



MINUTES OF ORDINARY MEETING HELD AT KONDININ ON 19TH OCTOBER, 2016

1. DECLARATION OF OPENING /ANNOUNCEMENT OF VISITOR

The Shire President Cr Smoker welcomed those present and declared the meeting open at 3.04pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Cr A Smoker (Shire President)

Cr G Ilich

Cr G Lynch

Cr B Browning

Cr M James

Cr R Butler

Cr S. Jones

Leave of Absence: Cr R Growden

Apologies: Nil

Absent: Cr S Meeking (Deputy Shire President)

Staff: Mr John Read (CEO), Mr A. George (DCEO), Mr V. Bugna (MOF) and Mr D. Davey (MOW).

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Mr Gary Repacholi joined the Council meeting and presented the following question:

“Over many years there has been an ad hoc approach to the presentation and tidiness of the Kondinin township. A clean up was done immediately prior to the Art Show/Exhibition and the Market Day in response to criticism. My question is – why can’t we have a coordinated, on-going approach to present Kondinin well throughout the year so that it generates pride in our community”.

The Shire President explained the legal constraints on local government to achieve owners of private property keeping their property neat and tidy. The Shire of Kondinin through its Environmental Health Officer has been working with offenders and some progress has been made in property owners removing junk and car bodies etc. from their yards. Mr Repacholi was further advised that Council has recently introduced the ANIMALS, ENVIRONMENT AND NUISANCE LOCAL LAW 2016 which gives Council more authority to deal with offenders. The recent town verge rubbish pick up was organised as a Council initiative in an effort to present the town well prior to the Kondinin Art Exhibition and the Community Garden Twilight Market’s events, which verge pick up will be an annual event.

Mr Repacholi detailed his large contribution to the Kondinin community.

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 21st September 2016

RESOLUTION 2808

Moved Cr Lynch

Seconded Cr Ilich

That the minutes of the Council Meeting held on 21st September 2016 be confirmed.

CARRIED 7/0

7.2 Minutes of Bush Fire Brigades AGM – 29th September 2016

RESOLUTION 2809

Moved Cr Jones

Seconded Cr James

That the minutes of the Bush Fire Brigades AGM held on 29th September 2016 be received

CARRIED 7/0

8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

Nil

9. REPORTS OF COMMITTEES AND OFFICERS

9.1 FINANCIAL REPORT

9.1.1 Financial Reports

Name of Applicant: Manager of Finance

Author: Manager of Finance

Voting: Simple

Date: 7th October, 2016

SUMMARY/COMMENT:

The financial statements for the period ending 30 September 2016 are attached.

RESOLUTION 2810

Moved Cr Browning

Seconded Cr Butler

That the Financial Reports for the period 30 September 2016 as presented be accepted.

CARRIED 7/0

9.1.2 List of Accounts

Name of Applicant: Manager of Finance

Author: Manager of Finance

Voting: Simple

Date: 4th October 2016

SUMMARY/COMMENT:

A list of accounts is attached.

RESOLUTION 2811

Moved Cr Jones

Seconded Cr Lynch

That Muni Cheques 18029 – 18048, Muni EFT7226 – 7264, EFT7266 – 7293, Trust EFT7265, Transport Direct Debits, Other Direct Debits, Payroll and Bank Fees (for the month of September 2016) totalling \$809,864.80 be endorsed.

CARRIED 7/0

9.1.3 Changeover of DCEO Vehicle – KN 0

Applicant: Shire of Kondinin
Author: DCEO
Reviewed: CEO
Declaration of Interest: Nil
Date: 11th October 2016

SUMMARY/COMMENT

In the Shire of Kondinin budget for 2016/17 the 2015 Holden Colorado 7 LTZ KN 0 has been identified for replacement.

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

Quotes were sought for the replacement of KN 0 (DCEO vehicle) with the same vehicle, being a new Holden Trailblazer LTZ. (Rebadged Colorado 7)

3 quotes were sought and received and they were as follows.

The lowest quote received was from Phoenix Holden and the vehicle was subsequently purchased.

Changeover Budget \$12,000 Ex GST				
Company	TYPE	Price	Trade	Changeover
Edwards Holden	Trailblazer LTZ	\$38,256.36	\$28,256.36	\$10,000.00
Youngs Holden	Trailblazer LTZ	\$39,729.45	\$30,545.45	\$9,184.00
Phoenix Holden	Trailblazer LTZ	\$39,551.99	\$30,454.54	\$9,097.45

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

9.1.4 Capital Items Progress

Name of Applicant: Shire of Kondinin
Author: CEO
Voting: Simple
Date: 14^h September, 2016

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	

Governance	KN0 Vehicle Changeover	45,000	Completed
Governance	KN04 Vehicle Changeover	35,000	
Health	KN52 Vehicle Changeover	35,000	
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	
Recreation & Culture	Kondinin & Hyden Pool Grant	64,000	Commenced
Recreation & Culture	CCTV Camera Wave Rock & Humps	10,000	Commenced
Economic Services	Hyden Hall surrounds and street paving	50,000	
Transport	East Hyden Bin Rd Construction – RRG	276,620	
Transport	Mt Walker Road Construction – RRG	218,380	
Transport	R2R Total Works	(1,134,581)	Commenced
Transport	R2R Worland Road	128,800	
Transport	R2R Henderer Road	68,500	
Transport	R2R Lovering Road	75,000	
Transport	R2R Notting Karlgarin Road	78,200	
Transport	R2R Pedarah West Road	132,800	Commenced
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	
Transport	Stormwater Infrastructure Analysis	58,650	Commenced
Economic Services	Coronation Park Hyden Improvements	50,000	
Economic Services	Toilet Block Construction Wave Rock	85,436	Commenced
Economic Services	Wave Rock Precinct Improvement	50,000	Commenced
Other Prop & Services	KN54 Vehicle Changeover (2x)	70,000	
Economic Services	Hyden Tennis Courts	25,000	
Economic Services	Hyden Hockey Field Lighting	34,233	
Economic Services	New Community Bus	120,000	
Economic Services	Community Grants	57,000	In Progress
Economic Services	Yeerakine Lodge 4 Unit Extension	172,000	
Recreation & Culture	KCRC Kondinin Sports Club Extension	250,000	
TOTAL		\$3,659,153	

FOR INFORMATION**9.2 CHIEF EXECUTIVE OFFICER'S REPORT****9.2.1 CEO Contract**

Applicant: Shire of Kondinin
Author: CEO
Date: 12th October, 2015
Disclosure of Interest: CEO declares a direct pecuniary interest in this item.

Summary/Comment

The CEO's employment contract with the Shire of Kondinin expires on 11th April, 2017 after four years service. Under the provisions of the contract, Clause 5 FURTHER CONTRACTS states:

'There is no compulsion on either the Council or the CEO to agree to a new contract. The Council and/or the CEO shall initiate discussions no later than 12 months prior to the expiry of the Term for the parties to enter into a new Contract for a further term with the Council making a decision to finalise those

discussions not later than 9 months prior to the expiry of the term of this contract. In the event that the Council and the CEO agree to a new contract, a new contract will be executed'.

The reason for the contract agreement stipulating these timelines is because it takes approximately six months to appoint a new CEO, given advertising periods, compiling shortlist, interviewing, Council formal decision to appoint, a possible 3 month notice period to current employer of the appointed CEO, etc.

I sincerely enjoy working for the Shire of Kondinin towards the betterment of Kondinin Shire across all areas of its operations and also being part of the Kondinin Shire community socially. It is my desire to have my contract extended to 30th June, 2018 under the same contract terms and conditions as the existing contract, subject to mutual agreement by the Council. I am happy that remuneration remain as per the existing contract with the normal annual CPI adjustment applying at the commencement anniversary (April). However I would appreciate if Council would agree that my employment contract be amended to provide for utility costs (water, electricity & gas) at the CEO residence being provided at no cost to the CEO retrospective from commencement, which was the original intention in the contract.

I would like to thank Councillors for their valued support since my employment commencement. Having a united Council and a Council supportive of its administration is a critically important requirement for the smooth and efficient operation of a local government. I believe the Shire is in good shape in all respects and appreciate the good work of our Councillors as well as our efficient and professional administration team.

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirement

Simple Majority

RESOLUTION 2812

Moved Cr Browning

Seconded Cr Lynch

THAT 1. Council extend the CEO's employment contract from its expiry on 11th April, 2017 to 11th April 2018.

2. the CEO's employment contract be amended to provide for utility costs (water, electricity & gas) at the CEO residence being provided at no cost to the CEO, but this arrangement is not retrospective from employment commencement.

CARRIED 4/3

9.2.2 Tender – Construction of Staff Housing

Applicant: Shire of Kondinin
Author: CEO
Date: 12th October 2016
Disclosure of Interest: No interest to disclose

Summary/Background

Tenders received for the construction of a 4x2 residence located in Repacholi Parade, Kondinin are as follows: Site works are to be carried out by the Shire.

1. M & V Ranieri Building Contractors - Modular. No plans etc. supplied. \$314,789

2. Kondinin Building Services (KBS) – Brick Veneer. Good design, Includes septic, brick paving, solar HWS, floor coverings, \$304,230. Firm prices given for air conditioning, driveway, fencing, retaining wall, septic. Total \$330,974.08.
3. Pindan – Modular, C, \$263,445.28. Handover 6 months from start.
4. Fleetwood – Modular, Includes solar HWS, floor coverings, curtains. \$226,903. Basic design. 9 weeks build time. No time given for handover.
5. Allwest Constructions – Brick veneer, \$345,454.54 plus \$12,727.27 for air conditioning. All other requirements extra. 20 weeks construction. Good design. I believe this tender with additional costs involved would exceed budget.
6. Eco Constructions - \$289,090.90. Modular. Includes driveway, solar HWS, Floor coverings. 4 Months construction. Basic design.
7. Modular WA. Modular. Three options given - \$175,928.36 (basic), \$213,249.54 (OK design), \$221,561.36 (good design). Includes air conditioning, Solar HWS, Floor Coverings & Curtains.

Kondinin Building Services have included in their firm price Septics, Air Conditioning, Brick Paving, Fencing, Retaining wall, Driveway, Solar HWS & Floor Coverings, whereas most other tenderers exclude septic, fencing, brick paving, retaining wall & driveway. It can be considered that the best value for money and most attractive residence (brick instead of modular) tender is our local KBS. However time taken to complete construction is of concern given KBS's history in this area. Placing Doug Davey, Manager of Works as project manager working with a strict time frame and penalty clauses incorporated into the contract for late completion I believe is seriously worth considering. Even if KBS are successful in other projects, having tradesmen go from one job to the next could work well for both all concerned. Currently KBS has no other work. Advice has just been received regarding the successful funding of Yeerakine Lodge extension project and tenders will be called for this project following the formal execution of an agreement with the federal government fund provider. KCRC Club extension grant funding will not be known until January, 2017.

Statutory Environment

Local Government Act 1995

Policy Implications

Council has a Policy to support local businesses where price is competitive.

Financial Implications

The 2016/17 budget makes provision for the residence construction.

Strategic Implications

Nil

Voting Requirement

Simple majority

RESOLUTION 2813

Moved Cr Lynch

Seconded Cr James

THAT 1. Consideration towards the tenders received for the construction of a 4X2 residence on Lot 283 Repacholi Parade, Kondinin be deferred until the November, 2016 Council meeting, with administration reporting on housing needs in the immediate future and listing Shire owned houses that could possibly be sold.

2. Doug Davey, Manager of Works be appointed to project manage the housing construction.

CARRIED 7/0

9.2.3 2016 Regional Christmas Trading Extensions

Applicant:

Shire of Kondinin

Author:

CEO

Date:

12th October 2016

Disclosure of Interest: Nil

SUMMARY/COMMENT

As in previous years, the State Government's Department of Commerce is offering businesses in regional local governments the same business trading hours over the Christmas period as offered in the metropolitan area.

Subject only to the Shire of Kondinin's approval, local general retail shops will be able to trade from 8.00am to 9.00pm Monday to Friday, from 8.00am to 5.00pm on Saturdays and from 11.00am to 5.00pm Sundays and public holidays, other than Christmas Day, which will be a closed day.

The extended trading period will commence on Monday 5 December 2016 and conclude on Sunday 1 January, 2017, both dates inclusive. As is the case with all extended trading variations, the decision to open or not during the additional hours provided, is at the discretion of individual retailers.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATION

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

RESOLUTION 2814

Moved Cr Jones

Seconded Cr Lynch

THAT Council notify the Department of Commerce that the Shire of Kondinin wishes to participate in the 2016 regional Christmas trading extensions and local businesses be notified accordingly.

CARRIED 7/0

9.2.4 Shires of Kondinin/Kulin Doctor Services

Applicant: Shire of Kondinin

Author: CEO

Date: 12 October 2016

Disclosure of Interest: Nil

SUMMARY/COMMENT

Doctor Mackie commenced provision of medical Doctor services to the Shires of Kondinin and Kulin on 12 September, 2016. The Shire of Kondinin manages the practice and has engaged Ronelle Tyson under an employment contract as Practice Manager. Dr Mackie is engaged on an informal contract arrangement and the Shire pays him monthly for his services based on a daily rate. As the service he provides to the Kondinin Hospital is after hours, he receives the remuneration for this directly from WACHS.

Patient and pharmacy income from the practice is reported to the Shire by Ronelle and our accounting system has been set up to accommodate and account for all income and expenditure associated with the provision of Doctor services and pharmacy. Since Dr Mackie has commenced, patient numbers have increased and he is fully servicing the hospital 24/7. The Pharmacy service is expected to be operational soon.

Dr Mackie requires 12 weeks break per year made up of three one month breaks where a locum will need to be engaged to fill the void. Work is currently underway in liaison with Dr Mackie & Ronelle to find a suitable locum. Dr Mackie intends taking one month's break commencing around mid-December, 2016. However as everything closes down over the Christmas and New Year holiday period, a locum may only be required for part of the time he is away, if at all.

Doctor Mackie and Ronelle have been invited to attend dinner with Council at 6.00pm after the conclusion of the October Council meeting.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATION

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Shire of Kondinin's Strategic Plans recognise the importance of adequate medical Doctor services being provided for its communities.

VOTING REQUIREMENT

Simple Majority

RESOLUTION 2815

Moved Cr Lynch

Seconded Cr Browning

THAT Council receive the CEO's report regarding the Shires of Kondinin & Kulin medical Doctor services and the future challenges of the Eastern Wheatbelt Primary Care Project.

CARRIED 7/0

9.2.5 Successful Grant Funding From NSRF – Yeerakine Lodge Extension

Applicant: Shire of Kondinin
Author: CEO
Date: 12th October 2016
Disclosure of Interest: Nil

SUMMARY/COMMENT

Senator the Hon Fiona Nash, Minister for Regional Development and Deputy Leader of the Nationals has advised (letter attached) that the Shire of Kondinin has been successful in its grant application for \$600,000 towards the extension of Yeerakine Lodge. Funding has been provided through the federal government's National Stronger Regions Fund (NSRF).

This is a great outcome considering that many local governments apply for several years before being successful, if at all, in respect of federal funded grants. Appreciation is extended to Tory Young, Manager Planning & Development and also Tammy King of Grants Empire who was engaged to assist us with the preparation of the comprehensive Business Case, etc. Once the formal agreement is signed between the Shire and the NSRF, we can then progress towards obtaining the necessary construction building plans to allow us to call tenders for the project construction. Meetings are currently underway with the Yeerakine Lodge management committee to determine the planning, tender process and construction timeframe of the project.

We now await the outcome of our grant funding application for 34 units, totaling approximately \$12 million total project cost, through the Wheatbelt South Aged Accommodation Alliance with seven other local

governments. The application advocates the construction of two retirement village units at Whispering Gums in Hyden and two units at Westcourt Retirement Village in Kondinin, to be built during the 2017/18 and 2018/19 financial years.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATION

Nil

FINANCIAL IMPLICATIONS

The project is now fully funded with the Shire contributing \$172,000, the local Aged Housing Committee \$150,000 and the NSRF \$600,000 totalling \$922,000.00.

STRATEGIC IMPLICATIONS

This project fulfils Council's objectives in its strategic planning in providing additional aged accommodation to retain our elderly residents in our towns. The NSRF funding success significantly boosts Council's success in achieving its strategic planning objectives in this area. Success in the Alliance's funding for retirement villages unit extensions will likely satisfy the Shire's aged accommodation needs for the foreseeable future.

VOTING REQUIREMENT

Simple Majority

RESOLUTION 2816

Moved Cr Browning

Seconded Cr James

THAT 1. Council receive the CEO's report regarding the successful grant funding from the National Stronger Regions Fund totalling \$600,000 towards the four unit, \$922,000 extension to Yeerakine Lodge aged accommodation facility.

2. Following the preparation of the necessary detailed architectural building plans, Council proceed to call tenders for the project's construction.

CARRIED 7/0

9.2.6 Annual Great Western Woodlands Trip

Applicant: Shire of Kondinin
Author: CEO
Date: 12th October, 2016
Disclosure of Interest: Nil

Summary/Comment

Last year on 1st and 2nd September Councillors Smoker, Stanes and Meeking accompanied by Rolf Meeking, John Read, CEO and Alan George, DCEO, attended a camp-over expedition into the Great Western Woodlands (GWW). This has become an annual event that has been practiced for several years.

The expedition was lead and organised by Rolf & Sue Meeking and took in areas including The Breakaways, Banks Rock, Caves Hill, Sunday Soak and numerous other granite outcrops and salt lake areas. Although the weather was quite cold during the night at Caves Hill camp-over, a great time was had around the camp fire at night enjoying music and a roast dinner cooked by Councillor Sue, and a cooked breakfast in the morning by John. The picturesque and pristine condition of the areas visited, together with the wild flowers out in bloom and wild donkeys, etc. made the trip most enjoyable and memorable. Following last year's trip Council made the following resolution:

THAT Council receive the CEO's report regarding the successful 2015 Great Western Woodlands camp over and encourage more Councillors to attend in future.

Council is requested to give consideration towards this year's trip as to whether it incorporates the GWW or some other area. The last camp over was held before last year's election and Councillors, including those elected last year, are encouraged to attend.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

The annual trip/camp over is viewed as an important annual get-together of Councillors and senior Shire staff, encouraging and fostering good organisational relationships, as well as experiencing remote and picturesque locations within and adjacent to our Shire area.

Voting Requirement

Simple Majority

RESOLUTION 2817
Moved Cr Butler **Seconded Cr Jones**
THAT Council organise the annual camp-over trip of Councillors and senior staff to be held late March / early April, 2016, with an expedition leader to be appointed,
CARRIED 7/0

9.2.7 MRWA – Road Maintenance Contract Work

Applicant: Shire of Kondinin
Author: CEO
Date: 12th October, 2016
Disclosure of Interest: Nil

Summary/Comment

Last year in October 2015, a submission was forwarded to the MRWA proposing that the Shire of Kondinin take on a five year contract from March, 2017 in respect of road maintenance and construction works on all MRWA roads within the Shire of Kondinin; that section of the Hyden Lake King Road encompassing the Shires of Kulin and Lake Grace to Lake King and west of Lake King (Lake King Collie Road) to the Lake Grace/Ravensthorpe Shire(s) boundary. MRWA advised last year that its road maintenance contract from March, 2017 provides for contractor(s) to cover large geographical areas of the state. This decision ruled out the Shire of Kondinin's proposal to carry out this work in our area. However MRWA have advised that road construction (capital) work will allow local governments to tender competitively.

Two tenderers of the currently advertised MRWA maintenance contract covering this sub regional area have approached the Shire of Kondinin requesting our cooperation in carrying out maintenance works on the roads described above in our submission to MRWA, on a sub contract basis to them, subject to them being successful in their MRWA tender bid. The Manager of Works and myself (CEO) have given these two organization's a non-binding verbal indication that the Shire is interested in considering undertaking such work subject to agreement being reached regarding rates of plant hire, employees engaged, etc.

Upon satisfactory terms and conditions being negotiated with a successful tenderer in respect of carrying out maintenance work on MRWA controlled roads in this area, a report will be presented to Council for its consideration towards the Shire of Kondinin entering into a formal Agreement to undertake the work. It is

understood that the term of the contract would be five (5) years. Such undertaking may require the purchase of additional plant and equipment which will form part of Council's consideration of the proposal.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Obtaining sub contract work from MRWA or its contractors has potentially significant financial benefit to the Shire of Kondinin.

Strategic Implications

Nil

Voting Requirement

Simple Majority

RESOLUTION 2818

Moved Cr Lynch

Seconded Cr Butler

THAT Council agrees to consider a formal proposal, if presented, by the successful MRWA contractor organisation to the Shire of Kondinin to undertake sub contract road maintenance work on MRWA controlled roads within the Shire of Kondinin; that section of the Hyden Lake King Road encompassing the Shires of Kulin and Lake Grace to Lake King and south of Lake King (Lake King Collie Road) to the Lake Grace/Ravensthorpe Shire(s) boundary.

CARRIED 7/0

9.2.8 Christmas - New Year Period

Applicant: Shire of Kondinin
Author: CEO
Date: 11th October, 2016
Disclosure of Interest: Nil

Summary/Comment

With Council's approval, it is proposed to close the Shire Offices from the 28th - 30th of December. Including public holidays, this would result in a closure from 5pm Friday 23rd December until Monday 2nd January inclusive.

The outside crew will be taking their four weeks annual leave from Monday, 19th December 2016 through to January, 2016. Basic crews will remain to cater for cleaning public facilities and parks & gardens watering, etc.

A Christmas get together of Councillors and partners and inviting all Shire employees and partners is planned to be held at the Karlgarin Club on Wednesday, 14th December, 2016. Jamie Trestrail has confirmed their keenness to cater for the event.

This year we will be conducting the Kondinin Carols by Candlelight event at the Memorial Gardens adjacent to the Kondinin Hall on Sunday evening, 18th December, 2016.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATION

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple majority

RESOLUTION 2819

Moved Cr Browning

Seconded Cr James

THAT Council approve the closing of the Kondinin and Hyden Shire Offices over the Christmas/New Year period from close of business Friday 23rd December, 2016 to Monday, 2nd January, 2017 inclusive.

CARRIED 7/0

9.2.9 CEO's General and Project Status Report

1) Staff Matters

Frank Caddy is still currently on Workers Compensation following his shoulder injury in February, 2016. Heather Lockyer is on annual leave Long Service Leave.

2) King Rocks Dam Upgrade – Department of Water

March 2016 – A meeting with the Department of Water representatives, DCEO and Rolf and Sue Meeking was held on 15th March and an update will be provided at the meeting.

April 2016 – following the meeting with the Dept. of Water on 15th March they have requested their engineering consultants to provide quotes to increase the tank site storage from between 1ML and 3ML which will optimise storage until a suitable solution to fixing the leaking dam wall is arrive at.

May 2016 – The Department of Water have received feedback from their engineering consultants for the installation of 1 x million litre tank which was considered to be too expensive in relation to the cost of fixing the dam wall. After consultation with this office they are now pricing up installing 4 x 250,000l tanks the same as the 2 existing tanks. They will be linked in line the same as the 2 tanks. This is far more cost effective and will provide a good stop gap measure until the dam wall can be fixed. The result will be total tank storage of 1.5 million litres as well as the dam storage which will fluctuate due to leakage.

July – nothing further to report this month.

August – King Rocks dam has been full for most of year due to good rainfall in the area. A recent inspection revealed that the wall is leaking worse than ever due to the height of the water which is putting pressure on the top metre or 2 of the dam wall causing concerns with the integrity of the wall. The DoW was contacted and after consultation with their engineering consultants it has been decided that as an interim measure the level of the water is to be reduced by 1.5m to take pressure off the wall. A "V" notch will be cut into the top of the wall to release the water. DoW has been requested to hasten investigations into the fixing of the dam wall problem.

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 6th 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.

3) Yeerakine Rock – New Water Tank Proposal

July/August, 2016 – I have requested Water Corporation to advise progress made regarding locating the new tank on private property as a preferred location to Yeerakine Rock and also requested that it advise whether it would be in agreement with Yeerakine Rock being vested in the Shire of Kondinin as a (C Class) Reserve if the tank is successfully located elsewhere. A meeting has been arranged on 16th July, 2016 with Mick Irvine of the Water Corporation, which I expect will provide an update on the current status of the project. Vesting of the Yeerakine Rock area to a C Class Reserve in the Shire of Kondinin will involve considerable work including, I expect, the preparation of a detailed Management Plan.

September, 2016 – The Shire of Kondinin has been formally advised by Water Corporation that they have reached agreement with the owner (Charles Young) regarding purchasing the land and locating the new water tank at this alternate location rather than Yeerakine Rock. Water Corp will decommission the existing site and hopefully make the site, including the dam area, ready for the Shire of Kondinin to take over. This is an excellent outcome and the assistance and support of Mia Davies, MLA & Minister for Water is appreciated.

October, 20176 – Nothing to report.

4) Karlgarin Bowling Club Blocks

March 2016 – Council resolved to transfer the 2 existing blocks on which the Karlgarin Bowling Club is located and have them vested in the Shire as recommended by the bowling club committee.

April 2016 - Investigation into the process is underway.

May 2016 – in progress

July/August 2016 – nothing to report.

September - October, 2016 – in progress.

5) Aged Housing

August, 2016 – We are advised that the Business Case supporting the Wheatbelt South Aged Housing Alliance's application for funding of 38 aged accommodation units across seven local government Alliance members, totaling approximately \$12 million, is in the final stages of the approval process and is being considered favorably in Canberra. We can expect a positive outcome by the end of August, 2016. This will allow the construction of four additional retirement village type accommodation units to be constructed – two at Westcourt in Kondinin and two at Whispering Gums in Hyden in the 2017/18 and 2018/19 years.

September, 2016 – At the time of writing this report we have not been advised the outcome of the Alliance's application for funding through the Wheatbelt Development Commission. Also we have not been advised the outcome of our grant application in respect of the four unit extension of Yeerakine Lodge through the Federal Government's Stronger Regions Fund. Hopefully positive advice will be received soon. The Yeerakine Lodge extension can be progressed in calling tenders for the construction of the four units as soon as we are advised positively of the grant funding. It is recommended that the style of the extension match the existing four units (brick & color bond roof).

October, 2016 – Yeerakine Lodge extension project funding of \$600,000 from NSRF has been successful. This project can now progress to tender. We are now awaiting the grant funding application outcome of the Wheatbelt South Aged Housing Alliance, expected in November, 2016.

Moved Cr Jones **Seconded Cr Butler**
That the CEO's General and Project Status Report be received.

CARRIED 7/0

9.3 MANAGER OF WORKS

9.3.1 GENERAL

Construction Crew

Kondinin Lake Road

Widening of shoulders 6.20Km completed.

Pederah West Road

Stockpile 6,500 M3 of gravel, carting of gravel in progress.

Pederah West Road

Major repairs to a 250m section of failed bitumen. The contributing factors to this type of failure are a lack of maintenance over a long period of years and the additional heavy haulage movements. Unfortunately many roads were not designed to accommodate the weight and speed of the current day traffic.

Lynch Street Hyden

Installation of drainage at the junction of Lynch Street and the Brookton Highway is in progress, kerbing and sealing will be completed in the next two weeks...

Maintenance Graders

Western Section

Bendering East, Karlgarin Hills, Greay, Worland, Mc Donnell, Roe, and Billericay Road.

East Section

Raine, Billericay, Lovering, Williamson, King Rock North, Casuarina, Mulcahy, Douthie, Murray Rock and part of Wheeler Rock Road.

New Trucks

Four of the five new trucks will be delivered on the 19th October.

Plant Maintenance

KN 123 JCB Backhoe 500 Hour Service

KN 60 Isuzu Crew Cab 30,000Km Service

KN 61 Nissan Ute 70,000 Service

KN 54 Forrester Wagon 25,000 Service

KN 65 John Deere grader 5,500 hour Service

9.3.2 PLANT REPORT

Attached is a Plant Report as at September 2016.

RESOLUTION 2820

Moved Cr James **Seconded Cr Jones**
That the Works Manager's Report be received.

CARRIED 7/0

9.4 MANAGER PLANNING AND DEVELOPMENT REPORT**9.4.1 GRANTS AND EVENTS 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	Approved and Extension Requested to 2016/2017.
Breakaways Restoration	Natural Resource Management (Department of Agriculture and Food)	\$24,310	\$5,000	Approved and In Progress – funding agreement and work plan finalised. Soil ripped up by Western Areas. Tree planting of 1,600 trees planted on 11 th 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	Approved – incorporated into 2016/2017 works plan. Commenced August 2016 and has largely being completed.
National Stronger Regions Fund (NSRF) – Yeerakine Lodge Extension	Regional Development Australia	\$600,000	\$171,902	Approved – work currently being undertaken in preparing building plans and tender documentation.
Metal Sculpture Project	Country Arts WA	\$10,000	\$2,500	Pending – first grant application unsuccessful. New application completed and submitted on 12 August 2016.
Community Sporting and Recreation Facilities Fund - Hyden Tennis Club Lights	Department of Sport and Recreation	\$21,303	\$25,000	Approved – Letter received 2 July 2016 approving project. Hyden Tennis Club being advised. Funding Agreement submitted and project has commenced and being completed in line with agreed milestones.
Extension to Kondinin Community Recreation Centre	Department of Sport and Recreation (Community Sporting and Recreation Facilities Fund) & Development Commission (Regional Grants Round)	\$185,000 (DSR) \$185,000 (WDC)	\$250,00	Pending – Both Grant Applications submitted to the Northam Offices of the DSR and the WDC respectively on Friday 16 th September 2016. KCRC has confirmed \$150,000 towards the project. Grants to be advised by January 2017
Freestyle Now Skateboard, Scooter and	Health way	\$1,100	\$1,595	Approved – Application submitted on 21 June 2016. Event held on Thursday 6 th October 2016 in

BMX Jam Session and Coaching Day				Hyden and Kondinin. Grant to be acquitted by 7 th November 2016.
Pioneer Wall	Lotterywest	\$7,200	\$9,355	Pending – Application submitted on 1 st July 2016. Maps finalised by Landgate. Lotterywest require more information on Aboriginal consultation to progress determination of grant.
Anzac Day	RSL / Lotterywest	\$940	In kind	Pending – Application submitted 26 th August 2016.
TOTAL		\$ 694,157	\$242,548	

Events Summary

Date	Event	Target Audience	Location and Status
OCTOBER 2016			
6 th October 2016	Freestyle Now Skateboard, Scooter Jam and Coaching Session	School Children	<i>Kondinin Skate Park and Hyden Stake Park.</i> Event was very well attended in Kondinin who all really enjoyed the session. Less well attended in Hyden, but those that did attend had a great time and learnt lots of new tricks on their scooters and bikes.
7 th October 2016	Kondinin Art Prize	Whole Community	<i>Kondinin Town Hall</i> This event run by the Kondinin Art Group was a great success this year with 130 entries and over 100 people attending the opening night. The winner of the Shire's Acquisition Prize was awarded to Vanessa Curley with 'Home'. There was a very high calibre of art work entered and many locals and visitors have viewed the exhibition over the 5 days that is has been open.
8 th October 2016	Kondinin Community Gardens Twilight Markets with special guest Sabrina Hahn.	Whole Community	<i>Kondinin Community Garden</i> Despite the weather the day was by all accounts a great success. There were 32 stall holders / vendors who attended from around the district. Approximately 200 people across all ages and demographics attended the event. It was great to have Sabrina Hahn attend the event to mark the official opening of the Kondinin Community Garden Twilight Markets. Lots of feedback has been received about the event which has been documented with the view of running it again next year on the same weekend with the art show. From a regional tourism perspective, the combination of the art exhibition and the twilight markets is considered a strong basis of which Kondinin can build on to make this an annual event.
NOVEMBER 2016			
10 th	Seniors Week – Rural	Seniors	Kondinin Community Recreation Centre

November 2016	Romance author talk and lunch with Fiona Palmer and Fleur McDonald		
---------------	--	--	--

Project Summary

Project	Status
Kondinin Community Garden	Monthly Busy Bees being held at the end of each month. A lot of work when into the garden over the last month making it now a great community space. There is still further improvement to be made at the garden which will happen through the busy bees. With all the new plants a watering roster will again be set up and some additional dripper hoses.
Wave Rock Improvements	Working with Hyden Councillors and Works Manager.
Town Planning Scheme No.1 Consolidation	Final report being prepared by the Department of Planning to be approved by the Minister for Planning for final gazettal.
Hyden and Karlgarin Streetscape Improvements	Advertisement placed in Weekly Echo and Hyden Householder seeking comments until the 16 th September 2016. Meeting to be held with interested persons to progress project.
Wheatbelt South Aged Care Alliance	Business Plan completed and application submitted to WDC. Wickepin is the lead Shire for this project. Scheme Amendment for zoning change from 'Public Purpose' to 'Residential' is required for proposed new dwellings at Whispering Gums. Report to Council to commence Scheme Amendment process to be presented in the coming months.

RESOLUTION 2821**Moved Cr Lynch****Seconded Cr Ilich****That Council:**

- 1. Receive the Manager Planning and Development's update on Grants and Events;**
- 2. Thank all the time and effort put in by local volunteers to the Kondinin Art Show and the Kondinin Community Garden Twilight Markets; and**
- 3. Resolve that the Kondinin Community Garden Twilight Markets be held as an annual event on the second weekend of October to coincide with the Kondinin Art Show.**

CARRIED 7/0**9.5 ENVIRONMENTAL HEALTH OFFICER'S REPORT – SEPTEMBER 2016****9.5.1 The 'Making' of the Shire of Kondinin Animals, Environment and Nuisance Local Law 2016****Date: 19 October 2016****Reporting Officer: Environmental Health Officer, Mr Julian Goldacre****Disclosure of Interest: No interest to disclose****BACKGROUND**

At the Shire of Kondinin Ordinary Meeting of Council held in December 2015 it was resolved to prepare the Shire of Kondinin Animals, Environment and Nuisance Local Law 2016 (RESOLUTION 2661). Due to changes considered 'significant' the proposed Shire of Kondinin Animals, Environment and Nuisance Local Law 2016 was at the May 2016 Ordinary Meeting of Council resolved to restart the local law preparation process (RESOLUTION 2730); Advertising of the Kondinin Animals, Environment and Nuisance Local Law 2016 commenced on the 21 May as advertised in the West Australian newspaper and closed on the 15 July 2016. Both the Hon. Minister for Local Government and the Executive Director of Public Health on behalf of the Hon. Minister for Health were both sent copies of the Local Law after advertising in the West Australian newspaper for their consideration.

COMMENT

Despite the proposed Shire of Kondinin Animal Environment & Nuisance Local Law 2016 being previously advertised thus resulting in amendments requiring readvertising; considerable comments were received back from the Dept of Local Government & Communities (DLGC) as seen in **ATTACHMENT 3 (Tabled)** and some comments from the Dept of Health Western Australia (DoHWA) in **ATTACHMENT 2 (Tabled)**. Despite the editing, minor additions and some clause restructuring of the Local Law the nature, quality, substance and intent of the Local Law is retained. The Local Law as presented to Council in **ATTACHMENT 1 (Tabled)** is most practicable to ensure a most reasonable Local Law written for the good governance of the people with the specific focus on what occurs on the land and in society within the local government of Kondinin.

The Local Law as presented has had the changes, inserts and restructuring recommended by the DLGC & DoHWA as 'agreed to' by the Environmental Health Officer displayed in red coloured font as well as the edits performed by the Environmental Health Officer which are described below:

1. Defining 'Broadacre farming' to distinguish the regions traditional and current farming activity and thus to support the intent of clause 3.4;
2. Ensuring the intent of 'means' and 'includes' in the definitions were correctly used as a result from discussions with the DoHWA to accurately use the two words. The term 'means' is consigned to terms where it is specifically detailed as a specific article such as a term under a planning scheme for 'Residential' which is clearly defined. The term 'includes' is designed to describe 'not limited to' so aims to create the intent of such a definition to include particular animals, cars and buildings and the like but not specifically defining them to a point where it is specifically detailed as a specific thing but appeals to a broad definition, case in point being 'farm animals' to include pigs, cows & goats and the like but should a cow and goat be successfully bred thus creating a 'coat' it would still be captured under the definition whereas the use of 'means' would limit the definition to that specifically described;
3. Clause 2.4 requires a cattery to be registered but does not define the article to do so, therefore a subclause (8) is inserted that allows the local government to specify a 'form' and a 'fee' which is seen elsewhere in the Local Law;
4. Clause 2.28 was specifically rewritten as its original drafting did not take into account that the Shire of Kondinin is not in the *Health (Piggeries) Regulations 1952*. It would be an understatement to say this clause was of requiring very much care and attention when the issue was raised and is now resolved; &
5. Schedule 1 Prescribed Offences was reviewed intensely to ensure all the potential offences within the Local Law had a specific prescribed modified penalty as encouraged by the DLGC.

No public comments were received on the readvertising of the Local law although as already mentioned the DLGC and the DoHWA both submitted comments as did the author the Environmental Health Officer. Responses to the proposed Local Law received from the DoHWA and the DLGC suggested recommendations for formatting, further definitions, correcting typographical errors and suggestions in line with current best practices for such local laws and to ensure clarity. The recommendations have been either 'agreed' to, 'done' or 'dismissed' with the reason given where required.

The changes as shown in 'red' in the Local Law attached are considered minor and would not reasonably be considered a 'significant change' to the draft tabled in May 2016. The Officer has prudently given all consideration to concerns raised through diligent discussions with persons in the DLGC and the DoHWA to ensure the Local Law has been prudently scrutinised. As Council will be aware it was the sage efforts of the Hyden Progress Association during the first round of advertising which initiated the re-advertising of the Local Law and their efforts and involvement at the beginning is most appreciated by the author.

The process now is for Council to consider 'making' the Shire of Kondinin Animal Environment & Nuisance Local Law 2016 and to authorise the signatures of the Shire President and Chief Executive Officer in the

presence of the affixing the Shire of Kondinin Seal onto the Shire of Kondinin Animal Environment & Nuisance Local Law 2016. When signed and sealed then one original is sent to the Executive Director of Public Health for consent along with two copies. When the consent has been completed and returned to the Shire of Kondinin the next step is to have the Local Law Gazetted by State Law Publishers. When Gazetted the Shire of Kondinin Animal Environment & Nuisance Local Law 2016 is presented to the Hon. Minister for Local Government; Community Services; Seniors and Volunteering; Youth and also to the Executive Director of Public Health Mr Tarun Weeramanthri or his delegated deputy as the case requires. Furthermore local public notice of title and summary of purpose and effect of the Gazetted Local Law is required.

The Joint Standing Committee on Delegated Legislation of the WA Parliament is then provided with an 'Explanatory Memorandum' of the Local Law and copies of the Local Law as Gazetted within 10 days of gazettal.

Provided the Local Law survives the scrutiny of the Joint Standing Committee on Delegated Legislation, the Shire of Kondinin will finally have clear and present Shire of Kondinin Animal Environment & Nuisance Local Law 2016.

STATUTORY ENVIRONMENT

*Health Act 1911; &
Local Government Act 1995*

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Whilst the Shire of Kondinin Animal Environment & Nuisance Local Law 2016 is presently 28 pages the State Law Publisher can condense the text through reformatting the text size of the document to around 20% less. A price per page estimated at \$100.35 would be \$2,248 for a special gazette. Also to include is the cost to advertise a Notice the local newspaper circulating through the district to announce the 'making' of the Shire of Kondinin Animal Environment & Nuisance Local Law 2016.

VOTING REQUIREMENT

Absolute Majority

RESOLUTION 2822

Moved Cr Browning

Seconded Cr Lynch

THAT Council resolves to:

- 1. Endorse for inclusion into the Shire of Kondinin Animal Environment & Nuisance Local Law 2016 the changes presented by the Environmental Health Officer described as 'edits performed by the Environmental Health Officer...';**
- 2. Endorse for inclusion into the Shire of Kondinin Animal Environment & Nuisance Local Law 2016 the 'agreed' and 'done' changes only as presented by the Dept of Health WA in ATTACHMENT 3 and the Dept of Local Government and Communities 'agreed' and 'done' changes only shown in ATTACHMENT 2;**
- 3. 'Make' the Shire of Kondinin Animal Environment & Nuisance Local Law 2016 as presented in ATTACHMENT 1;**

4. Authorise the affixing of the Shire of Kondinin Seal in the presence of the Shire President and the Chief Executive Officer who are also authorised by Council to sign the Shire of Kondinin Animal Environment & Nuisance Local Law 2016; and
5. Authorise the Chief Executive Officer to carry out the process of Gazettal of the Shire of Kondinin Animal Environment & Nuisance Local Law 2016 and to complete the administrative functions required for presentation of the Shire of Kondinin Animal Environment & Nuisance Local Law 2016 to the Joint Standing Committee on Delegated Legislation of the Western Australia Parliament.

**CARRIED 7/0
ABSOLUTE MAJORITY**

9.6 BUILDING SURVEYOR'S REPORT – SEPTEMBER 2016

A permit was issued for the following:-

1. Reroof – 73 Jones St Kondinin.

FOR INFORMATION ONLY

9.7 SWIMMING POOL REPORTS

Shaun Franich has returned to the Kondinin Pool and both pools are well into preparation for the upcoming season.

FOR INFORMATION ONLY

9.8 RANGER ACTIVITY AND BUILDING MAINTENANCE REPORT – SEPTEMBER 2016

Warning Notices Issued

- 5 x Illegal camping notices issued during general inspections of sites used for illegal camping.
- 1 x Littering

There was a \$250 Infringement (#24277) issued under the Bush Fire Act for lighting a fire in the open air that has been paid.

There was a total of 27 No Entry Tickets written for Wave Rock with 9 Receipts written for entry at \$90.

During the Wave Rock Weekender there were 6 campers that took advantage of the Hyden Oval to camp with a total of \$90 taken.

- There was one dog impounded and it was released as directed.
- Follow up 1 x report of an aggressive dog in Kondinin by concerned resident.
- 3 x Verbal warnings regarding dogs not on leash in public
- Assist 1 x Hyden Resident with stray cats.

General Maintenance - September

- Kondinin public toilets
- Wave Rock toilet blocks
- Hyden Works Depot
- Hyden Sports pavilion
- Hyden CRC Building
- 21 Young Ave, Kondinin
- Installation of new Security Camera posts and cameras mounted at the Humps, Wave Rock car park and Hippos.

Due to damage by vandals at the Kondinin Community Garden ladies toilets a lot of work was performed repairing and repainting. Assist Police regarding damage done by Vandals at the Kondinin Community Garden. Then supervise the offenders.

The new roller door has now been installed at the Kondinin RFDS site and is operational. A further two doors have now also been ordered and will be installed when they arrive.

The Public toilet block at the Breakers car park in Wave Rock had all new sewer pipes installed and this toilet block is now complete and looks and operates well.

Repeater sites checked for Month and Solar panels cleaned

East Hyden Truck bay bins cleared

The Humps environmental toilets serviced

Eagle Sightings Month of September

1X Pair king Rocks road

1x Single Sloan Road

Meter Readings 29/9/2016

Site	Damage	Leaks	Reading	Tanks
Raine Road	N	N	013175	Full
Ellen Rocks	N	N	51578	Full
Redhill	N	N	478476.8	Full
Aylmore Road	Y (fixed)	N	037226	Full
Tolland Road	N	N	0385214.3	Full
Karlgarin	N	N	005211	Full
Bendering Siding	N	N	0927821.4	Full
Sloan Road #1	N	N	00479	N/A
Sloan Road #2	Y (fixed)	N	000912	N/A
Kondinin	N	N	055041	Full

FOR INFORMATION ONLY

10. BUSINESS OF AN URGENT NATURE

Nil

11. CLOSURE

There being no further business the Shire President thanked Councillors and Staff for their attendance and declared the meeting closed at 6.07pm.