



## MINUTES OF ORDINARY MEETING HELD AT KONDININ ON 19<sup>TH</sup> APRIL, 2017

### 1. DECLARATION OF OPENING /ANNOUNCEMENT OF VISITOR

The Shire President Cr Smoker welcomed those present and declared the meeting open at 3.12pm.

### 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Cr A Smoker (Shire President) Cr S Meeking (Deputy Shire President) Cr B Browning Cr R Butler  
Cr R Growden Cr G Ilich Cr M James Cr S. Jones Cr G Lynch

**Leave of Absence:** Nil

**Apologies:** Nil

**Staff:** Mr John Read (CEO) Mr A. George (DCEO) Ms T. Young (MPD) Mr M. Burgess (MOW)  
Mr J. Goldacre (EHO) Mr I. Holland (ESO)

### 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

### 4. PUBLIC QUESTION TIME

Nil

### 5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

### 6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

### 7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Minutes of Council Meeting – 15<sup>th</sup> March 2017

#### RESOLUTION 2985

Moved Cr Ilich

Seconded Cr James

That the minutes of the Council Meeting held on 15<sup>th</sup> March 2017 be confirmed.

CARRIED 9/0

7.2 Minutes of Roe Tourism Association – 13<sup>th</sup> February 2017

#### RESOLUTION 2986

Moved Cr Jones

Seconded Cr Lynch

That the minutes of the Roe Tourism Association meeting held on 13<sup>th</sup> February 2017 be received.

CARRIED 9/0

### 8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

Nil

### 9. REPORTS OF COMMITTEES AND OFFICERS

- 9.1 Finance Report
- 9.2 Manager of Planning & Development Report
- 9.3 CEO Report
- 9.4 Manager of Works Report
- 9.5 EHO Report
- 9.6 Building Surveyor Report
- 9.7 Hyden & Kondinin Swimming Pool Manager's Reports
- 9.8 Building Maintenance & Ranger Report

**9.1 FINANCIAL REPORT**

**9.1.1 Financial Reports**

**Name of Applicant:** Manager of Finance  
**Author:** Manager of Finance  
**Voting:** Simple  
**Date:** 5<sup>th</sup> April, 2017

**SUMMARY/COMMENT:**  
 The financial statements for the period ending 31 March 2017 are attached.

**RESOLUTION 2987**  
**Moved Cr Growden** **Seconded Cr Jones**  
**That the Financial Reports for the period 31 March 2017 as presented be accepted.**  
**CARRIED 9/0**

**9.1.2 List of Accounts**

**Name of Applicant:** Manager of Finance  
**Author:** Manager of Finance  
**Voting:** Simple  
**Date:** 4<sup>th</sup> April 2017

**SUMMARY/COMMENT:**  
 A list of accounts is attached.

**RESOLUTION 2988**  
**Moved Cr Browning** **Seconded Cr Butler**  
**That Muni Cheques 18141 – 18159, Muni EFT7780 – 7897, Transport Direct Debits, Other Direct Debits, Payroll and Bank Fees (for the month of March 2017) totalling \$740,380.46 be endorsed.**  
**CARRIED 9/0**

**9.1.3 Capital Items Progress**

**Name of Applicant:** Shire of Kondinin  
**Author:** CEO  
**Voting:** Simple  
**Date:** 3<sup>rd</sup> April, 2017

**SUMMARY/COMMENT:**  
 Expenditure on capital items for 2016-2017

Programme	Description	Budget	Notes
Governance	Photocopier Lease (Carryover)	2,448	
Governance	OKN Vehicle Changeover	55,000	Completed
Governance	KN0 Vehicle Changeover	45,000	Completed
Governance	KN04 Vehicle Changeover	35,000	Completed
Health	KN52 Vehicle Changeover	35,000	Completed
Housing	Employee House, Kondinin	400,000	Commenced
Plant	Purchase new Grader Trading Volvo	245,000	Completed
Economic Services	Kondinin Pioneer Memorial Wall	20,000	Commenced
Economic Services	Karlgarin Hall/Bowling Club Car Park -Seal	25,805	Completed
Recreation & Culture	Kondinin & Hyden Pool Grant	64,000	Commenced
Recreation & Culture	CCTV Camera Wave Rock & Humps	10,000	Completed
Economic Services	Hyden Hall surrounds and street paving	50,000	Completed
Transport	East Hyden Bin Rd Construction – RRG	276,620	Completed
Transport	Mt Walker Road Construction – RRG	218,380	Completed
Transport	R2R Total Works	(1,134,581)	Commenced

Transport	R2R Worland Road	128,800	Completed
Transport	R2R Henderer Road	68,500	Completed
Transport	R2R Lovering Road	75,000	Commenced
Transport	R2R Notting Karlgarin Road	78,200	
Transport	R2R Pedarah West Road	132,800	Completed
Transport	R2R Hyden Norseman Road	197,781	Completed
Transport	R2R Kondinin Lake Road	152,500	Completed
Transport	R2R Kondinin Narembeen Road	68,000	
Transport	R2R Roe Road	89,000	Completed
Transport	R2R Mt Walker Rd/Worland Rd T Junction	144,000	Completed
Transport	Stormwater Infrastructure Analysis	38,000	Commenced
Economic Services	Coronation Park Hyden Improvements	50,000	
Economic Services	Toilet Block Construction Wave Rock	85,436	Completed
Economic Services	Wave Rock Precinct Improvement	50,000	Completed
Other Prop & Services	KN54 Vehicle Changeover (2x)	70,000	
Economic Services	Hyden Tennis Courts	25,000	Completed
Economic Services	Hyden Hockey Field Lighting	34,233	Completed
Economic Services	New Community Bus	120,000	In Progress
Economic Services	Community Grants	57,000	In Progress
Economic Services	Yeerakine Lodge 4 Unit Extension	172,000	Commenced
Recreation & Culture	KCRC Kondinin Sports Club Extension	250,000	Commenced

**TOTAL \$3,659,153**

**FOR INFORMATION**

**9.1.4 Quotations for Replacement of MOF Vehicle in 2016/2017 Budget**

**Applicant:** Shire of Kondinin  
**Author:** MOF  
**Reviewed:** CEO  
**Declaration of Interest:** Nil  
**Date:** 4<sup>th</sup> April 2017

**SUMMARY/COMMENT**

In the Shire of Kondinin budget for 2016/17 the 2016 Subaru Outback 2.0d-L 4D Wagon KN04 has been identified for replacement.

The budgeted changeover is \$12,000 ex GST.

Quotes were sought for the replacement of KN04 (MOF vehicle) with the same vehicle type and they were received as follows.

The lowest quote received was from City Subaru and the vehicle was subsequently purchased.

**All Prices Inclusive of GST**

Changeover Budget \$12,000				
Company	TYPE	Price	Trade	Changeover
Ingrey Ford	Mitsubishi Outlander	\$38,180.00	\$27,000	\$11,180.00
Narrogin Toyota	Toyota RAV4 DSL	\$35,714.66	\$26,250	\$9,464.66
<b>City Subaru</b>	<b>Subaru Outback DSL</b>	<b>\$35,843.50</b>	<b>\$27,000</b>	<b>\$8,843.50</b>

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

The vehicle was purchased in line with the Shire of Kondinin Policy Manual Clause 6.1.17 adopted 17/6/15.

**FINANCIAL IMPLICATIONS**

The Shire of Kondinin has allocated \$12,000.00 ex GST for change over in the 2016/17 budget.

**VOTING REQUIREMENT**

N/A

**FOR INFORMATION**

**9.1.5 Purchase of New Community Bus**

**NAME OF APPLICANT:** SHIRE OF KONDININ  
**AUTHOR:** DCEO  
**DATE OF REPORT:** 3<sup>rd</sup> April 2017  
**Disclosure of Interest** No Interest to disclose

**Background/ Comment**

Provision has been made in the 2016/2017 Budget for the purchase of a new community bus to be based in Hyden for use by the Hyden community. Budgeted funding was \$40,000 Lottery West grant and \$80,000.00 from council funds. A grant request was lodged with Lottery West in October 2016 for \$49,031.00 after discussions with them and we were advised in March that we were successful.

Our current community bus is a 21 seat, manual transmission Standard Toyota Coaster. Quotes have been sought for the provision of a suitable bus with our preferred options and 3 responses were received.

The table below details the pricing received and the table attached provides the information in more detail. At present the concessional stamp duty and registration for council vehicles will cease on 30<sup>th</sup> June 2017 and the quotes reflect these additional costs. WALGA on behalf of local government councils are lobbying strongly for the retention of these concessions however nothing is guaranteed.

City Toyota advise that they have one only Toyota Coaster Standard Manual transmission bus arriving at their holding yard on 13<sup>th</sup> April and that they have put it on hold otherwise it will be a 3 or 4 month wait until additional stock is available. Should council proceed with the acceptance of the City Toyota bus the price would be reduced by some \$3917.36 as we would negotiate the deal prior to the concession ceasing. The Toyota Coaster is a new model and is slightly wider and longer than the old model and has an additional seat which brings it in line with the Fuso Rosa as far as seating numbers go.

A best value for money approach was adopted taking into account the pricing, suitability for use, like for like with the current community bus that will remain in Kondinin and the availability.

Based on the above criteria it is recommended that council proceed with the purchase of a new Toyota Coaster Standard Model 22 seat bus with manual transmission

All Quotations are GST Exempt				
Company	Type	Price	Lottery West	Council Funds
<b>Great Southern Toyota</b>	Coaster Standard Manual	\$106,854.21	\$49,031.00	\$57,823.21
	Auto	\$113,701.31	""	\$64,670.31
	Deluxe - Auto	\$117,075.85		\$68,044.85
<b>City Toyota</b>	Coaster Standard Manual	\$104,938.73	\$49,031.00	\$55,907.73
<b>Daimler Trucks</b>	Fuso Rosa Deluxe - Manual	\$111,911.36	\$49,031.00	\$62,880.36

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

In accordance with the Shire of Kondinin purchasing policy 14.3.4 and WALGA preferred supplier guide lines.

**FINANCIAL IMPLICATIONS**

There is an allocation in Council's 2016/2017 Budget of \$120,000 for the purchase of a community bus to be based in Hyden with budgeted funding of \$40,000 Lottery West Grant and \$80,000 council funding.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**RESOLUTION 2989**

**Moved Cr Jones**

**Seconded Cr Meeking**

**That Council accept the quote from City Toyota for the purchase of a new Toyota Coaster Standard Model Manual transmission 22 seat bus for the sum of \$104,938.73 as per their quote dated 20 March 2017.**

**CARRIED 9/0**

**9.2.1 Grants, Events and Projects Update**

**Grants Summary 2016 – 2017**

Project	Source of Funding	Grant Amount	Shire Contribution	Status / Comment
Sport 4 All – KidSport Program	Department of Sport and Recreation	\$4,200	In kind Only	<b>In Progress</b> and Extension approved for 2016/2017.
Breakaways Restoration	Natural Resource Management (Department of Agriculture and Food)	\$24,310	\$5,000	<b>In Progress</b> – funding agreement and work plan finalised. Soil ripped up by Western Areas. Tree planting of 1,600 trees planted on 11 <sup>th</sup> July 2016. Bollards have been installed and signage being prepared by the Shire of Dundas.
Wave Rock Pathway Extension	Department of Infrastructure	\$25,104	\$27,196	<b>In Progress</b> – incorporated into 2016/2017 works plan. Completed and currently being acquitted.
National Stronger Regions Fund (NSRF) – Yeerakine Lodge Extension	Regional Development Australia	\$600,000	\$171,902	<b>Approved</b> – work currently being undertaken in preparing building plans and tender documentation. Deed of Agreement has been finalised with the Federal Government with the proposed date to commence construction being June 2017 and completion by July 2018 to allow for certification and tender process to be completed first.
Metal Sculpture Project	Country Arts WA	\$11,200	\$2,500	<b>In Progress</b> – Received \$11,200 and the Funding Agreement in place. Sculptor Len Zuks was engaged to facilitate the project. Workshop was held from 20 – 26 <sup>th</sup> March 2017 at Kondinin Men’s Shed. Life size sculptures made are now on display outside the Kondinin Men’s Shed and will be displayed at the 2017 Art Show and then installed at the Kondinin Community Recreation Centre (Country Club).
Community Sporting and Recreation Facilities Fund - Hyden Tennis Club Lights	Department of Sport and Recreation	\$21,303	\$25,000	<b>Acquitted</b> – Official opening of lights was held on 18 <sup>th</sup> December 2016 undertaken by Mia Davies, MLA. Acquittal documentation has been submitted to Department of Sport and Recreation for Shire to receive claim. Project completed well within time and budget.
Extension to Kondinin Community Recreation Centre	Department of Sport and Recreation (Community Sporting and Recreation Facilities Fund) & Wheatbelt Development Commission (Regional Grants	\$100,000 (DSR) \$185,000 (WDC)	\$250,000	<b>Approved</b> – Both Grant Applications submitted to the Northam Offices of the DSR and the WDC respectively on Friday 16 <sup>th</sup> September 2016. KCRC has confirmed \$150,000 towards the project. DSR have confirmed \$100,000 towards the project. WDC have confirmed \$185,000 towards the project. Funding Agreements currently being finalised with the respective state

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	Round)			government departments.
Freestyle Now Skateboard, Scooter and BMX Jam Session and Coaching Day	Health way	\$1,100	\$1,595	<b>Acquitted</b> –Grant acquittal submitted 28 <sup>th</sup> October 2016
Pioneer Wall	Lotterywest	\$7,200	\$9,355	<b>In Progress</b> – Stone Mason engaged for May 2017. Concrete work to be completed before then. Local rocks have been sourced and collected by the Shire for the stone mason. Plaques and Map currently being finalised by Shire Administration.
Anzac Day	RSL / Lotterywest	\$940	In kind	<b>Approved</b> – Application submitted 26 <sup>th</sup> August 2016. Arrangements currently being undertaken for event.
Kondinin Community Garden Grant	Department of Local Government and Communities	\$5,800	\$4,200 + In kind	<b>In Progress</b> – Application submitted 20 <sup>th</sup> October 2016 and approved in January 2017. Busy Bee scheduled for 21 <sup>st</sup> April 2017.
Red Soil Riches – Kondinin Arts Show and Twilight Markets Weekend	Tourism WA Regional Tourism Grant			<b>Pending</b> – Application submitted on 13 <sup>th</sup> December 2016 with outcomes scheduled to be received by May 2017. Celebrity Chef, Anna Gare and sous Chef Sophie Budd have been booked in as the celebrities for the Twilight Markets to coincide with Kondinin Arts Show.
Wheatbelt South Aged Care Alliance	Royalties for Regions	\$1,062,000 Building Costs for (4) units plus 10% contingency	\$49,920 project coordination \$66,000 land assembly & site works \$78,000 Landscaping & driveways = \$198,920	<b>Approved</b> – the Shire has received approval for grant money (\$265,500 per unit) for the building cost of four (4) new units. Two at Whispering Gums in 2019/2020 and Two (2) at West Court in 2020/2021. The remaining costs including: project coordination, land assembly and site works and landscaping and driveways are to be contributed by the Shire. The land value (\$100,000) was also considered a Shire contribution. Awaiting formal Financial Agreement from State Government and finalisation of MOU with participating local governments.

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Kondinin Community Art Project	Department of Culture and the Arts	\$5,520	\$1,000 + In-kind	<b>Pending</b> – Application to engage Ashley Collard to run a 3 day art project in Kondinin in July 2017 to create: Noongar 6 season poles in the community garden; community school centenary mural and rock painting was submitted on 13 <sup>th</sup> January 2017. To be re-submitted in April due to over-sized attachment.
Community Bus	Lotterywest	\$49,031	\$49,031	<b>Approved</b> – Application received on 17 October 2016 and approved in March 2017. Matter being considered at Ordinary Meeting of Council on 19 <sup>th</sup> April 2017.
<b>TOTAL</b>		<b>\$ 2,107,708</b>	<b>\$ 745,699</b>	

**Events Summary**

Date	Event	Target Audience	Location and Status
<b>MARCH 2017</b>			
20 <sup>th</sup> – 26 <sup>th</sup> March 2017	Metal Sculpture Workshops	Workshop Participants	Kondinin Men’s Shed Was very well supported and received by the community and the artist. Sculptures made are currently displayed outside the Kondinin Men’s Shed awaiting a more permanent location.
25 <sup>th</sup> March 2017	Bike Week ‘Tour de Kondinin’	School Students	Kondinin Town Site Was well attended and well organised by the Kondinin Community Resource Centre.
<b>APRIL 2017</b>			
1 <sup>st</sup> April 2017	Kondinin Lake Pentathlon	Local and surrounding communities	Kondinin Lake Mike from Sunset SUP attended from Perth to provide Stand Up Paddle Board lessons and to provide the ‘SUP’ boards for the participants. The five legs included 8km bike ride, 3.5km run, 3.5km kayak, 500 swim and 200 metre SUP paddle. It was a great day out at the Kondinin Lake.
19 <sup>th</sup> April 2017	Youth Week – Amazing Race (run through Youth Week Grants submitted by Hyden and Kondinin Community Resources Centres)	Hyden and Kondinin Youth	Kondinin Town Site
20 <sup>th</sup> April	Nyoongar Sports Day	Youth	Kondinin Oval and Pavilion
21 <sup>st</sup> April	Kondinin Community Garden Busy Bee and Herb Pallet Workshop	Community Members	Kondinin Community Garden



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25 <sup>th</sup> April	Anzac Day	All community	Services to be held in Kondinin (Dawn Service at Yeerakine Rock and March and Gun Fire Breakfast at Memorial Gardens); and in Hyden at memorial.
<b>JUNE 2017</b>			
12 <sup>th</sup> – 17 <sup>th</sup> June	Archery Lessons undertaken by accredited coach from 'Arrows Across Australia'	School Students	Hyden and Kondinin Ovals

**Community Development Project Summary**

<b>Project</b>	<b>Status</b>
Kondinin Community Garden	Busy Bees being held at the end of each month. Next busy bee scheduled for 21 <sup>st</sup> April 2017 for new planting and installation of gabion seating.
Wave Rock Improvements	Working with Hyden Councillors and Works Manager. Gazebo Shelter has been installed at the Breakers Picnic Area 2016. Manager Planning and Development to work with Hyden Progress Association and Hyden Councillors to prepare and install interpretive signage in the new gazebo. New streamlined signage in the car park area will also be investigated and bollards at intersections along the new bike path.
Hyden Streetscape Project for 2022 Centenary	HYDEN – Meeting was held on 20 <sup>th</sup> October 2016 at Coronation Park with some good feedback received to progress project. Some indicative plans / sketches have been drawn up. At the Ordinary Meeting of Council on 15 <sup>th</sup> March 2017 the Council resolved for the Shire's Administration to prepare a design brief and invite consultants to provide a quote to prepare a concept design for Hyden Streetscapes. A draft copy of the Design Brief has been tabled at the Ordinary Meeting on 19 <sup>th</sup> April 2017 for Information.
Karlgarin Streetscape Project for 2020 Centenary	KARLGARIN – Meeting held with Karlgarin Progress Association secretary on 15 <sup>th</sup> December 2016 to discuss ideas for the centenary, including pioneer wall opposite the former shop and story boards. CEO and Manager of Planning and Development attended Karlgarin Progress Meeting on 22 <sup>nd</sup> February 2017 in which this project was discussed in detail. Various ideas were discussed and it was agreed that a sub-committee be created to progress the matter.

**Town Planning Projects and Matters Update**

<b>Project</b>	<b>Status</b>
Amendments to Town Planning Scheme No.1	Amendments proposed to Town Planning Scheme No.1, to: <ol style="list-style-type: none"> <li>1) re-zone land to enable Whispering Gums development; and</li> <li>2) Enable grouped dwellings (more than one dwelling) in a rural zone</li> </ol> A report to Council to formally initiate the zoning change for Whispering Gums was presented as a separate Agenda Item of the Council Meeting held on 15 <sup>th</sup> March 2017. Information has been sent to Environmental Protection Authority to assess amendment prior to advertising.

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Land Ownership Change for West Court Lots 293, 294, 295, 296, 297 and 285.	In order for the Shire to develop independent living units on the southern lots along West Court, the lots will need to be changed from Unallocated Crown Land to be vested in the Shire. A detailed report on this matter was presented to the Ordinary Meeting of Council on 15 <sup>th</sup> March 2017 of which the proposal was endorsed. Matter is now being followed up with the Department of Lands.
Creation of dedicated laneway to the north of Clayton Street, Hyden	To formalise the current rear access to lots on the north of Clayton Street it is proposed that a portion of the private property on Lot 802 is excised for the purpose of a dedicated laneway to be managed by the Shire. Matter has been discussed with the owner of the land who has verbally agreed to provide the land to the Shire for the purpose of a laneway. To be progressed in liaison with the owner.

**RESOLUTION 2990**

**Moved Cr Butler**

**Seconded Cr Lynch**

**That Council Receive the Manager Planning and Development's update on Grants, Events and Projects;**

**CARRIED 9/0**

**9.2.2 Hyden Streetscapes Report # 2 – Tabling of Design Brief**

**Applicant:** Shire of Kondinin  
**Author:** Manager Planning and Development  
**Date:** 11<sup>th</sup> April 2017  
**Disclosure of Interest:** Nil  
**Attachments;** Design Brief

**Summary/Comment**

The Council at its Ordinary Meeting held on the 15<sup>th</sup> March 2017 resolved that the Shire’s Administration prepare a Design Brief and engage a consultant that will provide a concept design to guide the streetscape improvements to the Hyden Town Site in the lead up to the centenary in 2022.

When the matter was tabled at this meeting it was mentioned that a draft version of the detailed design brief be presented to Council at the April 2017 Council Meeting before requesting quotations from appropriate consultants.

The Design Brief is tabled for ‘Information Only’, however should any Council Members wish to provide any feedback on the Brief comments are welcome and are to be directed to the Manager Planning and Development, Tory Young by no later than Friday 28<sup>th</sup> April 2017. The Request for Quotation will also include the requirement for an Implementation Plan to deliver the project over a five (5) year period.

It is anticipated that the Concept Design and accompanying Implementation Plan prepared by the chosen consultants will provide a sound working document to guide grant applications and the delivery of this project in the lead up to Hyden’s centenary in 2022.

On the conclusion of the submission period the quotations from consultants will be reported back to Council for their consideration.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

\$50,000 has been allocated in the 2016/2017 budget towards this project.

**Strategic Implications**

The following extract from the Shire’s Community Strategic Plan 2016 – 2026 supports this project.

***‘1.2 A growing, diverse and dynamic community***

*‘....*

*1.2.3 Create aesthetically attractive and vibrant towns within the Shire*

- *Undertake a dedicated streetscape and beautification project for the Hyden Town Site’*

**Voting Requirement**

Simple Majority

**FOR INFORMATION ONLY**

**9.2.3 Update on Extension to Kondinin Community Recreation Centre (Kondinin Country Club)**

**Applicant:** Shire of Kondinin  
**Author:** Manager Planning and Development  
**Date:** 11<sup>th</sup> April 2017  
**Attachments:** Budget Summary and Letter from KCRC  
**Disclosure of Interest:** Nil

**Summary/Comment**

As outlined in the Chief Executive Officer’s Report tabled at this Meeting on the 19<sup>th</sup> April 2017, whilst the Shire was successful in receiving grant funding for the project to extend the Kondinin Community Recreation Council from both the Department of Sport and Recreation and the Wheatbelt Development Commission, the amount received from the Department of Sport and Recreation was \$85,000 less than what was requested, leaving a short fall of \$85,000 to be met based on the cost of the project provided in the Davson and Ward Quantity Surveyor Report.

In the preparation of the grant application, the Kondinin Community Recreation Council formally confirmed \$150,000 towards the construction costs of the project, with the other funds being met by the Shire and the State Government.

At the onset of this project, the Kondinin Community Recreation Council as the managers of the Kondinin Community Recreation Centre engaged an architect and then later engineering consultants to prepare certified construction plans for the proposed extensions. As the project has progressed it has become apparent that these consultancy fees have exceeded the amount expected.

In a letter dated 5<sup>th</sup> April 2017 addressed to the Shire's Chief Executive Officer and Shire Councillors the Kondinin Community Recreation Council provided an overview on the necessity of upgrading the Kondinin Community Recreation Centre and sought the Shire's consideration in assisting with the payment of 50 per cent of the consultancy fees to enable for the construction plans to be completed so that the project can go out for tender.

The Shire's Chief Executive Officer responded in a letter dated 6<sup>th</sup> April 2017 advising that 50 per cent of the consultancy fees could be paid by the Shire from the \$250,000 budgeted funds for this project but that this would mean that the Council would need to approve the full amount of \$250,000 being made available in 2017/2018 and any additional funds depending on the outcomes of the tenders to ensure that adequate funds are available for construction.

As outlined in the attached documents to this Agenda Report, it is strongly evident that over the last 15 years the Kondinin Community Recreation Council has contributed a significant amount of money back into the Kondinin Community with limited money being received from the Shire. As such, it is considered that it is reasonable that the Shire of Kondinin assist in contributing towards the consultancy fees associated with the construction plans currently being prepared for this project. This will ensure that the Shire can progress to the tender stage of this project and meet the milestones prescribed within the grant funding agreements between the Shire and the Department of Sport and Recreation and the Wheatbelt Development Commission respectively.

**Statutory Environment**

Nil

**Policy Implications**

Shire Policy 5.3.2 – Capital Works Programmes

**Financial Implications**

\$250,000 to be provided in the 2017/2018 budget (minimum and subject to tender)

\$45,000 to be provided in consultancy fees in the 2016/2017 budget

**Strategic Implications**

The proposal supports the following section of the Shire's Community Strategic Plan 2016 – 2026

***"1.3 A safe, healthy and active Shire***

*1.3.1 Facilitate a consistent presence and high standard of medical services and allied health in the Shire*

*1.3.2 Embrace lifelong learning, social interaction and creativity*

*1.3.3 Provide a variety of quality sport, recreation and leisure services and facilities for all life stages across the three communities*

*1.3.4 Attract regular cultural events and activities to the Shire*

- *Upgrades to the Kondinin Country Club."*

**FOR INFORMATION ONLY**

**9.3 CHIEF EXECUTIVE OFFICER'S REPORT**

**9.3.1 WANDRRA AGRN743 - January, February, 2017 Flood Event**

**Applicant:** Shire of Kondinin

**Author:** CEO

**Date:** 10<sup>th</sup> April, 2017

**Disclosure of Interest:** Nil

**Summary/Comment**

The assessment of the extent of damage has been completed by Core Business on behalf of the Shire of Kondinin and we are currently awaiting its advice regarding the estimated cost of repair for submission for approval to WANDRRA. Once approval has been obtained of the claim, then Core will move forward with calling tenders for contractors to undertake the work, unless approval is obtained to allow local governments to undertake the work during normal working hours.

At the time of writing this report advice has not been received regarding the Federal Government's and WANDRRA's decision as to whether local governments are permitted to carry out the reinstatement work utilising its own plant and manpower during normal working hours. This process was delayed due to the change in the state government at the recent election and the new Minister for Emergency Services making his recommendation to the Attorney General.

In the meantime our maintenance crews have repaired to a safe condition all roads that had dangerous sections requiring repair. This work has been carried out at the Shire's expense from funding provided in our road maintenance budget and is not recoupable under WANDRRA.

**Statutory Environment**

Federal & State Natural Disaster Relief and Recovery Arrangements Legislation.

**Policy Implications**

Nil

**Financial Implications**

Undertaking a large road repair program, whether by Shire plant and employees or by contractors, can have a negative effect of the Shire's cash flow if WANDRRA claims for cost reimbursement are not paid promptly. Cash flow will therefore have to be managed carefully by the Shire's administration.

**Strategic Implications**

Reinstatement of the Shires damaged roads after a flooding event to a good safe condition, (as is maintaining our road network to a high standard), is an important strategic objective under our Community Strategic Plan.

**Voting Requirement**

Simple Majority

**RESOLUTION 2991**

**Moved Cr Meeking**

**Seconded Cr Jones**

**THAT the CEO's update regarding progress of the reinstatement program of the Shire's damaged roads as a result of the WANDRRA AGRN743 January, February, 2017 flood event, be received.**

**CARRIED 9/0**

**9.3.2 Hyden Town Site Flooding**

**Applicant:** Shire of Kondinin

**Author:** CEO

**Date:** 10<sup>th</sup> April, 2017

**Disclosure of Interest:** No interest to disclose

**Summary/Background**

As reported last month, on Saturday morning 11<sup>th</sup> February, 2017 heavy rainfall came very close to flooding the Hyden Hotel, Town Hall, CWA premises, church building and other areas of the Hyden town site. Flooding due to the heavy rain received on Friday night 10<sup>th</sup> and the previous week has been described as a one in ten year flood event with Marshall Street and land south of Hyden all flooded.

Following the de-brief meeting in Hyden held on Friday, 17<sup>th</sup> February, 2017 attended by Hyden locals as well as the Shire President, Councillors Jones and Lynch, Shire CEO and Manager of Works, a further meeting was held on 3<sup>rd</sup> April, 2017 with MRWA representatives Mark Russell and Cathy Morey. Attendees at this meeting included CEO, MOW, Cr Meeking, Cr Lynch and several Hyden locals. This meeting was convened by Vern Brown who owns farmland to the south of the town site and the purpose of the meeting was to discuss the extent of culverts to be installed on the main street where the highway was previously cut to relieve town site flooding.

MRWA representatives advised that local knowledge and input was appreciated and that they will take into account the expectations of the Hyden locals that the MRWA proposed two 600mm round culvert pipes is inadequate to accommodate the volume of water in a flood event in their project planning.

It is expected that MRWA contractors will undertake the installation work and it is not known when this will occur.

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil

**Financial Implications**

The cost of the reinstatement works will be paid for by MRWA

**Strategic Implications**

Nil

**Voting Requirement**

Simple Majority

**RESOLUTION 2992**

Moved Cr Ilich

Seconded Cr Browning

**THAT Council receive the CEO's update regarding MRWA's installation of culverts on Brookton Highway (Marshall Street) east of the Hyden Roadhouse to avoid future flooding of the Hyden town site.**

**CARRIED 9/0**

**9.3.3 Hyden & Districts Recreation Centre – Proposed Signage and Ornate Wind Shields**

**Applicant:** Ashley Rogers - Hyden Sports Council

**Author:** DCEO

**Date:** 11<sup>th</sup> April, 2017

**Disclosure of Interest:** Nil

**Summary/Comment**

As part of the Hyden Recreation Centre improvements completed over the past few years it had been planned to place large lettering on the south side of the building reading “**Hyden & Districts Recreation Centre**”. It was discussed with the sports council briefly last year about their intention to look into placing some sort of screening on the south side of the building to provide a wind break and to screen off the BBQ area which appears a bit untidy when viewing from the highway entrance. They have come up with a costing for the screening which incorporates the name of the building and it is to be done by an ex local Chevi Hughes. The cost for the screening and incorporated signage is quoted at \$10,200.00 inc. GST. Council has been requested to contribute to the cost of the project considering the signage is incorporated in the screen and council was going to pay for the signage anyway. The design of the screening is attached and I believe that it is both attractive and functional and would highlight the Recreation Centre from the highway.

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil

**Financial Implications**

Funds for this can be sourced from general operating expenses for the Hyden sporting precinct.

**Strategic Implications**

The proposal supports the following sections of the Shire Community Strategic plan 2016-2026.

**1.2 A growing, diverse and dynamic community**

*1.2.1 Facilitate equitable access for residents to services and facilities across the Shire*

*1.2.3 Increase land supply for residential, commercial and industrial opportunities that can be released quickly to the market*

*1.2.3 Create aesthetically attractive and vibrant towns within the Shire*

**1.3 A safe, healthy and active Shire**

1.3.1 Facilitate a consistent presence and high standard of medical services and allied health in the Shire

1.3.2 Embrace lifelong learning, social interaction and creativity

1.3.3 Provide a variety of quality sport, recreation and leisure services and facilities for all life stages across the three communities

1.3.4 Attract regular cultural events and activities to the Shire

**Voting Requirement**

Simple Majority

**RESOLUTION 2993**

**Moved Cr Growden**

**Seconded Cr Meeking**

**That Council contribute the sum of \$5000 towards the cost of the proposed signage and wind shields at the Hyden & Districts Recreation Centre.**

**CARRIED 9/0**

**9.3.4 Major Project Summary**

**Applicant:** Shire of Kondinin

**Author:** CEO

**Date:** 10 April, 2017

**Disclosure of Interest:** No interest to disclose

**SUMMARY/BACKGROUND**

The Shire of Kondinin currently has several major projects underway and in the pipeline. I have also listed some future projects that will need to be considered in future budgets. These include:

- **Construction of Staff Residence**, Repacholi Parade, Kondinin – this project is currently underway with constructors Kondinin Building Services and is fully funded with \$400,000 provided in the current budget, which includes Council's input of site works, utility connections, landscaping, etc.
- **Construction of Yeerakine Lodge** 4 Unit and kitchen/common room extension – Tenders being called shortly. This project is fully funded totaling \$922,000 made up of \$600,000 Federal National Stronger Regions Fund, \$150,000 Kondinin Kulin Aged Accommodation Group and \$172,000 Shire. This facility provides a higher degree of aged care located adjacent to the Kondinin hospital and services residents from the entire Shire.
- **Construction of Kondinin Sports Club Extension** – Architect currently preparing detailed plans. Funding totaling \$680,000 has been obtained from \$180,000 Wheatbelt Development Commission (WDC), \$100,000 Department of Sport & Recreation (DSR), \$150,000 Kondinin Community and Recreation Council (KCRC) and \$250,000 Shire. The \$680,000 construction cost does not include the estimated \$90,000 architect and consultant fees cost associated with the project. Available funding is expected to prove inadequate depending on tender outcome and provision will need to be made in the 2017/18 budget for additional Shire funds, as well as additional funds from KCRC.
- **Construction of Retirement Village Additional Units – Westcourt & Whispering Gums.** Funding has been obtained from the Wheatbelt Development Commission (WDC) by the Wheatbelt South Aged Housing Alliance, of which the Shire of Kondinin is a member, for construction of four Independent Living Units (ILU's). The successful funding of \$1,255,920 allows for two units to be constructed at Westcourt Retirement Village in Kondinin and two units at Whispering Gums Retirement Village in Hyden at an approximate cost of \$314,000 per unit including site works, landscaping, fencing, etc. We are hoping to achieve construction to be spread over the 2017/18 and 2018/19 financial years.
- **Kondinin Pioneer Wall** – Project cost is \$14,929 funded by \$7,200 Lottery West grant and the remainder from the Shire. This project comprises several components in the construction of a concrete wall \$6,365, construction of stone outer to wall by Stonemason \$1,614, rock collection in kind and Plaque/map manufacture \$6,950.
- **Hyden Main Street Upgrade.** This project is to be completed prior to the town's 2022 100 year celebrations and will be spread over the next five year period. Initially \$50,000 has been provided in the current budget to engage consultants to carry out the plan/design of the upgrade with input from locals. Future budgets will require funding provision for this project.

- **Karlgarin Town Upgrade.** Similar to Hyden, Karlgarin has its centenary 100 year celebration in 2020 and planning is underway for town site improvements to be constructed over the next three years. Again funding will need to be provided in future years to accommodate this work.
- **WANDRRA AGRN743 Flood Damage Repair.** Advice will be received shortly regarding the project total estimated cost which we expect to be around \$2 million. The repair work will extend into 2017/18 financial year. Although fully funded by WANDRRA, payment to consultants (Core Business) and contractors while awaiting WANDRRA reimbursement will require careful cash flow management.
- **Town Site Drainage.** This major project involves both Kondinin and Hyden town sites. The work will involve MRWA's financial input in respect of highway water drainage in both towns. Research is required regarding sourcing possible grant funding towards the project cost. Remedying the drainage problem in Kondinin town site is expected to be carried out in conjunction with the need to reconstruct many old sealed town site streets that in many cases because of incorrect levels are contributing significantly to the drainage problem.
- **Kondinin Caravan Park Chalets.** Currently we have three chalets which have proved very popular with high occupancy. Further chalets are recommended, progressively built over the next two or three years.
- **Kondinin Sports Pavilion Upgrade.** This building, servicing sports people engage in such as football, cricket, hockey, and private functions, etc., is in need of improvement. The ceiling to the building is in a poor state of repair and an extension (northern end) to the existing small main function area needs to be considered. KCRC's financial contribution towards these improvements needs to be considered as per Council Policy.
- **Hyden Sports Pavilion.** Hyden Sports Council is keen to have the Hyden Sports pavilion extended on the northern end to provide a gymnasium. This building has high sports community usage and has recently received a major upgrade/extension including extended function area, kitchen, bar, toilets, showers, external building rendering, car park, etc. costing \$550,000 of which Council's contribution was \$400,000 cash and \$150,000 Council's CLGF grant funding. Future improvements will require community groups financial contribution as per Council Policy.
- **Yeerakine Rock Improvements.** Gaining tenure/vesting (C Class Reserve) of the Yeerakine Rock area from Water Corp' is recommended. Provision of shelters with seating/table and BBQ facilities to make the area more visitor friendly for locals and tourists is recommended. Interpretive signage regarding the Kondinin district incorporated into the shortly to be disused concrete tank also needs consideration to compliment the iconic statue of the WW1 Light Horseman and the 360 degree view over the adjoining farmland and lakes.
- **Kondinin Shire Council Chamber Extension.** A further project considered necessary is the extension to the west of the Kondinin Shire administration building to allow for a larger kitchen facility and larger Council Chamber, incorporating a small meeting room and improved bar area. Adequate room exists on the block to achieve this extension. I believe this project needs to be undertaken within the next three years.
- **Coronation Park, Hyden Improvements.** The current budget provides for some improvements to be made to Coronation Park, Hyden and provision needs to be made in future budgets for continued improvement to this public area.
- **Wave Rock Ongoing Improvements.** Substantial improvements have been made over the past two years by Council to the Wave Rock area including new pine log railing at Wave Rock entrance and Hippo's Yawn areas, extension of pedestrian bitumen and concrete footpath, improvement to parking areas, additional toilet block facilities for tourist visitors, new ticket entry machine capable of accepting card payment, as well as improvements to the Breakaway area including provision of upgraded toilets, BBQ's and shelter/seating facilities. Consideration is required towards improvements required and the provision of funding over the next few years to improve this popular iconic tourist attraction. Vesting of this area in the Shire of Kondinin as a dedicated Reserve needs to be facilitated rather than the existing short term lease arrangement with Water Corp', to secure the Shire's tenure and justify continued improvements and capital expenditure.



- **Resurfacing Karlgarin Bowling Club Synthetic Green.** \$107,410 is currently in an interest bearing Shire of Kondinin Reserve Fund for the purpose of resurfacing the Karlgarin Bowling Club synthetic green. These funds derived from the insurance payout by the Shire's insurer LGIS, as a result of storm damage to the green early in 2013. Council, at its discretion, may use these funds for other related purposes with an absolute majority decision of Council. Although a contentious issue, it is appropriate that Council consider utilizing these funds at some time in the future, when the current green further deteriorates, towards relocating the bowling green and club facilities to Hyden, as the Karlgarin Club is currently struggling and unable to fill its men's and women's pennant teams. This has resulted in one mixed team only in the district's bowling pennant competition, which has caused both men and women bowlers/members of the Karlgarin Bowling Club to be excluded from playing in the pennant competition. The \$107,410 funds could be effectively leveraged to attract a similar amount in Department of Sport and Recreation grant funding to allow some \$220,000 capital funding being available towards the construction of a new facility in Hyden.

It is considered that, (in the absence of a sustainable, fully populated men's and woman's pennant bowling teams being achieved by the Karlgarin Bowling Club in the near future), if the bowling facility was located in Hyden, strategically, much improved member numbers and participation numbers in the popular sport would definitely result. This would also and importantly, enhance the overall sustainability and strength of the men and women's pennant bowling league competition in the whole district.

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil

**Financial Implications**

While budget provision has been made for current projects, future project funding will prove challenging, requiring advanced planning and timely submission in attracting grants to assist in construction costs.

**Strategic Implications**

Future proposed projects need to be considered in conjunction with those projects identified in our Community Strategic Plan.

**Voting Requirement**

Simple Majority

**RESOLUTION 2994**

**Moved Cr Browning**

**Seconded Cr Butler**

1. Receive the CEO's report regarding Shire of Kondinin's current and possible future major projects.
2. That Council defer the review of possible future projects identified in the CEO's report until the May 2017 Ordinary Council Meeting to determine Council's priorities for future projects for the purpose of assisting administration in long term budget planning.

**CARRIED 9/0**

**9.3.5 CEO's General and Project Status Report**

**1) Staff Matters**

Dennis Valenta's employment was terminated effective from Monday 27<sup>th</sup> February, 2017 due to his alleged physical assault on his brother (Gary Valenta), Works Supervisor, at the Shire depot in Hyden. Dennis has since filed a claim for unfair dismissal through the WA Industrial Arbitration Commission. The Shire has responded to the claim denying unfair dismissal and a teleconference is to be held with all parties and the Commissioner appointed to see if the matter can be resolved. If not, the matter will be dealt with in a formal hearing.

Apart from the Dennis Valenta matter, we have a very stable workforce. Mark Burgess, Manager of Works, continues to settle in very well. The normal structure has been reinstated where the MOW assumes the supervision role of the parks and gardens crew.

## **2) King Rocks Dam Upgrade – Department of Water**

**September 2016** – The DoW has arranged to have a spillway cut into the top of the western wall of the dam. It is approximately 5m long and 600mm deep. This will take the pressure off the top section of the wall where the main leak is when it is full. DoW are also arranging a public meeting in Hyden on Thursday, 6th October at 4.00pm to update the public on the progress of remedying the faults.

**October 2016** – The meeting was held in Hyden on 6<sup>th</sup> October with in excess of 20 people in attendance as well as 2 representatives from the Department of Water. A brief history of the investigative works carried out so far was outlined as well as some of the recent remedial work carried out in order to make the dam wall more secure. It was unanimously agreed that something needs to be done to secure the longevity of the dam wall and thus the continued supply of a valuable water source.

The key issues affecting the stability of the dam wall have been defined as thermal movement and opening of the lift joints. 4 options were presented to the meeting and were ranked in order of the preferred method. Post tensioning of the dam wall involves the anchoring of the wall to the foundations which in turn closes the gaps is seen as the best option long term.

However, the main factor affecting the works is the lack of available funding at present within the Department of Water. Funding will need to be sought in the 2017/2018 financial year. The Manager, Rural Water Planning, Michael Allen from the Dept of Water advises that he will actively be seeking funding.

During the construction works, when it happens, the dam will need to be drained and other sources of water supply will need to be arranged for a period of 2 to 3 months until it rains. The matter of King Rocks was brought up with the Minister for Water, Mia Davies, on her recent visit to Kondinin and she was very receptive to the proposed plan to fix the dam wall and intimated that she would endeavour to push through funding in the coming months prior to the state election. Tabled is a copy of the presentation made to the meeting which describes in more detail the history and required actions.

**November 2016** - nothing to report

**December 2016** – nothing to report

**February, 2017** – The Shire is continuing to obtain the names of all farmers that would require the use of water from King Rocks Dam in a year of drought for the information of the DoW.

**March, 2017** – A survey conducted indicates that at least nineteen (19) farmers would use in the vicinity of 440,000 litres of water from the dam in a drought year. The Department of Water have been requested to advise (as per Council's resolution at its last Council meeting) what Shire contribution towards the repair of King Rocks Dam is expected and also revise its cost estimates of the remedial work recommended including allowing a (high) 50% contingency which substantially increased the estimated cost to over \$900,000.

**April 2017** – nothing further to report.

## **3) Aged Housing**

**February, 2017** – Full state government R4R grant funding has been received by the Wheatbelt South Aged Accommodation Alliance and we are now able to proceed with the Shire of Kondinin project, building two units in the 2018/19 year and two in the 2019/20 year. Council's contribution (which can include the land value, site works, etc.) will need to be provided in these year's budgets.

With full funding achieved for the Yeerakine Lodge extension project as well as additional units at Westcourt and Whispering Gums Retirement Villages, the Shire of Kondinin can be pleased with progress made in significantly increasing aged accommodation in its Shire and achieving significant grant funding towards this.

**March, 2017** – The Manager of Planning & Development is presenting a comprehensive report to Council regarding matters requiring determination in respect of the four Independent Living Units (ILU) to be constructed in Kondinin and Hyden. Land tenure, town planning zoning, who manages the units, type of structure (brick or modular), etc. requires facilitating and determining.

**April, 2017** – Currently we are waiting on the Electrical Engineer's report regarding the Yeerakine Lodge extension project, which will complete all reports required to allow us to move forward with calling tenders for the project's construction. Council made the decision to call tenders for this project at its February, 2017 meeting. Calling tenders during April, 2017 will hopefully allow us to maintain the timeline under our funding agreement with National Stronger Regions Fund of construction commencement by July, 2017. Delays have been encountered in respect of the extension to the Kondinin Sports Club project caused by

the Architect Rosalie Pech Eva advising that plans will not be complete until November, 2017, a necessary prerequisite to being able to call tenders for the project's construction.

**4) Staff Housing Construction– Repacholi Parade, Kondinin**

**February, 2017** - The Shire has completed the site sand pad and Kondinin Building Services (KBS) has commenced marking out the lot and security fencing it ready for construction commencement.

**March, 2017** – Progress by KBS over the past month has been very little and slow due to KBS undertaking long overdue work at Kondinin IGA.

**April, 2017** – Kondinin Building Services have laid the concrete pad for the residence.

**RESOLUTION 2995**  
**Moved Cr Growden** **Seconded Cr James**  
**That the CEO's General and Project Status Report be received.**  
**CARRIED 9/0**

**9.4 MANAGER OF WORKS**

**9.4.1 GENERAL**

**Construction Crew**

We have now completed the East Hyden Bin Road where we have constructed with cement a 2km section with a two coat seal. It was necessary to add 1% cement as the sample came back suggesting the material was a little bit on the silty side.

We have also completed Lovering gravel sheet works from SLK 0.0 – 4.00

A 525mm culvert on Billericay to elevate erosion issues has been installed and a floodway on Lovering reopened as it was diverting water away from the natural creek line.

Gravel was supplied by R & S Meeking. Water was also supplied by R & S Meeking.

**Plant Repairs**

- KN 61 – Docs ute - Injectors
- KN65, John Deere Grader - Adjust circle and re shim
- KN 56 – Replace side window, and service
- KN 51 – Dual Cab Rodeo – 155000km service
- KN 60 - Dual Cab Construction – Re gas aircon
- KN 55 - Colorado ute – Service
- KN 89 – Dual Cab Lease – Service
- Toro Mower Reel – Replace seals and O rings in the Hydraulic pump

**Maintenance Grading**

The following roads have received a maintenance grade, with batter and off shoots:

Karlgarin Lake Rd	Pederah East Rd
Notting Karlgarin Rd	Karlgarin Hills North Rd
Tolland Rd	Linto Rd
Chalk Hill Rd	Chalk hill West Rd
Scrivener Rd	Worland Rd
Allan Rd	Aylmore Rd

Most of the patches around the shire that received some scouring and ruts have been made safe; however they still require works when a decision is made on the preferred contractor to carry out these works.

Private Works was carried out for Mr Dean Baker this was completed by Doc Halliday.

**Maintenance**

General culvert cleaning, signage and patching has been carried out.

Have also utilised Geoff Healy in regards to floating rollers to Perth, and emptying Hyden swimming pool.

**General**

Given we have had a substantial rainfall so far, I'm seeking permission from Council to purchase a purpose built spray unit to carry out verge spraying where grass is an issue as well as regrowth from recently cleared areas. This would cost between \$7000 and \$9000 thousand dollars to set up.

I would also like to discuss next year's plant replacement as it is felt Council should look at the replacement of the Vibe Roller rather than the Volvo L 70 loader as the roller is not reliable and is a critical part of construction. Please see attached 10 year plant replacement program.

**Staff**

Most staff will be having the Easter week off and return to work on the 24<sup>th</sup> of April.  
Some will return on the Tuesday the 18<sup>th</sup> of April.

**9.4.2 PLANT REPORT**

Please see attached km and hours for LV and Plant report ending March 2017.

**RESOLUTION 2996**

Moved Cr Browning

Seconded Cr Growden

1. That the Works Manager's Report be received.

**CARRIED 9/0**

**RESOLUTION 2997**

Moved Cr Meeking

Seconded Cr Browning

That council agree to make available, from surplus funds in a work account in the current 2016/17 budget, up to \$9000 for the purchase of a purpose built verge spray unit.

**CARRIED 9/0  
Absolute Majority**

**9.5 ENVIRONMENTAL HEALTH OFFICER'S REPORT – MARCH 2017**

**9.5.1 ENVIRONMENTAL HEALTH OFFICER'S REPORT – December 2016, January, February and March 2017**

**Date:** 10 April 2017  
**Reporting Officer:** Environmental Health Officer, Mr Julian Goldacre  
**Disclosure of Interest:** No interest to disclose

**BACKGROUND**

This report provides an update for Council on work that Council's Environmental Health Officer provides for the communities within the Shire of Kondinin for the periods of December 2016, January, February and March 2017.

**COMMENT**

**Animals, Nuisance and Environment Local Law –**

The *Shire of Kondinin Animals, Nuisance and Environment local law 2016* was gazetted on Friday 10 of February in *Gazette* N<sup>o</sup> 39 and therefore is now law within the local government district of Kondinin. The Officer has been collating all the Council Minutes, advertising, submissions, previous local laws, Dept of Health and the Dept of Local Government and Communities submissions as well as other requested information to complete the 'Explanatory Memorandum'. The Clerk of the Joint Standing Committee on Delegated Legislation (JSCDL) is now in possession of this information and will review before submitting to the JSCDL for final scrutineering and raising of any matters for attention. Whilst it is not anticipated there will be any issues raised there is always that potential despite all the assistance of the Dept of Local Government and Communities and the Dept of Health.

With the local laws for Health and Animals, Nuisance and Environment to be 'tested' with the JSCDL before gazetting the rest of the RoerOC local laws this will prove an excessive in scope of time required. In order to ensure a full raft of local laws the Animals, Nuisance and Environment local law will be gazetted forthwith as will the other RoerOC local laws to enable clear and present local laws for the health districts.

Due to the amount of administration required to undertake this activity the Officer will dedicate a full week to accomplishing this task in November or December of 2016.

At the March 2017 Ordinary Meeting of Council the agendas were presented and passed for the CEO to delegate 'Authorised Officers' for the purpose of enforcing the *Shire of Kondinin Animals, Nuisance and Environment local law 2016* so that Officers of the Shire of Kondinin can be issued with letters of authority and identification cards.

**Kondinin Clean-up Project – Notices Served for overgrown and disused materials in yards:**

- **48 Rankin Street, Kondinin townsite -**  
Works mostly completed with an inspection scheduled in April 2017 to see what the intentions for the remaining items are.
- **Lots 76 & 77 Rankin Street Kondinin -**  
With the owners health matters still the cause of the ongoing delay for the yard clean up and no further works done. At this point in time it would be best to present Council with the option to obtain a Court order for the Kondinin Shire to remove the disused materials and put the cost of doing so onto the land on the grounds that there is little prospect presently of attaining the compliance of the Orders issued in 2014.
- **Number 26 and number 28 Rankin Street Kondinin –**  
Again the property has not progressed any further as it is now no longer inhabited. The EHO did receive a call from Mr Allen Chambers in January 2017 asking what would be required to renovate the building to make it inhabitable. The EHO directed Mr A Chambers to the list of issues identified in the Health Act Notice as a good start and to get quotes. Again, as the building is deteriorating and the disused materials still present it would be best to present Council with the option to obtain a Court order for the Kondinin Shire to remove the disused materials and put the cost of doing so onto the land on the grounds that there is little prospect presently of attaining the compliance of the Orders issued in 2014; the future of the building would also need to be discussed.

**Bendering Landfill Update:**

On the 22 December 2016 at 1515Hrs a fire was reported at the Bendering landfill site. At 1626Hrs Kondinin Fire Truck '3.4' and crew arrived at fire site (inside Trench 1A) along with DFES support vehicle and Officer who happened to be in Kondinin at the time for training purposes. Fire control officer Mr John Read arrives at 1630Hrs followed by Kondinin Shire large water truck. Many were in attendance being local farmers also with small fire fighting units on utilities. Fire was declared by Mr Roger Northey of VFES Kondinin to be controlled and contained at 1900Hrs who deemed the cause of the fire to be 'spontaneous combustion'. Avon Waste attended the site the next day and used the loader to cover the smouldering remnants of the fire. Lack of cover material was observed and Mr R Paul of Corrigin has written to Avon Waste identifying concerns with operational management of the landfill; the letter was circulated to all RoerOC CEOs. The EHO as required under the Rural Landfill Regulations submitted a report to the Dept of Environment and Regulation and has been acknowledged. Mr Roger Northey said that it would take a good '...6 inches...' of rain to saturate the fire trench and by chance Bendering received more than that during the heavy rainfall events. Currently Avon Waste has moved waste disposal to the shallower trench and has indicated that they will fill this trench before moving back to Trench 1A and 1B.

During discussions with the Waste Authority in January 2017 it was mentioned funding would be available in March 2017. Unfortunately the funding expired and will not be available until around August 2017. The funding is being looked at to get financial contribution for upgrading the weighbridge at Bendering site now that there is support to keep the asset. Without the funding the RoerOC scheme will need to consider costs and budgeting for the 2017-2018 period to make the weighbridge operational.

**Kondinin Landfill Inspection:**

The soil testing to determine the permeability of the septic discharge trenches came back as very impermeable and has been accepted by the Dept of Environment & Regulation (DER). On another request from DER the depth of the water table at the Kondinin landfill was required and undertaken revealing no water at a depth of 3 meters. The one outstanding matter is the review of the current license for the transfer station and landfill to meet new DER requirements.

**Mosquito Control:**

Due to the heavy summer rains and the high temperatures the mosquito breeding environment became perfect with noticeable mosquito activity. The mosquito fogger has been activated and fogging around Kondinin, Karlgarin and Hyden undertaken in the evenings. The Dept of Health WA offered free supplies of mosquito chemicals which were accessed by the EHO along with chemical containers to hold the bait cubes which were then placed in dams around Kondinin and Hyden. The EHO is working with people in Hyden to access private dams where they are located close to public areas. The cubes last for three months which will bring them into winter when the mosquito activity diminishes as the breeding cycle slows down. A fast acting pellet chemical has been used as well which knocks out mosquitos immediately.

**Septic Tank Install Assessment:**

The EHO conducted the required Schedule 8 soil absorption test for the proposed upgrade to the Kondinin police station and the new Shire dwelling on Repacholi Parade. Both passed the Schedule 8 soil absorption test.

**Environmental Health Officer duties:**

- Follow-up inspection and review of private swimming pools and spas;
- Food premises inspections undertaken with a focus on allergen awareness of food businesses;
- Review and updating asbestos register for the Kondinin transfer station;
- Public swimming pool inspections and water sampling undertaken with results received back from the laboratories revealing good quality water;
- Review of lodging house files and scheduling of inspections for April and May 2017;

**STATUTORY ENVIRONMENT**

*Health Act 1911;*

*Food Act 2008; &*

*Local Government Act 1995.*

**POLICY IMPLICATIONS**

There are no direct policy implications in relation to this item.

**FINANCIAL IMPLICATIONS**

Private swimming pool and spa pool inspections incur a fee on the owner.

**VOTING REQUIREMENT**

Simple Majority

**RESOLUTION 2998**

**Moved Cr Browning**

**Seconded Cr Growden**

1. That a letter be sent to the respective property owners of Number 26&28 Rankin Street and Lots 76&77 Rankin Street Kondinin advising them that council intends to take further action on compliance orders issued since 2014.
2. The owners are also to be advised that council are keen to work with them in providing assistance with necessary clean ups.

**CARRIED 9/0**

**9.5.2 Use as a dwelling-house the former Sacred Heart Catholic Church, Lot 160 Rankin Street Kondinin.**

**Date:** 10<sup>th</sup> April 2017

**Reporting Officer:** Environmental Health Officer, Mr Julian Goldacre

**Disclosure of Interest:** Nil

**BACKGROUND**

Back in June 2016 the Shire of Kondinin Manager Planning and Development Mrs T Young (MPD Officer) received an enquiry regarding to possibility to undertake habitable occupancy of the Sacred Heart Catholic church (Church). Through correspondence between the MPD Officer and the Environmental Health Officer Mr J Goldacre (EHO) information was supplied to the potential new owner as to what would be required to gain habitable occupancy of the church. The church was sold and the new owner began to undertake renovations and it came to light were also occupying the church during stays in Kondinin; with the church in its current configuration and without the pertinent Council approval habitable occupancy is not permitted. On the 21 March 2017 the Shire received a formal application (**ATTACHMENT A**) with supporting

paperwork to request Council approval to allow occupation of the church as a dwelling pursuant to the *Health (Miscellaneous Provisions) Act 1911*, Section 144.

#### COMMENT

On the 22 February 2017 the Shire of Kondinin EHO and MPD Officer undertook an inspection of the alleged occupied church with the aim to meet up with the persons so occupying the church. On arrival both Officers met Ms Marnie Tonkin the owner and explained the situation of the occupancy of the church and asked if an inspection could be done. The inspection was to enable the process of formalising the application to Council to permit occupation and would be to assist Ms M Tonkin. Ms M Tonkin agreed and entry was gained.

The church inside was in reasonably good condition with clear and present evidence of renovations underway. Ms M Tonkin explained the occupancy with the church in its current state was due to delays being experienced with trades who were not following up with services. Areas were identified that would be required to be addressed and/or actioned on as practicable as possible before Council could resolve on permitting occupancy and form part of the subsidiary legislation under the *Health (Miscellaneous Provisions) Act 1911*.

Areas identified during the inspection of the church requiring works are:

- replacement of internal ceiling panels;
- Repair/replacement of damaged and/or broken windows and frames where required;
- Repair/replacement of damaged or missing gutters and downpipes where required;
- Repair/replacement of deteriorated wooden items;
- Required electrical safety and safety features (smoke alarms & RCD's);
- Water proofing of flooring in the bathroom;
- Mechanical extraction fan in the kitchen; and
- Apparatus for the treatment of sewerage requires repair (although for short incidental stays it is adequate although will need works for full time dwelling-house occupancy)

Recent correspondence with Mrs M Tonkin since the February 2017 inspection has resulted in commendable progress and it can now be reported that:

- ✓ The kitchen now has a functional sink and dishwasher;
- ✓ A functional bath-shower combination;
- ✓ A functional laundry;
- ✓ Gas hot water system installed inclusive of LPG gas bottle manifold;
- ✓ Gas stove; and
- ✓ Plumbing installed for an inside toilet (current working toilet and laundry outside of building).

The church history shows that in 1937 the two rooms located at the rear of the church were built to permit the dwelling accommodation of the then parish priest Father Cyril Stinson (**ATTACHMENT B, pg 3**). Notwithstanding parts of the church has previously been used as a dwelling-house the Council approval would formalise the use of the full church as a dwelling-house which is the owners intent. The new owner has shown good efforts to date and intended efforts, in writing, for further works to be undertaken (**ATTACHMENT C**). The owner due to commitment in Perth only resides onsite with colleagues during the renovation periods for short periods of time. With the completed and current works proposed Council is offered the recommendation pursuant to section 144 of the *Health (Miscellaneous Provisions) Act 1911* to consent to the use of the whole of the Church as a dwelling-house. Conditions do need to be imposed as they would before a building is normally occupied on request to Council on a section 144 matter. Most conditions to be recommended by the reporting Officer can be accomplished in an 'as soon as reasonably practicable' timeframe whereas others cannot due to safety concerns. One area of importance is that the church electrical system is deemed compliant for dwelling house use and that, where required, smoke alarms and residual current devices are available/installed in the church all of which is done by a licensed electrician. Furthermore the apparatus for the treatment of sewerage will require a repair and these works are underway. The MPD Officer reports that from the planning perspective the property is located on land zoned Residential R10/25 and that the current use as a dwelling is consistent with the zoning of the land and therefore no planning approval is required.

#### STATUTORY ENVIRONMENT

*Health (Miscellaneous Provisions) Act 1911; and  
Shire of Kondinin Health Local Law 2016;  
Planning and Development Act 2005; and  
Shire of Kondinin Town Planning Scheme N<sup>o</sup>1.*

**POLICY IMPLICATIONS**

There are no direct policy implications in relation to this item.

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**RESOLUTION 2999**

Moved Cr Meeking

Seconded Cr Butler

THAT Council resolves pursuant to section 144 of the *Health (Miscellaneous Provisions) Act 1911* to consent to the use of the whole of the former Sacred Heart Catholic Church (Church) on Lot 160 Rankin Street Kondinin as a dwelling-house with the following conditions imposed being:

- i) Replacement of internal ceiling panels within the church pursuant to the *Shire of Kondinin Health Local Law 2016* Clause 3.1 Dwelling house maintenance, subclause (i) to the satisfaction of the Shire of Kondinin Environmental Health Officer as soon as reasonably practicable’;
- ii) Repair/replacement of damaged and/or broken windows and frames where required at the church pursuant to the *Shire of Kondinin Health Local Law 2016* Clause 3.1 Dwelling house maintenance, subclause (j) to the satisfaction of the Shire of Kondinin Environmental Health Officer as soon as reasonably practicable;
- iii) Repair/replacement of damaged or missing gutters and downpipes where required at the church pursuant to the *Shire of Kondinin Health Local Law 2016* Clause 3.1 Dwelling house maintenance, subclause (a) and Clause 3.2 Guttering and downpipes, subclauses (1)(a)(b)(c)(d)&(e) as the case requires to the satisfaction of the Shire of Kondinin Environmental Health Officer as soon as reasonably practicable;
- iv) Repair/replacement of deteriorated wooden items at the church pursuant to the *Shire of Kondinin Health Local Law 2016* Clause 3.1 Dwelling house maintenance, subclause (c) to the satisfaction of the Shire of Kondinin Environmental Health Officer as soon as reasonably practicable;
- v) That the electrical system of the church is deemed safe and suitable by a licensed electrician and any required installations to make the electrical system fully compliant in a dwelling is completed such as but not limited to being hardwired or battery operated smoke alarm/s (battery smoke alarm/s approval subject to application to the local government of Kondinin) where required and residual current device/s where required and deemed safe and suitable by a licensed electrician pursuant to the *Shire of Kondinin Health Local Law 2016* Clause 3.1 Dwelling house maintenance, subclause (m) and that the certificates that such works have been done, as required, are presented to the Shire of Kondinin for the attention of the Environmental Health Officer before the building can be occupied as a dwelling;
- vi) That the bathroom floor complies with the requirements of the *Shire of Kondinin Health Local Law 2016* Clause 2.12 Bathrooms, subclause (a) to the satisfaction of the Shire of Kondinin Environmental Health Officer;
- vii) That the kitchen is fitted with mechanical ventilation pursuant to the *Shire of Kondinin Health Local Law 2016* Clause 2.15 Kitchens, subclause 5(a)&(b) to the satisfaction of the Shire of Kondinin Environmental Health Officer as soon as reasonably practicable; and
- viii) Repair the apparatus for the treatment of sewerage pursuant to the *Shire of Kondinin Health Local Law 2016* Clause 3.1 Dwelling house maintenance, subclause (l) to the satisfaction of the Shire of Kondinin Environmental Health Officer before the church is occupied permanently.

CARRIED 9/0



**9.6 BUILDING SURVEYOR'S REPORT – MARCH 2017**

A permit was issued for the following:-

1. 34 Clayton St Hyden - Garage

**FOR INFORMATION ONLY**

**9.7 SWIMMING POOL REPORTS - MARCH 2017**

**HYDEN**

Attendance March: 447

Season Attendance: 3928

Water samples-taken or not: Yes all ok

Equipment Issues: Provac returned to supplier again not working, auto dosing not working properly I believe it will be upgraded before next season.

Property Issues: I will refer to my maintenance file and address items outstanding for last 2 seasons.

Activities for this month: Bronze medallion, Swim club, Water polo and 3 birthday parties.

Activities for next month: The pool has now closed for the season. I will repaint lap pool before my break.

Any Other Issue: Pool numbers are declining each season and I put this down to the number of children leaving the town for school plus the summer season isn't as hot these days. Thanks for your ongoing support. Regards Wayne.

**KONDININ**

Attendance March: 316

Season Attendance: 3338

Water meter: 8249

Water test OK

Numbers through the gate for March were a little disappointing due to the cooler than usual weather, though slightly up in terms of numbers compared with the previous season. All in all total numbers for the season are only slightly down compared to last season by 89 attendees this is undoubtedly due to the cooler than usual seasonal weather.

Early Morning Swimming

Early morning breakfast was held on Wednesday 22nd March again another great morning with good attendance it was great to see everyone relaxed and having a great time. A huge thanks to Steph and the gang for taking advantage of the Kondinin Aquatic Centre and what it has to offer the community this season especially during the cooler mornings. I hope this continues for many years to come as it is clearly of great benefit to the community as a whole.

Steph has started Aerobics and Yoga sessions in the Bill Smoker room and is looking to be another great hit with the community. It is great to see this well-equipped facility being utilised during the off season and another big thanks to Steph for donating her time, energy and commitment to make this happen.

Dinner and a Show

The closing day was brilliant with 60 people attending throughout the day and 43 people attending the movie night. A big thank you to Whitey for again donating his time and equipment for the movie and big thanks to Anthony for helping out with the BBQ. It was a great day with good weather and it was great to see all the regulars and even better to see some that rarely pop in having a great time.

Installations

I will be installing some shelving in the store room, cleaning room and Bill Smoker room, as well as a PA system for the pool. This shall be installed before 31st April.

I discovered a fault in one of the emergency exit lights during the six monthly test on the 10/4/16 most likely due to battery failure. I will organise this to be fixed in the coming days. I also discovered that the video surveillance had also failed on 8/4/17 I notified Whitey and problem was rectified 10/4/17.

It was another great season with no real dramas with some extra events and programs happening throughout the season. I am hoping to expand on this again for the next season with hopefully the introduction of a new swim club. I will be looking for expressions of interest and ideas closer to the 2017-2018 season. I would like to thank all the shire workers and the guys at the office for their help, a special thanks to Tory for her help and support throughout the season for our special events.

Again on behalf of my family I would like to thank everybody who has made us feel welcome and a part of the Kondinin community this season and all who came and made the pool somewhere safe and fun for our children.

**FOR INFORMATION ONLY**

**9.8 RANGER ACTIVITY AND BUILDING MAINTENANCE REPORT – MARCH 2017**

**Ranger Activity**

Investigation of two Abandoned Vehicles left in Kondinin. Completed monthly walks and clearing of Nature Trails at Wave Rock along with both main trails at the Humps. Random patrols of known illegal camping sites in and around Hyden. General liaising with Public regarding ongoing matters. \$247.50 was received for Wave Rock Entry.

Warning Notices Issued for the following:

- Riding bike on the face of Wave Rock
- 2 x Smoking within 20 metres of a "No Smoking" designated area
- 2 x Dog Not Tethered in public place
- 2 x Illegal Camping
- Littering

After taking a "No Tolerance" approach towards the disposal of cigarette butts at Hyden and around Wave Rock 8 Infringements were issued under the Bushfire Act. Two of these were at the Hyden fuel station and around 10 metres from the diesel fuel pump point.

**General Maintenance**

- Kondinin Town Hall strip seal and polish floor
- Kondinin Chalets
- Kondinin public toilets blocked drains
- Shire houses 46 & 76 Graham Street
- Kondinin and Hyden works depots mount new first aid cabinets
- Kondinin and Hyden waste transfer sites mount new first aid cabinets
- Hyden swimming pool drains ect
- Hyden golf club
- Hyden and Kondinin sports pavilions pressure clean buildings and paving
- Wave Rock pressure clean bbq areas
- Start refurbishment of old toilet block in main car park at Wave Rock
- Servicing of Site toilets at Hyden and Kondinin waste transfer sites
- Servicing of environmental toilets at The Humps

Meter Readings 30/3/2017

Site	Dirty	Leaks	Damage	Reading	Tanks
Raine Road	N	N	N	013347	Full
King Rocks	N	N	N	N/A	Full
Allen Rocks	Y	Y	Y	53448	Full
Redhill	N	N	N	508922.4	Full
Aylmore Road	N	N	N	039890	Full
Karlgarin	N	N	N	005229	Full
Tolland	Y	N	N	0426607.1	Full
Bendering Siding	N	N	Y	0966882.9	Full
Kondinin Town	Y	N	N	000065	Full

1 pair of Eagles sighted at McCanns Rock and a single eagle sighted at the Humps.

**FOR INFORMATION ONLY**

**10. BUSINESS OF AN URGENT NATURE**

Nil

**11. CLOSURE**

Being no further business the Shire President thanked Councillors and Staff for their attendance and declared the meeting closed at 7.06pm.