



MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN KONDININ ON 16TH SEPTEMBER, 2020

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 3.03pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillors:	Cr S Meeking (Shire President)	Cr M James	Cr K Mouritz
	Cr T Mulcahy	Cr G Lynch	Cr B Gangell
	Cr S Jones	Cr D Pool	Cr B Browning
Staff:	Mia Maxfield (CEO)	Vince Bugna (MCS)	Mark Burgess (MOW)
	Tory Young (MPD)	Hannah Repacholi (ESO)	

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLUTION 3646

Moved Cr Mulcahy

Seconded Cr Jones

That Cr B Gangell be granted a leave of absence for the October 2020 Ordinary Council Meeting.

CARRIED 9/0

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/INFORMATION REPORT

7.1 Minutes of Council Meeting – 19th August 2020

RESOLUTION 3647

Moved Cr James

Seconded Cr Mouritz

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

CARRIED 9/0

9.9 Information Report –September 2020

RESOLUTION 3648

Moved Cr Mulcahy

Seconded Cr Lynch

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

CARRIED 9/0

8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

Nil

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

9.1.1 Amending the Street Trader Licence for the Daily Farmer Coffee Van

OFFICER RECOMMENDATION
THAT Council amend the licenced area in the Street Trader Licence for *The Daily Farmer* coffee van the Information Bay on the Southern side of the intersection between Lynch St and Marshall St within the road reserve.

SUBJECT: Amend the Street Trader Licence for Coffee Van
LOCATION: Information bay, Hyden
APPLICANT: Ashleigh Ray and Sandy Gittos trading as The Daily Farmer
ATTACHMENTS: Attachment #1 – email correspondence from Ashleigh Ray and Sandy Gittos

DATE OF REPORT: 14th September 2020
AUTHOR: Tory Young, Manager Planning and Development
DISCLOSURE OF INTEREST: Nil

SUMMARY

Council issued a Street Trader Licence to *The Daily Farmer* coffee van on 26th August, 2020 following approval by Council at the August Ordinary Council Meeting. The licence detailed that,

The Licensee shall only operate in the licenced area being the road reserve on the north-west corner Lynch of Street and Marshall Street, Hyden in front of the Hyden Town Hall.

In email correspondence dated 14th September 2020, Ashleigh and Sandy requested to amend the location of the coffee van. They have identified that the uneven surfaces outside the Hyden Hall will affect the functioning of their coffee machine and as a result request that the licenced area be changed to the Information Bay on the Southern side of the intersection between Lynch St and Marshall St within the road reserve.

CONCLUSION

Should Council decide to support this change, a new Street Traders Licence would be issued with the amended location included.

STATUTORY ENVIRONMENT

- *Shire of Kondinin By Law Relating to Street Trading*
- *Local Government (Miscellaneous Provisions) Act*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As per the Second Schedule of the Shire of Kondinin’s By Law relating to Street Trading the fee shall be \$600.00 per annum for the Street Trading Licence.

STRATEGIC IMPLICATIONS

Supports the following section of the Shire’s Strategic Community Plan 2016 – 2026

“2.1 Promote the Shire of Kondinin within the local community and beyond the Wheatbelt and state boundaries as a preferred location for business, tourism and lifestyle

2.1.1 Identify and attract industry to the Shire to contribute to a balanced and diverse economy

2.1.2 Stimulate economic prosperity through various economic development strategies including buy local campaigns

2.1.3 The Shire of Kondinin will have strong business networks and an innovative, creative and entrepreneurial culture

Our Actions

- *Form partnerships and work collaboratively with the Community Resource Centres, Business Local and Wheatbelt Business Network to assist start-up businesses.’*

VOTING REQUIREMENTS

Simple majority required

RESOLUTION 3648

Moved Cr James

Seconded Cr Lynch

THAT Council amend the licenced area in the Street Trader Licence for *The Daily Farmer* coffee van the Information Bay on the Southern side of the intersection between Lynch St and Marshall St within the road reserve.

CARRIED 9/0

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

RESOLUTION 3649

Moved Cr Mouritz

Seconded Cr James

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.

CARRIED 9/0

SUMMARY/COMMENT:

A list of accounts is attached.

The Council meeting adjourned at 3.21pm

The Council meeting reconvened at 3.25pm

9.2.2 Financial Reports

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

RESOLUTION 3650

Moved Cr Pool

Seconded Cr Jones

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

CARRIED 9/0

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

<p>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.</p>

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

RESOLUTION 3651

Moved Cr Gangell

Seconded Cr Mulcahy

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.

PROCEDURAL MOTION

Moved Cr Mouritz

Seconded Cr Lynch

That Council defer the decision on the purchase of the grader until after the completion of the Plant Replacement Schedule in October 2020.

CARRIED 7/2

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

RESOLUTION 3652

Moved Cr Mouritz

Seconded Cr Lynch

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.

CARRIED 9/0

Mark Burgess left the meeting at 3.59pm

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

RESOLUTION 3653

Moved Cr Mulcahy

Seconded Cr Browning

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

CARRIED 9/0

Tory Young left the meeting at 4.01pm

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

RECOMMENDATION

Moved Cr Browning

Seconded Cr Mulcahy

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

AMENDMENT

RESOLUTION 3654

Moved Cr Lynch

Seconded Cr Mouritz

That point 2 ("Include an allocation of \$10,000 for electricity at the Kondinin Club be included in the 2021/2022 budget") be removed in its entirety.

RESOLUTION 3655

Moved Cr Browning

Seconded Cr Mulcahy

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) Endorse the administration to review and update/implement lease agreements across all Shire owned premises

CARRIED 9/0

The Council meeting adjourned at 4.09pm

The Council meeting reconvened at 4.18pm

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

RESOLUTION 3656

Moved Cr Lynch

Seconded Cr Mouritz

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.

CARRIED 9/0

The Council meeting adjourned at 4.51pm

The Council meeting reconvened at 5.01pm

Hannah Repacholi Left the meeting at 4.51pm

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.

That Council authorise administration to write to Hyden Primary School and ask them to reconsider allowing Kondinin Primary School Children to participate in Hyden interschool sports activities.

CARRIED 9/0

11. CLOSURE

Being no further business the Shire President thanked Councillors and Staff for their attendance and declared the meeting closed at 5.20pm.