. Civil Engineering Project Management Pty Ltd has been appointed by the Shire Council as the project supervisor for WANDRRA flood recovery reinstatement works. As part of the process of engaging contractors to complete tendered works, CEPM Pty Ltd:

- Received all tender specifications and documentation supplied by Dalwallinu Shire;
- Sought from the CEO confirmation of all tender documentation prior to advertising;
- Issued tender documentation and responded to any questions via the issue of addendums;
- Closed and receipted tenders; and
- Assessed tenders.

A full assessment report has been provided to Councillors as part of agenda briefing. This report is commercial in confidence. The CEPM tender assessment report fully details the tender process and assesses the qualitative assessment, weightings and costs assessment including recommendations. The assessment process effectively addresses the requirements of the Local Government Act 1995 (Functions and General) Regulation (s.3.57).

A brief summary of the report is included as part of this agenda item.

The tender assessment process included assessment of each tender by the tender panel in the following phases:

- Compliance Assessment resulting in acceptance or rejection of tenders;
- Qualitative Assessment resulting in a weighted individual score being provided for each tender;
- Price Assessment resulting in a weighted individual score for each tender; and
- Compilation of result, final consideration and assessment then recommendations based on achieving the best outcome to complete the works.



## Results of Compliance Assessment

Tenders were assessed for compliance against the specifications. Where non-conformances were identified by the panel each instance was investigated and a determination made as to the outcome.

The panel assessed each instance to determine whether it represented a major or minor non-conformance. In the instance of minor non-conformances tenders continued to be assessed based on the panel's satisfaction that the non-conformance had been resolved or did not affect the outcome of the tender.

During the assessment phase two tenders were identified as having major non-conformances. Mining and Drilling submitted an incomplete price schedule whilst Road Contracting Pty Ltd submitted a price schedule but insufficient relevant experience, key personnel, tender resources and health and safety documents. Both of these tenders could not be assessed and they were removed from consideration.

Of the remaining ten (10) tenders, seven (7) were eliminated and although the seven (7) were conforming the final score weighting made the seven (7) tenders non-competitive and were withdrawn from consideration.

All instances of non-conformance and non-competitive tenders and the outcome were identified and detailed in the confidential tender report.

## Qualitative Assessment

Qualitative assessment was undertaken by review of the information provided by tenderers based on the following weighted criteria:

Criteria	Weighting
Relevant Experience	15%
Key Personnel	10%
Tenderers Resources	20%
Safety and Health Management	5%
<b>Total Qualitative Score Available</b>	<b>50%</b>

Table 1: Qualitative Criteria

## Price Assessment

The price for tenders are based on:

- Provision by contractors of a schedule of rates for plant, equipment, personal to complete the scope;
- A schedule of rates for supply of materials to meet a specification.

All tender documents clearly detailed that rates were being assessed; quantities were indicative and there would be no guarantee as to the final quantity of work issued.

In order to assess price an indicative schedule of hours and quantities (based on the initial scope of work determined from field inspection) to complete each task was issued.

The total sums provided for tenders received were scaled by the panel to take into account the effect of a 10% allowance for use of standby rates. Tenders were then assessed using a price range formulae with the following weightings:

Criteria	Weighting
Price	50%
<b>Total Price Score Available</b>	<b>50%</b>

Table 2: Price Criteria

Please note that although 'tendered price' is a weighted component of the qualitative tender, the recommendation will not simply apply to the lowest bid. One of the main objectives of the procurement process is to manage risk and achieve best value while maximising the likelihood of delivery of the scope in the timeframe required.

### Final Shortlist of Tenderers

After completion of weighted assessment of all criteria four tenderers were identified as the final shortlist. The summary results of these top four tenderers are:

Summary Assessment RFT 2016 – 05 AGRN673 Minor Works Tender Assessment			
Tenderer:	ROBBRO	RDH	CCS Rentals
Rank based on score	1	2	3
Panel Qualitative Score/ 50	48.0	35.0	32.0
Price Formulae Score/ 50	43.29	48.28	50.0
<b>Total Score/100</b>	<b>91.29</b>	<b>83.28</b>	<b>82.00</b>
<b>Price (Ex GST)</b>	<b>\$3,164,304</b>	<b>\$2,837,269.05</b>	<b>\$2,739,764.50</b>

Table 3: Summary of top three (3) tenders scores  
(refer CONFIDENTIAL attachment for full details)

### Officer Comment

Based on the satisfactory assessment against compliance criteria and the value demonstrated in their submission resulting in their offer receiving the highest total score, it is recommended that the tender is awarded to Robbro WA Pty Ltd.

### Policy Requirements

Council Policy 3.3 Regional Price Preference

Council Policy 3.5 Purchasing Policy

### Legislative Requirements

*Section 3.57 of the Local Government Act (LGA) 1995 and the LGA Functions and General Regulations 1996 Part 4, 11 to 24G*

All stages of the process of calling and assessing tenders have been undertaken in accordance with section 3.57 of the Local Government Act (LGA) 1995 and the LGA Functions and General Regulations 1996 Part 4, 11 to 24G.

All received tenders were evaluated against a compliance criteria and non-compliant tenders were removed from consideration. Each compliant tender was assigned a score based on the tenderers capacity to meet the tender objectives. The tendered prices were assessed via a price range formulae and the results combined to give a final score and determine the most advantageous outcome to Council.

In making a final decision the attention of Council is drawn to regulation 18 (4) of the Local Government (Functions and General) Regulations, which states:

*“Tenders that have not been rejected under sub regulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them it thinks it would be most advantageous to the local government to accept.”*

The tender is recommended to be awarded to the Tenderer whose tender represents the best value for money proposition. This means that, although price is considered, the tender containing the lowest price will not necessarily be accepted, nor will the offer ranked the highest on the qualitative criteria.

### Strategic Implications

The intent of the tender is to facilitate repair to transport infrastructure affected by flood event AGRN673.

#### Sustainability Implications

##### *Environment*

Timely repair of effected roads will prevent increased/ exponential damage. Timely intervention will result in the least resource use to achieve the desired outcome of returning roads to their pre-flood condition. Delayed intervention may result in the requirement to repair accelerated deterioration or total failure of damaged roads. As a result delayed intervention would likely require additional resource use in the form of materials, labour and energy (fossil fuel).

##### *Economic*

Timely repair of effected roads will prevent increased/ exponential damage. Timely intervention will result in the most cost effective solution compared to the requirement to pay additional costs resulting from accelerated deterioration or total failure of damaged roads.

##### *Social (Community Consultation)*

Shire roads facilitate and promote movement throughout the Shire by both local and through traffic.

### Financial Implications

Tendered prices are based on a schedule of rates with the final scope and timing of works to be confirmed. Full details of price schedules provided are available in the commercial in confidence tender assessment report provided to Councillors as part of agenda briefing.

The indicative costs provided in 'Table 3: Summary of top four (4) tenders scores' below represents an indicative total cost for each tender based on their schedule of rates prices, with the same indicative scenario utilised for all tenderers.

As the contract is based on a schedule of rates there is no guarantee of the quantity of work to be awarded to the successful tenderer or that any work will be awarded at all.

Eligible costs of restoration works are claimable under the WANDRRA program subject to the Shire meeting program eligibility and compliance requirements for each component of work completed.

Eligible costs are claimed back after proof of expenditure is provided and there can be some time in between the Shire lodging a claim and reimbursement being made.

Funds have been allocated in the 2016/17 Budget to ensure adequate cash flow is allowed to cover expenditure before WANDRRA funding income is received.

### Voting Requirements

Absolute Majority

Officer Recommendation/Resolution

**MOTION 8668**

Moved Cr KL Carter  
 Seconded Cr NW Mills

That the Council awards tender '2016-05 AGRN673 Flood Recovery Minor Works' to Robbro WA Pty Ltd and authorises the Chief Executive Officer to finalise and execute a contract to complete the works in accordance with the specifications and submitted schedule of rates as below:

Item	Description	Capacity	Mob / Demob	Tendered Rate	Standby Rate	Unit	Indicative	Standby Rate Factor	Total	Total GST	Total	
			(ex GST)	(ex GST)	(ex GST)		Quantity	10.0%	(ex GST)	(inc GST)		
1.0	<b>Large Plant (including all costs such as operator, fuel, services and overheads)</b>											
1.1	Grader (Cat 140G or equivalent)	CAT140H	\$ 200.00	\$ 148.00	\$ 35.00	/hour	2100hrs	130hrs	\$ 315,350	\$ 31,535.00	\$346,886.00	
1.2	Water Truck (30,000 litre)	30,000litres	\$ 200.00	\$ 128.00	\$ 30.00	/hour	1600hrs	85hrs	\$ 207,350	\$ 20,935.00	\$228,085.00	
1.3	Tipper (10m³)	Isuzu	\$ 200.00	\$ 110.00	\$ 30.00	/hour	1050hrs	800hrs	\$ 117,900	\$ 11,940.00	\$129,690.00	
1.4.1	Side Tipper (17m³)	Triaxle	\$ 250.00	\$ 130.00	\$ 30.00	/hour	2100hrs	130hrs	\$ 276,900	\$ 27,690.00	\$304,590.00	
1.4.2	Truck and Trailer	MACK7 Trailer	\$ 200.00	\$ 130.00	\$ 30.00	/hour	2100hrs	130hrs	\$ 276,900	\$ 27,690.00	\$304,590.00	
1.5	Vib steel Roller (7t)	CAT 2004	\$ 200.00	\$ 128.00	\$ 30.00	/hour	1100hrs	85hrs	\$ 143,350	\$ 14,335.00	\$157,685.00	
1.6	Multi rubber tyre (15t)	Multi Pack VP2400	\$ 200.00	\$ 128.00	\$ 30.00	/hour	1100hrs	65hrs	\$ 142,750	\$ 14,270.00	\$157,025.00	
1.7.1	Skid Steer Loader	Bobcat SI85	\$ 100.00	\$ 105.00	\$ 35.00	/hour	700hrs	20hrs	\$ 74,100	\$ 7,410.00	\$ 85,510.00	
1.7.2	Loader (Cat 955 or equivalent)	CHT 9024	\$ 250.00	\$ 145.00	\$ 35.00	/hour	1260hrs	90hrs	\$ 185,850	\$ 18,585.00	\$204,435.00	
1.8.1	Excavator (15t)	Komatsu	\$ 200.00	\$ 130.00	\$ 35.00	/hour	200hrs	15hrs	\$ 26,525	\$ 2,652.50	\$29,177.50	
1.8.2	Excavator (20t)	Hyundai LC21	\$ 250.00	\$ 140.00	\$ 35.00	/hour	500hrs	18hrs	\$ 70,630	\$ 7,063.00	\$ 77,693.00	
1.9	Dozer (Cat D7 or equivalent)	DTR-2	\$ 450.00	\$ 225.00	\$ 35.00	/hour	1050hrs	25hrs	\$ 237,125	\$ 23,712.00	\$260,837.50	
1.10	Backhoe Loader	CAT 2010	\$ 250.00	\$ 125.00	\$ 30.00	/hour	630hrs	15hrs	\$ 7,920.00	\$ 7,920.00	\$ 87,120.00	
		<b>Total Mob/demob</b>	<b>\$2,950.00</b>						\$ 2,750	\$ 275.00	\$ 3,025.00	
				<b>Total Cost of Large Plant (including Mob/demob)</b>						<b>\$ 2,156,680</b>	<b>\$215,668.00</b>	<b>\$2,372,348.00</b>

2.0	<b>Small Plant (including all costs such as operator, fuel, services and overheads)</b>										
2.1	Plate Compactor	500kg	\$ 50.00	\$ 350.00	\$ 20.00	/day	20 days	2days	\$ 7,040.00	\$ 704.00	\$ 7,744.00
2.2	Cement Mixer	75mtr	\$ 50.00	\$ 220.00	\$ 20.00	/day	30days	3days	\$ 6,060.00	\$ 606.00	\$ 6,666.00
	<b>Total Mob/demob</b>		<b>\$ 100.00</b>						\$ 100.00	\$ 10.00	\$ 110.00
				<b>Total Cost of Small Plant (including Mob/demob)</b>					<b>\$ 13,200.00</b>	<b>\$ 1320.00</b>	<b>\$ 14,520.00</b>
3.0	<b>Labour (including all costs such as Superannuation, Penalties, Loadings, Overheads, Mobilisation, Accommodation, Meals)</b>										
3.1	Supervisor with Vehicle	HiLux Ute	\$ -	\$ 85.00	NA	/hour	2500hrs	NA	\$ 212,500.00	\$ 21,250.00	\$ 233,750.00
3.2	Labourer			\$ 68.00	NA	/hour	630hrs	NA	\$ 42,840.00	\$ 4,824.00	\$ 47,124.00
3.3	Traffic Controller with vehicle & Signs	HiLux Ute	\$ -	\$ 78.00	NA	/hour	2100hrs	NA	\$ 160,800.00	\$ 16,080.00	\$ 180,180.00
3.4	Additional Traffic Controller		\$ -	\$ 65.00	NA	/hour	1050hrs	NA	\$ 68,250.00	\$ 6,825.00	\$ 27,075.00
					<b>Total Cost of Labour</b>				<b>\$ 487,390.00</b>	<b>\$ 48,739.00</b>	<b>\$ 536,129.00</b>
4.0	<b>Preliminaries</b>										
4.1	Comply with contract		-	\$ 3,200.00	NA	/item	1		\$ 3,200.00	\$ 320.00	\$ 3,520.00
4.2	Traffic Management Plans		-	\$ 400.00	NA	/item	6		\$ 2,400.00	\$ 240.00	\$ 2,640.00
4.3	Environment Management Plan		-	\$ 400.00	NA	/item	5		\$ 2,000.00	\$ 200.00	\$ 2,200.00
4.4	Service Locations		-	\$ 100.00	NA	/item	30		\$ 3,000.00	\$ 200.00	\$ 2,200.00
4.5	Other Costs 1			\$				Ohrs			
4.6	Other Costs 2			\$				Ohrs			
					<b>Total Cost of Preliminaries</b>				<b>\$ 10,600.00</b>	<b>\$ 1,060.00</b>	<b>\$ 11,660.00</b>

Item	Description	Tendered Rate (ex GST)	Unit	Indicative	Total (ex GST)	Total GST	Total (inc GST)
				Quantity			
5.0	<b>Materials</b>						
5.1	Provisional Sum for gravel royalty paid to local land owners and supplied from local sources	\$ 1.50	/tonne	20,000 tonne	\$ 135,000.00	\$ 13,500.00	\$ 14,850.00
5.2	Contractor mark-up on gravel royalty for gravel supplied from local or commercial sources (%)	10%			\$ 13,500.00	\$ 1,350.00	\$ 1,485.00
5.3	Guide Posts	\$ 10.95	/each	200 each	\$ 3,390.00	\$ 3,390.00	3,729.00
5.4	Graded Rock (RIPRAP) 100 - 150mm	\$ 30.00	/tonne	330 tonne	\$ 9,900.00	\$ 990.00	\$ 10,840.00
5.5	25 Mpa Concrete	\$ 430.00	/m <sup>3</sup>	54 m <sup>3</sup>	\$ 23,220.00	\$ 2,322.00	\$ 25,540.00
5.6	Geofabric (Bidim A24 or equivalent)	\$ 2.50	/m <sup>2</sup>	300 m <sup>2</sup>	\$ 750.00	\$ 75.00	\$ 425.00
5.7	Water Supply cost	\$ 3.20	/kilolitre	6,000 kl	\$ 19,200.00	\$ 1,920.00	\$ 21,120.00
5.8	Contractor mark-up on water supply cost (%)	20%			\$ 3,840.00	\$ 348.00	\$ 4,420.00
5.9	Other Cost 1	\$	/unit 1		\$ -	\$ -	\$ -
5.10	Other Coss 2	\$	/unit 2		\$ -	\$ -	\$ -
5.11	Other Cost 3	\$	/unit 3		\$ -	\$ -	\$ -
<b>Total Cost of Materials</b>					<b>\$ 208,800.00</b>	<b>\$ 20,880.00</b>	<b>\$ 229,680.00</b>

I/We have checked all calculations and understand that if there are any errors identified in the tender Assessment process, our submitted Tender Rate (ex GST) will be utilised for assessment purposes and the tender assessment panel may adjust the calculation on this basis.

#### Summary of All Costs

<b>Total Cost of Large Plant</b>	<b>\$ 2,156,680.00</b>	<b>\$ 215,668.00</b>	<b>\$ 2,372,348.00</b>
<b>Total Cost of Large Plant</b>	<b>\$ 13,200.00</b>	<b>\$ 1320.00</b>	<b>\$ 14,520.00</b>
<b>Total Cost of Labour</b>	<b>\$ 487,390.00</b>	<b>\$ 48,739.00</b>	<b>\$ 536,129.00</b>
<b>Total Cost of Preliminaries</b>	<b>\$ 10,600.00</b>	<b>\$ 1,060.00</b>	<b>\$ 11,660.00</b>
<b>Total Cost of Materials</b>	<b>\$ 208,800.00</b>	<b>\$ 20,880.00</b>	<b>\$ 229,680.00</b>
<b>Total of All Costs</b>	<b>\$ 2,876,640.00</b>	<b>\$ 287,664.00</b>	<b>\$ 3,164,304.00</b>

**CARRIED BY ABSOLUTE MAJORITY 8/0**

## 10.2 Greening Australia (WA) – Collection of Seeds

Applicant:	Greening Australia (WA)
File No:	EM/7 – Environment Management - Permits
Previous Meeting Reference:	Works & Plant Committee Meeting – 16 <sup>th</sup> August 2016
Attachments:	Nil
Author:	Mr Tony Doust
Disclosure of Interest:	Nil
Date of Report:	1 <sup>st</sup> August 2016
Senior Officer:	Mr Keith Jones

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### Purpose of Report

To consider an application from Greening Australia (WA) for permission to collect native plant seeds from land managed or vested in the Shire of Dalwallinu.

### Background

The following application has been received:-

*On behalf of Greening Australia WA (GAWA), I am seeking permission to collect native seed from within reserves vested to your shire.*

*I request permission for relevant, appointed staff of GAWA, involved in our valuable land rehabilitation programs.*

*All staff employed by GAWA undergo significant training in all aspects of seed collection and are licensed under the Wildlife Conservation Act (1950). Any person collecting seed on behalf of GAWA is required to abide by the conditions of this license.*

*Seed collected from within your reserves will be utilised in strategic re-vegetation projects throughout the region, and will directly benefit the community as a whole. Some seed may also be used for the purposes of research into best practice re-vegetation and development of tree cropping programs for the region.*

*We are seeking this permission for a twelve (12) month period beginning July 2016.*

### Comment

Council has previously granted approval to Greening Australia (WA) to take seeds from shire property. The last approval was for 12 months in June 2015.

It is recommended that approval be again granted as per the past conditions:-

- All persons collecting seed to be licensed according to the Wildlife Conservation Act (1950) and abide by the conditions of the licence.
- Approval is for a twelve (12) month period commencing 1 July 2016
- Collection to be by Greening Australia (WA) staff members only.
- Appropriate hygiene measures to be followed at all times to prevent the spread of plant disease and weeds.
- All care to be taken to avoid disturbance of fauna habitat.
- All care to be taken to avoid any disturbance that may lead to soil degeneration.



Policy Requirements

Nil

Legislative Requirements

Nil

Strategic Implications

Nil

Sustainability Implications

*Environment*

Provided strict conditions are followed there should be no impact on the environment.

*Economic*

There are no known economic impacts.

*Social (Community Consultation)*

No consultation has been taken.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer/Committee Recommendation/Resolution

**MOTION 8669**

Moved           Cr RS Nixon  
Seconded       Cr KM McNeill JP

That permission be granted to Greening Australia (WA) to collect native plant seed from reserves vested in the Shire of Dalwallinu subject to the following conditions:

- All persons collecting seed to be licensed according to the Wildlife Conservation Act (1950) and abide by the conditions of the licence.
- Approval is for a twelve (12) month period commencing 1 July 2016.
- Collection to be by Greening Australia (WA) staff members only.
- Appropriate hygiene measures to be followed at all times to prevent the spread of plant disease and weeds.
- All care to be taken to avoid disturbance of fauna habitat.
- All care to be taken to avoid any disturbance that may lead to soil degeneration.

**CARRIED 8/0**

### 10.3 Great Northern Highway – Miling straight to Pithara Realignment

Applicant: Main Roads Western Australia  
File No: RO/19  
Previous Meeting Reference: Works & Plant Committee Meeting – 16<sup>th</sup> August 2016  
Attachments: Nil  
Author: Mr Tony Doust

Disclosure of Interest: Nil  
Date of Report: 1<sup>st</sup> August 2016  
Senior Officer: Mr Keith Jones

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#### Purpose of Report

To consider a request received from Main Roads WA seeking Council's approval for the dedication of land to be acquired from property owners for the widening works on a section of the Great Northern highway within the boundary of the Shire of Dalwallinu.

#### Background

Improvement works are proposed on the Great Northern Highway "Pithara" Realignment SLK 208.7 to 225.20

Man roads have advised accordingly:-

*MRWA will be upgrading and realigning the great Northern Highway between Mulchea and Wubin. The works are part of the Perth to Darwin National Highway project. Construction will be carried out in stages.*

*Council at its Ordinary Meeting held on 23 February 2016, resolved and dedicated the roads shown on various Main Roads plans for the Miling straight section. Work is nearing commencement on that section.*

*Work in the Pithara section is scheduled to commence late in October this year.*

*There will be a requirement to widen the existing highway, and construct new roads on new alignments. Where an existing road becomes redundant, it is proposed to close and amalgamated the old road into adjoin properties.*

*Road widenings will be required ex. Crown Reserves 21195 and 25571. Both reserves are managed by the Shire of Dalwallinu.*

*In order to dedicate the new roads, and close the redundant road, a council resolution will be required pursuant to sections 56 and 58 of the Land Administration Act 1997 (LAA).*

*MRWA requests the Shire pass a council resolution to dedicate the roads and road widenings for the Pithara section, and provide the following: -*

- *Pursuant to section 56 of the LAA, resolve to dedicate the roads and road widenings shown on Main Roads land Dealing Plan numbers 1660-086 to 1660-093 (copies attached)*

- *Consent to the excision and dedication of the road widenings ex Reserves 21195 and 25571 as shown on plan 1660-091*
- *Comments and support for the dedication of the road widenings ex reserves 24671, 17626, and 17038 as shown on plans 1660-090 and 1660-091.*

*MRWA indemnifies the Shire against any costs or claims that may arise as a result of the dedications in accordance with section 56(4) of the LAA.*

*With respect to the road closure depicted on plan 1660-088 (copy attached), part of the abutting land is Reserve 10969, which is set aside for “Parkland,” and is managed by the Shire.*

*MRWA is seeking the Shire’s comments and agreement to amalgamate the closed road adjacent to reserve 10969, into the reserve. MRWA will pay the costs associated with the amalgamation.*

*The portion of the road adjacent to Lot 1541 is proposed to be amalgamated into Lot 1541.*

*MRWA requests the Shire to commence the road closure process in accordance with Section 58 of the LAA. Please advise if a fee will be charged for the advertising and referrals for the road closure, and if so, what the cost will be.*

*Subject to there being no objections to the road closure. Please request council to resolve to close the road pursuant to section 58 of the LAA, as depicted on the above plan.*

Comment

The proposal appears to be satisfactory given that Main Roads have approached the landholders affected by the widening and land acquisitions.

Policy Requirements

Nil

Legislative Requirements

Land administration Act 1997 – Sections 56 and 58

Strategic Implications

Road improvements on the major road between Perth and Dalwallinu is of benefit to this Shire.

Sustainability Implications

*Environment*

Any environment issues to be addressed by Main Roads WA.

*Economic*

Improved road conditions.

*Social (Community Consultation)*

Main Roads WA consultation with landowners affected.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer/Committee Recommendation/Resolution

**MOTION 8670**

Moved           Cr NW Mills  
Seconded       Cr RS Nixon

The Council resolves to: -

1. Pursuant to Section 56 of the LAA, resolve to dedicate the roads and road widenings shown on Main Roads Land Dealing Plan numbers 1660-086 to 1660-093 (copies attached)
  - Consent to the excision and dedication of the road widening's ex Reserves 21195 and 22571 as shown on plan 1660-091;
  - Comments and support for the dedication of the road widenings ex Reserves 24671, 25571, and 17038 as shown on plans 1660-090 and 1660- 091.
2. Agrees to the portion of the road to closed adjacent to Reserve 10969 being included in the reserve subject to Main Roads Western Australia preparing the necessary documentation required and meeting all costs associated with this change.
3. Main Roads (WA) providing the documentation for the Shire of Dalwallinu to commence the road closure requirements and meeting all the costs associated with the closing process.

**CARRIED 8/0**

## 10.4 Footpath - Glowery Street, Wubin

Applicant: Shire of Dalwallinu  
File No: CU/1 – Public Reaction - Requests  
Previous Meeting Reference: Ordinary Council Meeting 26 July 2016; Works & Plant Committee Meeting – 16<sup>th</sup> August 2016  
Attachments: Nil  
Author: Mr Alex Richardson  
  
Disclosure of Interest: Nil  
Date of Report: 10<sup>th</sup> August 2016  
Senior Officer: Mr Keith Jones

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### Purpose of Report

To consider a request to upgrade the footpath on the south side of Glowery Street, Wubin.

### Background

The following request has been received from PJ Nankivel and PM Wasley – Wubin.

*“Of the thirteen people living in Arthur Street, seven (7) are aged seventy-six years or older and one is confined to a wheelchair. People staying at the motel have to use this street to go to the service station for meals.*

*Tourist noticing the bread tins, rolling pin and biscuit cutters are asking if the bakery is still there and when told there is a garage, butcher shop, Old Wubin Trading Company shop, Billiard Saloon, Hall and house that was community built for Mrs Smith and her three (3) daughters to live in after her husband was murdered.*

*Tourist are taking to walking to Arthur Street to better absorb the atmosphere.*

*Could the Shire Council please consider an upgrade of the footpath on the south side of Glowery Street so tourist and residents can enjoy a safe walk.”*

The recommendation from the meeting 26 July 2016 that Council staff provide cost estimates for options to remedy the footpath.

Funding has been provided in the Draft Budget estimates for footpath improvement within the Shire, however, the Council has not identified any specific project at this time.

The cost for each option is,

1. Concrete footpath surface, the contractor's quote of \$10,494.00 plus GST. The contractor will supply and lay the concrete. Shire staff will prepare the site. The total cost for this option is \$16,734.00.
2. Asphalt footpath surface, the contractor's quote of \$8,646.00 plus GST. The contractor will supply asphalt and compact to 25mm thickness. Shire staff will prepare the site. The total cost for this option is \$10,726.00.
3. Stabilized gravel footpath surface, shire staff will mix and compact gravel with cement to produce a smooth surface suitable for wheel chair and pedestrian traffic. The total cost of this option is \$2,480.00.
4. Remedial patching to make the surface uniform for wheelchair access and pedestrian traffic. The total cost of this option is \$2,780.00.

#### Comment

The officer believes concrete is a longer lasting product and a higher quality with less maintenance issues going into the future.

#### Policy Requirements

Disability and Access Inclusion Plan - Outcome 2 - The Shire has a new paths and replacement path programme. As new paths are fitted and/or replaced, they will be fitted with tactile and access ramps

#### Legislative Requirements

Comply with Disability Discrimination Act 2004

#### Strategic Implications

No specific strategy.

#### Sustainability Implications

##### *Environment*

Nil

##### *Economic*

Nil

##### *Social (Community Consultation)*

Nil

#### Financial Implications

There is provision within the Draft Budget estimates for footpath improvement of \$60,000.00 within the Shire, however, the Council has not identified any specific project at this time.

#### Voting Requirements

Simple Majority

Officer Recommendation

For Committee consideration and recommendation to Council.

Committee Recommendation/Resolution

**MOTION 8971**

Moved           Cr KM McNeill JP  
Seconded       Cr KL Carter

That upgrade to the footpath on the south side of Glowery Street, Wubin be carried out using a concrete surface, the contractor's quote of \$10,494.00 plus GST. The contractor will supply and lay the concrete. Shire staff will prepare the site. The total cost for this option is \$16,734.00.

**CARRIED 7/1**

## 11.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES

Nil

## 12.0 MATTERS FOR CONSIDERATION – TOWN PLANNING

### 12.1 Development Application (DA 021617) – Proposed Shed

Applicant: JM Cochrane  
File No: DA 021617  
Previous Meeting Reference: Community Services & Economic Development Committee Meeting – 16<sup>th</sup> August 2016  
Attachments: Nil  
Author: Mr Doug Burke  
  
Disclosure of Interest: Nil  
Date of Report: 11<sup>th</sup> August 2016  
Senior Officer: Mr Keith Jones

#### Purpose of Report

To consider an application for approval to allow for proposed additions to an existing dwelling as submitted by the applicant on the 29<sup>th</sup> July 2016.

The proposal requires planning approval as it does not comply with the deemed-to-satisfy provisions of the *State Planning Policy 3.1 – Residential Design Codes (R-Codes)*.

It is recommended that the proposed development be approved subject to conditions.

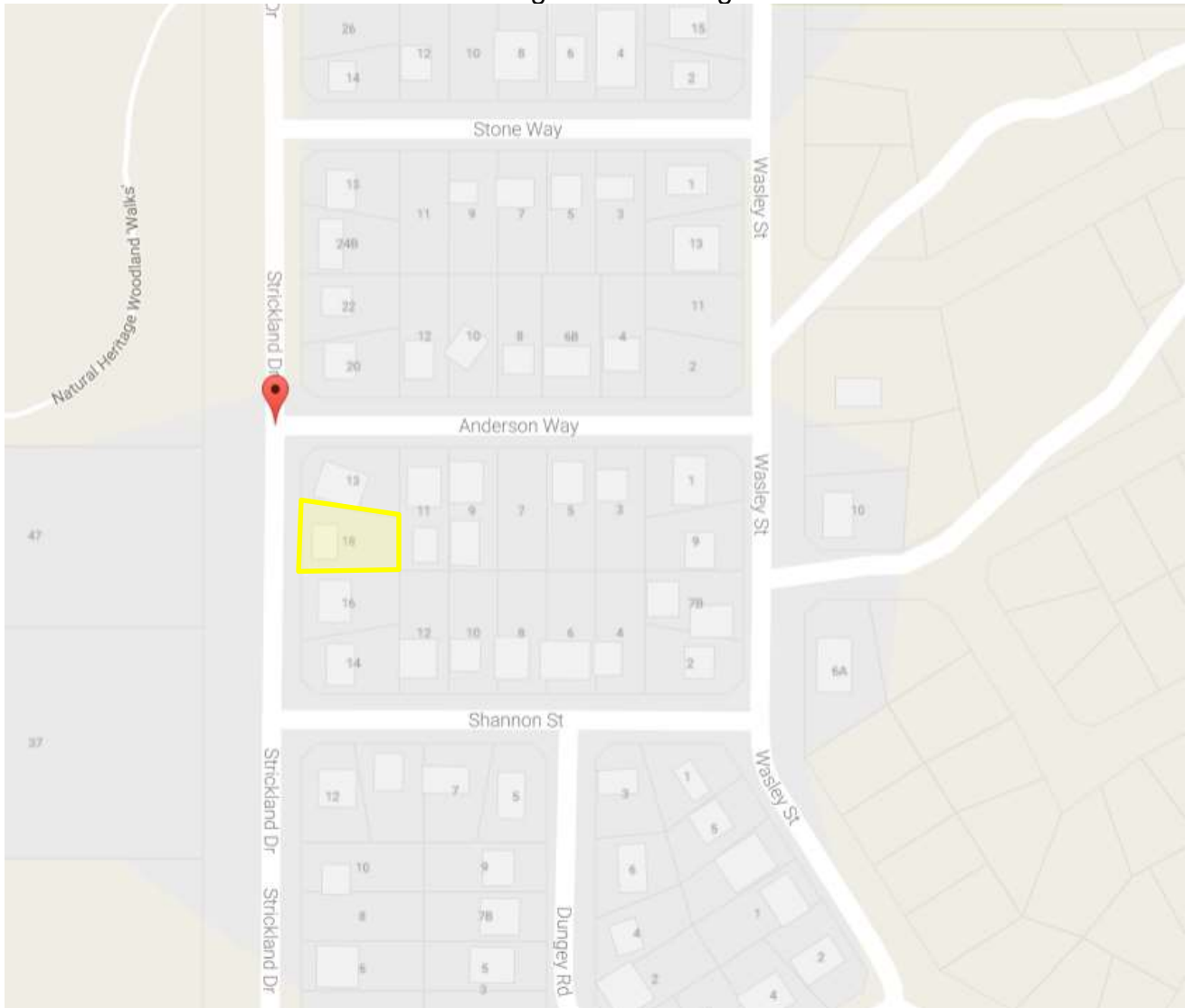
#### Background

Subject Property: N<sup>o</sup>.18 Strickland Drive (Lot 335), Dalwallinu  
Land Use Zoning: Residential 10/30  
Property Owner: JM Cochrane  
Applicant: Owner  
Consent Authority: Shire of Dalwallinu Council  
Proposed Development: Construction of a shed  
Value of Development: \$10K  
Outside Consultation: Nil

The proposal is for the construction of a shed on the subject site. The shed will be constructed onsite from new materials. The building will be located to the rear of the existing dwelling. The dimensions are 9,000mm (L) x 7,000mm (W) x 4,450mm (H) with 3,000mm to the eaves.



The steel framed/clad building will be constructed with a 2,000mm setback to the side boundary. The cited purpose for the building is to store vehicles and tools. Access to the building will be by way of the three open portals on the western side. The property adjoins other residential allotments and has a single road frontage.



*Location of subject development site (google map)*

### Comment

The proposed development would normally be considered under the R-Codes for a building permit - if it complied with the inherent deemed-to-comply provisions. Part 6 of the R-Codes permit outbuildings without prior planning approval if:

- |   |  | <u>Comment</u> |
|---|--|----------------|
| <ul style="list-style-type: none"><li>• The floor area does not exceed 60m<sup>2</sup>.</li><li>• Wall height does not exceed 2.4m.</li><li>• Ridge height does not exceed 4.2m</li><li>• Minimum open space of 45%.</li><li>• Setbacks from boundary @ 1,500mm</li><li>• Not within the primary or secondary street setback.</li></ul> | <ul style="list-style-type: none"><li>- <b>Non-compliant.</b> Floor area of proposal is 63.0m<sup>2</sup>.</li><li>- <b>Non-compliant.</b> Wall height to eaves is noted as 3.0m.</li><li>- <b>Non-compliant.</b> Ridge height will be 4.45m from finished ground level.</li><li>- <b>Compliant.</b> There will remain approximately 75.5% open space.</li><li>- <b>Compliant.</b> Nominal setback @ 2,000mm</li><li>- <b>Compliant.</b></li></ul> |                |

The application has been assessed in accordance with the requirements of the *Planning & Development Act 2005* (the Act) and the associated regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Act and associated regulations;
- A site inspection was conducted and consideration has been given to the potential impacts upon all lands adjoining or located nearby.



*18 Strickland Drive, Dalwallinu (Google Earth)*

## Policy Requirements

Nil

## Legislative Requirements

The *Planning and Development Act 2005* directs that that any development referred to within the Scheme is not to be commenced or carried out without approval being obtained. Any determination of an application for such development is to be considered under those matters referred to in the *Planning and Development (Local Planning Schemes) Regulation 2015*.

In considering an application for development approval Council is to have due regard to the following matters to the extent that, in the opinion of Council, those matters that are relevant to the development the subject of the application. In assessing the development application, the matters listed in Section 67 of the *Planning and Development (Local Planning Schemes) Regulation 2015* have been taken into consideration for the preparation of this report and are addressed as follows:

'Matters for Consideration'	Comments
The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area	The following Schemes are applicable: <ul style="list-style-type: none"><li>• <i>Shire of Dalwallinu Planning Scheme N<sup>o</sup> 2</i></li></ul>
The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving.	<ul style="list-style-type: none"><li>• There are no proposed amendments in progress that would affect a determination.</li><li>• There are no other planning instruments currently being considered.</li></ul>
Any approved State planning policy	State Planning Policy 3.1 Residential Design Codes. Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform to the provisions of those Codes.
Any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	Nil applicable

Any policy of the Commission	Nil applicable
Any policy of the State	Nil applicable
Any local planning policy for the Scheme area	<p>Policy 1- Offensive Uses: Not applicable</p> <p>Policy 2 – Fences: Not applicable</p> <p>Policy 3 – East Pithara Road: Not applicable</p> <p>Policy 4 - Stables: Not applicable</p> <p>Policy 5 - Moveable Buildings: Not applicable</p> <p>Policy 6 - Aged Accommodation: Not applicable</p> <p>Policy 7 – Verandahs over Footpaths: Not applicable</p>
Any structure plan, activity centre plan or local development plan that relates to the development	Nil applicable
Any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	Nil applicable
In the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	Not applicable
The built heritage conservation of any place that is of cultural significance;	No items of cultural significance noted
The effect of the proposal on the cultural heritage significance of the area in which the development is located;	Nil impact
The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the effect of the height, bulk, scale, orientation and appearance of the development	<p>The proposed development is regarded as being suitable in the context of its siting in an established Residential area.</p> <p>The streetscape would not be overly despoiled by any perceived loss of visual amenity.</p>
The amenity of the locality including the following — (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development	Having regard to its location and the overall assessment of the proposal as contained in this report the site will adequately accommodate the proposed works in that:

	<ul style="list-style-type: none"> <li>• The proposed development will not create any unreasonable detrimental impacts on adjoining or nearby properties;</li> <li>• The subject site is not subject to any natural hazards that would prohibit the construction and operation of the development in the proposed form.</li> </ul>
The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	Nil impact
Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	There is no evidence of significant trees or other vegetation of note that should be retained.
The suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk	The land does not have a history of experiencing these types of events.
The suitability of the land for the development taking into account the possible risk to human health or safety	No health or safety issues identifiable.
the adequacy of — (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles	Nil impact
The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety	No identified issues
The availability and adequacy for the development of the following — (i) public transport services;	i) No public transport services available

(ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability	ii) Water, sewerage and electricity services are available iii) Solid waste can be adequately stored and removed from site. iv) N/A v) N/A
The potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	Nil identified
The history of the site where the development is to be located	The site is occupied by a single storey residence
The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	Nil identified
Any submissions received on the application	Nil
The comments or submissions received from any authority consulted under clause 66	Not applicable
Any other planning consideration the Council considers appropriate	Nil identified

Council may determine an application for development approval by —

- (a) granting development approval without conditions; or
- (b) granting development approval with conditions; or
- (c) refusing to grant development approval.

#### Strategic Implications

Nil identified

#### Sustainability Implications

##### *Environment*

There are no known environmental implications.

##### *Economic*

There are no known economic implications.

##### *Social (Community Consultation not indicated for this activity)*

There are no known social implications.

#### Financial Implications

Nil

Voting Requirements

Absolute Majority

Officer/Committee Recommendation/Resolution

**MOTION 8672**

Moved           Cr KM McNeill JP

Seconded       Cr IW Hyde

That Council:

1. Approve the development application (DA 021617) pursuant to Section 68(2) of the *Planning and Development (Local Planning Schemes) Regulation 2015* subject to the following conditions:
  - a) The development is to be carried in accordance with the documents endorsed with the Shire's stamp, except where amended by other conditions of this consent. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency, and
  - b) Without further approval from Shire of Dalwallinu Council, in writing, this approval will lapse and have no force or effect unless the use or development permitted is substantially commenced within two years of the date of this permit, and
  - c) The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the *Building Code of Australia*, and
  - d) During the construction of the development, the Applicant shall implement suitable public safety and site security control measures.
  - e) All stormwater collected from the development roof catchment must be managed so as not to have a detrimental effect on the footings of the development or on neighbouring property.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**3.50pm Cr KM McNeill JP declared a proximity interest and left the Council Chambers.**

**12.2 Subdivision Application – SD 011617: 2 Cousins Road, Dalwallinu**

Applicant:	Mark Spencer
File No:	SD011617
Previous Meeting Reference:	Community Services & Economic Development Committee Meeting – 16 <sup>th</sup> August 2016
Attachments:	Nil
Author:	Mr Doug Burke
Disclosure of Interest:	NTD
Date of Report:	11 August 2016
Senior Officer:	Mr Keith Jones

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Purpose of Report

The Western Australian Planning Commission has referred an application for the subdivision of the subject property to Council for comment (refer to attachment 5.3). Council has until the 16<sup>th</sup> September 2016 to provide the Western Australia Planning Commission with their response.

The recommendation is that the Western Australian Planning Commission be advised that the Shire of Dalwallinu has no objection to the proposed freehold subdivision; subject to any given conditions.

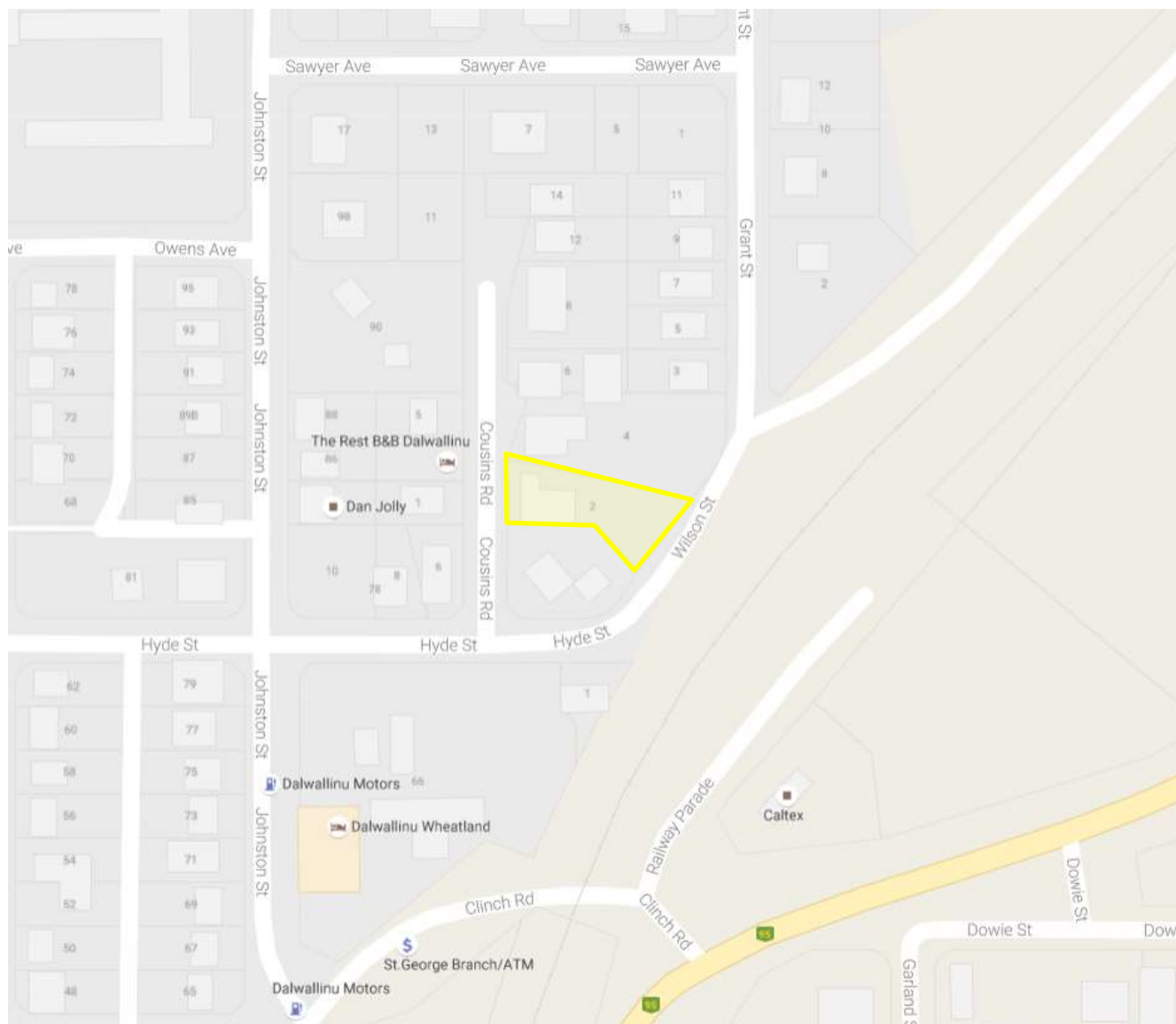
Background

Subject Property:	Nº2 Cousins Road, Dalwallinu (Lot 160)
Land Use Zoning:	Residential 10/30
Property Owner:	Stephen Ray
Applicant:	Mark Spencer <i>obo</i> F.M. Surveys P/L
Consent Authority:	Shire of Dalwallinu Council
Proposed Development:	Subdivision of existing allotment into two unique parcels
Value of Development:	N/A
Outside Consultation:	Nil

The applicant, FM Surveys on behalf of the owners have submitted a proposal to subdivide the parent block into 2 distinct allotments. The property is located between Cousins Street to



the west, and Wilson Street to the east. The existing property is established with a single residence situated amongst similar residential developments.



Satellite view of subject property (googlemap)

### Comment

The proposal suggests the creation of 2 allotments from the parent property with Lot A being 1045m<sup>2</sup> and Lot B being 1087m<sup>2</sup>. State Planning Policy 3.1 – *Residential Design Codes* allows for land zoned 'Residential 10/30' to be subdivided to a minimum block size of 260m<sup>2</sup> if the block is able to be serviced by a sewerage system.

It is understood that the proposed industrial style allotments can be adequately serviced by ancillary extension to existing infrastructure such as power, potable water and the road network.

The existing residence is serviced by the local sewerage system, however Lot B will need to access the system by way of either an easement through Lot A to Cousins Road or via an extension of the existing service located in Hyde Street.

The creation of the new allotment will attract headworks charges as per the current Schedule of Fees and Charges.

#### Policy Requirements

There are no local planning policies currently in force.

#### Legislative Requirements

*Planning and Development Act 2005*

*Dalwallinu Planning Scheme N° 2*

*Dalwallinu Local Planning Strategy 2013*

#### Strategic Implications

The *Dalwallinu Local Planning Strategy 2013* identifies that the Shire should:

*“Allow for opportunities to increase residential densities to capitalise on existing infrastructure.”*

#### Sustainability Implications

##### *Environment*

There are no known environmental implications.

##### *Economic*

There are no known economic implications.

##### *Social (Community Consultation not indicated for this activity)*

There are no known social implications.

#### Financial Implications

This determination has no financial implications as any extensions to existing infrastructure would be implemented by the developer to Council’s standards.

#### Voting Requirements

Simple Majority

**MOTION 8673**

Moved           Cr KL Carter  
Seconded       Cr NW Mills

That the Western Australian Planning Commission be advised that the Shire of Dalwallinu has no objection to the proposed subdivision of 2 Cousins, Dalwallinu (Lot 160), as per the plan of subdivision (Plan No.1361) accompanying the Application No: 849-16 subject to the following conditions being imposed on the approval:

1. The land being filled, stabilised, drained and/or graded as required to ensure that:
  - a) lots can accommodate their intended development; and
  - b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
  - c) Stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government)
2. Suitable arrangements being made for connection of the land to the comprehensive district drainage system at the landowner/applicant's cost. (Local Government)
3. Arrangements being made to the satisfaction of the Western Australian Planning Commission for the filling and/or capping of any bores and/or wells, or the identification of any bore and/ or well to be retained on the land. (Local Government)
4. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an electricity supply service to the lot(s) shown on the approved plan of subdivision. (Western Power)
5. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
6. Arrangements being made with the Shire of Dalwallinu so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Local Government)

Water Service Advice:

In regard to Condition N<sup>o</sup>.5 the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 67 of the *Water Agencies (Powers) Act 1984* will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.

**CARRIED 7/0**

3.51pm Cr KM McNeill JP returned to the Chambers.  
3.52pm Cr KM McNeill JP left the meeting room again.  
3.53pm Cr KM McNeill JP returned.

12.3 **Development Application (DA 031617) – Proposed Shed/temporary accommodation**

Applicant: RFG Rangel  
File No: DA 031617  
Previous Meeting Reference: Community Services & Economic Development Committee Meeting – 16<sup>th</sup> August 2016  
Attachments: Nil  
Author: Mr Doug Burke  
Disclosure of Interest: Nil  
Date of Report: 12<sup>th</sup> August 2016  
Senior Officer: Mr Keith Jones

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Purpose of Report

To consider an application for approval to allow for the construction and temporary occupation of a non-habitable outbuilding as submitted by the applicant on the 5<sup>th</sup> July 2016.

The proposal requires planning approval as it does not comply with the deemed-to-satisfy provisions of the *State Planning Policy 3.1 – Residential Design Codes (R-Codes)*.

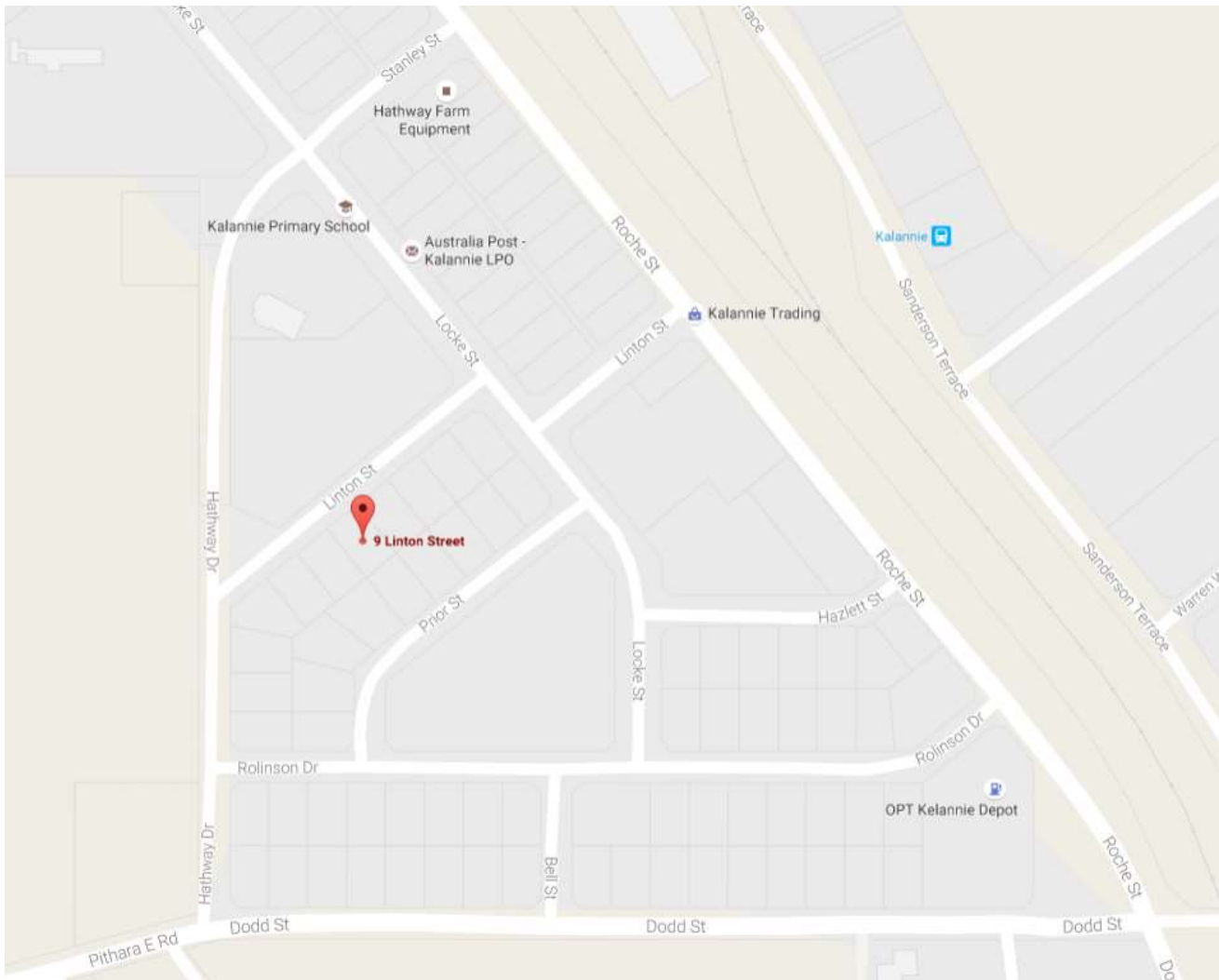
Under Section 144 of the Health Act 1911 a building not originally constructed or erected as a dwelling may only be occupied with the consent of the local authority *“with such conditions as the local government has seen fit to impose.”*

It is recommended that the proposed development be approved subject to conditions.

Background

Subject Property: N<sup>o</sup>9 Linton Street (Lot 335), Kalannie  
Land Use Zoning: Residential 10/30  
Property Owner: Ramon Granados  
Applicant: Owner  
Consent Authority: Shire of Dalwallinu Council  
Proposed Development: Construction of a shed/temporary accommodation  
Value of Development: \$15K  
Outside Consultation: Nil

The proposal is for the construction of a 'cabin' on the subject site. The outbuilding will be erected on a greenfield site to temporarily accommodate two individuals during the construction of the permanent residence (refer to attached plans). The subject property is located within the townsite of Kalannie and is zoned 'Residential 10/30' as are the surrounding properties, which are already developed for residential purposes.



*Location of subject development site (google map)*

**Comment**

The proposed development entails the construction of a small building to temporarily accommodate the owner and one other individual whilst constructing the permanent residence. The 'cabin' will need to house such amenities as ablution fittings and a food preparation area to make it habitable for the duration of the occupation.

Section 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that;



The *Planning and Development Act 2005* directs that that any development referred to within the Scheme is not to be commenced or carried out without approval being obtained. Any determination of an application for such development is to be considered under those matters referred to in the *Planning and Development (Local Planning Schemes) Regulation 2015*.

In considering an application for development approval Council is to have due regard to the following matters to the extent that, in the opinion of Council, those matters that are relevant to the development the subject of the application. In assessing the development application, the matters listed in Section 67 of the *Planning and Development (Local Planning Schemes) Regulation 2015* have been taken into consideration for the preparation of this report and are addressed as follows:

‘Matters for Consideration’	Comments
The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area	<p>The following Schemes are applicable:</p> <ul style="list-style-type: none"> <li>• <i>Shire of Dalwallinu Planning Scheme N<sup>o</sup> 2</i></li> </ul>
The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving.	<ul style="list-style-type: none"> <li>• There are no proposed amendments in progress that would affect a determination.</li> <li>• There are no other planning instruments currently being considered.</li> </ul>
Any approved State planning policy	State Planning Policy 3.1 Residential Design Codes. Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform to the provisions of those Codes.
Any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	Nil applicable
Any policy of the Commission	Nil applicable
Any policy of the State	Nil applicable



Any local planning policy for the Scheme area	<p>Policy 1- Offensive Uses: Not applicable</p> <p>Policy 2 – Fences: Not applicable</p> <p>Policy 3 – East Pithara Road: Not applicable</p> <p>Policy 4 - Stables: Not applicable</p> <p>Policy 5 - Moveable Buildings: Not applicable</p> <p>Policy 6 - Aged Accommodation: Not applicable</p> <p>Policy 7 – Verandahs over Footpaths: Not applicable</p>
Any structure plan, activity centre plan or local development plan that relates to the development	Nil applicable
Any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	Nil applicable
In the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	Not applicable
The built heritage conservation of any place that is of cultural significance;	No items of cultural significance noted
The effect of the proposal on the cultural heritage significance of the area in which the development is located;	Nil impact
The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the effect of the height, bulk, scale, orientation and appearance of the development	<p>The proposed development is regarded as being suitable in the context of its siting in an established Residential area.</p> <p>The streetscape would not be overly despoiled by any perceived loss of visual amenity.</p>
The amenity of the locality including the following —	Having regard to its location and the overall assessment of the proposal as contained in this



<p>(i) environmental impacts of the development;</p> <p>(ii) the character of the locality;</p> <p>(iii) social impacts of the development</p>	<p>report the site will adequately accommodate the proposed works in that:</p> <ul style="list-style-type: none"> <li>• The proposed development will not create any unreasonable detrimental impacts on adjoining or nearby properties;</li> <li>• The subject site is not subject to any natural hazards that would prohibit the construction and operation of the development in the proposed form..</li> </ul>
<p>The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource</p>	<p>Nil impact</p>
<p>Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved</p>	<p>There is no evidence of significant trees or other vegetation of note that should be retained.</p>
<p>The suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk</p>	<p>The land does not have a history of experiencing these types of events other than being cited as having possibility of being effected by bush fire from adjoining lands (refer to mapping above).</p>
<p>The suitability of the land for the development taking into account the possible risk to human health or safety</p>	<p>No health or safety issues identifiable.</p>
<p>the adequacy of —</p> <p>(i) the proposed means of access to and egress from the site; and</p> <p>(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles</p>	<p>Nil impact</p>

<p>The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety</p>	<p>No identified issues</p>
<p>The availability and adequacy for the development of the following —</p> <ul style="list-style-type: none"> <li>(i) public transport services;</li> <li>(ii) public utility services;</li> <li>(iii) storage, management and collection of waste;</li> <li>(iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);</li> <li>(v) access by older people and people with disability</li> </ul>	<ul style="list-style-type: none"> <li>i) No public transport services available</li> <li>ii) Water and electricity services are available. An onsite sewage management system will need to be operable before occupation of the outbuilding.</li> <li>iii) Solid waste can be adequately stored and removed from site.</li> <li>iv) N/A</li> <li>v) N/A</li> </ul>
<p>The potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses</p>	<p>Nil identified</p>
<p>The history of the site where the development is to be located</p>	<p>The site is undeveloped</p>
<p>The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals</p>	<p>Nil identified</p>
<p>Any submissions received on the application</p>	<p>Nil</p>
<p>The comments or submissions received from any authority consulted under clause 66</p>	<p>Not applicable</p>

Any other planning consideration the Council considers appropriate	Nil identified
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Council may determine an application for development approval by —

- (a) granting development approval without conditions; or
- (b) granting development approval with conditions; or
- (c) refusing to grant development approval.

Strategic Implications

The *Dalwallinu Local Planning Strategy 2013* identifies that the Shire should:

*“Allow for opportunities to increase residential densities to capitalise on existing infrastructure.”*

And,

*“The Council will maintain its current level of support to existing residents in the Shire’s townsites but will not promote further expansion of any townsite other than Dalwallinu and Kalannie.”*

Sustainability Implications

*Environment*

There are no known environmental implications.

*Economic*

There are no known economic implications.

*Social (Community Consultation not indicated for this activity)*

There are no known social implications.

Financial Implications

Nil

Voting Requirements

Absolute Majority

**MOTION 8674**

Moved           Cr KL Carter  
Seconded       Cr NW Mills

That Council:

1. Approve the development application (DA 031617) pursuant to Section 68(2) of the *Planning and Development (Local Planning Schemes) Regulation 2015* subject to the following conditions:
  - a) The development is to be carried in accordance with the documents endorsed with the Shire's stamp, except where amended by other conditions of this consent. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency, and
  - b) Without further approval from Shire of Dalwallinu Council, in writing, this approval will lapse and have no force or effect unless the use or development permitted is substantially commenced within one year of the date of this permit;
  - c) The Applicant shall obtain a BAL assessment prepared by a Level 1 BAL Assessor or a Bushfire Planning Practitioner in compliance with *State Planning Policy 3.7 Planning in Bushfire Prone Areas* to accompany any application for a Building Permit to be considered under the *Building Act 2011*;
  - d) The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the *Building Code of Australia*;
  - e) During the construction of the development, the Applicant shall implement suitable public safety and site security control measures;
  - f) The Applicant will install a suitable on-site sewage management system to service the development;
  - g) All stormwater collected from the development roof catchment must be managed so as not to have a detrimental effect on the footings of the development or on neighbouring property; and
  - h) The proposed outbuilding may be temporarily occupied for a maximum period of twelve months dated from this approval. An extension of a further twelve month period maybe considered by Council on a subsequent application.
  - i) A bond to the value of \$5,000 will be submitted to the Shire and held in trust until the permanent dwelling is legally occupied. The bond will be forfeit if the permanent dwelling is not legally occupied before the expiration of twenty-four months from the date of this approval.
  - j) If at the expiration of twenty-four months from the date of this approval, the permanent dwelling has not been legally occupied, the building used for temporary accommodation shall be de-constructed and removed from the subject property at the Applicant's expense.
  - k) On the legal occupation of the permanent dwelling, the temporary dwelling must be decommissioned as being a fit-for-purpose residence and reverted to a Class 10a outbuilding to the satisfaction of the Shire's Environmental Health Officer.

**CARRIED by ABSOLUTE MAJORITY 7/1**

## 13.0 MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

### 13.1 Building Approvals

Applicant: Shire of Dalwallinu  
 File No: DB/1 Development & Building Controls  
 Previous Meeting Reference: Community Services & Economic Development Committee Meeting – 16<sup>th</sup> August 2016  
 Attachments: Building Approvals - July 2016  
 Author: Mr Doug Burke  
  
 Disclosure of Interest: Nil  
 Date of Report: 5<sup>th</sup> August 2016  
 Senior Officer: Mr Keith Jones

#### Purpose of Report

To receive and note the monthly report prepared to inform Council and the community regarding recent building/demolition approvals granted under the *Building Act 2011*.

#### Comment

A table of building approvals for the month of **July 2016** is provided below for Council's information.

Permit N°	Owner	Builder	Address	Type of work	Cost of Work
D94	A Jackson	Owner Builder	24 South Street Dalwallinu WA 6609	Demolition of single dwelling	\$ 3,500
B95	S Roach	TR Homes	58 Annetts Rd Dalwallinu WA 6609	New Single Dwelling Transportable	\$276,189
B96	R Ray	Stallion Homes	45 James St Dalwallinu WA 6609	New Single Dwelling	\$318,340
D97	K Davies	W Stevens	15 McNeill St Dalwallinu WA 6609	Demolition of single dwelling	\$ 5,000
B98	M Silvestri	Nusteel Patios and Sheds	51 McNeill St Dalwallinu WA 6609	New Shed	\$ 19,915
B99	TJP & EO Bunggo	TR Homes	Lot 719 Leahy St Dalwallinu WA 6609	New Single Transportable	\$325,351
B100	B Orenshaw	Goodthing United	Lot 15 Grant St Dalwallinu WA 6609	Carpport Addition	\$ 8,500
Total					<b>\$956,795</b>

Running totals for the value of construction for the financial year to date are as follows:

Residential: \$ 956,795.00  
Industrial/Commercial: \$ Nil

Policy Requirements

Nil

Legislative Requirements

The Shire's Building Surveyor has delegated authority under s.95 of the *Building Act 2011* to approve building/demolition applications on behalf of Council.

Strategic Implications

Nil

Sustainability Implications

Environment

Nil

Economic

Unknown

Social (Community Consultation)

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer/Committee Recommendation/Resolution

**MOTION 8675**

Moved Cr KJ Christian  
Seconded Cr KM McNeill JP

That the report detailing building approvals for the month of July 2016 be received.

**CARRIED 8/0**

## 14.0 MATTERS FOR CONSIDERATION – ECONOMIC DEVELOPMENT

### 14.1 Dalwallinu Recreation Centre Upgrade

Applicant:	Shire of Dalwallinu
File No:	CP/5 Design and Construction - Sports Centres
Previous Meeting Reference:	CS&ED Committee 18 February 2014, 18 March 2014, 19 August 2014, 9 Dec 2014, 3 March 2015, 4 April 2015; 16 August 2016 Full Council Meeting 15 Feb 2014 (Motion 7939), 25 March 2014 (Motion 7968), 26 Aug 2014 (Motion 8110), 16 Dec 2014 (Motion 8210)
Attachments:	Nil
Author:	Mrs Tess JoynerSlot
Disclosure of Interest:	Nil
Date of Report:	11 August 2016
Senior Officer:	Mr Keith Jones

#### Purpose of Report

To receive the Dalwallinu Recreation Centre User Group Workshop report and prioritise improvements and/or upgrades to determine the final scope and concept.

#### Background

During the 2013-2014 budget round, Council identified that the Dalwallinu Recreation Centre was due for an upgrade and some funds were set aside for the concept plan to be developed. Over the past few years, many community members and representatives of the user groups of the centre have contributed ideas, opinions and wishes for how the facility could be improved.

Whilst this community/user consultation occurred some time ago and preliminary plans and costings were obtained, there has been deliberation as to how the cost of progressing the upgrade might be funded, and the sources for such grant funds. Changes in local and state government funding have necessitated a review and reprioritisation of upgrades.

In May 2016 the Shire re-engaged user groups to determine a more robust case for improvements based on the current and projected future use of the facility; addressing functional and building issues and agreed prioritised needs of all users.

In June 2016, a workshop was facilitated by Storybox Consulting to determine the following;

- Current membership, growth, trends and future plans and activities of each organisation
- How and when they use the Centre
- How the Centre could better meet their needs

- Ideas and alternative solutions to meet those needs
- How their organisation could contribute to any proposed upgrades

### Comment

To date this project has seen extensive engagement with user groups and the wider community and it is worth noting that the overwhelming result from the workshop was that the Recreation Centre is deemed to provide an important gathering place for the community, with all user groups agreeing that it is well serviced for a community of our size.

Another noteworthy point was that nearly all user groups gave positive indications that they would contribute their time, resources and/or finances to any future improvements and/or upgrades.

### Policy Requirements

Nil

### Legislative Requirements

Nil

### Strategic Implications

Strategic Community Plan 2013-2023

Outcome 1.2.3 – Enhance greater usage of facilities

Outcome 1.4.2 – Improve ambience and management of Recreation Centres

Outcome 1.7 – Improved and enhanced playground areas

Outcome 2.1.2 – Advocate for more community facilities to attract people

The Dalwallinu Recreational Centre is an important and well utilised asset for the community and as such it is important to improve and preserve this facility.

### Sustainability Implications

#### *Environment*

There are no known environmental implications.

#### *Economic*

There are no known economic implications.

#### *Social (Community Consultation)*

There has been extensive community consultation which will be continued during the development process.

### Financial Implications

The 2016/2017 Budget includes \$50,000 for development of concept plans and \$400,000 in Reserve.

### Voting Requirements

Simple Majority



### Officer Recommendation

That the Dalwallinu Recreation Centre User Group Workshop report be received and that Council prioritise improvements and/or upgrades to assist in the determination of the final scope and concept.

### Committee Recommendation

That

1. the Dalwallinu Recreation Centre User Group Workshop report be received;
2. the following be identified as priorities;
  - Internal and external aesthetic improvements and modernisation to create a more welcoming and attractive facility
  - Internal changes to some areas to improve accessibility and functionality including relocation of the kitchen and/or bar and an overhaul of the internal areas of the change rooms; and
  - An overhaul of the equipment, power, air conditioning and lighting provisions
3. the following improvements and upgrades are prioritised in this order;
  - a. Change rooms and toilets (including outside toilets and showers) – complete internal overhaul
  - b. Playground, gardens and landscaping – replacement of playground equipment and sand, redevelopment of gardens
  - c. Bar – co-location with kitchen, new cool room and dual access
  - d. Building entry, car park, paths and pedestrian access – improvements to the entry, car park safety and lighting, pathways linking the oval, building and car park
  - e. Outdoor spectator areas – creation of an all-weather undercover area linking the oval room to the oval and a BBQ area
  - f. Oval Room and Meeting room – upgrade to fittings and furnishings, overhaul of lighting, power and air conditioning
  - g. Kitchen – co-location with bar, improvements to fit out, equipment and servery areas
  - h. Indoor Court area – dedicated club storage areas with dual access and improved air flow to court areas
4. a full maintenance report be conducted on the Dalwallinu Recreation Centre; and
5. development of concept designs be commenced.

Resolution

**MOTION 8676**

Moved           Cr KM McNeill JP  
Seconded       Cr NW Mills

That

1. a full maintenance report (including the roof) be conducted on the Dalwallinu Recreation Centre;
2. the Dalwallinu Recreation Centre User Group Workshop report be received;
  - 2.1 the following be identified as priorities;
    - Internal and external aesthetic improvements and modernisation to create a more welcoming and attractive facility
    - Internal changes to some areas to improve accessibility and functionality including relocation of the kitchen and/or bar and an overhaul of the internal areas of the change rooms; and
    - An overhaul of the equipment, power, air conditioning and lighting provisions
  - 2.2 the following improvements and upgrades are recommended;
    - a. Change rooms and toilets (including outside toilets and showers) – complete internal overhaul
    - b. Playground, gardens and landscaping – replacement of playground equipment and sand, redevelopment of gardens
    - c. Bar – co-location with kitchen, new cool room and dual access
    - d. Building entry, car park, paths and pedestrian access – improvements to the entry, car park safety and lighting, pathways linking the oval, building and car park
    - e. Outdoor spectator areas – creation of an all-weather undercover area linking the oval room to the oval and a BBQ area
    - f. Oval Room and Meeting room – upgrade to fittings and furnishings, overhaul of lighting, power and air conditioning
    - g. Kitchen – co-location with bar, improvements to fit out, equipment and servery areas
    - h. Indoor Court area – dedicated club storage areas with dual access and improved air flow to court areas; and
3. development of concept designs be commenced upon receipt of the maintenance report.

**CARRIED 5/3**

## 15.0 MATTERS FOR CONSIDERATION – FINANCE

### 15.1 Accounts for Payment for July 2016

Applicant:	Shire of Dalwallinu
File No:	FM/6 - Expenditure Reports
Previous Meeting Reference:	Finance & Audit Committee Meeting -16 <sup>th</sup> August 2016
Attachments:	Nil
Author:	Mrs Hanna Jolly
Disclosure of Interest:	Nil
Date of Report:	11 August 2016
Senior Officer:	Mr Keith Jones

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#### Purpose of Report

To consider the acceptance and approval of the Schedule of Accounts for Payment.

#### Background

A list of invoices paid for the month of July 2016 from the Municipal Account, to the sum of \$44,393.70 paid by cheque and \$694,748.97 paid by EFT are attached, together with a list of Bank Fees, Payroll, Direct Debit Payments and transfers to Reserve. These payments total \$1,025,389.98. In addition, payments of \$75,755.95 were made from the Trust Account. The total payments from all accounts being \$1,101,145.93 have been listed for Council's ratification.

#### Comment

In accordance with the requirements of the Local Government Act 1995 a list of accounts paid, by approval of the Chief Executive Officer under the Council's delegated authority, is to be completed for each month showing:

- a) The payees names
- b) The amount of the payments
- c) Sufficient information to identify the payment
- d) The date of the payment

The attached list meets the requirements of the Financial Regulations.

In addition to the above statutory provisions, Financial Management Regulation Section 13(4) requires 'the total of other outstanding accounts be calculated and a statement be presented to Council at the next Council meeting'.

#### Policy Requirements

Nil

Legislative Requirements

Local Government (Financial Management) Regulations Act 1996, Regulation 12; and Regulations 13(3) (a) (b); 13(1); and 13(4).

Strategic Implications

Nil

Sustainability Implications

*Environment*

Nil

*Economic*

Nil

*Social (Community Consultation)*

Nil

Financial Implications

Account payments are in accordance with the adopted budget for 2016/17 or authorized by separate resolution.

Voting Requirements

Simple Majority

Officer/Committee Recommendation/Resolution

**MOTION 8677**

Moved           Cr RS Nixon  
Seconded       Cr KL Carter

That in accordance with the requirements of section 13(1), 13(3) and 13(4) of the Local Government (Financial Management) Regulations 1996 a list of payments made in July 2016 under the CEO's delegated authority is endorsed in respect to the following Bank accounts:

(a)     Municipal Fund Account totalling \$1,025,389.98 consisting of:

Cheque Numbers 34949 – 34959	\$44,393.70
Electronic Fund Transfers 5494 – 5596 <i>(excluding Trust EFTs 5521-5522 &amp; 5552-5553)</i>	\$694,748.97
Electronic Fund Transfers Payroll	\$224,107.00
Bank Fees	\$1,001.14
Direct Debit Payments (Superannuation)	\$43,857.16
Loan 64 and Guarantee fee Loans 156 & 157	\$17,282.01

(b)     Trust Account payments totalling \$75,755.95 consisting of

Cheque Numbers 543 – 547	\$2,767.40
Electronic Funds Transfers 5521-5522 & 5552-5553	\$685.00
Transfer to Muni – Nomination fee B Smith	\$80.00
Direct Debits -   Payments to DPI	\$72,223.55

**CARRIED 8/0**

## 15.2 Monthly Financial Statements for July 2016

Applicant: Shire of Dalwallinu  
File No: FM/6 - Expenditure Reports  
Previous Meeting Reference: Finance & Audit Committee Meeting – 16<sup>th</sup> August 2016  
Attachments: Nil  
Author: Mrs Hanna Jolly

Disclosure of Interest: Nil  
Date of Report: 12 August 2016  
Senior Officer: Mr Keith Jones

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### Purpose of Report

To receive the Financial Reports for the month ending 31 July 2016.

### Background

There is a statutory requirement that Financial Reports be recorded in the Minutes of the meeting to which they are presented. The Financial Reports, as circulated, give an overview of the current financial position of the Shire and the status of capital income and expenditure.

### Comment

Financial Reports as at last day of business of the previous month are appended, for the period ending 31 July 2016.

Attached for Council's consideration are:

- Statement of Financial Activity
- Variance Reports
- Investments Held
- Bank Reconciliations

As per Council resolution, all items that have a variance of more than \$5,000 have been noted on the variance reports.

### Policy Requirements

Nil

### Legislative Requirements

Local Government Act 1995 s1.3 (2) (c)

Local Government (Financial Management) Regulations 1996, s34 (1)

Local Government (Financial Management) Regulations 1996, s19 (1) (2)

Local Government (Financial Management) Regulations 1996, s34 (2)

### Strategic Implications

Nil

Sustainability Implications

*Environment*

Nil

*Economic*

Nil

*Social (Community Consultation)*

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer/Committee Recommendation/Resolution

**MOTION 8678**

Moved           Cr KL Carter

Seconded       Cr RS Nixon

That the Financial Reports as submitted for the month ending 31 July 2016 be accepted.

**CARRIED 8/0**

### 15.3 Outstanding Rates Debtors Report for July 2016

Applicant: Shire of Dalwallinu  
File No: FM/6 - Expenditure Reports  
Previous Meeting Reference: Finance & Audit Committee Meeting – 16<sup>th</sup> August 2016  
Attachments: Nil  
Author: Miss Christie Andrews

Disclosure of Interest: Nil  
Date of Report: 4 August 2016  
Senior Officer: Mr Keith Jones

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#### Purpose of Report

To receive the Outstanding Rates Debtors Reports as at 31 July 2016.

#### Background

Council's Policy Clause 3.6(vi) requires a report to be submitted at each Ordinary Council meeting detailing the current outstanding rates and the progress made towards their collection.

Reports on Rates Debtors contain totals for Rates, Rubbish, Sewerage and Emergency Services Levy (ESL). The ESL is a State Government charge for provision of emergency services which, due to legislation, the Shire is required to collect and forward on to the Fire & Emergency Services Authority (FESA).

#### Comment

Report on Outstanding Rates Debtors as at 31 July 2016 appends.

The 2015/16 Rates were raised and issued on 7 August 2015.

Important dates are as follows:

Rates due date	11 September 2015
Instalment option selection date	11 September 2015
Final Notices issued	23 September 2015
Second instalment due	11 November 2015
Third instalment due	11 January 2016
Fourth instalment due	11 March 2016



## Breakdown of unpaid rates debtors as at 31 July 2016

Rates	63,539.70
Rubbish	7,099.01
Sewerage	1,991.96
ESL	2,753.87
Deferred Pensioner Rates	8,566.46
Paid in Advance	-19,399.04
Total Outstanding	64,551.96

As we achieved an unpaid rates percentage of 2.35% as at 30 June 2016, we aim to have a similar percentage as at the 30 June 2017, notwithstanding that 3% outstanding is an acceptable industry average. We will strive to better this figure and at the close of the 2016/17 financial year aim to have an unpaid rates percentage no higher than 1.5%.

### Policy Requirements

Nil

### Legislative Requirements

Nil

### Strategic Implications

Nil

### Sustainability Implications

#### *Environment*

There are no known environmental implications.

#### *Economic*

There are no known economic implications.

#### *Social (Community Consultation)*

There has been no community consultation.

Financial Implications

As at 31 July 2016 rates outstanding were \$64,551.96 in respect to collectable rates of which \$108,259.66 has been carried forward from 2014/15 or prior rating years, with 2015/16 rates raised being \$3,636,383.60.

Ratio =	<u>Total Outstanding</u> Collectable
=	<u>64,551.96</u> 3,744,643.26
=	1.72%
Ratio =	<u>Total Overdue</u> Collectable
=	<u>83,849.15</u> 3,744,643.26
=	2.24%

The total rates overdue figure is the figure that we are currently trying to recover.

Voting Requirements

Simple Majority

Officer/Committee Recommendation/Resolution

**MOTION 8679**

Moved           Cr IW Hyde  
Seconded       Cr NW Mills

That the Outstanding Rates Debtors Reports as at 31 July 2016 for ratepayers with unpaid balances be accepted.

**CARRIED 8/0**

## 15.4 Horses for the Forces – Memorial Sculpture

Applicant:	Irene Osborne
File No.	CU/1– Requests
Previous Meeting Reference	Finance & Audit Committee Meeting – 16 <sup>th</sup> August 2016
Attachments:	Nil
Author:	Mr Tony Doust
Disclosure of Interest:	Nil
Date of Report:	1 <sup>st</sup> August 2016
Senior Officer:	Mr Keith Jones

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### Purpose of Report

To consider a request from Irene Osborne, artist engaged to undertake painting on the “Horses for the Forces” Memorial, for costs associated with the sculpture placed at the site.

### Background

The following email has been received from Ms Irene Osborne:-.

*“The town of Dalwallinu now has an impressive perforated metal sculpture that I contributed to, in early designs and with digital manipulation of the original image that was used to make this sculpture.*

*As you know, Barbara Dinnie appointed me to design a sculpture in March 2014, and as a result of her doing so and her requests, I worked on many designs and did weeks of digital manipulation on an original photograph she gave me as a basis to work from. I have the emails, drawings and references, (including visiting different industrial; businesses to obtain information and quotes) showing Barbara discussed different options with me from my appointment in March 2014.*

*From early in 2015, I had also been dealing with the perforated metal fabricating business, and I had requested final information from Barbara, regarding the text to go around the oval and her preference of the perforation profile, in order to give her the proper quote she needed to go ahead. This last step was because different policies had in cost and I knew she was working to a small budget.*

*In September 2015, instead of giving me the required information, Barbara told me to stop and that then sculpture would NOT be made as she had no funds. As we all now know, but without my knowledge then, the sculpture has been made based on my designs, work, input.*

*As you can see by the emails below, Barbara hasn’t paid me and she is now referring me to the Shire of Dalwallinu.*

*In the hope of bringing this matter to a conclusion after months of stress, I am attaching my invoice for the work I did between March 2014 and September 2015 at Barbara’s request. It is now 10 months overdue and I am requesting urgent settlement on this now please.*

*I do reserve my rights against Barbara directly and also note I have not been acknowledged for the work I have done.”*

Comment

It would appear that this is a matter that the Shire had had little or no involvement in arranging. Irene Osborne has approached Ms B Dinnie who has recently advised Irene by email 11/7/2016 to refer the matter to the Shire.

The cost claimed is \$880.00.

Policy Requirements

No specific policy

Legislative Requirements

No legislative requirement

Strategic Implications

N/A

Sustainability Implications

*Environment*

Not applicable

*Economic*

Not applicable

*Social (Community Consultation)*

Not applicable

Financial Implications

Funding has not been provided in the 2016/17 Budget for this specific cost.

Voting requirements

Absolute Majority (if expenditure is authorised (unbudgeted))

Officer Recommendation

For Committee consideration and recommendation to Council.

Committee Recommendation

That although the Council believes it has no contractual obligation, due to this being a community project, an offer of \$440 be made “without prejudice” to the artist to finalise the matter

**MOTION 8680**

Moved            Cr KL Carter  
Seconded       Cr NW Mills

That although the Council believes it has no contractual obligation, due to this being a community project, an offer of \$440 be made “without prejudice” to the artist to finalise the matter.

**AMENDMENT**

**MOTION 8681**

Moved            Cr IW Hyde  
Seconded       Cr GH Sanderson JP

That although the Council believes it has no contractual obligation, due to this being a community project, a donation of \$400 be made “without prejudice” to the artist

**CARRIED 5/3**

*The Presiding Person put the amended motion.*

Resolution

**MOTION 8682**

That although the Council believes it has no contractual obligation, due to this being a community project, a donation of \$400 be made “without prejudice” to the artist.

**CARRIED BY ABSOLUTE MAJORITY 6/2**

## 15.5 Kalannie Bowling Club – Request for Assistance

Applicant:	Kalannie Bowling Club
File No:	CU/1 – Public Reaction - Requests
Previous Meeting Reference:	Finance & Audit Committee Meeting – 16 <sup>th</sup> August 2016
Attachments:	Nil
Author:	Mr Keith Jones
Disclosure of Interest:	Nil
Date of Report:	11 <sup>th</sup> August 2016
Senior Officer:	Mr Keith Jones

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### Purpose of Report

To consider a request from the Kalannie Bowling Club to contribute towards the cost of repairs to the bowling green.

### Background

The Shire of Dalwallinu made an insurance claim to Local Government Insurance Services (LGIS) for damage to the Kalannie bowling green which was rejected due to an exclusion relating to vermin. The bowling club has made a request, due to the green being a Shire owned asset, for financial assistance.

The club has obtained a quote totalling \$4,660 excluding GST which they are requesting the Shire pay.

### Comment

The club has purchased bird netting to avoid future damage via a grant from the Shire. Council may wish to consider a part contribution given this circumstance. If the insurance claim were to be allowed and the club were required to pay the insurance excess, then that would now amount to \$5,000 essentially negating the claim.

### Policy Requirements

Nil

### Legislative Requirements

Nil

### Strategic Implications

Nil

## Sustainability Implications

### *Environment*

Nil

### *Economic*

Nil

### *Social (Community Consultation)*

Consultation has occurred with a representative of the club.

## Financial Implications

Nothing has been budgeted for this request.

## Voting Requirements

If a contribution is made: - Absolute Majority

If no contribution: - Simple Majority

## Officer Recommendation

That an amount of \$\_\_\_\_\_ be contributed to the Kalannie Bowling Club to assist in the repairs to the artificial bowling surface.

## Committee Recommendation

That this item be deferred to the Council meeting 23<sup>rd</sup> August 2016 and require more information.

## **MOTION**

Moved           Cr IW Hyde  
Seconded       Cr KM McNeill

That an amount of \$2,330 be contributed to the Kalannie Bowling Club to assist in the repairs to the artificial bowling surface.

## **AMENDMENT**

## **MOTION 8683**

Moved           Cr RS Nixon  
Seconded       Cr KJ Christian

That an amount of \$3,500 be contributed to the Kalannie Bowling Club to assist in the repairs to the artificial bowling surface.

**LOST 4/4**

***The motion lost after the Presiding Person cast his vote in the negative.***

***The Presiding Person put in the original motion.***

Resolution

**MOTION 8684**

That an amount of \$2,330 be contributed to the Kalannie Bowling Club to assist in the repairs to the artificial bowling surface.

**CARRIED BY ABSOLUTE MAJORITY 7/1**

**15.6 Offer to Purchase Lot 8 Cnr of Leahy & Roach Streets, Pithara**

Applicant:	Shane Morton
File No.	Tender 2016/04 – Sale of lots Pithara Townsite
Previous Meeting Reference:	Finance & Audit Committee Meeting – 16 <sup>th</sup> August 2016
Attachments:	Nil
Author:	Mr Keith Jones
Disclosure of Interest:	Nil
Date of Report:	11 August 2016
Senior Officer:	Mr Keith Jones

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Purpose of Report

For Council to consider an offer of \$2,000 by Mr Shane Morton to purchase Lot 8 corner of Leahy and Roach Streets, Pithara.

Background

Tender 2016-04 was advertised in the local newspapers. At the closure of tenders on 5th August 2016 at 4pm only one tender was received.

Comment

The block of land has been valued in 2013 by Griffin Valuations at \$10,000. The lack of any significant interest may indicate the value is inflated.

The tenderer has not indicated what purpose he wishes to use the land for.

Policy Requirements

Nil

Legislative Requirements

Local Government Act 1995 S3.58 – Disposing of property.  
The property is currently zoned townsite.



Strategic Implications

Nil

Sustainability Implications

*Environment*

There are no environmental implications as the land is already cleared and zoned townsite.

*Economic*

Any sale of land helps to demonstrate the economic activity that is happening.

*Social (Community Consultation)*

Advertising has been done.

Financial Implications

Apart from the sale value, annual rates income will be forthcoming. There is no allowance made for income from the sale of this land in the 2016/17 budget.

Voting Requirements

Absolute Majority

Officer Recommendation

That Lot 8 corner of Leahy and Roach Streets, Pithara be sold to Mr Shane Morton for the sum of \$2,000 and the proceeds be added to the Land & Building Reserve.

Committee Recommendation/Resolution

**MOTION 8685**

Moved           Cr NW Mills  
Seconded       Cr KJ Christian

That Lot 8 corner of Leahy and Roach Streets, Pithara be sold to Mr Shane Morton for the sum of \$2,000, subject to building a dwelling on the block within three (3) years and the proceeds be added to the Land & Building Reserve.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

## 15.7 Financial Management Review – May 2016

Applicant:	Shire of Dalwallinu
File No.	FM/7 - Financial Management Audit
Previous Meeting Reference	Finance & Audit Committee Meeting – 16 <sup>th</sup> August 2016
Attachments:	Nil
Author:	Mr Keith Jones
Disclosure of Interest:	Nil
Date of Report:	12 August 2016
Senior Officer:	Mr Keith Jones

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### Summary

The purpose of this report is for the Committee to consider the Financial Management Review conducted in May 2016 by Butler Settineri (Audit) Pty Ltd.

### Background

In accordance with the provisions of the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 Part 2 section 5. (2) (a) “the CEO is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once every 4 financial years) and report to the local government the results of those reviews.

The contracted auditor, Butler Settineri (Audit) Pty Ltd, has recently completed the Financial Management Review carried out in May 2016.

### Comment

Management Comments have been made by the Deputy Chief Executive Officer in the attached FMR.

### Policy Requirements

N/A

### Legal Requirements

Local Government Act 1995 - Part 7 Audit

Local Government (Financial Management) Regulations 1996

### Strategic Implications

The financial management review is an indicator of a local governments financial controls and the sustainability of good management practices and financial viability.

## Sustainability Implications

### *Environment*

Nil

### *Economic*

Nil

### *Social (Community Consultation)*

Nil

## Financial Implications

Nil

## Voting Requirements

Simple Majority

## Officer Recommendation

That the committee acknowledge the issues raised by Butler Settineri (Audit) Pty Ltd, in the Financial Management Review conducted in May 2016 and, taking into consideration the management comments, make recommendations to Council on any improvement.

## Committee Recommendation/Resolution

### **MOTION 8686**

Moved           Cr RS Nixon  
Seconded       Cr KL Carter

That the Council acknowledge the issues raised by Butler Settineri (Audit) Pty Ltd, in the Financial Management Review conducted in May 2016 and, taking into consideration the management comments, accept the report.

**CARRIED 8/0**

**16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION**

Nil

**17.0 URGENT BUSINESS BY DECISION OF THE MEETING**

Nil

**18.0 CONFIDENTIAL BUSINESS - As per Local Government Act 1995, Section 5.23(2)**

**PROCEDURAL MOTION 8687**

Moved Cr RS Nixon

Seconded Cr IW Hyde

That Council close the meeting to the public to discuss staff matters.”

**CARRIED 8/0**

**5.10pm Mr KT Jones and Mrs GC Matias left the Council Chambers.**

**PROCEDURAL MOTION 8688**

Moved Cr RS Nixon

Seconded Cr KM McNeill JP

That Council reopen the meeting to the public.

**CARRIED 8/0**

**5.28pm Mr KT Jones and Mrs GC Matias returned to the Council Chambers.**

The President stated the Council resolutions.

**18.1 Appointment of Acting CEO – Mr Keith Jones**

Officer Recommendation/Resolution

**MOTION 8689**

Moved Cr IW Hyde

Seconded Cr KM McNeill JP

That Mr Keith Jones be appointed as Acting Chief Executive Officer for the period 26 August 2016 to 9 September 2016.

**CARRIED 8/0**

18.2 **Appointment of New CEO – Ms Jean Maree Sutherland**

Council Resolution

**MOTION 8690**

Moved           Cr IW Hyde  
Seconded       Cr KM McNeill JP

That Council

1. Appoints Jean Maree Sutherland to the position of Chief Executive Officer with the Shire of Dalwallinu for a period of three (3) years commencing on a date still to be finalised concluding on a date still to be finalised.
2. Is in the belief that Jean Maree Sutherland is suitably qualified for the position of Chief Executive Officer;
3. Is satisfied with the provisions of the proposed employment contract to be entered with Jean Maree Sutherland with a total package as advertised within the Band 4 of the Salaries and Allowances Tribunal.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

## 19.0 SCHEDULING OF MEETING

### **MOTION 8691**

Moved           Cr IW Hyde  
Seconded       Cr KL Carter

That an Ordinary Meeting of Council be held on 27<sup>th</sup> September 2016 at Council Chambers, Dalwallinu commencing at 3.30pm.

**CARRIED 8/0**

## 20.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 5.38pm.

## 21.0 CERTIFICATION

I, **Steven Clifford CARTER**, certify that the Minutes of the meeting held on 23<sup>rd</sup> August 2016, as shown on page numbers 1 to 66 were confirmed as a true record at the meeting held on the 27<sup>th</sup> September 2016.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE