

SHIRE OF KONDININ

NOTICE OF MEETING

Councillors: Please be advised that the next meeting of the
KONDININ SHIRE COUNCIL
will be held on Wednesday 16th September, 2020 at the Council Chambers, Kondinin

1.30pm Hyden Rec Centre Discussion
2pm Informal Agenda Discussion
3pm Council Meeting

Mia Maxfield
10th September 2020
CHIEF EXECUTIVE OFFICER

11 Gordon Street, KONDININ WA 6367 Tel (08) 98891006 Fax (08) 98891197
All communications to be addressed to the CHIEF EXECUTIVE OFFICER
Email: ceo@kondinin.wa.gov.au

STATEMENT OF COMMITMENT TO INDIGENOUS AUSTRALIANS

“The Shire of Kondinin acknowledges that, as we proceed with the development & management of facilities & services within the Shire we give recognition of the distinctive relationship that indigenous people have within the community and encourage a broader understanding & appreciation of indigenous heritage & culture.

The Shire of Kondinin is committed to consultation across all communities in our Shire & we aim for mutual respect to achieve recognition of all cultures.”

SHIRE OF KONDININ

DISCLOSURE OF FINANCIAL/IMPARTIALITY & PROXIMITY INTEREST

To: Chief Executive Officer

As required by Section 5.65(1)(a) of the Local Government Act 1995, I hereby declare my interest in the following matters included on the Agenda paper for the Council/Committee meeting to be held on _____ (Date).

The type of interest I wish to declare is a: Financial Proximity Impartiality

9	Item No	Details of Interest

Extent of interest only has to be declared if the Councillor also requests to remain present at a meeting, or participate in discussions or the decision making process (see item 6 below).

Councillor's Signature _____ Date _____

NB:

- 10 This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have an interest is discussed, Section 5.65(1)(a) & (b).
- 11 It remains Councillor's responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
- 12 It is a Councillor's responsibility to ensure that the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
- 13 It remains the Councillors responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. This responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are being confirmed.
- 14 It is recommended that when previewing the Agenda, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
- 15 Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of Council. Where Councillors request consideration of such approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decided upon the Councillors application.

Remember: The responsibility to declare an interest rests with individual Councillors. If Councillors are in any doubt seek legal opinion, or, to be absolutely sure, simply declare in any case. Penalties for not disclosing an interest apply.

Office Use Only:	Date/Initial
1. Particulars of declaration given to the meeting	_____
2. Particulars recorded in the minutes	_____
Signed by Chief Executive Officer or President (when the declaration belongs to the CEO)	_____

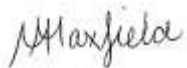
SHIRE OF KONDININ

DISCLAIMER

No responsibility whatsoever is implied or accepted by Shire of Kondinin for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with Staff. Shire of Kondinin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entities' own risk.

*In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of Shire of Kondinin during the course of any meeting is not intended to be and is not taken as notice of approval from Shire of Kondinin. The Shire of Kondinin warns that anyone who has an application lodged with Shire of Kondinin must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Kondinin in respect of the application.*

Signed on behalf of Council



Mia Maxfield
Chief Executive Officer

Order of Business

1. DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS

The Shire President Cr Meeking read the statement of commitment to Indigenous Australians, welcomed those present and declared the meeting open at ____pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/INFORMATION REPORT

7.1 Minutes of Council Meeting – 19th August 2020

RECOMMENDATION

Moved Cr

Seconded Cr

That the minutes of the Council Meeting held on the 15th July 2020 be confirmed.

15.9 Information Report –September 2020

RECOMMENDATION

Moved Cr

Seconded Cr

That the council have received and accept the Information Report prior to this meeting.

8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

9. CONTENTS

- 9.1 Manager of Planning & Development
- 9.2 Finance
- 9.3 Manager of Works
- 9.4 CEO
- 9.5 EHO
- 10. Business of an Urgent Nature
- 11. Closure

9.1 MANAGER OF PLANNING AND DEVELOPMENT

Nil

9.2 FINANCE REPORT

9.2.1 List of Accounts

Name of Applicant: Shire of Kondinin
Author: Manager Corporate Services
Voting: Simple
Date: 7th September 2020

OFFICER RECOMMENDATION

Moved Cr

Seconded Cr

That Muni Cheques 18879- 18895, Muni & Trust EFTs12385 – 12593, Transport Direct Debits, Other Direct Debits, Payroll and Bank Fees (for the month August 2020) totalling \$588,183.06 be endorsed.

SUMMARY/COMMENT:

A list of accounts is attached.

9.2.2 Financial Reports

Name of Applicant: Shire of Kondinin
Author: Manager Corporate Services
Voting: Simple
Date: 9th September, 2020

OFFICER RECOMMENDATION

Moved Cr

Seconded Cr

That the Financial Reports for the period ended 31st August 2020 as presented be accepted.

SUMMARY/COMMENT:

The financial statements for the period ending 31st August 2020 are attached.

9.3 MANAGER OF WORKS

9.3.1 Quotations for Trade of Grader in 2020/21 Budget - Tender 02/2020-21

Applicant: Shire of Kondinin
Author: MOW
Date: 16th September 2020
Disclosure of Interest: No interest to disclose

OFFICER RECOMMENDATION
Moved Cr **Seconded Cr**
That Council accepts Tender 342430 from AFGRI for the supply of 1 x new John Deere 620G Grader for the purchase price of \$234,500.00 exclusive of GST including trade of KN66.

Summary/Background

Tenders were called for the supply of a Motor Grader with a Turbocharged Diesel Engine with a minimum engine HP of 105KW / 140 HP Trade in of KN66 a 2012 John Deere 670G Grader. The following quotes were called and received from WALGA preferred suppliers.

Company	Motor Grader	Quote	Trade Price Ex GST	Purchase Price Ex GST	Total Expenditure Ex GST	Availability
Westrac	Caterpillar 140	58639	\$85,000.00	\$365,060.00	\$280,060.00	Feb/March 2021
John Deere AFGRI	John Deere 620G	342430	\$115,000.00	\$349,500.00	\$234,500.00	2 – 3 weeks
John Deere AFGRI	John Deere 670G	342430	\$115,000.00	\$375,000.00	\$260,000.00	2 – 3 weeks
Komatsu Australia	GD655_7	5015469901	\$87,000.00	\$383,400.00	\$296,400.00	2 – 3 weeks
McIntosh & Son Perth	Case 865B		\$100,000	\$310,730.00	\$210,730.00	Not supplied
Smith Broughton Auctioneers	Outright purchase		\$105,000			N/A

The current Budget proposes a sale of asset value of \$115,000 and available budget funds of \$240,000. On the basis of both total expenditure and trade price it is recommended that council purchase the John Deere 620G Grader. As the Shire already has two construction graders the 620G is more than adequate to perform maintenance grading. It has the same frame as the John Deere 670G with a slight reduction in horsepower being the main reason behind the price difference.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil - Provision to fund this plant replacement has been included in the 2020/21 Budget.

POLICY IMPLICATION

Nil

STRATEGIC IMPLICATIONS

Maintaining four graders across the shire as per the plant replacement schedule.

VOTING REQUIREMENT

Simple Majority

9.4 Chief Executive Officers Reports

9.4.1 Community Services Leave Policy

Applicant: Shire of Kondinin
Author: CEO – Mia Maxfield
Date: 7th September 2020
Disclosure of Interest: Nil
Attachments: STAFF-001 Community Services Policy

OFFICER RECOMMENDATION
That Council;
1) Adopt STAFF-001 Community Services Leave Policy; and
2) Rescind all policies and/or guidelines preceding this current policy including 1.1.18 titled Defence Reserve Leave.

Summary

For Council to endorse the Community Services Leave policy following review.

Background

In August 200 Council adopted the following policy.

1.1.18 DEFENCE RESERVE LEAVE

Adopted 17th August 2005

That the Shire of Kondinin adopts the following policy in relation to “Defence Reserves Leave”

“That the Shire of Kondinin acknowledges the special place the Defence Reserves play in the Australian Defences Forces (ADF) and recognises the important part that individual Local Governments can play in providing their employees with support to enable them to deliver the service.

The Shire of Kondinin also recognises that the ADF provides its employees with skills and training that enhances the individual and makes them a better employee for their civilian employer. It is acknowledged that the benefits to be gained by these employees include with leadership, management and teamwork development skills.

The role of Local Government, to provide service to the community, is strongly aligned with that of the ADF. In continuing the tradition of volunteer military service, our Defence Reserves play an important part in the security of our Country”

Whilst it is still proposed that Council support the Defence Reserves it is also a crucial part of a small community to support the other emergency services organisations such as St John Ambulance and Volunteer Bush Fire Brigades.

As such, policy 1.1.18 Defence reserve Leave Policy has been updated and renamed to be inclusive of emergency services leave and is attached from Council consideration.

Statutory Environment

Local Government Act 1995

Policy Implications

Implementation of the Community Services Leave Policy.

Financial Implications

Any financial implications of implementing this policy are included in the annual wages and salaries budget..

Strategic Implications

Nil

Voting Requirement

Absolute Majority

9.4.2 Dual Fire Control Officers Shire of Kulin

Applicant: Shire of Kondinin
Author: CEO – Mia Maxfield
Date: 7th September 2020
Disclosure of Interest: Nil
Attachments: Letter from Shire of Kulin

OFFICER RECOMMENDATION

That council acknowledges and appoints the following Dual Fire Control Officers from Shire of Kulin

- John Bowey
- Peter Riseborough
- Evan Wyatt
- Garry Strother
- Brendon DiRusso

SUMMARY

For Council to endorse the nominated dual fire control officers from Shire of Kulin for the 2020-21 season.

COMMENT

The Shire of Kulin have nominated John Bowey; Peter Riseborough; Evan Wyatt; Garry Strother and Brendon DiRusso as dual fire control officers for the Shire of Kondinin and required Council endorsement.

STATUTORY ENVIRONMENT

Local Government Act 1995
Bush Fires Act 1954

POLICY IMPLICATION

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

9.4.2 Kondinin Community Recreation Council Power

Applicant: Shire of Kondinin
Author: CEO – Mia Maxfield
Date: 7th September 2020
Disclosure of Interest: Nil
Attachments: Letter from Kondinin Community Recreation Council

OFFICER RECOMMENDATION

That the Council authorise;

- 1) Include \$10,000 for electricity at the Kondinin Club in the 2020/2021 budget review to be undertaken in January 2021
- 2) Include an allocation of \$10,000 for electricity at the Kondinin Club be included in the 2021/2022 budget
- 3) Endorse the administration to review and update/implement lease agreements across all Shire owned premises

SUMMARY

For Council to consider the request from Kondinin Community Recreation Council for Council to take over payment of the electricity bill and the Kondinin Club.

COMMENT

A letter of request has been received from Kondinin Community Recreation Council for Council to take over payment of the electricity bill and the Kondinin Club.

The 2019/2020 annual electricity bills were \$8,162 which was paid by Kondinin Community Recreation Council. Council pay an electricity subsidy of \$4,000 annually to Kondinin Community Recreation Council under the lease arrangements

Comparatively in 2019/2020 paid \$12,112 for electricity at the Hyden Pavilion as there is no lease arrangement in place.

The administration will undertake a review of the usage and lease arrangements of all Shire owned properties and create a consistent approach for all building types across the district.

STATUTORY ENVIRONMENT

Local Government Act 1995
Bush Fires Act 1954

POLICY IMPLICATION

Nil

FINANCIAL IMPLICATIONS

There has been no allocation in the current budget for the estimated amount of \$8,000 to cover the cost of the electricity at Kondinin Club.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

9.4.3 Crisp Wireless Proposal

Applicant: Shire of Kondinin
Author: CEO – Mia Maxfield
Date: 7th September 2020
Disclosure of Interest: Nil
Attachments: Proposed letter of support for Crisp Wireless

OFFICER RECOMMENDATION

That the Council approves;

- 1) Financial and/or in-kind support of up to a maximum of \$3,000 toward marketing and costs;
- 2) Marketing undertaken in local publications only;
- 2) Endorse the letter of support, as provided in the attachments, in support of the Regional Connectivity Program Grant application made by Crisp Wireless.

SUMMARY

For Council to consider whether there is support for the CRISP Wireless application for the grant to help support the connectivity issue within our shire.

COMMENT

A request has been received from Crisp Wireless for Council to provide in kind support in their application for the Federal Government ‘Regional Connectivity Program’ grant.

The Regional Connectivity Program is to use a place-based approach to target telecommunications infrastructure investment to provide economic opportunities and improve participation in the digital economy for regional communities and businesses. (Source: Regional Connectivity Program grant guidelines, 2020)

Crisp Wireless have asked Council provide in-kind support by waving planning fees and providing marketing support.

It is proposed to provide financial and/or in-kind support to a maximum of \$3,000 for marketing and costs. Marketing would be provided in local publications and will include adverts in the Kondinin Calendar, Waveline New and The Householder and at no cost in the Echo.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATION

Nil

FINANCIAL IMPLICATIONS

There has been no allocation in the current budget for any in-kind support to this project

STRATEGIC IMPLICATIONS

2.2.2 Advocate for equitable telecommunication services across the Shire for improved mobile phone coverage

VOTING REQUIREMENT

Simple Majority

9.4.3 CHANGE OF DATE - DECEMBER 2020 COUNCIL MEETING

OFFICER RECOMMENDATION

THAT Council change the date of the December 2020 Ordinary Council Meeting from the 16th December to the 17th December.

SUBJECT: December Ordinary Council Meeting Date Change
DATE OF REPORT: 9th September 2020
AUTHOR: Hannah Repacholi, ESO
DISCLOSURE OF INTEREST: Nil

SUMMARY

The date of the December 2020 Ordinary Council Meeting coincides with the Hyden Primary School Christmas concert. As we typically hold the Shire Christmas function after the December meeting we would like to change the date to ensure that all councillors and members of staff can attend.

The scheduled date of the December Ordinary Council Meeting is Wednesday 16th December, 2020 and we propose that this be changed to Thursday 17th December, 2020. The Shire Christmas party will be held after the meeting.

The date change will be advertised in Shire and local publications and displayed on the notice board in both the Kondinin and Hyden offices.

*****CONFIDENTIAL ITEM*****

OFFICER RECOMMENDATION

Council moves meeting behind closed doors as per Section 5.23 (2) (a) of *Local Government Act 1995*.

9.4.4 CEO Annual Review

Applicant: Shire of Kondinin
Author: CEO – Mia Maxfield
Date: 7th September 2020
Disclosure of Interest: Nil
Attachments: CEO Annual Appraisal 2019

OFFICER RECOMMENDATION

Council moves meeting from behind closed doors as per Section 5.23 (2) (a) of *Local Government Act 1995*.

10. BUSINESS OF AN URGENT NATURE

11. CLOSURE

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