



# SHIRE OF KONDININ

## NOTICE OF MEETING

Councillors: Please be advised that the next meeting of the

### **KONDININ SHIRE COUNCIL**

will be held on Wednesday 18<sup>th</sup> November, 2020 at the Community Resource Centre, Hyden

**2pm Market Creations Presentation**

**3pm Informal Agenda Discussion**

**4pm Council Meeting**

**Tory Young**  
10<sup>th</sup> November 2020  
ACTING 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

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# 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**  
**QUESTIONS FROM THE PUBLIC**

The Shire of Kondinin welcomes community participation during public question time. The following is a summary of procedure and a guide to completion of the required form.

- a. The person asking the question is to give their name and address prior to asking the question.
- b. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
- c. In order to provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Any preamble to questions should therefore be minimal and no debating of the issue between the Gallery, Councillors or Officers is permissible.
- d. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
- e. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order' and will not be recorded in the minutes.
- f. Where a member of the public submitting a question is not physically present at the meeting, those questions will be treated as an item of correspondence and will be answered in the normal course of business (and not be recorded in the minutes).
- g. Questions from members of the public that do not comply with the Rules of Question Time or do not abide by a ruling from the Presiding Member, or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member or Council, or refuse to abide by any reasonable direction from the Presiding Member, will be ruled 'out of order' and the question will not be recorded in the minutes.
- h. Answers to questions provided in good faith, however, unless reasonable prior written notice of the question is given, answers should not be relied upon as being totally comprehensive.
- i. Where a question (compliant to these rules) is raised and is unable to be answered at the meeting, the question shall be 'taken on notice' with an answer being given at the next appropriate Council Meeting.
- j. Public Question Time is set for a maximum period of 15 minutes, and will terminate earlier should no questions be forthcoming.
- k. To enable all members of the public a fair and equitable opportunity to participate in Public Question Time, each person shall be provided a maximum two minutes time limit in the first instance, in which to ask a maximum of two questions (whether these are submitted 'in writing' or 'from the floor'). A question may include a request for the tabling of documents where these are relevant to an issue before Council.
- l. Questions to be asked at the meeting will be registered, and the priority for asking questions shall be firstly 'questions on which written notice has been given prior to the meeting' (that is, prior to 12 noon on the day immediately preceding the meeting) and secondly, 'questions from the floor'.
- m. Should there be time remaining on the initial period for Public Question Time (i.e. 15 minutes) after all members of the public have posed their initial allotment of two questions, the Presiding Member will then allow members of the public to sequentially (in accordance with the register) ask a further two questions (with a two minute time limit) until the initial period for Public Question Time has expired.
- n. Any extension to the initial period for Public Question Time is to be limited to a period that will allow sufficient time for any remaining members of the public to ask their initial allotment of two questions.

# 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*



**Tory Young**  
**Acting 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 – 21<sup>st</sup> October 2020**

#### **RECOMMENDATION**

**Moved**

**Seconded**

**That the minutes of the Council Meeting held on the 21<sup>st</sup> October 2020 be confirmed.**

### **15.9 Information Report – November 2020**

#### **RECOMMENDATION**

**Moved**

**Seconded**

**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 & Assets
- 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 ASSETS**

Nil



## 9.2 FINANCE REPORT

### 9.2.1 List of Accounts

**Name of Applicant:** Shire of Kondinin  
**Author:** Manager Corporate Services  
**Voting:** Simple  
**Date:** 5<sup>th</sup> November 2020

#### OFFICER RECOMMENDATION

Moved Seconded  
That Muni Cheques 18910- 18929, Muni & Trust EFTs12649 – 12824, Transport Direct Debits, Other Direct Debits, Payroll and Bank Fees (for the month October 2020) totalling \$1,184,559.20 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:** 10<sup>th</sup> November, 2020

#### OFFICER RECOMMENDATION

Moved Seconded  
That the Financial Reports for the period ended 31<sup>st</sup> October 2020 as presented be accepted.

#### SUMMARY/COMMENT:

The financial statements for the period ending 31<sup>st</sup> October 2020 are attached.

### 9.2.3 Fees and Charges 2020-2021 Addendum

**Name of Applicant:** Shire of Kondinin  
**Author:** Senior Administration Officer  
**Voting:** Simple  
**Date:** 29<sup>th</sup> October 2020

#### OFFICER RECOMMENDATION

**Moved** **Seconded**  
That the additional fees and charges as listed be accepted and incorporating into the current 2020/2021 Fees & Charges.

#### SUMMARY/COMMENT:

##### Community Bus

Just recently we have had a few issues with the Community Buses being requested to be delivered either to Kondinin or Hyden from their designated depots. In the past we have tried to accommodate the customer and have the bus where it is required, which I believe is good customer service. I would like to see that continue, but should the client book the bus within 5 working days of the date and require the bus taken to another depot by Shire staff, that a fee of \$100 be charged.

##### Community Garden

Venue Hire

Weddings, Birthday Parties, Large Community or Sporting Functions \$ 50.00 plus \$200 bond

Community Groups – Event \$ 10.00

Small Function including Pizza Oven \$ 20.00

Tables & Chairs as per the current Fees and Charges \$ 15.00 per table

\$ 1.10 per chair

Table Cloths, Napkins & Runners (to be returned cleaned & ironed) \$ 10.00

Lighting per 30M strand – Festoon \$ 15.00

Outdoor Furniture \$ 10.00

Vases \$ 5.00 each

Carafe \$ 1.00 each

Rubbish Bins – as per current Fees and Charges \$ 5.00 per bin

Decorations \$ 5.00

Screening \$ 5.00

Marquee as per current Fees and Charges –

Community/Sporting Groups within the Shire \$300.00 Shire undertake installation & pack up

\$100.00 Group undertake installation & pack up

Private Company or groups outside the Shire \$600.00 Shire undertake installation & pack up

\$200.00 Group undertake installation & pack up

We have prepared a booking sheet for Community Garden events.



**9.3 MANAGER OF WORKS**

Nil

