



# SHIRE OF KONDININ

## MINUTES OF MEETING

### KONDININ SHIRE COUNCIL

held on Wednesday 13<sup>th</sup> December 2023 at the  
Karlgarin Country Club

**David Burton**  
**13<sup>th</sup> December 2023**  
**CHIEF EXECUTIVE OFFICER**

11 Gordon Street, KONDININ WA 6367 Tel (08) 98891006

All communications are to be addressed to the CHIEF EXECUTIVE OFFICER  
[ceo@kondinin.wa.gov.au](mailto:ceo@kondinin.wa.gov.au)

## Order of Business

### 1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Deputy Shire President, Cr Gangell, read the Statement of Commitment to Indigenous Australians, welcomed those present and declared the meeting open at 4:28pm.

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

Councillors:	Cr Beverley Gangell (Deputy President) Cr Darren Pool Cr Kerrie Green	Cr Brett Smith  Cr Paul Green	Cr Bruce Browning  Cr Murray James
Staff:	David Burton (CEO) Leandré Genis (ESO)	Vince Bugna (MCS)	Tory Young (MPA)
Apologies:	Cr Kent Mouritz (President)	Mark 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/ INFORMATION REPORT

#### 7.1 MINUTES OF COUNCIL MEETING- 15<sup>th</sup> November 2023

#### **RESOLUTION #4255:**

**Moved: Brett Smith**

**Seconded: Cr Murray James**

That the minutes of the Council Meeting held on the 15<sup>th</sup> November 2023, be confirmed.

**Carried: 7/0**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: NIL*

*ABSENT: Cr Kent Mouritz*

7.2 INFORMATION REPORT- December 2023

**RESOLUTION #4256:**

**Moved: Cr Darren Pool**

**Seconded: Cr Paul Green**

That Council receives and accepts the Information Report before this meeting.

**Carried: 7/0**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: NIL*

*ABSENT: Cr Kent Mouritz*

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

NIL

**9. ITEMS**

**9.1 MANAGER OF PLANNING & ASSETS**

9.1.1 Conversion of Shed to Workforce Accommodation at No. 563 (Lot 825) East Hyden Bin Road, Hyden

9.1.2 Transfer of Asset- McCann's Rock Pipeline

9.1.3 Brookton Highway & East Hyden Bin Road Intersection Upgrade- Surrender of Land from Reserve 29305

**9.2 MANAGER OF CORPORATE SERVICES**

9.2.1 List of Accounts

9.2.2 Financial Reports

**9.3 MANAGER OF WORKS**

**9.4 CHIEF EXECUTIVE OFFICER**

9.4.1 Discovery Centre Update

9.4.2 Meetings of Council- GOV004

9.4.3 Meeting Dates 2024

**9.5 COMMUNITY DEVELOPMENT OFFICER**

9.5.1 Disability Access and Inclusion Plan Review 2023-2025

## 9.1 MANAGER OF PLANNING & ASSETS

### 9.1.1 CONVERSION OF SHED TO WORKFORCE ACCOMMODATION AT NO. 563 (LOT 825) EAST HYDEN BIN ROAD, HYDEN

**Author:** Tory Young, Manager Planning and Assets  
**Authorising Officer:** David Burton, Chief Executive Officer  
**Date:** 4<sup>th</sup> December 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Plans

#### **RESOLUTION #4257:**

**Moved: Cr Paul Green**

**Seconded: Cr Murray James**

That the application for development approval for the proposed conversion of a shed to workforce accommodation comprising three (3) living compartments and one (1) shared staff room on Lot 825 East Hyden Bin Road, Hyden by **APPROVED** subject to compliance with the following conditions and advice notes;

#### **CONDITIONS**

1. The development shall be undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council;
2. Due regard to the Bushfire Attack Level Assessment Report dated 29<sup>th</sup> October 2023 and the Bushfire Attack Assessment stamp dated 1<sup>st</sup> November 2023;
3. A completed Certified Building Permit, including a Certificate of Design Compliance, must be submitted to and approved by the Shire of Kondinin and shall include detailed plans of the proposed conversion of the shed workforce accommodation comprising three (3) living compartments and one (1) shared staff room showing fit out details and specifications of all works and compliance with all the necessary requirements of the BCA, including but not limited to the following items:
  - (a) Structural certification including footing details;
  - (b) The submission of an Energy Assessment Report;
  - (c) Hard wired smoke alarms to each compartment;
  - (d) Electrical and Plumbing Compliance;
4. An application to install an apparatus for the treatment of sewage in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 is required to be submitted to the Department of Health and the Shire of Kondinin for an approval to install the septic tank/s as required prior to the issuing of a Building Licence.

All works must comply with Part, 2, 3 & 8 of the Shire's Health Local Laws 2016, including an updated Lodging House Registration and any other relevant requirements relating to Environmental Health;

#### **ADVICE NOTES**

1. The development shall be substantially commenced within two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect;
2. This is a development approval only and not a building permit or an approval to commence or carry out development under any other law.

It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws;

3. If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted within 28 days of the determination.

**Carried: 7/0**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: NIL*

*ABSENT: Cr Kent Mouritz*

## **SUMMARY**

This report recommends that the proposed conversion of the existing shed to workforce accommodation comprising three (3) living compartments and one (1) shared staff room be approved subject to conditions.

## **TOWN PLANNING ASSESSMENT AND CONSIDERATIONS**

No. 563 (Lot 825) East Hyden Bin Road is located 9km east of the Hyden town site bounded by broad acre farming to its northern eastern and western boundaries and the East Hyden Bin Road to the south. The subject land is rectangular in shape and comprises a total area of approximately 451.89 hectares and extensively cleared with native vegetation remaining pocketed throughout the lot. The subject lot comprises a homestead property and associated outbuildings and ancillary dwellings. The proposed development is located approximately 280m east of the homestead.

Under the terms of the information and plans submitted in support of the application the following is proposed:

- i) The installation of three (3) 34sqm accommodation suites comprising one (1) bedroom, one (1) bathroom and a living area;
- ii) The installation of one (1) staff room comprising a kitchenette, bathroom and laundry
- iii) The proposed accommodation units will have a setback of 700m metres from the eastern boundary, a setback of approximately 610 metres from the land's northern boundary, a setback of around 1.2km to the south along the East Hyden Bin Road and a setback of approximately 2km from the boundary to the west.
- iv) The proposed accommodation units are proposed to be installed within an existing shed located 280m east of the main homestead and approximately 25m from the closest outbuilding on the Lot.

### Local Planning Scheme No.1

No. 563 (Lot 825) East Hyden Bin Road is classified 'Rural' zone under the Shire of Kondinin's current operative Local Planning Scheme No.1 (LPS No.1).

Council's stated objectives for land classified 'Rural' zone under LPS No.1 are:

- *To ensure the continuation of broad-hectare farming as the principal land use in the District and encouraging where appropriate the retention and expansion of agricultural activities.*
- *To consider non-rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment.*
- *To allow for facilities for tourists and travellers, and for recreation uses.*

The proposed development and use of the subject land are considered to be consistent with the abovementioned objectives for land classified 'Rural' zone in TPS No.1 for the following reasons:

- i) It will expand and enhance facilities for tourists and travelers in the district;
- ii) It will be of significant benefit to the district by offering short stay accommodation for transit workers and tourists; and
- iii) It will not be detrimental to any natural resources or the environment.

The proposed development and use of the land are most appropriately defined in LPS No.1 as a 'workforce accommodation' which is a 'A' use under the Shire's Local Planning Scheme No.1 meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions.

A detailed assessment of the proposal in the context of the relevant planning criteria and standards contained in LPS No.1 and Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) 2015 concludes that it is generally acceptable for the following reasons:

1. The scale of the proposed development is consistent with all existing development on the site;
2. The nature and siting of proposed development will not conflict with the existing development on the site;
3. Current vehicle access arrangements to the site will remain unchanged;
4. The proposed boundary setbacks satisfy the specific requirements of LPS No.1.
5. The bulk and scale of the proposed works are unlikely to have a detrimental impact on the character or amenity of the immediate locality; and
6. No submissions were received objecting to the development during the public advertising period.

### Conclusion

It is concluded from a detailed assessment of the application the proposal to convert the existing shed to workforce accommodation comprising three (3) living compartments and one (1) shared staff room will complement the existing infrastructure on the site and is unlikely to have a negative impact on the general amenity, character, functionality of the locality and may therefore be approved by Council. It is therefore recommended that Council exercise its discretion and grant conditional approval to the application.

### **STATUTORY ENVIRONMENT**

- Planning and Development Act 2005
- Planning and Development (Local Planning Scheme) Regulations 2015
- Local Planning Scheme No.1

### **POLICY IMPLICATIONS**

Nil

### **PUBLIC CONSULTATION**

The proposal was advertised for the minimum 14-day period with no submissions received during the advertising period.

### **FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Shire's Strategic Community Plan 2022-2032

*"2. ECONOMY*

*2.1 Support the diverse industry across the Shire"*

**VOTING REQUIREMENT**

Simple Majority

### 9.1.2 TRANSFER OF ASSET – McCANN'S ROCK PIPELINE

**Author:** Tory Young, Manager Planning and Assets  
**Authorising Officer:** David Burton, Chief Executive Officer  
**Date:** 4<sup>th</sup> December 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Letter and Map from Water Corporation

#### **RESOLUTION #4258:**

**Moved: Cr Murray James**

**Seconded: Cr Paul Green**

1. That Council **APPROVE** the transfer of the McCann's Rock Road Pipeline and Backflow Prevention Device located on Reserve 17663 and Reserve 21469 Spurr Road, Karlgarin from the Water Corporation to the Shire of Kondinin;
2. That Council **ACCEPTS** the conditions of the transfer as stipulated in the letter from the Water Corporation dated 30<sup>th</sup> October 2023 as follows:
  - a) The pipe line and Backflow Prevention Device (associated with the dam) will be gifted to the Shire;
  - b) The 2.1km 63mm PE pipeline will become the responsibility of the Shire to maintain and operate after the metering point;
  - c) The Backflow Prevention Device will become the responsibility of the Shire to maintain and operate;
  - d) The pipeline will receive water under a Non-Standard Water Service;
  - e) The Water Corporation has a crown easement over the pipeline in its name. Therefore, we recommend the Shire seeks its' own crown easement from DPLH (via DWER).
3. That Council **AUTHORISES** the Chief Executive Officer to proceed with the process required to amend the crown easement over the pipeline that is currently benefitting the Water Corporation.

**Carried: 7/0**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: NIL*

*ABSENT: Cr Kent Mouritz*

#### **SUMMARY**

The Shire's Administration seeks approval from Council to the transfer of the McCann's Rock Road Pipeline and Backflow Prevention Device located on Reserve 17663 and Reserve 21469 Spurr Road, Karlgarin from the Water Corporation to the Shire of Kondinin. The matter was presented to the Ordinary Meeting of Council held on the 14<sup>th</sup> November 2023, in which the item was deferred for further information.

#### **BACKGROUND**

Over the last few years, the Shire's Administration have been in discussions with Karlgarin community members, Council, as well as the Department of Water and the Water Corporation about improving the access to the community water supply at McCann's Rock.

A matter was presented to the 20<sup>th</sup> July 2022 Ordinary Meeting of Council in which it was discussed that the preferred location for new tanks and associated infrastructure was at the former site of the cricket oval. To enable this, the purpose of the reserve needed to be amended to include 'water' and required a vesting.



In liaison with the Department of Water and Environmental Regulation, a Crown Enquiry Form was submitted to Department of Lands, Planning and Heritage and the purpose and vesting of Reserve 21469 has subsequently being amended for the purpose of water and with a management order to the Shire of Kondinin.

Once the land tenure was established, the Shire's Administration have been liaising with the Water Corporation and the Department of Water to establish how to best enhance access to a community water supply at McCann's Rock.

The original proposal discussed with the Department of Water was for;

- The installation of a 275KL tank at the former cricket oval site;
- The installation of a new swipe card controller at the former cricket oval site; and
- The installation of a new separate pipeline extending along McCann's Rock Road from the Karlgarin Reservoir to the new tank at the former cricket oval site.

The pad and tank have since been installed and the new swipe card has been costed. The challenge however has been to install the separate pipeline, due to requirements for clearing native vegetation and trenching into rock. As an alternative, a proposal was discussed to use the existing pipeline under McCann's Rock Road, and seek approval from the Water Corporation to do so.

On discussions with the Water Corporation it was recommended that the best option would be that the pipeline and associated Backflow Prevention Device be gifted to the Shire, meaning that the Shire could use the pipeline for water from the meter at Spurr Road from the scheme and/or to draw water from the Karlgarin Reservoir.

To formalise this arrangement, the Water Corporation now seek the Shire of Kondinin's approval to accept the transfer of the infrastructure as per the letter attached dated 30<sup>th</sup> October 2023.

The above information was presented to Council at its Ordinary Meeting held on the 14<sup>th</sup> November 2023, in which the following procedural motion was presented.

**PROCEDURAL MOTION #4240:**

**Moved: Cr Murray James**

**Seconded: Cr Brett Smith**

Item be deferred until further information is provided.

Following the Council Meeting on the 14<sup>th</sup> November 2023, further discussions were held with the Water Corporation confirming that for the Shire to access water from the mains and to connect to the pipeline for community use, their position on the matter to be as per the letter attached. It was also confirmed that the meter at Spurr Road intersection will be changed from a 50mm to a 20mm connection consistent with all other Shire meters. In terms of maintenance, the Water Corporation also confirmed that since the pipeline was installed in 2000, there has just been one fault recorded.

A site meeting was held on the 28<sup>th</sup> November 2023, attended by community member Barry James who presented information on this matter during public question time at the 14<sup>th</sup> November 2023 Council Meeting, Shire President Kent Mouritz, Shire Councillor Murray James and the Shire's Chief Executive Officer, Manager of Works and Manager of Planning and Assets to discuss the proposal.

Discussions ensued and on weighing up the situation, all attendees agreed that the best way forward to maximise the access, the supply and the storage of water at this site for local community, was to proceed as per the recommendations outlined in the Officer Recommendation.

To date, the sand pad and the 275KL tank has been installed, the contractor engaged to install the concrete pad for the controller, the stand pipe controller ordered and scheduled to be installed during the week beginning the 18<sup>th</sup> December 2023 with the plumbing tentatively booked to be arranged thereafter.

Discussions also ensued on site in relation to improving access and storage to water at the Karlgarin C site. Following the meeting, contact was again made with the Department of Water who have since provided a time line on this matter and formally agreed to provide a 275KL storage tank adjacent to the existing outlets at Karlgarin C site, with the Shire to provide the pad and plumbing connections. The tank is scheduled to be installed by January / February 2024 and the Shire is currently organising the pad and the plumbing.

### **STATUTORY ENVIRONMENT**

Nil

### **POLICY IMPLICATIONS**

Nil

### **PUBLIC CONSULTATION**

Site meeting held with Barry James on the 28<sup>th</sup> November 2023.

### **FINANCIAL IMPLICATIONS**

This will result in the Shire of Kondinin obtaining a new Non-Standard Water Service with the Water Corporation with this site. Under current costings with the Water Corporation costs to the Shire will be:

- \$4,344.56 – One off service connection fee
- \$300 – service fee per annum
- \$2.8670 per KL – usage cost (to be transferred to the user. I.e. \$3.11 per KL for community use and \$4.00 per KL for commercial use).
- NB\* - usage to the existing McCann's Rock Controller from the Reservoir remains free for emergency and stock use, with charging only for commercial use as per the Shire's Fees and Charges.

The Department of Water and Environmental Regulation are covering the costs of the tank and swipe card controller.

### **STRATEGIC IMPLICATIONS**

Shire's Strategic Community Plan 2022-2032

*"CIVIC LEADERSHIP*

*4.2 We are a compliant and resourced Local Government."*

### **VOTING REQUIREMENT**

Simple Majority

### **9.1.3 BROOKTON HIGHWAY & EAST HYDEN BIN ROAD INTERSECTION UPGRADE – SURRENDER OF LAND FROM RESERVE 29305**

**Author:** Tory Young, Manager Planning and Assets  
**Authorising Officer:** David Burton, Chief Executive Officer  
**Date:** 4<sup>th</sup> December 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Maps from Main Roads WA

#### **RESOLUTION #4259:**

**Moved: Cr Darren Pool**

**Seconded: Cr Bruce Browning**

That Council **APPROVE** the surrender of 352m2 from Reserve 29305 to enable the upgrade of the Brookton Highway and East Hyden Bin Road Intersection 315.2slk as shown in Plan 2360-252 attached and advise Main Roads WA accordingly.

**Carried: 6/1**

*FOR: Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: Cr Brett Smith*

*ABSENT: Cr Kent Mouritz*

#### **SUMMARY**

The purpose of this report is to seek Council approval to surrender 352m2 from Reserve 29305 held under Management Order to the Shire of Kondinin for Geodetic Station and Recreation purposes, to enable Main Roads WA to request the Department of Planning, Lands and Heritage agree to survey and widen the road reserve for the proposed intersection upgrade.

#### **BACKGROUND**

In a letter dated 23<sup>rd</sup> November 2023 Main Roads WA have advised the Shire of Kondinin their intention to undertake improvement works to be carried out on the Brookton Highway and East Hyden Bin Road intersection. In order to progress the matter, Main Roads WA require endorsement from the Shire of Kondinin to agree to the surrender 352m2 from Reserve 29305.

As shown in the plans attached, the proposed area to be surrendered will have no impact on the operations of the Reserve by the Shire, primarily as Golf Course nor is it near to the Geodetic Station, and therefore it is recommended that the Shire supports the request from Main Roads WA.

#### **STATUTORY ENVIRONMENT**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **PUBLIC CONSULTATION**

A site meeting was held with the Shire CEO and Shire President and representatives from Main Roads WA on the 30<sup>th</sup> November 2023 to discuss the proposal.

**FINANCIAL IMPLICATIONS**

Nil for the Shire of Kondinin.

**STRATEGIC IMPLICATIONS**

Shire's Strategic Community Plan 2022-2032

*"CIVIC LEADERSHIP*

*4.2 We are a compliant and resourced Local Government."*

**VOTING REQUIREMENT**

Simple Majority

## 9.2 MANAGER OF CORPORATE SERVICES

### 9.2.1 LIST OF ACCOUNTS

**Applicant:** Shire of Kondinin  
**Author:** Vince Bugna, Manager Corporate Services  
**Disclosure of Interest:** Nil  
**Date:** 4<sup>th</sup> December, 2023  
**Attachment(s):** List of Accounts 01/11/2023 to 30/11/2023

#### **RESOLUTION #4260:**

**Moved: Cr Bruce Browning**

**Seconded: Cr Brett Smith**

That Council **RECEIVE** the attached report – List of Accounts Due & Submitted to Council for the month of November 2023:

• Municipal Fund payment cheque numbers 19358 to 19365	= \$ 56,775.75
• Municipal EFT17831– 17973	= \$1,073,009.85
• Direct Debits – Transport – Hyden Office	= \$ 13,879.66
• Direct Debits – Transport – Kondinin Office	= \$ 8,584.55
• Direct Debits – Credit Cards DD20635.2	= \$ 3,262.29
• Direct Debits – Other	= \$ 47,305.54
• EFTPOS Merchant Fees	= \$ 1,406.98
• Bank Fees – NAB Connect & Tyro	= \$ 465.37
• Payroll	= \$ 124,343.28

**TOTAL** **= \$1,329,033.27**

**Carried: 7/0**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: NIL*

*ABSENT: Cr Kent Mouritz*

#### **SUMMARY**

To present to Council a list of accounts paid from Municipal and Trust Funds (when applicable) under the delegated authority to the CEO.

#### **BACKGROUND**

The Chief Executive of a local government has delegated authority to make payments from Municipal and Trust Fund accounts pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

As required by sub regulation (1), a list of accounts paid by the CEO each month should show –

- (a) the payee's name;*
- (b) the amount of the payment;*
- (c) the date of the payment;*
- (d) sufficient information to identify the transaction*

Sub regulation (3), a list prepared under sub regulation (1) and (2) is to be –

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- (b) recorded in the minutes of that meeting.*

**STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996

**POLICY IMPLICATIONS**

Nil

**PUBLIC CONSULTATION**

Nil

**FINANCIAL IMPLICATIONS**

All payments made to the Shire creditors have been in accordance with the 2023/24 Annual Budget.

**STRATEGIC IMPLICATIONS**

Shire's Strategic Community Plan 2022 – 2032

*"4. Civic Leadership*

*4.1 Skilled, capable and transparent team:*

- We engage with the community on key projects and we provide regular, transparent communication*
- The capability of our organisation is continually improved*

*4.2 We are a compliant and resourced Local Government:*

- External audits and reviews confirm compliance with relevant Local Government legislation*
- Financial sustainability in achieving community aspirations"*

**VOTING REQUIREMENTS**

Simple Majority

### 9.2.2 FINANCIAL REPORTS

**Applicant:** Shire of Kondinin  
**Author:** Manager Corporate Services - Vince Bugna  
**Disclosure of Interest:** Nil  
**Date:** 6<sup>th</sup> December 2023  
**Attachment(s):** Monthly Financial Report for the period ended 30 November 2023

#### **RESOLUTION #4261:**

**Moved: Cr Brett Smith**

**Seconded: Cr Paul Green**

That Council **RECEIVE** the attached reports entitled Monthly Financial Report (Containing the Statement of Financial Activity) for the period ended 30 November 2023.

**Carried: 7/0**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: NIL*

*ABSENT: Cr Kent Mouritz*

#### **SUMMARY**

To present to Council the Monthly Financial Report for the period ended 30 November 2023.

#### **BACKGROUND**

The monthly Financial Report (Containing the Financial Activity) is presented in accordance with the Local Government Act 1995 and the Local Government (Financial Management) Regulation 1996.

Regulation 4(4) states that, *a statement of financial activity, and the accompanying documents (notes) referred to in sub regulation (2), are to be –*

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- (b) recorded in the minutes of the meeting at which it is presented.*

The Statement of Financial Activity summarizes the Shire's financial activities for the period at which it relates.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

Local Government (Financial Management) Regulation 1996

#### **POLICY IMPLICATIONS**

Nil

#### **PUBLIC CONSULTATION**

Nil

#### **FINANCIAL IMPLICATIONS**

In accordance with the approved material variances of 10% or \$10,000 whichever is the greater within the monthly Statement of Financial Activity during the 2023/24 financial year.

## STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022 – 2032

### "4. Civic Leadership

#### 4.1 Skilled, capable and transparent team:

- We engage with the community on key projects and we provide regular, transparent communication
- The capability of our organisation is continually improved

#### 4.2 We are a compliant and resourced Local Government:

- External audits and reviews confirm compliance with relevant Local Government legislation
- Financial sustainability in achieving community aspirations"

## REPORTING OFFICER'S COMMENT

The highlights of the November 2023 financial reports are as follows:

Item	Reference
<ul style="list-style-type: none"> <li><b>Cash at Bank</b> The Shire's total cash as at 30<sup>th</sup> November 2023 was <b>\$9,123,921</b> – composed of \$3,820,631 reserve accounts (restricted), \$49,352 LCDC fund, \$2,605,679 term deposit investments and \$2,648,258 general fund (Muni, OCDF &amp; Petty cash).</li> </ul>	<p>Page 9 – Note 6 Cash and Financial Assets</p> <p>Page 10 – Note 7 Reserve Accounts</p>
<ul style="list-style-type: none"> <li><b>Receivables</b> <b>Rates and Rubbish</b> – \$677,335 current outstanding as 84% had been settled. <b>Other receivables</b> of \$349,979 – composed of \$177,438 RRG Grant for Lovering Road, \$90,455 gst receivable and other minor receivables.</li> </ul>	<p>Page 16 – Note 10 Receivables</p>
<ul style="list-style-type: none"> <li><b>Current Liabilities</b> YTD balance is \$1,354,040 which includes \$441,332 of employees' annual and long service leave provision, Loan repayment provision \$83,775 Advanced LRCL and Road Grants \$657,655, Gst and other payables \$171,279.</li> </ul>	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity Information</p>
<ul style="list-style-type: none"> <li><b>Closing Funding Surplus (Deficit)</b> YTD actual is \$4,969,983 – composed of \$10,081,840 Current Assets less \$1,354,040 Current Liabilities and \$(3,757,817) Net Adjustments to Net Current Assets.</li> </ul>	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity Information</p>
<ul style="list-style-type: none"> <li><b>Significant Capital Projects:</b> Roadworks having \$4.9m budget is 70% completed as at 30<sup>th</sup> November 2023 major expenditure from Hyden Norseman Road – Remote Road Upgrade Program (RRUP) and Lovering Road – RRG 2/3 funded.</li> </ul>	<p>Page 7 – Key Information</p> <p>Page 11 to 14 – Note 8 Capital Acquisitions</p>

In relation to material variances, "timing difference are due to the monthly spread of the budget not matching in comparison to the actual spread of revenue or expenditure. Timing difference will not result in a forecast adjustment. Where the material variance is flagged as "permanent", this indicates that a forecast adjustment to the annual budget is required. – Page 6, Note 3 – Explanation of Material Variances.

## VOTING REQUIREMENTS

Simple Majority



### 9.3 MANAGER OF WORKS

### 9.4 CHIEF EXECUTIVE OFFICER

#### 9.4.1 DISCOVERY CENTRE UPDATE

**Author:** CEO - David Burton  
**Authorised Officer:** CEO - David Burton  
**Date:** 12 October 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Plans will be available at the meeting.

#### **RESOLUTION #4262:**

**Moved: Cr Paul Green**

**Seconded: Cr Brett Smith**

That Council **NOTES** the updated information in relation to the Discovery Centre Project.

**Carried: 7/0**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: NIL*

*ABSENT: Cr Kent Mouritz*

#### **SUMMARY**

This report is to provide information and updates in relation to the Discovery Centre Project

#### **BACKGROUND**

Since 2018, the Shire of Kondinin has been working with the Hyden CRC and the Hyden Progress Association on the project of construction of a Centre in Hyden for the CRC and to promote tourism for the Shire and region.

An application was made for funding in 2020 but failed to gain financial support. The Working Group has been following through with improving the project and seeking funding.

This project is in the Shire of Kondinin Strategic Community Plan and Long-Term Financial Plan.

Funding through the Growing Regions Funding will be available later this year and will be the final round of funding for this project. It is likely that other funding may be available, but details and timeframes are not known and no indications of future funding have been made.

The Working Group are also trying to get funding from State Government to reduce the financial impact of the project on the residents and ratepayers of the Shire of Kondinin.

#### **COMMENT**

The final drawings are included for Council consideration and costings for the project have been requested. Once the costings have been received (providing it is not out of our range) it will be included in the Business Case and opened for public consideration. The advertising period will need to be for a minimum of 6 weeks, however as this will be during January, additional time may be suggesting to allow ratepayers to go through the report.

Advice on the Growing Regions funding is that Round 1 is currently going through Stage 2 (full applications) which is due early next year. We are anticipating Round 2 Stage 1 (Expressions of interest) to open after that and likely be required to be submitted April/May 2024.

The Shire has been in contact with Minister Punch (Regional Development) to request a presentation of the project to lobby for State Funding as well.

The letter has been received by the Minister and the request currently being considered.

A Meeting was held on the 7<sup>th</sup> December to discuss the current progress of the project and also discuss some of the items that will also need consideration with processes starting soon. Minutes will be circulated once available.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Costings will be needed to be able to complete the business case and advertise as required. This can be funded through current budget allocations.

The building will require substantial funding before it can go ahead and funding options are being sought through federal and state sources.

### **CONSULTATION**

Discovery Centre Working Group comprising of members from Hyden Progress Association, Hyden CRC, local Business and Council representatives.

### **STRATEGIC IMPLICATIONS**

Strategic Community Plan 2022-2023

*"2. ECONOMY*

*2.3 Coordinated planning and promotion of the visitor and tourist experience;  
Complete the Hyden Visitor Centre with additional funding."*

### **VOTING REQUIREMENT**

Simple Majority

#### 9.4.2 **MEETINGS OF COUNCIL – GOV004**

**Applicant:** Shire of Kondinin  
**Author:** ESO- Leandré Genis  
**Authorising Officer:** CEO – David Burton  
**Date:** 28<sup>th</sup> November 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Meetings of Council – GOV004

##### **RESOLUTION #4263:**

**Moved: Cr Murray James**

**Seconded: Cr Paul Green**

That Council **ADOPTS** the amended Meetings of Council Policy- GOV004.

**Carried: 6/1**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: Cr Bruce Browning*

*ABSENT: Cr Kent Mouritz*

#### **SUMMARY**

This report is for Council to consider an alteration of the Shire of Kondinin Meetings of Council- GOV004 Policy.

#### **BACKGROUND**

In the past 2 years the September Ordinary Council Meeting have been moved to Karlgarin to allow for the town to be inclusive in the rotation of all Shire Council Meetings.

#### **COMMENT**

In order for this to become permanent, the policy needs to be changed to reflect current practices.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY IMPLICATIONS**

Meetings of Council- GOV004

#### **FINANCIAL IMPLICATIONS**

Council gets charged a venue hire fee by the Karlgarin Country Club which will be a minimal cost to the Shire, but the Shire also supports the local business in using the facility and services they provide.

#### **STRATEGIC IMPLICATIONS**

This action supports the following sections of the Shire's Strategic Community Plan 2022-2032

*"4. Civic Leadership*

*4.1 Skilled, capable and transparent team*

*4.2 We are a compliant and resourced local government."*

#### **VOTING REQUIREMENT**

Absolute Majority

#### 9.4.3 **MEETING DATES 2024**

**Applicant:** Shire of Kondinin  
**Author:** Leandré Genis (ESO)  
**Authorising Officer:** David Burton (CEO)  
**Date:** 28<sup>th</sup> November 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Nil

##### **RESOLUTION #4264:**

**Moved: Cr Brett Smith**

**Seconded: Cr Murray James**

That pursuant to Admin Regulation 12(1), Council **ADVERTISES** for public information Ordinary Council Meeting times and dates for 2024 as follows:

1. January No meeting
2. **February 14<sup>th</sup>** at Kondinin Shire Offices commencing at 3.00 pm
3. **March 20<sup>th</sup>** at CRC Building, Hyden commencing at 3.00 pm
4. **April 17<sup>th</sup>** at Kondinin Shire Offices commencing at 3.00 pm
5. **May 15<sup>th</sup>** at CRC Building, Hyden commencing at 3.00 pm
6. **June 19<sup>th</sup>** at Kondinin Shire Offices commencing at 3.00 pm
7. **July 17<sup>th</sup>** at Kondinin Shire Offices commencing at 3.00 pm
8. **August 21<sup>st</sup>** at CRC Building, Hyden commencing at 3.00 pm
9. **September 18<sup>th</sup>** at Karlgarin Country Club commencing at 3.00 pm
10. **October 16<sup>th</sup>** at Kondinin Shire Offices commencing at 3.00 pm
11. **November 20<sup>th</sup>** at CRC Building, Hyden commencing at 4.00 pm
12. **December 18<sup>th</sup>** at Kondinin Shire Offices commencing at 4.00 pm

**Carried: 7/0**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: NIL*

*ABSENT: Cr Kent Mouritz*

#### **SUMMARY**

The Shire of Kondinin is required to determine the dates of its Ordinary Council meetings for the pursuing year and advertise the times for public information.

It is usually suggested each year that the November Council Meeting takes place at 4 pm due to harvest. This will be proposed again this year.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995, Admin Reg 12(1)

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Supports the following section of the Shire's Strategic Community Plan 2022 – 2032:

*“4. CIVIC LEADERSHIP*

*4.2 We are a compliant and resourced Local Government”*

**VOTING REQUIREMENT**

Simple Majority

## 9.5 COMMUNITY DEVELOPMENT OFFICER

### 9.5.1 DISABILITY ACCESS AND INCLUSION PLAN REVIEW 2023-2025

**Author:** Hannah Repacholi – Community Development Officer  
**Authorising Officer:** David Burton- Chief Executive Officer  
**Date:** 1<sup>st</sup> December, 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Disability Access and Inclusion Plan 2023-2028

#### **RESOLUTION #4265:**

**Moved: Cr Kerrie Green**

**Seconded: Cr Brett Smith**

That Council **ENDORSES** and **ADOPTS** the Shire's reviewed Disability Access and Inclusion Plan 2023-2028 as presented.

**Carried: 7/0**

*FOR: Cr Brett Smith, Cr Darren Pool, Cr Murray James, Cr Bruce Browning, Cr Beverley Gangell, Cr Paul Green, Cr Kerrie Green*

*AGAINST: NIL*

*ABSENT: Cr Kent Mouritz*

#### **SUMMARY**

The Shire of Kondinin Disability Access and Inclusion Plan is due for a full review. A Survey was sent out to the wider community in September 2023 seeking any concerns, comments or suggestions for improving access and inclusion in our shire.

Key organisations, including the hospital and aged-care facilities were also contacted via email for comment.

The responses to the survey were collated and are presented within the Disability Access and Inclusion Plan.

The Shire of Kondinin Disability Access and Inclusion Plan has been prepared and a draft was sent to Department of Communities in November 2023 for vetting with some minor amendments being made. The Shire of Kondinin Disability Access and Inclusion Plan has now been finalised for endorsement by Council. A copy of the DAIP has been included in the agenda attachments.

Once the DAIP is adopted by Council it is required to be lodged officially with the Department of Communities, Disability Services. Once we have received acknowledgement from the Department of Communities that our DAIP has been accepted, we are then required to publicly advertise the Plan and implement the strategies.

#### **STATUTORY ENVIRONMENT**

Disability Services Regulations 2004

#### **POLICY IMPLICATIONS**

The Shire of Kondinin Disability Access and Inclusion Plan is reviewed annually and a major review is done each 5 years.

## **FINANCIAL IMPLICATIONS**

Provision will need to be made in future budgets to implement the DAIP.

## **STRATEGIC IMPLICATIONS**

Supports the following section of the Shire's Strategic Community Plan 2022–2032:

### *1. Community*

*1.1 Community members have the opportunity to be active, engaged and connected.*

*1.2 Facilitate and advocate for quality health services, health facilities and programs in the Shire*

- Achieve and update the Disability Access Inclusion Plan*

*1.3 Recreational and social spaces encourage active and healthy lifestyles*

- Parks, nature reserves and community spaces are green, tidy, accessible and activated*

*1.6 Support emergency services planning, risk mitigation, response and recovery*

- We collaboratively plan service delivery and respond to emergency situation.*

### *4. Civic Leadership*

#### *4.1 Skilled, capable and transparent team*

- We are inclusive and our communities feel heard*
- We engage with the community on key projects and we provide regular, transparent communication*

#### *4.2 We are a compliant and resourced Local Government*

- External audits and reviews confirm compliance with relevant Local Government legislation."*

## **VOTING REQUIREMENT**

Simple majority required

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**LATE ITEM**

**9.4.4 PENDING SALE OF PROPERTY**

**Applicant:** Shire of Kondinin  
**Author:** Chief Executive Officer – David Burton  
**Responsible Officer:** Chief Executive Officer – David Burton  
**Disclosure of Interest:** -  
**Date:** 5<sup>th</sup> December 2023  
**Attachment(s):** Email to be presented at meeting

**\*\*\*CONFIDENTIAL ITEM\*\*\***

**9 BUSINESS OF AN URGENT NATURE**

NIL

**10 CLOSURE**

Meeting closed at 5:45pm.