



**MINUTES OF ORDINARY MEETING HELD AT FORRESTANIA NICKEL PROJECT ON  
15<sup>TH</sup> MARCH, 2017**

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

The Shire President Cr Smoker welcomed those present and declared the meeting open at 11.00am.

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

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

**Leave of Absence:** Nil

**Apologies:** Cr S Meeking (Deputy Shire President)

**Staff:** Mr John Read (CEO), Mr A. George (DCEO), Mr V. Bugna (MOF), Ms T. Young (MPD) and Mr M. Burgess (MOW).

**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 – 8<sup>th</sup> February 2017

**RESOLUTION 2965**

Moved Cr Growden

Seconded Cr Lynch

That the minutes of the Council Meeting held on 8<sup>th</sup> February 2017 be confirmed.

**CARRIED 8/0**

7.2 Minutes of Eastern Wheatbelt Primary Care Project Committee Meeting - 16<sup>th</sup> February 2017

**RESOLUTION 2966**

Moved Cr Ilich

Seconded Cr Browning

That the minutes of the Eastern Wheatbelt Primary Care Project Meeting held on 16<sup>th</sup> February 2017 be received.

**CARRIED 8/0**

7.3 Minutes of Wheatbelt South Aged Housing Alliance Meeting – 20<sup>th</sup> February 2017

**RESOLUTION 2967**

Moved Cr Butler

Seconded Cr Jones

That the minutes of the Wheatbelt South Aged Housing Alliance Meeting held on 20<sup>th</sup> February 2017 be received.

**CARRIED 8/0**

**8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION**

**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:** 7<sup>th</sup> March, 2017

**SUMMARY/COMMENT:**

The financial statements for the period ending 28 February 2017 are attached.

**RERESOLUTION 2968**

Moved Cr Growden

Seconded Cr James

That the Financial Reports for the period 28 February 2017 as presented be accepted.

**CARRIED 8/0**

**9.1.2 List of Accounts**

**Name of Applicant:** Manager of Finance  
**Author:** Manager of Finance  
**Voting:** Simple  
**Date:** 3<sup>rd</sup> March 2017

**SUMMARY/COMMENT:**

A list of accounts is attached.

**RESOLUTION 2969**

Moved Cr Browning

Seconded Cr Butler

That Muni Cheques 18124 – 18140, Muni EFT7700 – 7779 (inclusive of Trust EFT7761), Transport Direct Debits, Other Direct Debits, Payroll and Bank Fees (for the month of February 2017) totalling \$386,282.40 be endorsed.

**CARRIED 8/0**

**9.1.3 Capital Items Progress****Name of Applicant:** Shire of Kondinin**Author:** CEO**Voting:** Simple**Date:** 3<sup>rd</sup> March, 2017**SUMMARY/COMMENT:**

Expenditure on capital items for 2016-2017

<b>Programme</b>	<b>Description</b>	<b>Budget</b>	<b>Notes</b>
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	
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	Commenced
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	
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	Commenced
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	Commenced
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	
<b>TOTAL</b>		<b>\$3,659,153</b>	

**FOR INFORMATION**

**9.2 MANAGER PLANNING AND DEVELOPMENT REPORT****9.2.1 Grants, Events and Projects Update****Grants Summary 2016 – 2017**

<b>Project</b>	<b>Source of Funding</b>	<b>Grant Amount</b>	<b>Shire Contribution</b>	<b>Status / Comment</b>
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>Approved</b> – Received \$11,200 and the Funding Agreement is in place. Sculptor Len Zuks engaged for the project has committed to the project. Workshop is being held from 20 – 26 <sup>th</sup> March 2017 in Kondinin Men's Shed, with final life size sculptures to be entered in 2017 art show and then installed at the Kondinin Community Recreation Centre (Country Club).
Community Sporting and Recreation Facilities Fund	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.

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- Hyden Tennis Club Lights				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 Round)	\$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.
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 March 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 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.
Red Soil Riches – Kondinin Arts Show and Twilight Markets Weekend	Tourism WA Regional Tourism Grant	\$5,000	\$5,000 + In Kind	<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.
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 costs) \$78,000 (Landscaping &	<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 2018/2019 and Two (2) at West Court in 2019/2020. The remaining costs including: project coordination, land assembly and site works and landscaping and driveways are to be contributed by the Shire. The

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			driveways) = \$198,920	land value (\$100,000) was also considered a Shire contribution. Awaiting formal Financial Agreement from State Government.
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 and scheduled to be determined by March 2017.
Community Bus	Lotterywest	\$49,031	\$49,031	<b>Pending</b> – Application received on 17 October 2016. Currently being assessed.
<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>			
2 <sup>nd</sup> March 2017	Country Arts Shown on the Go Workshop at Kondinin Primary School	Kondinin students PS	Kondinin Primary School
3 <sup>rd</sup> March 2017	Country Arts Show on the Go – Marty’s Party	Whole Community	Kondinin Town Hall. We had 99 guests and CC’s Café did the catering. Everyone seemed to enjoy the show.
20 <sup>th</sup> – 26 <sup>th</sup> March 2017	Metal Sculpture Workshops	Workshop Participants	Kondinin Men’s Shed
25 <sup>th</sup> March 2017	Bike Week ‘Tour de Kondinin’	School Students	Kondinin Town Site
<b>APRIL 2017</b>			
13 <sup>th</sup> April 2017	Youth Week – Amazing Race (pending Youth Week Grants submitted by Hyden and Kondinin Community Resources Centres)	Hyden and Kondinin Youth	Kondinin Town Site
<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 18 <sup>th</sup> March 2017. Over summer period, volunteers have been helping out with the watering roster and plants and vegetables mostly looking healthy. Work to commence soon on implementing items approved in recent grant application from Department of Local Government and Communities.
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. See Agenda Item 9.2.2 of the Council Meeting in March 2017 for more detail on the status of this project.
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.
Hyden Karlgarin Hockey Club Lights	Lights have been installed at a total cost of \$66,000, significantly less than the \$102,000 that was originally costed. The Shire and the Hockey Club both paid \$33,000 towards the project. No grant money was received for this project. The Shire has now received the \$33,000 from the Hockey Club. Project now completed.

**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: 1) re-zone land to enable Whispering Gums development; and 2) Enable grouped dwellings (more than one dwelling) in a rural zone A report to Council to formally initiate the zoning change for Whispering Gums is presented as a separate Agenda Item of the Council Meeting held on 15 <sup>th</sup> March 2017.
Mon Repose Building, Kondinin	Process to list property on the State Register of Heritage Places is pending input from current owner Under current private ownership arrangement the owner can apply for funding for restoration works through the State Heritage Office Heritage Grant Program. Owners can apply for up to \$100,000 which must be matched by the owner. To be further investigated by Manager Planning and Development.

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	Local Governments and not-for-profit organisations eligible for Lotterywest funding are not eligible to apply for Lotterywest funding.
Review of Municipal Heritage Inventory	Under the Heritage Act 1990 all local governments are required to review their Municipal Heritage Inventory every four (4) years. The Shire of Kondinin's has not yet been reviewed since being prepared in the late 1990s. A formal report to Council will be prepared in early 2017 to resolve to commence the review which will be able to be done in house by the Manager Planning and Development. The review will also look to include some properties onto the Heritage List which will offer them protection under the Shire's Town Planning Scheme No.1. The State Heritage Office's Policies 'Criteria for the Assessment of Local Heritage Places and Areas' and 'Basic Principles for Local Government Inventories' will be used to guide the review process.
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 is presented to the Ordinary Meeting of Council on 15 <sup>th</sup> March 2017.
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 Lot ( ) is excised for the purpose of a dedicated laneway to be managed by the Shire. A more detailed report on this matter is presented to the Ordinary Meeting of Council on 15 <sup>th</sup> March 2017.

**RESOLUTION 2970**

**Moved Cr Lynch**

**Seconded Cr James**

**That 1. Council receive the Manager Planning and Development's update on Grants, Events and Projects;**

- 2. Administration arrange for interpretive signage to be placed on the several historic items of machinery located around Kondinin for the information of tourists and visitors to the area.**

**CARRIED 8/0**



**9.2.2 Hyden Streetscapes Report # 1**

**Applicant:** Shire of Kondinin  
**Author:** Manager Planning and Development  
**Date:** 2<sup>nd</sup> March 2017  
**Disclosure of Interest:** Nil

**Summary/Comment**

In the lead up the Hyden Centenary in 2022 the Council has supported money and resources to go towards improvements of the presentation of the Hyden town site and set aside \$50,000 in the 2016/2017 budget towards the project.

The Shire's Manager Planning and Development has had various meetings and discussions with Hyden Councillors, Community Members and other Shire staff in relation to this matter and has come to the conclusion that to effectively manage this project it would be worthwhile to engage a consultant to provide a broad concept design to guide the project. This would still allow community and sporting groups and interested individuals and organisations to provide input to the project, whilst at the same time having a template that we can all work from over the 5 year period and budget accordingly.

It is proposed that the Shire's Administration prepare a detailed design brief which can be presented to Council at the April 2017 Council Meeting before requesting quotations from appropriate consultants.

**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

**RESOLUTION 2971**

**Moved Cr Lynch**

**Seconded Cr Ilich**

**THAT Shire 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.**

**CARRIED 8/0**

**9.2.3 Change of land tenure to Unallocated Crown Land Lots 293, 294, 295, 296, 297 and 285 West Court, Kondinin**

**Applicant:** Shire of Kondinin  
**Author:** Manager Planning and Development  
**Date:** 2<sup>nd</sup> March 2017  
**Attachments:** Plans  
**Disclosure of Interest:** Nil

**Summary/Comment**

As part of the Wheatbelt South Aged Housing Alliance the Shire of Kondinin together with seven (7) other Shires was successful in receiving Royalty for Regions funding for the construction of four (4) new Independent Living Units, with two (2) being located in Kondinin and two (2) in Hyden through a staged process over a three (3) year period. At the time of writing this report we are waiting to receive the Funding Agreement to confirm the funding amounts, when it will be released and the milestones to be met by the respective Shires. The Shire of Wickepin will continue to be the lead Shire in the project however each Shire will be responsible for the tendering of their proposed new dwellings. An updated Memorandum of Understanding is also currently being drafted to clearly stipulate the responsibilities of each Shire throughout the project.

Before commencing the design and tender process for the new dwellings each Shire is to ensure that all land tenure and planning provisions are in place. On reviewing the situation in Kondinin it has been proposed through discussions with representatives from the West Court Retirement Committee who manage the existing eight (8) Independent Living Units in Kondinin that the proposed new independent living units be constructed on the land to the south of West Court comprising Lot 293 (No.1), Lot 294 (No.3), Lot 295 (No.5), Lot 296 (No. 7), Lot 297 (No. 9) and Lot 285 (No. 11), rather than on Lot 3002 where the existing Independent Living Units collectively known as West Court Retirement Village are located. Each of these lots is approximately 1000m<sup>2</sup> with a total area of 6,123m<sup>2</sup>. This land is currently zoned Residential R30 which is consistent with the proposed development of Independent Living Units.

Currently these six (6) lots mentioned above are however on Unallocated Crown Land (UCL) and therefore to enable the Shire to effectively manage the construction of the proposed new independent living units on this area south of West Court, the land tenure will need to be changed.

On discussions with the Department of Lands, three options are available for consideration subject to approval and referrals to the

*Option 1* – create a reserve under a Management Order in which the Shire is the primary interest holder. The Management Order would contain conditions to be observed by the Shire in the care, control and management over the land. This is similar to the reserve on crown Lot 3002 where the existing West Court Independent Living Units are located to the north of West Court. The Shire cannot make any commercial gain on the land in this arrangement.

*Option 2* – request that the Shire lease the land from the State Government for a 21 year period, with the option of renewal. In this option the Shire is able to make commercial gain on the land.

*Option 3* – for the Shire to buy the land freehold and then manage as they wish.

The first step in the process is for the Shire to submit a Crown Enquiry Form requesting a change of management and/or ownership of the crown land. This process is expected to take a minimum of six (6) months. If the land has implications with Native Title the process could take between 18 months to 2 years. A review of the Native Title Tribunal Registers indicates that there is a claim listed for the whole of the Kondinin Shire which was entered on the 3<sup>rd</sup> September 2008 which may prolong this process. As part of

the Department of Lands assessment of the Crown Enquiry all referrals will be made to the necessary parties including the Department of Mines and Petroleum and the Native Title Tribunal for their consideration.

The Shire's Administration is of the view that the best option in this case is Option 3 for the Shire to buy the land freehold which would enable much greater flexibility and control in the development of the lots.

**Statutory Environment**

Land Administration Act 1997

**Policy Implications**

Nil

**Financial Implications**

If the Council support that the subject lots 293, 294, 295, 296, 297 and 285 West Court, Kondinin be purchased freehold then the Shire will need to cover the cost of what the land is valued.

**Strategic Implications**

The proposal supports the following section of the Shire's 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*

- *Represent the community's interests and work with relevant agencies to facilitate affordable, diverse housing and land release strategies."*

**Voting Requirement**

Simple Majority

**RESOLUTION 2972**

Moved Cr Ilich

Seconded Cr Browning

**THAT Council formally request the Hon. Minister for Lands to purchase the Unallocated Crown Land lots 293, 294, 295, 296, 297 and 285 West Court, Kondinin, freehold.**

**CARRIED 8/0**

**9.2.4 Proposed Scheme Amendment No. 8 to Shire of Kondinin Town Planning Scheme No.1**

**Applicant:** Shire of Kondinin  
**Author:** Manager Planning and Development  
**Date:** 2<sup>nd</sup> March 2017  
**Attachments:** Amendment Report  
**Disclosure of Interest:** Nil

**Summary**

This report recommends that Council resolve to initiate an amendment to the Shire of Kondinin Town Planning Scheme No.1 in accordance with the details shown in the attached Amendment Report to align with the amended Lot tenure of Lot 330 Clayton Street, Hyden and to enable the expansion of additional independent living units at Whispering Gums in Hyden.

**Background and Comment**

The existing six (6) units at Whispering Gums Retirement Village were constructed in 1998 through a Housing Joint Venture Agreement between the State Housing Commission (Homeswest), the Shire of Kondinin (the Vestee) and the Lions Club of Hyden Inc (the Organisation). The existing units are located on the southern-most portion of the subject lot 330 which when constructed were on a smaller area of 0.4008 hectares known then as Lot 153 (reserve 41282) Clayton Street, Hyden that was vested in the Shire of Kondinin. The current management of the existing properties is undertaken in accordance with the Housing Joint Venture Agreement and a lease between the Shire of Kondinin (the lessor) and The Lions Club of Hyden Inc. (the Lessee) which expires on 31<sup>st</sup> December 2019. The lease only applies to the area comprising former Lot 153 covering 0.4008 hectares which is zoned Residential R30 under the Shire’s Town Planning Scheme No.1.

In 2009 after some boundary realignment and tenure transfers between the Shire of Kondinin and the Department of Education, Lot 153 was incorporated into a new larger lot covering 2.316 hectares which became known as the subject Lot 330 and was all transferred to the Shire of Kondinin. Simultaneously another new Lot, (Lot 331) was created covering 2.3852 hectares and vested in the Department of Education and utilised by the Hyden Primary School. The current zoning of the subject Lot 330 still reflects the original land tenure with the majority of the lot currently zoned as a ‘Local Reserve for Public Purpose – Education’ and only the southern-most portion of the lot (the portion originally known as Lot 153) being zoned as Residential R30.

To align with the new land tenure and to enable the expansion of Whispering Gums both in the short term through the funding received for two (2) new units from the Royalties for Regions Wheatbelt South Aged Housing Alliance grant and in the longer term to match future demand, it is required that all of Lot 330 is re-zoned to Residential R30 to match this future intended use and development and the current zoning of the former Lot 153.

Given the timeframes typically associated with progressing amendments to local planning schemes (i.e. 12 to 18 months), it is recommended that Council initiate this Scheme Amendment to Town Planning Scheme No.1 immediately to ensure that its processing is complete to align with the milestones of the Wheatbelt South Aged Care Alliance project.

**Lot Details**

Lot / Reserve Details	Current Classification in TPS No.1	Proposed Classification in TPS No.1
Portion of Lot 330 (DP 5065)	Local Scheme Reserve – Public Purpose: Education Residential R30	Residential R30

Further information in relation to the Scheme Amendment is detailed in the Scheme Amendment Report as attached to this Agenda Item.

**Statutory Environment**

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Environmental Protection Act 1996

**Policy Implications**

Nil

**Financial Implications**

The advertising and administrative costs associated with this Scheme Amendment are covered within the 2016/2017 budget.

**Strategic Implications**

The proposal supports the following section of the Shire's 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*

- *Represent the community's interests and work with relevant agencies to facilitate affordable, diverse housing and land release strategies."*

**Consultation**

Following Council's initiation of the required Amendment No. 8 to Town Planning Scheme No.1 the proposal will be referred to the Environmental Protection Authority (EPA) for environmental clearance. Following the issuance of environmental clearance by the EPA the proposal will then be advertised by the Shire for a minimum period of forty two (42) days. This process will include publication of appropriate notices in a local newspaper and correspondence to adjoining/nearby landowners and all relevant essential service authorities. Details of the outcomes from public advertising will then be presented to Council for further consideration prior to the matter being referred to the Western Australian Planning Commission and the Hon. Minister for Planning for final approval.

**Voting Requirement**

Simple Majority

**RESOLUTION 2973**

**Moved Cr Jones**

**Seconded Cr Growden**

**That Council resolve:**

- 1. In pursuance of section 75 of the *Planning and Development Act 2005* (as amended) to initiate Scheme Amendment No. 8 to the Shire of Kondinin Town Planning Scheme No.1 by reclassifying portion of Lot 330 on DP 50605 Clayton Street, Hyden from 'Local Scheme Reserve – Public Purpose: Education' to 'Residential R30' and amending Scheme Map 3 of 6 accordingly;**
- 2. Endorse the Scheme Amendment No.8 Report as shown as an attachment to this report;**
- 3. To grant delegated authority to the Shire President and the Chief Executive Officer to sign and seal the amendment documentation as required throughout the course of the scheme amendment process; and**
- 4. To authorise the Shire's Administration to make all the necessary arrangements to progress the scheme amendment proposal in accordance with the procedural requirements.**

**CARRIED 8/0**

**9.2.5 Landscaping and Associated Infrastructure for the Area Adjacent to the Kondinin Bowling Green**

**Applicant:** Shire of Kondinin  
**Author:** Manager Planning and Development  
**Date:** 2<sup>nd</sup> March 2017  
**Attachments:** Indicative Plan and Sketches  
**Disclosure of Interest:** Nil

**Summary/Comment**

In 2016 all trees and shrubs were removed from the area immediately adjacent to the Kondinin Bowling Green on the grounds that the trees were impacting the playing surface of the bowling green. Subsequently the Kondinin Community Recreation Council has approached the Shire of Kondinin to discuss options for the current vacant land to improve the aesthetics of the area which is centrally positioned within the Kondinin Sporting Precinct.

Recently the Shire of Kondinin Administration has met with the Kondinin Community Recreation Council to discuss options for the site and together have proposed as follows:

- New concrete drains being installed to assist in the effective drainage of the site
- Extending the existing brick paving on the eastern side of the bowling green to the southern and western sides
- Excising a portion of the area on the south-western corner and sealing this to improve vehicular movement
- Relocating the existing pump
- Replacing the existing kerbing
- Landscaping the area separated by the drains with low lying native shrubs and local rocks and materials
- Installing the life size metal sculptures of sporting figures that are being prepared through a grant from Country Arts WA within the area separated by the drains

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Costs have been prepared by the Manager of Works for the new concrete drains, replacing of the existing kerbing and the paving and sealing of the vehicular access as an estimated \$35,000. It is proposed that these funds will be transferred from the savings made in the installation of the lights at the Hyden Tennis Club and the Hyden Hockey Club and the installation of the Wave Rock Toilets which all came in well under budget.

The Kondinin Community Recreation Council are also seeking quotes from a landscape designer to assist in the design of the area separated by the drains.

Aside from the site works and drainage much of the landscaping will be undertaken by volunteer labour and materials sourced from in-kind donations.

**Strategic Implications**

The proposal supports the following section of the Shire's 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

### **Our Actions**

- *Improve each communities central business district aesthetics, access and landscape to strengthen opportunities for shopping, dining and entertainment*
- *Undertake a dedicated streetscape and beautification project for the Hyden Town Site*
- *Invite and promote the community to take a proactive role in improving the aesthetics of each town e.g. coordinated effort"*

### **Voting Requirement**

Absolute Majority

#### **RESOLUTION 2974**

**Moved Cr Browning**

**Seconded Cr Ilich**

**THAT Council approve the re-allocation in the current 2016/17 budget of \$35,000 from: the savings made in the Hyden Hockey Club Lighting Project (account number 1113870), Hyden Tennis Club Lighting Project (account number 1113850) and Wave Rock Toilet Block Construction Project (account number 1132810); to a new account to be formed for the Landscaping and Drainage Infrastructure Project of the area adjacent to the Kondinin Bowling Green.**

**CARRIED 8/0  
Absolute Majority**

### **9.3 CHIEF EXECUTIVE OFFICER'S REPORT**

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

**Applicant:** Shire of Kondinin  
**Author:** CEO  
**Date:** 10<sup>th</sup> March, 2017  
**Disclosure of Interest:** Nil

#### **Summary/Comment**

The Shire of Kondinin sustained damage to much of its road network as a result of recent flooding throughout our local government area. The flooding and damage was widespread throughout a large portion of Western Australia, affecting eighty eight (88) local governments.

The Shire of Kondinin, along with the Shires of Narembeen, Corrigin and Bruce Rock, has engaged Core Business Australia (Core) as Consultants to independently assess the extent of damage and the cost of repair. Under Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) legislation, local governments are to meet 25% of the repair cost of a declared natural disaster, up to a maximum of \$153,000. So for the Shire of Kondinin to spend \$153,000, the cost of repair would need to be \$612,000 or greater.

Core has carried out a very preliminary assessment, followed by a more comprehensive one. It's very preliminary estimate is \$2-3 million, however a more comprehensive and accurate assessment will be undertaken by Core commencing on the 9<sup>th</sup> March, 2017. In order to meet our \$153,000 contribution, I

suggest we reallocate \$153,000 of Roads to Recovery funding to the flood damage repair work, as no budgeted funds have been provided for this unplanned event.

Under the NDRRA (Federal Government) and WANDRRA (State Government) rules, Local Governments are forced to engage contractors to carry out the repair work rather than undertake the work with its own plant and workforce during normal working hours. This is considered by most local governments a ridiculous requirement, particularly as local government can deliver a more efficient, expedient and cost effective service in carrying out the work compared to engaging contractors. There is also a distinct economic/financial benefit to the local government carrying out this state and federal government funded work. I have spoken to MRWA and the Administrator of WANDRRA with the Office of Emergency Management, suggesting that consideration be given to implementing an exemption to allow local governments to carry out the work due to the large area (88 local governments) affected and contractors being unlikely to complete all the repair work for all local governments within the WANDRRA strict time lines. This matter was discussed at the Great Eastern Zone of WALGA meeting in Merredin on 23<sup>rd</sup> February, 2017 which I attended and a resolution was passed incorporating the recommendation that the rules be changed to allow LGA's to undertake reinstatement work during normal working hours fully refunded by WANDRRA.

Core has advised that repair work not commence until approval has been obtained from WANDRRA. It is expected that Core will have completed the damage assessment in approximately three weeks, however if we are required to use contractors to undertake the repair work, then further delays will be incurred through the tender process.

To keep our communities informed regarding the delays to repair work, I suggest the following be placed in local newsletters:

### **FLOOD DAMAGE TO ROAD NETWORK – SHIRE OF KONDININ - WANDRRA AGRN743**

*Over the period of February 9 to 11 2017, the region received significant rainfall as a result of a tropical low off the west coast of Western Australia in the Indian Ocean. This significant rainfall event led to isolated flooding across the region which has damaged local roads and drainage systems. The event has been declared a natural disaster under the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) and has been allocated the Australian Government Reference Number (AGRN) 743.*

*Being declared a natural disaster means that Federal Government assistance becomes available to help the community recover from the disaster. This also means that the local government can access funds (WANDRRA Funding) to assist with the reinstatement of essential public assets such as roads and drainage systems. WANDRRA Funding is administered by the Office of Emergency Management (OEM). There are strict guidelines relating to how WANDRRA Funding for restoration of essential public assets can be utilised.*

*The funding ultimately comes from the Federal Government under the Natural Disaster Relief and Recovery Arrangements (NADRRRA) and reimburses the Shire for eligible costs incurred in undertaking restoration work where the resources engaged to undertake the restoration work is additional to the Shire's usual resources. This is because the funding is only available where the State and / or local government have exhausted their own available resources.*

*The Shire's 2016/17 budget has been put together on the basis that its workforce is fully employed in delivering its capital works program and normal maintenance activities. As such it is fully engaged. If the Shire were to divert its workforce to restoration of roads and drainage systems damaged by the flooding, there would be two issues. Firstly, the Shire would not receive funding for restoration works and secondly the Shire's Capital Works program would be delayed risking already committed funding.*

*The Shire of Kondinin, through WALGA and other avenues, are advocating for these unsatisfactory rules associated with WANDRRA funding to local governments to change. The Shire of Kondinin are capable of*



*carrying out this repair work using its own workforce during normal working hours, but under WANDRRA rules we are forced to engage contractors to do the work. Significant financial benefit can be gained by the Shire if it carries out the work rather than engaging contractors.*

*The Shire has engaged Core Business Australia, a consultancy group, who are experienced in assessing the extent of damage and assisting the Shire in administering flood recovery work associated under the WANDRRA scheme. The Core Business Australia team will undertake a detailed assessment of the damage associated with the flooding, identifying eligible work. The cost of reinstatement of the damage to current day engineering standards will then be estimated and submitted to Main Roads Western Australia / OEM for approval.*

*Core Business Australia will then work with the Shire to call tenders / quotations to engage suitably equipped and experienced contractors to undertake the repairs, (if the Shire is unsuccessful in getting the WANDRRA rules changed to allow the Shire to carry out the work itself. Core Business Australia will then supervise the works and ensure they are carried out to a suitable standard and prepare claims for reimbursement of the Shire's costs from Main Roads Western Australia and OEM.*

*There is extensive damage to the Shire's roads network and the Shire needs to ensure that it is well documented in order to justify any claim. This is particularly important as the Shire may either not have a claim approved if work is found to be ineligible or may have to refund money if it has been paid and found to be ineligible as a result of audit. This represents a significant financial risk to the Shire. Therefore it is important to undertake a thorough assessment.*

*Undertaking a thorough assessment of all damage over the Shire's entire road network will take some time. While this is occurring, it is important that the Shire not repair the damage utilising its own resources as the costs of these repairs will not be refunded. Nonetheless, it is important that the Shire maintains (as far as practicable) a safe and accessible road network. This will be done through the usage of signage and markers.*

*Over this period, the community are requested to please be patient of the disruption caused by the damage and exercise extra caution when using the road network until permanent repairs can be affected.*

*Following assessment, it will still take several months to engage contractors (if required) and attend to all repairs across the Shire. It is not unusual for events such as this to take 10 to 18 months to complete (dependent upon the total extent of damage). While the Shire could engage more resources to complete the works quicker, there are limitations on the Shire's cash flow abilities. This is because the Shire needs to pay for the works upfront and then reclaim the expenditure from WANDRRA. The Shire needs to balance cash flow with work activity whilst endeavouring to maintain a safe and accessible network.*

*The Shire will endeavour to keep the community informed over the course of this project.*

#### **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 2975**

**Moved Cr James**

**Seconded Cr Ilich**

**THAT the Shire of Kondinin re-allocate \$153,000 of its Roads To Recovery works program funding to the required \$153,000 local government contribution towards repair work of the Shire of Kondinin's road network as a result of the WANDRRA AGRN743 January, February, 2017 flood event.**

**CARRIED 8/0**

**9.3.2 Hyden Town Site Flooding**

**Applicant:** Shire of Kondinin  
**Author:** CEO  
**Date:** 10<sup>th</sup> March, 2017  
**Disclosure of Interest:** No interest to disclose

**Summary/Background**

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.

A de-brief meeting in Hyden was 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. The areas subjected to flooding were inspected and possible solutions discussed to avoid town properties being flooded in the future in the event of a similar or larger flood.

MRWA have advised that they would consider, as part of the reinstatement of the trench where the Brookton Highway (Marshall Street) was cut, the installation of several box culverts which it is believed will allow for flood waters to flow around the townsite to the lake system in the north. MRWA has indicated that it favours the Shire of Kondinin carrying out the reinstatement work including the installation of box culverts.

During the inspection the Shire's backhoe was engaged to dig a trench through the dam wall on the northern side of Marshall Street to allow the water, which has become stagnant, to drain away to the north. This drainage will facilitate the remedial reinstatement and culvert installation works by assisting in the area drying out.

**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 2976**

**Moved Cr Jones**

**Seconded Cr Growden**

**THAT Council endorse the recommendation made to MRWA that several box culverts be installed as part of the reinstatement of the Brookton Highway (Marshall Street) east of the Hyden Roadhouse in an effort to avoid future flooding of the Hyden town site.**

**CARRIED 8/0**

**9.3.3 Secondary Freight Routes – Wheatbelt North & South**

**Applicant:** Shire of Kondinin  
**Author:** CEO  
**Date:** 1<sup>st</sup> February, 2017  
**Disclosure of Interest:** No interest to disclose

**Summary/Background**

Progress is being made by the Central and Great Eastern Country Zones of WALGA as well as through the North and South Regional Road Groups in respect of the need to upgrade the nominated Secondary Freight Routes (some 3,400kms) across the LGA's in Wheatbelt North and South regions. This initiative is aimed at identifying formally the main routes utilised by transport companies and farmer road trains in an effort to have them upgraded because of increased use. This increased use is to some extent at least caused by Tier 3 rail closure by Brookfield, and compounded by the various bin closures proposed by CBH, which all translate to more road trains travelling greater distances on local roads across the Wheatbelt.

As part of progressing the matter of funding the first part of the planning phase of this project, an application was made to the Regional Grants Scheme (part of the state government's Royalty for Regions funding) of \$300,000 (maximum grant amount). This was unsuccessful. The cost of the planning phase has been estimated to cost \$2 million and an application has been made to the Building Better Regions Fund (BBRF) administered by the Federal Government for grant funding. Member LGA's of Wheatbelt North & South are required under the funding rules, to contribute 25% if your LGA is designated as remote (which most, including us, are) and double if you are not remote. The proposal is to go through 5 phases up to preparing a Business Case to support the funding applications of the cost of the Secondary Freight Routes road construction upgrade costs.

The construction costs of upgrading the 3,400km of road comprising the Secondary Freight Routes identified across the two regions has not been assessed but will probably be around \$200 million. Where the funds for this work will come from is not known. Wheatbelt Local governments do not have the financial capacity to substantially contribute to such a costly project. The Central Zone of WALGA and Cr Baker, Chair of the RRG South Group, has suggested that part of each local government's RRG road funding be put towards a Shire's contribution required for the initial phase of planning. While I am not aware of any other suitable funding source apart from our own resources, I have cautioned local Shire's in having RRG funding reduced and placed into funding early stage concept planning for a costly project that no one has any idea how it will be funded. The RRG members of the Northern Wheatbelt have agreed that each Shire budget between \$10,000 and \$20,000 in the 2017/18 year to cover the LGA contribution towards the BBRF grant funding. Of course there is no guarantee that this grant application will be successful.

Improving these important freight roads in the Wheatbelt is a really good initiative and you could say imperative, however the capital cost is large and without any state (or Federal) government commitment to the concept financially, the costs of preliminary concept and planning etc. phases could be wasted LGA financial investments, at the expense of some real RRG construction work being done. With a state election

on our doorstep, certainly no such commitment for a ≈\$200 million project will be obtained currently from our state government.

The Shire of Kondinin's stance on this matter is required to be determined so it can be relayed to the RRG Wheatbelt South group and GECZ WALGA.

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil

**Financial Implications**

While a financial contribution towards the initial phase (concept planning etc.) of working towards building a Business Case to support funding applications to upgrade the Secondary Freight Routes can be considered affordable, further contributions will no doubt be required as this large project progresses, with no guarantee that the large construction cost funding will ever be obtained to allow the actual upgrade to be done.

**Strategic Implications**

Upgrading our main freight roads network is an important strategic objective.

**Voting Requirement**

Simple Majority

**RESOLUTION 2977**

**Moved Cr Lynch**

**Seconded Cr Kones**

**THAT Council supports making provision in its 2017/18 budget of \$20,000 for its contribution towards the Building Better Regions Fund grant application to progress the first planning phase of the proposed upgrade of the Secondary Freight Routes identified through the Wheatbelt North & South Regional Road Groups.**

**CARRIED 8/0**

**9.3.4 Kondinin Medical Centre Financial Update**

**Applicant:** Shire of Kondinin  
**Author:** DCEO  
**Date:** 10<sup>th</sup> March, 2017  
**Disclosure of Interest:** No interest to disclose

**Summary/Background**

This report is to provide information as to the financial performance of the Kondinin Medical Centre since the engagement of Dr Alain Mackie, who commenced his assignment on 12<sup>th</sup> September 2016, for the period to 31<sup>st</sup> December 2016.

Income for the period was \$65,731.25 and expenses relating to the provision of staff, doctor, medical supplies for the surgeries and essentials pertinent to all three surgeries amounted to \$92,669.88.

As can be seen from the attached table the Kondinin Medical Centre has experienced a loss of \$26,938.63 for the period in question. There was no doctor in attendance for the period 13<sup>th</sup> December to 31<sup>st</sup> December due to the doctor being on leave. We were not able to obtain a locum for this period due to the

short term of the appointment also the Medical Centre is traditionally closed over the Christmas/new year period and in Dr Mackie's opinion it was not considered a necessity.

There were several one-off costs involved initially with regards to obtaining licences etc. which occurred early on however these were not large.

The cost involved with the provision of the doctor services are split 60/40 with Kulin Shire therefore for the year to 31st December 2016 the respective share of the loss is Kondinin \$16,163.18 and Kulin \$10,775.45. Dr Mackie has advised that the support from Kulin has been strong, Hyden is picking up and Kondinin has not been as strong. He has also advised that he has been flexible in terms of his hours in that if he has no appointments he will go home and not charge for these hours. Dr Mackie is aware of the financial costs to the shire of running the practice and is committed to improving its profitability.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

The budget for 2016/2017 was originally based on the continued servicing of the Kondinin Medical Centre by Jupiter Health and Medical Services and a Shire contribution of \$72,000 p.a. which was split with Kulin Shire 60/40. At the recent budget review the budgeted revenue was increased to \$170,000.00 and based on current trends the budget should be achievable or even exceeded.

The Shire of Kulin contribution of 40% of applicable costs has not been included in the income.

The budget for the expenses which includes the provision of the doctor, staff and other shared costs, which we were not originally paying, has been increased at the budget review to reflect the current situation. Based on current figures this budget will not be sufficient however after allowing for the Kulin contribution not being budgeted for the end net result should be close to budget.

The budget for 2017/2018 will be more accurate given the largely unknown figures the 2016/2017 budget were based on given the change in circumstances with the withdrawal of the previous provider.

**Strategic Implications**

The provision of Doctor Services to the Shire of Kondinin is viewed as a very important priority as detailed in our Community Strategic Plan.

**Social:**

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.

- Recruit, attract and retain health practitioners to the Shire including a GP, additional and permanent allied health professionals.

**Voting Requirement**

Simple Majority

**RESOLUTION 2978**

Moved Cr Growden

Seconded Cr Lynch

**THAT Council accept the report for the financial operation of the provision of medical services to the Shires of Kondinin and Kulin for the period ending 31<sup>st</sup> December 2016.**

**CARRIED 8/0**





**9.3.5 MRWA - Brookton Highway (Kondinin Norseman Road near Sloan Road) Realignment**

**Applicant:** Shire of Kondinin  
**Author:** CEO  
**Date:** 1<sup>st</sup> February, 2017  
**Disclosure of Interest:** No interest to disclose

**Summary/Background**

MRWA representatives, along with its engineering consulting group (Aurecon) representatives, visited the Kondinin area at the end of February, 2017, talking with landowners that would be affected by the realignment of the Brookton highway (Kondinin Hyden Road) near Sloan Road, Kondinin.

Preliminary work will be undertaken in detailed planning the realignment, obtaining necessary environmental approvals, etc. over the next two years and it is proposed that construction will occur in the 2018/19 financial year, subject to state government funding to MRWA. The work will involve a 3.5m cut through the hill section east of Sloan Road. Maps showing the realignment are tabled.

In discussion with MRWA and Aurecon representatives, the Shire's Manager of Works and myself strongly promoted the proposal for the Shire of Kondinin to undertake the construction work on contract to MRWA, which project cost is roughly estimated at this early stage as being around \$6-8 million. Work will also include reconstructing Cemetery Road, with a new intersection a few hundred meters east of the existing Cemetery Road & Brookton Highway intersection, necessary because the existing intersection will be where the cut in the hill occurs and also for road safety reasons.

MRWA advised that landowners affected by the realignment are supportive and cooperative regarding necessary resumption of property, etc. At the meeting MRWA representatives also encouraged the Shire to canvass politicians to support the state government providing funding for the (2018/19) construction project.

MRWA were also encouraged to consider extending the project scope to the west to include the reconstruction of the section of the highway from the Kondinin town site to the start of the realignment as part of the project.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

The Shire of Kondinin undertaking this construction work will have a significant financial benefit.

**Strategic Implications**

Nil

**Voting Requirement**

Simple Majority

**RESOLUTION 2979**

**Moved Cr Lynch**

**Seconded Cr James**

**THAT 1. Council receive the CEO's report regarding the proposed MRWA realignment of the Brookton Highway (Kondinin Hyden Road) near Sloan Road near Kondinin town site.**

**2. A letter be sent to the Minister for Transport requesting that the Karlgarin Hills alignment be incorporated into the project.**

**CARRIED 8/0**



**9.3.6 Hyden Kondinin St John Ambulance – Hyden Airport Patient Transfer Station**

**Applicant:** Shire of Kondinin  
**Author:** CEO  
**Date:** 1<sup>st</sup> February, 2017  
**Disclosure of Interest:** No interest to disclose

**Summary/Background**

The Hyden Kondinin St John Ambulance organisation of volunteers is in the final stages of completing a formal Agreement for signing with the land owners of the Hyden Airport facility which gives the local St John Ambulance branch the right to access and use the patient transfer facility building located at the Hyden Airport, located on private land. The Agreement gives the Hyden Kondinin St John Ambulance branch this right for perpetuity, which right is transferred under the Agreement to all subsequent new land owners of the Hyden Airport building facility in the event that the private property is sold in the future.

Under the Agreement, the St John branch is responsible for the payment of a peppercorn \$1.00 per year consideration/fee, plus costs associated with the insurance, water and electricity consumption, currently costing approximately \$1,200.00 per year.

The local St John branch members request that the Shire of Kondinin agree to be a Guarantor under the Agreement to meet the insurance, water and electricity costs associated with the patient transfer building facility at the Hyden Airport, in the event that the local branch cannot afford it or close down and the patient transfer service is transferred to another local organisation who cannot afford the costs. Insurance has been apportioned to just include the patient transfer building part of the airport building and water and electricity is monitored separately also with separate meters servicing the patient transfer area.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

The provision of RFDS medical patient transfers from the Hyden Airport facility is considered an important service for our local communities.

**Voting Requirement**

Simple Majority

**RESOLUTION 2980**

Moved Cr Ilich

Seconded Cr Jones

**THAT Council agree the Shire of Kondinin acts as Guarantor under an Agreement to be signed between the private owners of the Hyden Airport facility and the Hyden Kondinin St John Ambulance branch in respect of the branch's obligation to meet the cost of \$1.00 per year consideration fee plus the annual costs associated with insurance, water and electricity consumption in respect of the patient transfer section of the Hyden Airport building, in the event that the local St John Ambulance branch, or any subsequent local provider of the patient transfer service, cannot afford to pay the costs.**

**CARRIED 8/0**

**9.3.7 South West Noongar Title Settlement**

**Applicant:** Shire of Kondinin  
**Author:** CEO  
**Date:** 1<sup>st</sup> February, 2017  
**Disclosure of Interest:** No interest to disclose

**Summary/Background**

Attached is a letter received from Land Equity Legal, lawyers, specialising in native title, mining and environmental matters, offering its services to local governments in regards to the South West Aboriginal Land & Sea Council's (SWALSC) settlement with the West Australian state government in respect of the Noongar aboriginal group.

It seems the settlement proposed by the SWALSC on behalf of aboriginal groups that form part of the Noongar group, is being challenged currently by some Noongar aboriginal groups, one of which I believe is the Balladong group who are refusing to sign the settlement. Currently a determination is sought to legally allow the settlement to proceed without the necessity of all Noongar groups being party to it. The vast majority of the Noongar people support the settlement, which according to state government press releases has a value of \$1.3 billion made up of approximately \$800 million cash and \$500 million in the value of property including housing and land, all transferred to SWALSC. The reason why this large settlement was deemed appropriate and necessary by the state government to a relatively small portion of aboriginal groups across Western Australia is not understood, as they already have every right as Australian citizens, as all other Australians have.

The Settlement also gives certain rights to Noongar people to land grants, land access (including crown land, unvested reserves, etc.), access to cultural heritage places and sites management (and avoidance of prosecution for damage to such places, etc. etc.

The exact impact of this settlement and how it will affect the Shire of Kondinin is not clearly known and I expect largely depends on the extent to which the Noongar people exercise their rights granted under this settlement awarded by our state government.

**Statutory Environment**

Native Title Act 1993I

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Unknown

**Voting Requirement**

Simple Majority

**RESOLUTION 2981**

Moved Cr Butler

Seconded Cr James

**THAT Council receive the CEO's report regarding legal firm Land Equity Legal's offer to assist local governments in respect of the implications affecting local governments in the Settlement between the West Australian state government and the South West Aboriginal Land & Sea Council.**

**CARRIED 8/0**

### 9.3.8 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 physical assault on his brother (Gary Valenta), Works Supervisor, at the Shire depot in Hyden. Apart from that incident, the Shire continues to have a stable workforce.

Mark Burgess, Manager of Works, has settled into the job extremely well. I am confident that Mark's valued knowledge and experience will be of strong benefit to the Shire. Over the past 1.5 months since commencement, Mark has dealt with a multitude of matters including the recent widespread flood event, as well as overseeing the completion of road construction and sealing of the Regional Road Group section of the Hyden Mt Walker Road project, which has been constructed to a high standard.

#### 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, 6<sup>th</sup> 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.

#### 3) 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.

**November, 2017** – Currently awaiting the outcome of the Wheatbelt South Aged Accommodation Alliance’s grant application with the Wheatbelt Development Commission.

**December, 2017** – A meeting has been arranged for 15<sup>th</sup> December, 2016 at the Wickepin town hall where a special announcement will be made by Hon Terry Redman Minister for Regional Development. Hopefully this will be good news regarding the Alliances grant application outcome.

Good progress is being made regarding the preliminary requirements for the Yeerakine Lodge extension project, with tenders being called soon for its construction.

**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.

#### **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.

#### **RESOLUTION 2982**

**Moved Cr Ilich**

**Seconded Cr Lynch**

**That the CEO’s General and Project Status Report be received.**

**CARRIED 8/0**

### **9.4 MANAGER OF WORKS**

#### **9.4.1 GENERAL**

##### **Construction Crew**

We have now completed the construction of the Mt Walker Rd and Worland Rd Intersection; however the scope of works has changed.

The original plan was to construct 1.3km and asphalt the Worland Road intersection.

It was felt though given only half of the curve would be constructed the safety aspect of this comes into play. Effectively you would have an old seal coming into a new seal and the same as you exit the curve.

What we have done is used the money allocated to the asphalt and kerb at the intersection and have linked all the construction together.

Council now have a total distance of 2.6 km of constructed road with a two coat bitumen seal which also includes the Worland road intersection.

The previous year's works has also had its final coat put on it

We now are moving to East Hyden Bin Rd where we will be constructing a 2km section with a two coat seal. I have sent the gravel samples away as I'm a bit worried that the binding quality is not that good and we may have to add a bit of cement.

Even if we need to add cement the cost shouldn't blow out.

#### **Plant Repairs**

- KN65, John Deere Grader – 6000hr service
- KN66, John Deere Grader - 500hr service
- KN 2106, Float – Breaks repaired
- KN 78, Steel Drum Roller – Centre pin welded up due to breaking in half. Had to hire roller until this was fixed.
- KN 72 – Has received damage to the left hand rear lights and frame, also brushes on the rear have been damaged. This was caused by operator error

#### **Maintenance Grading**

Roads to receive grading with moisture and double cut are

Lovering Rd - Part of	Bendering Rd
Williamson Rd	Gibson Rd
Hyden Norsemen Rd - Part of	Narembeen South Rd – Part of
King Rock West Rd – Part of	Whyte Rd – Part of
Worland Rd – Part of	Karlgarin Hill Nth Rd - Part Of
McDonald Rd – Part Of	

All of the above roads also received patch grading and off shoot maintenance.

All of the areas affected by the rains have been left so an assessment can be made and costed for repair. It is frustrating to say the least; however we hope to be onto repairs soon.

#### **Maintenance**

New signs have been erected around the picnic area at Hyden saying 'no smoking within 20m' as well as renewed 'no camping and lighting of fires' signs.

Some patching works have been done; however now the water has subsided there is a lot more to do.

#### **General**

In my short time of being here I would like to start the discussion regarding town streets especially in Kondinin. In my opinion Council need to look at this area sooner rather than later as some areas will require reconstruction if not attended to urgently.

The area that is beyond simple repair is the main street. This will require reconstructing; however you can fix a lot of your drainage issues at the same time.

I have noticed that as there seems little or no allocation in the budget, may I suggest these needs be addressed for the upcoming budget.

**Staff**

Dennis Valenta is no longer with us; we wish Dennis all the best for the future.

**9.4.2 PLANT REPORT**

Please see attached KM and Hours for LV and Plant report ending February 2017.

**RESOLUTION 2983**

Moved Cr Growden

Seconded Cr Butler

That the Works Manager's Report be received.

**CARRIED 8/0**

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

**9.5.1 Delegation of Power to Appoint Authorised Officers – Health and LG Act**

**Date:** 2 March 2017

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

**Disclosure of Interest:** This author is /can be an authorised officer, designated officer and appointed environmental health officer.

**BACKGROUND**

In July 2016 the Public Health Act 2016 (Act) gained royal assent and on the 24 January 2017 the Act was gazetted into law.

Whilst initially the new Act will deal with administrative matters pertaining to the function of public health, the recently changed *Health Act 1911* to the *Health (Miscellaneous Provisions) Act 1911* remains the engine room for public health. All subsidiary legislation under the Health Act 1911 now has been edited to reflect the term '*Health (Miscellaneous Provisions) Act 1911*' or have been rescinded; those of operational importance to local government remain in effect. Furthermore the *Shire of Kondinin Animal Environment and Nuisance Local law 2016* and *Shire of Kondinin Health Local Law 2016* have now being gazetted (*Special Gazette* N° 39 on the 10 February 2017 and *Special Gazette* N° 182 on the 5 October 2016 respectively). Under this new head of power, administrative requirements for authorised officers, designated officers and appointment of environmental health officers (EHOs) and their delegations are required.

A key administrative function is that the local government becomes;

- the 'enforcement agency' for the Act,
- now wholly responsible for the appointment of EHOs,
- responsible for the designation of authorised officers,
- issuing identity cards and, and
- maintaining a list of enforcement agency EHOs and authorised officers.

For the *Shire of Kondinin Animal Environment and Nuisance Local law 2016* to be able to function appropriately, the mechanism to authorise officers for this local law is required in addition to the direct appointments by Council for certain *Local Government Act 1995* functions.

**COMMENT**

The following paragraphs (indented) describe the new Council delegations to enable the ability to undertake the effective administration of the *Public Health Act 2016*, *Health (Miscellaneous Provisions) Act 1911*, *Shire of Kondinin Animal Environment and Nuisance Local Law 2016* and *Shire of Kondinin Health Local Law 2016*. These delegations will remain in place until the mid-year review of the Delegation Register, where the delegations can be merged into existing delegations or appended as new delegations.

The Council has previously appointed an EHO who is endorsed by the Dept. of Health WA; the *Public Health Act 2016* provides for a transition period that preserves this appointment. The proposed delegation will be required to enable the administration of the *Public Health Act 2016*, *Health (Miscellaneous Provisions) Act 1911*, *Health (Asbestos) Regulations 1992* and *Shire of Kondinin Health Local Law 2016* without the need to refer to Council. The caveat of any designation or appointment under the *Public Health Act 2016* is that the person will need to meet prescribed qualification requirements as published in the *Special Gazette* N° 22 on the 24 January 2017.

With the introduction of the *Public Health Act 2016* the *Health (Asbestos) Regulations 1992* (Regs) have been amended to allow modified penalties (infringements) issued and served by authorised officers and much higher penalties for breaches of the Regs. Whilst an authorised officer can issue and serve infringement notices and Notices to undertake certain works pursuant to the Regs the authority to extend the period to pay or withdraw an infringement notice cannot be given to that authorised officer. Council is required to appoint the CEO as an 'approved officer' pursuant to Regulation 15D(5) of the *Health (Asbestos) Regulations 1992* for the purposes of Part 2 of the *Criminal Procedure Act 2004* as the person authorised to extend the period to pay or withdraw an infringement notice.

**Delegation - Shire of Kondinin Animal Environment Nuisance Local Law 2016.**

**FUNCTION DELEGATED:**

Delegation by the Council to the Chief Executive Officer (CEO) the function to appoint authorised person/s or classes of person/s for the administration of the *Shire of Kondinin Animal Environment Nuisance Local Law 2016*.

**STATUTORY POWER DELEGATED:**

*Local Government Act 1995*

- Section 9.10 - Appointment of authorised persons; and
- Section 9.16 - Notice, giving of notice to alleged offender

**POWER ORIGINALLY ASSIGNED TO:**

The Local Government

**STATUTORY POWER OF DELEGATION:**

*Local Government Act 1995*

- Section 5.42 - Delegation of some powers or duties to the CEO; &
- Section 5.43 - Limitations on delegations to the CEO

**POWER DELEGATED TO:**

Chief Executive Officer

**CEO SUB-DELEGATION TO:**

Nil

**COUNCILS CONDITIONS ON DELEGATION:**

**ADVICE AND COUNCILS CONDITIONS ON DELEGATION:**

Whilst the CEO only is incumbent pursuant to the *Local Government Act 1995*:

- (i) Sec. 9.19 Extension of time
  - a. The CEO only may, in a particular case, extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period on 28 days has elapsed. and
- (ii) Sec. 9.20 Withdrawal of notice
  - a. The CEO may, in a particular case, extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed.

When exercising any of the above powers pursuant to Sec 9.19 and 9.20 of the *Local Government Act 1995* the CEO is to provide to Council written notification of such exercise of authority.

**Delegation - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911.**

**FUNCTION DELEGATED:**

Delegation by the Council of the local government of Kondinin being an enforcement agency for the purpose of the *Public Health Act 2016* and *Health (Miscellaneous Provisions) Act 1911* to the Chief Executive Officer (CEO) the functions for:

- the appointment of environmental health officers pursuant to the *Public Health Act 2016*;
- the designation of a person or class of persons as authorised officers pursuant to the *Public Health Act 2016*; and
- the appointment of authorised officers to issue infringement notices pursuant to the *Health (Asbestos) Regulations 1992*.

**STATUTORY POWER DELEGATED:**

*Public Health Act 2016* -

- Section 17. Appointment of environmental health officers; and
- Section 24. Designation of authorised officers; And
- *Health (Asbestos) Regulations 1992* Regulation 15D(5). Appointment of authorised officers as an officer who is authorised to issue infringement notices for the offences specified under Schedule 1 of the *Health (Asbestos) Regulations 1992*.

**POWER ORIGINALLY ASSIGNED TO:**

The Local Government

**STATUTORY POWER OF DELEGATION:**

*Public Health Act 2016*

- Section 21. Enforcement agency may delegate.

**POWER DELEGATED TO:**

Chief Executive Officer

**CEO SUB-DELEGATION TO:**

Nil

**COUNCIL CONDITION OF DELEGATION:**

- The Chief Executive Officer will not designate a person or class of persons as an authorised officer nor appoint a person as an environmental health officer who do not meet the



'guidelines on the designation of authorised officers' of the *Public Health Act 2016* as published in the *Special Gazette N° 22* on the 24 January 2017. And

- The Chief Executive Officer cannot be an authorised officer under the *Health (Asbestos) Regulations 1992* Regulation 15D(5) whilst holding a current authorisation from Council to be an 'approved officer'

#### **STATUTORY ENVIRONMENT**

*Public Health Act 2016;*

*Health (Miscellaneous Provisions) Act 1911;*

*Health (Asbestos) Regulations 1992;*

*Local Government Act 1995;*

*Criminal Procedure Act 2004;*

*Shire of Kondinin Animal Environment and Nuisance Local law 2016; and*

*Shire of Kondinin Health Local Law 2016*

#### **POLICY IMPLICATIONS**

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

#### **FINANCIAL IMPLICATIONS**

Nil

#### **VOTING REQUIREMENT**

Absolute Majority

#### **RESOLUTION 2984**

Moved Cr Ilich

Seconded Cr Browning

**THAT Council makes the following Delegations and Appointments:**

1. Delegation to the Chief Executive Officer for the appointment of 'authorised officer/s' or classes of person/s under section 9.10(1) including the authority to the giving of infringement notice/s under section 9.16 by the authorised officer/s or classes of persons pursuant to the *Local Government Act 1995* for the purpose of the administration of the *Shire of Kondinin Animal Environment and Nuisance Local law 2016*;
2. Delegation to the Chief Executive Officer for the purpose of designating authorised officers, appointing environmental health officers under the *Public Health Act 2016* and the appointment of authorised officers to issue infringement notices pursuant to the *Health (Asbestos) Regulations 1992*; and
3. The appointment of the Chief Executive Officer as an 'approved officer' pursuant to Regulation 15D(5) of the *Health (Asbestos) Regulations 1992* for the purposes of Part 2 of the *Criminal Procedure Act 2004* as the person authorised to extend the period to pay or withdraw an infringement notice. This appointment is to be effected by instrument in writing and signed by the Shire President.

**CARRIED 8/0  
ABSOLUTE MAJORITY**

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

No Building Permits were issued in February 2017 by the Shire of Kondinin.

The Government of Western Australia, Department of Finance has issued a building permit for the Refurbishment of the Kondinin Health Service (Hospital) 130 Graham Street, Kondinin.

**FOR INFORMATION ONLY**

**9.7 SWIMMING POOL REPORTS - FEBRUARY 2017**

**HYDEN**

Attendance: 874

Water samples-taken or not: Yes all ok

Equipment Issues: Provac returned to supplier for warranty repairs. Now all ok working well.

Property Issues: Female toilet blocked so had pipes and septic tank emptied.

Activities for this month: Swim club, School PE two days per week, swimming carnival was a terrific day with 237 attending.

Activities for next month: Bronze medallion, Swim club, Water polo for the footy team and 3 birthday parties.

Any Other Issue: Lap pool will be repainted in April. It seems this has to be done every 3 years due to deterioration of the coating. I have suggested that administration consider the installation of a Poly tank to save refilling costs of the 554,000L of water.

**KONDININ**

31/1/17 - 5/3/17

Attendance: 550

Water meter: 8058

Water test OK

Numbers through the gate for February are down compared to previous seasons due to the unseasonable cold weather and rain, on the up side it's great to see the lakes filled with water.

The wet-deck waterproofing repair which was done by Commercial Aquatics last year under warranty has failed to adhere to the previous substrate. I have been in touch with Commercial Aquatics and they will be sending the contractor back to repair during the off-season.

Steph and the water aerobics gang are keen to keep things going during the pool-off season by doing yoga, making good use of the Bill Smoker Room. Big thanks to Tory for organising the new equipment for Steph. In regards to the end of the early morning swimming I will be playing it by ear as to when we finish up for the season as there is still good attendance and the weather seems to be holding up. We will be holding a BBQ breakfast, again playing it by ear and hoping to have this on another great morning, weather wise.

I will be installing some new shelving in the store room, cleaning cupboard, and the small cupboard in the Bill Smoker Room. This will go a long way to help keep the Aquatic centre in a clean and organised manner. This should be completed before the end of April.

We held the movie night on 25th February with great attendance with nearly 40 people attending another big thanks to Whitey for his time and equipment. I am hoping to organize one more movie for our end of season closing, the date of which is TBA.

It has been brought to my attention that there was a swim club running in Kondinin from around 1996 to around 2001/2002. Rachel has brought in some documentation and there seems to be some cash left in the swim clubs banking account which could be used for equipment. I will be looking for interest for participants, volunteers and committee members for the 2017/2018 season. Hopefully we can generate some interest especially with the kids as there are some very talented young swimmers here in town.

The Kondinin and Hyden Primary schools held their annual school swim carnival on the 24th February at the Hyden Aquatic Centre. From what I have heard Kondinin Primary did very well as well as local kids attending surrounding schools also did extremely well in their school carnivals. I am very much looking forward to hosting the Kondinin / Hyden carnival here next year. I have talked to Wayne about some concerns brought up by some individuals and he said with confidence that the Kondinin facility will be more than adequate to host the Kondinin / Hyden Primary School carnival.

Upcoming events:

- Early morning swim breakfast
- School swim sessions
- Closing day BBQ & Movie night
- Inflatable Fun Weekends

#### FOR INFORMATION ONLY

#### 9.8 RANGER ACTIVITY AND BUILDING MAINTENANCE REPORT – FEBRUARY 2017

After receiving complaints from residents in and around Smith loop in Hyden regarding a Heavy Vehicle being driven in Radbourne Drive, Smiths Loop and Mouritz Drive. I door knocked Smith loop to gather information. I then took photos of the damage done to the road along with the Truck in question. After speaking to the driver it was agreed that he would not take the vehicle into Smiths loop again.

After receiving further complaints that he had been parking in Mouritz Drive I again spoke to the driver and informed him that under no circumstances was he to take this truck into either Radbourne Drive, Smiths Loop or Mouritz Drive. I issued him with a written warning Notice for "Entering a Residential Area with a heavy Vehicle" and that if it was to occur again the Shire would look at recouping costs for damaged road surfaces along with an Infringement being issued. The Driver agreed to park "At another location".

- Warning Notice was issued at Wave Rock for littering as well as 4 verbal warnings for dogs not on leash around Hyden and Wave Rock.
- More Rubbish removed from Lake Gounter Nature reserve.
- 15 receipts issued for entry tickets to Wave Rock and approximately 20 No Entry Tickets Displayed Notices issued.
- There were 2 Verbal warnings issued for camping in a "No Camping" Area.
- During patrols for illegal camping it was noticed that numbers were down. I hope this represents an increase at Wave Rock camp ground and not new illegal camping spots that I don't know of.
- Stray Dogs seem to be down in Kondinin with only one being caught and returned to owner without being impounded. There is one repeat stray and I am taking steps to trap and Impound this dog. It has around \$1800 in fines against it and to simply issue more fines would be futile.
- The Dog trap was requested for loan by Wave Rock wild life park due to animals being killed by fox attacks on site. New No Smoking Signs have been erected at and around Wave Rock.

- Waste Transfer and Humps environmental toilets serviced.
- General Maintenance to Shire Halls, Recreation Centers and Areas and Residences.
- Temporary repairs have been carried out to Wave Rock water wall.

Meter Readings 28/2/2017

Site	Dirty	Leaks	Dirty	Reading	Tanks
Raine Road	N	N	N	013347	Full
King Rocks	N	N	N	N/A	Full
Allen Rocks	N	N	Y	52899	Full
Redhill	N	N	N	498992.1	Full
Aylmore Road	Y bollards	N	Y	039320	Full
Karlgarin	N	N	N	005225	N/A
Tolland	N	Y fixed	N	041421.6	Full
Bendering Siding	N	N	N	096333.2.2	Full
Sloan #1	N	N	N	004749	N/A
Sloan #2	N	N	N	000912	N/A
Kondinin Town	N	Y fixed	Y	000036	Full

**FOR INFORMATION ONLY**

**10. BUSINESS OF AN URGENT NATURE**

It was agreed that the painting of the Kondinin pavilion frontage be improved.

**11. CLOSURE**

Being no further business the Shire President thanked Councillors and Staff for their attendance and declared the meeting closed at 2.30pm.