



SHIRE OF KONDININ

NOTICE OF MEETING

Councillors: Please be advised that the next meeting of the

KONDININ SHIRE COUNCIL

Will be held on Wednesday 15th November 2023 at the
Hyden CRC

3:00PM Informal Agenda Discussion

4:00PM Ordinary Council Meeting

David Burton
10th November 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

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 at Council Meetings. Any member of the public is welcome to do so. The following is a summary of Section 5.24 of the Local Government Act 1995, the Local Government (Administration) Regulations 1996, the Shire's procedure and a guide to the completion of registering attendance and question/s.

- Members of the public should ideally register their attendance and question with the Council before the meeting before the closing of business the day before the scheduled meeting. This can be done;
 - a. In person at the Shire of Kondinin Office (11 Graham St, Kondinin).
 - b. By emailing the Executive Support Officer at eso@kondinin.wa.gov.au
 - c. By phoning the Executive Support Officer on 08 9889 1006
- When registering the following information will need to be supplied for record keeping and future correspondence (if required);
 - a. Name, Address, contact number and Name of Organisation representing (if applicable)
 - b. A written copy of the question to be asked at Public Question Time.
- It is recommended to arrive at the location of the Council Meeting 5 minutes before the commencement of the meeting. If you have not registered in advance it can be completed at this time. However, public members will still be able to attend the meeting and provide the required details meeting if they have not been able to register in advance.
- The Presiding Member will open Public Question Time and, if necessary, provide a summary of the rules, regulations and procedures of Public Question Time:
 - a. The person asking the question must state their name before asking it.
 - 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. 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 on 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. 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.
 - g. 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 comprehensive.
 - h. The priority for asking questions shall be 'first 'questions on which written notice has been given before the meeting' (that is, before noon on the day immediately preceding the meeting) and secondly, 'questions from the floor.
- Public Question Time is set for a maximum period of 15 minutes and will terminate earlier should no questions be forthcoming.
- There are circumstances where it may be necessary to place limits on the asking of questions to enable all members of the public a fair and equitable opportunity to participate in Public Question Time. In these events, the Presiding Member will apply the most appropriate limit for the circumstance. Generally, each member of the public shall be provided with 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.
- 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 (by the register) ask further questions (with necessary limits in place as discussed above if required) until the initial period for Public Question Time has expired.
- 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.
- 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.
- 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).

**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

Item No	Details of Interest

The 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 _____ Councillor's Name _____ Date _____

NB:

- 1 This notice must be given to the Chief Executive Officer before the meeting or at the meeting immediately before the matter in which you have an interest is discussed, Section 5.65(1) (a) & (b).
- 2 It remains the 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.
- 3 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.
- 4 It remains the Councillor's 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.
- 5 It is recommended that when previewing the Agenda, Councillors mark Agendas with items on which interest is to be declared and complete the declaration form at the same time.
- 6 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 seeking legal opinion, or, to be sure, simply declare in any case.
Penalties for not disclosing an interest apply.

Office Use Only:	Date/Initial
1. Particulars of the 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 the Shire of Kondinin for any act, omission or statement or intimation occurring during Council/Committee meetings or 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 entity's 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 license, 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 the 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



David Burton

Chief Executive Officer

Order of Business

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Shire President Cr Mouritz 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

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

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- 18th October 2023

RECOMMENDATION:

That the minutes of the Council Meeting held on the 18th October 2023, be confirmed.

7.2 MINUTES OF SPECIAL COUNCIL MEETING- 1st November 2023

RECOMMENDATION:

That the minutes of the Special Council Meeting held on the 1st November 2023, be confirmed.

7.3 INFORMATION REPORT- November 2023

RECOMMENDATION:

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

8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

9. ITEMS

9.1 MANAGER OF PLANNING & ASSETS

- 9.1.1 Subdivision referral Lot 802 & 192 Hyden-Lake King Road, Hyden
- 9.1.2 Transfer of Asset- McCann's Rock Pipeline
- 9.1.3 Swimming WA Affiliation Fees

9.2 MANAGER OF CORPORATE SERVICES

- 9.2.1 List of Accounts
- 9.2.2 Financial Reports
- 9.2.3 Rates & Charges Write-Off

9.3 MANAGER OF WORKS

9.4 CHIEF EXECUTIVE OFFICER

- 9.4.1 Discovery Centre Update
- 9.4.2 Corporate Business Plan Quarterly Report
- 9.4.3 Workforce Plan

9.5 COMMUNITY DEVELOPMENT OFFICER

- 9.5.1 Hyden Mural

9.1 MANAGER OF PLANNING & ASSETS

9.1.1 SUBDIVISION REFERRAL LOT 802 & 192 HYDEN-LAKE KING ROAD, HYDEN

Author:	Tory Young, Manager Planning and Assets
Authorising Officer:	David Burton, Chief Executive Officer
Date:	7 th November 2023
Disclosure of Interest:	Nil
Attachments:	Subdivision Plans Concept Plans

OFFICER RECOMMENDATION

That Council **ADVISE** the Western Australian Planning Commission that they SUPPORT the proposed subdivision (amalgamation) of Lot 802 & Lot 192 Hyden Lake-King Road, Hyden subject to compliance with the following conditions and advise notes;

CONDITIONS

- 1. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme, Building Act 2011, and National Construction Code Series/Building Code of Australia (as amended);*
- 2. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision;*
- 3. Prior to commencement of subdivisional works, a detailed plan identifying building envelope(s) / building exclusion area(s) on all lots on the approved plan of subdivision is to be prepared in consultation with the local government to ensure the appropriate siting of development;*
- 4. The land being filled, stabilised, drained and/or graded as required to ensure that;*
 - a) Lots can accommodate their intended development;*
 - b) Finished ground levels at the boundaries of the lots the subject of this approval must match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and*
 - c) Stormwater is contained on the site, or appropriately treated and connected to the local drainage system.*
- 5. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: "A reticulated sewerage service is not available to the lot(s). As such, an on-site sewerage system will be required."*

ADVISE NOTES

- 1. A structure plan and/or scheme amendment is recommended to be prepared in liaison with the Shire of Kondinin and landowners to provide greater strategic direction for the long-term development of the lots within the approved plan of subdivision;*
- 2. Hyden Refuse Road and where it intersects with Hyden-Lake King Road, Hyden will need to be upgraded to enable safe vehicular access to the proposed Lot 802, particularly heavy rigid vehicles.*

SUMMARY

The Shire's Administration seeks consideration from Council on the proposed subdivision (amalgamation) of Lots 802 and 192 Hyden-Lake King Road, Hyden and recommends to support the proposal subject to conditions.

BACKGROUND

The Shire have received a referral from the Western Australian Planning Commission for the proposed subdivision (amalgamation) of Lot 802 and 192 Hyden-Lake King Road, Hyden. Lot 192 is zoned Rural with frontage to Hyden-Mount Walker Road and is currently used for broadacre farming and does not comprise any buildings. Lot 802 is zoned Rural with frontage to Hyden-Lake King Road and is used predominately for broadacre farming with the exception of the southern portion section of the lot that comprises partially constructed infrastructure in the form of short stay accommodation transportable units and the frame and pad of a machinery shed. This Lot 802 also comprises sewerage and drainage infrastructure and associated easements in favour of the Shire of Kondinin and the Water Corporation.

In 2019 the land owner/s engaged a consultant to prepare a preliminary concept plan for the subject Lots 802 and 192 as a starting point to guide future development and subdivision. Since 2020, various forms of development have been undertaken on the southern portion of Lot 802 which whilst were generally consistent with the preliminary concept plan, ideally the concept plan would have been first endorsed by Council to inform a Scheme Amendment and/or subdivision before any construction commenced.

Whilst generally the scheme amendment and/or preparation of a structure plan would be prepared before the subdivision stage, it is considered that the best scenario in this instance is to subdivide the property and then the Shire can work with the individual landowners to develop a structure plan for the lots to guide the siting and type of development in the future.

The Shire's Administration have assessed the subdivision against the Western Australian Planning Commission's Model Subdivision Conditions Schedule and are in support of the application, subject to consideration conditions listed in the Officer Recommendation.

STATUTORY ENVIRONMENT

- Shire of Kondinin Town Planning Scheme No.1
- WAPC Model Subdivision Conditions Schedule
- Planning and Development Act 2005

POLICY IMPLICATIONS

- State Planning Policy 3.0 – Urban Growth and Settlement
- State Planning Policy 2.5 – Agricultural and Rural Land Use Planning

PUBLIC CONSULTATION

The Local Government is to provide comments pertinent to the application to the Western Australian Planning Commission by the 1st December 2023.

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: 8th November 2023
Disclosure of Interest: Nil
Attachments: Letter and Map from Water Corporation

OFFICER RECOMMENDATION

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 30th 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.

SUMMARY

The Shire's Administration seeks approval from Council to transfer 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.

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 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 mid-way along McCann's Rock Road. To enable this, the purpose of Reserve 21469 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 and Environmental Regulation 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;
- De-commissioning the existing swipe card controller at McCann's Rock and 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 controller 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 30th October 2023.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Nil

FINANCIAL IMPLICATIONS

This will result in the Shire of Kondinin obtaining a new Non-Standard Water Service with the Water Corporation at 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).

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 SWIMMING WA AFFILIATION FEES

Author: Tory Young, Manager Planning and Assets
Authorising Officer: David Burton, Chief Executive Officer
Date: 8th November 2023
Disclosure of Interest: Nil
Attachments: Affiliation Package

OFFICER RECOMMENDATION

That Council;

SUPPORTS a contribution of up to \$525 towards the Affiliation Fees to Swimming WA for both the Hyden Swimming Club and the Kondinin Swimming Club for a one (1) year trial period either this 2023/3024 pool season or a subsequent season, subject to the respective clubs supplying the necessary requirements for affiliation, including being an incorporated entity.

SUMMARY

The Shire's Administration seeks consideration from Council to provide a contribution to the respective swimming clubs in Hyden and Kondinin towards affiliation fees with Swimming WA as a trial period either this 2023/2024 pool season or a subsequent season.

BACKGROUND

Over the last few years, both Hyden and Kondinin have re-established their swimming clubs which have been largely run by local community members, in conjunction with the pool managers and assistance from community development officers at times. Both swim clubs meet weekly and have been well supported by the local community and have shown marked improvements in local school children's water awareness, stroke technique and fitness.

In recent years, swimming club members have not been able to compete in Swimming WA sanctioned events due to our swimming clubs not being affiliated with Swimming WA.

Both clubs have consciously kept their fees low to ensure that all members of the community can readily attend swimming club and therefore neither club is in a position financially to cover these affiliation fees each year.

The affiliation to Swimming WA not only would enable children to attend sanctioned meets, it would also bring broader benefits to the clubs including competition pathways, insurance, grants and funding, professional development, hosting sanctioned meets, advice and servicing, resources and software and awards and recognition.

Whilst not all members of the respective swim clubs would be interested in attending these sanctioned events, it is recommended that the Council consider covering the affiliation fees for a season as a trial in the first instance.

Notwithstanding the benefits that the affiliation will bring to the respective clubs, it is worth highlighting that Swimming WA require several necessary requirements from a club to consider affiliation which includes being an incorporated entity, providing a certified club constitution and being able to register 15 annual members and 8 non-competitive members annually. This needs to be factored into the decision making of the respective clubs.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Discussions held with representatives from both swimming clubs.

FINANCIAL IMPLICATIONS

\$1050 dependent if both swimming clubs wish to trial the affiliation.

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022-2032

COMMUNITY

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

We collaborate with CRCs and local organisations to deliver community programs and activities

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: 7th November, 2023
Attachment(s): List of Accounts 01/10/2023 to 31/10/2023

OFFICER RECOMMENDATION

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

• Municipal Fund payment cheque numbers 19351 to 19357	= \$ 20,860.39
• Municipal & Trust EFT17660 – 17830	= \$1,110,314.09
• Direct Debits – Transport – Hyden Office	= \$ 21,221.50
• Direct Debits – Transport – Kondinin Office	= \$ 8,589.65
• Direct Debits – Credit Cards DD20545.1	= \$ 2,177.92
• Direct Debits – Other	= \$ 86,667.60
• EFTPOS Merchant Fees	= \$ 4,970.43
• Bank Fees – NAB Connect & Tyro	= \$ 379.60
• Payroll	= \$ 129,617.69

TOTAL **= \$1,384,798.87**

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: 8th November 2023
Attachment(s): Monthly Financial Report for the period ended 31 October 2023

OFFICER RECOMMENDATION

That Council **RECEIVE** the attached reports entitled Monthly Financial Report (Containing the Statement of Financial Activity) for the period ended 31 October 2023.

SUMMARY

To present to Council the Monthly Financial Report for the period ended 31 October 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 October 2023 financial reports are as follows:

Item	Reference
<ul style="list-style-type: none"> • Cash at Bank The Shire’s total cash as at 31st October 2023 was \$9,916,879 – composed of \$3,820,631 reserve accounts (restricted), \$49,352 LCDC fund, \$2,573,914 term deposit investments and \$3,472,982 general fund (Muni, OCDF & Petty cash). 	<p>Page 9 – Note 6 Cash and Financial Assets</p> <p>Page 10 – Note 7 Reserve Accounts</p>
<ul style="list-style-type: none"> • Receivables Rates and Rubbish – \$755,783 current outstanding as 82% had been settled. Other receivables of \$198,164 – composed of \$104,830 gst receivable and other minor receivables. 	<p>Page 16 – Note 10 Receivables</p>
<ul style="list-style-type: none"> • Current Liabilities YTD balance is \$1,941,116 which includes \$441,332 of employees’ annual and long service leave provision, Loan repayment provision \$104,391 Advanced LRCI and Road Grants \$1,151,823, Gst and other payables \$243,570. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity Information</p>
<ul style="list-style-type: none"> • Closing Funding Surplus (Deficit) YTD actual is \$5,122,558 – composed of \$10,821,491 Current Assets less \$1,941,116 Current Liabilities and \$3,757,817 Net Adjustments to Net Current Assets. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity Information</p>
<ul style="list-style-type: none"> • Significant Capital Projects: Roadworks having \$4.9m budget is 63% completed as at 31st October 2023 major expenditure from Hyden Norseman Road – Remote Road Upgrade Program (RRUP). 	<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

9.2.3 RATES AND CHARGES OWING WRITE-OFF – A973

Applicant: Shire of Kondinin
Author: ESO- Leandré Genis, MCS – Vince Bugna
Date: 8th November 2023
Attachments: Nil

OFFICER RECOMMENDATION

That Council:

APPROVE to write off the balance of outstanding rates owed to the Shire for the 22/23 financial year and accrued penalty interest on property Assessment 973 to the amount of \$38.84.

SUMMARY

To seek council approval to write off the outstanding rates owed to the Shire for the 2022/2023 financial year and accrued penalty interest on Assessment 973.

BACKGROUND

The owner of A973 advised the Shire Administration Office that they have a small outstanding balance on their assessment which they weren't aware of until they received the 23/24 Rates Notice. After further investigation it was concluded that the outstanding balance was the discount amount plus 2 months' worth of interest that accrued during 2022 that remained outstanding on the assessment.

The owner provided sufficient evidence to show that they paid the necessary amount to qualify for the discount in 2022, however, their payment got rejected by the bank and after another attempt, the payment went through successfully, but after the due date which lead to being outside of the discount period. Thus, resulting in the small outstanding balance.

The owner has requested Council's consideration in writing off this balance.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

A provision for write-offs and doubtful debts is included in the 2023/24 budget. The outstanding balances will be reduced by the write-off.

STRATEGIC IMPLICATIONS

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

"4. CIVIC LEADERSHIP

4.1 Skilled, capable and transparent team."

VOTING REQUIREMENT

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: Draft Budget
Plans will be available at the meeting.

OFFICER RECOMMENDATION:

That Council:

NOTES the updated information in relation to the Discovery Centre Project.

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 for 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 working on 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

Basic working drawings were presented to the Council last month. We are currently waiting for the final drawings which will be used for the costings of the project. There may be some minor changes to the project when it goes to architectural drawings. The current design is likely to remain.

A Development Application is being drafted for the proposal. Due to the cost of the building, the development will need to go to a Development Assessment Panel.

Funding is anticipated to be advertised next month and possibly close to early in the New Year.

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 **CORPORATE BUSINESS PLAN QUARTERLY REPORT**

Author: CEO - David Burton
Authorised Officer: CEO - David Burton
Date: 6 November 2023
Disclosure of Interest: Nil
Attachments: Report

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the Quarterly Report on the Corporate Business Plan.

SUMMARY

This report is to provide a Quarterly Report on the Corporate Business Plan for Council.

BACKGROUND

As part of the Strategic Planning Process, Council must adopt a 4-year Corporate Business Plan of how the Council will address the items listed in the Strategic Community Plan. Within the Corporates Business Plan is a quarterly report to be presented to Council giving an update on the items listed.

COMMENT

Since this is the first report of the adopted Corporate Business Plan, all items from the last financial year and current financial year have been included, and updates given.

This report will be given to the Council quarterly.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Items in the Report have been budgeted or are listed in the Long-Term Financial Plans for the Shire.

CONSULTATION

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2022-2023

"4. Civic Leadership

4.2 We are a compliant and resourced Local Government"

VOTING REQUIREMENT

Simple Majority

9.4.3 **WORKFORCE PLAN**

Author: CEO - David Burton
Authorised Officer: CEO - David Burton
Date: 7th November 2023
Disclosure of Interest: Nil
Attachments: Separate document

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the updated Workforce Plan for the Shire of Kondinin.

SUMMARY

This report is to present the update Workforce Plan to the Council.

BACKGROUND

As part of the Strategic Planning processes, the Shire is required to have a Workforce Plan to ensure that the Shires workforce can deliver on the items in the Strategic Community Plan and Corporate Business Plan.

The Updated Workforce Plan has been prepared taking into consideration the items Council will be looking at over the term of the Corporate Business Plan.

COMMENT

The Workforce plan has been updated to reflect the current operations of the Shire and the few changes that have occurred over the last few years. Most changes are only minor and it is not anticipated that the workforce will change much pending on projects that the Shire takes on.

Two major changes are as follows:

Tourism Officer:

With the possibility of the Discovery Centre coming to fruition, the Shire will need to look at a Tourism Officer to maximise the income for the investment of the Centre. This person will be required to look at promoting the area and the Centre, while also look at obtaining income for the Centre through various means.

It is anticipated that this person would be engaged once funding has been secured and in the early stages of construction of the project. This would give the Officer plenty of time to be established in the role and also organize activities and income streams for the Centre. Being engaged early will also give the officer time to learn the ideas of the community and to work with them to promote our local area.

This officer would not be engaged until funding is secured, unless the need for a dedicated tourism officer is required.

Project Officer:

The Shire is looking at several major construction projects in the forth coming years, but these are reliant on funding. Smaller projects are able to be undertaken by current staff at this time, reducing the cost impact to Council.

This position is likely to be project specific as the position would be a financial concern for the Shire given possible future reductions in rates income through mining.

Some projects may also allow funding to include the position of a Project Officer (funding being considered for the Discovery Centre does allow this) but will only be enabled if the person is engaged for the project and not a current employee. This is why this position would be considered project specific.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Costings for staff will be included in the Annual Budget.

CONSULTATION

Staff

STRATEGIC IMPLICATIONS

Strategic Community Plan 2022-2023

“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 COMMUNITY DEVELOPMENT OFFICER

Author: Steevi-Lee Thomas – Community Development Officer
Authorising Officer: David Burton- Chief Executive Officer
Date: 7th November 2023
Disclosure of Interest: Nil
Attachments: Nil

OFFICER RECOMMENDATION:

That Council:

SUPPORTS the allocation of up to \$20,000 to be considered in the 2023/2024 budget review as a contribution towards a mural on the Elders Shed in Hyden; **OR**

SUPPORTS the transfer of up to \$20,000 currently allocated for a third Hyden Entrance Statement in the 2023/2024 budget to be reallocated towards the completion of the mural on the Elders Shed in Hyden.

SUMMARY

For Council to consider contributing money towards the Hyden mural project so that it can be completed in the 2023/2024 financial year.

BACKGROUND

In 2021, the Hyden CDO applied for funding to develop and deliver a mural in celebration of the Hyden centenary with the design: 100 years of Hyden. This mural will be painted on the back of Elders shed in Hyden facing towards Coronation Park.

Earlier in the year Luke O'Donohoe collaborated with the community developing a design, although his style of art did not fit the community needs and after a number of community workshops it was clear the community minded locals informed the Shire they wanted Jacob Butler (Shakey) to design and install this art mural.

Since then the Hyden CDO and working group have been working with Jacob on this project to create a design to suit the community.

Two options for consideration have been provided to Council. The first is that the allocation of funding is considered in the budget review undertaken in February 2023, or the second is that up to \$20,000 of the \$45,000 that is currently allocated towards a third entrance statement in Hyden be reallocated towards the project.

Both options should enable the mural to be completed within the 2023/2024 financial year, however with the artist tentatively scheduled to undertake the works in January 2024, it would be the preference for the second option.

If the second option was taken, as part of the budget review additional funds could be considered to be reallocated back towards the completion of the third entrance sign. To date, the third entrance sign has not been ordered and a formal quote has not been received.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No Shire money has been allocated or spent on the project as yet, however, funding from the below departments was received and 95% of this funding have been used to date, for wall prep, cladding installation and community consultation workshops:

- Lottery West; \$20,000 - Received
- Health way; \$3,500 - Received

Funding to be confirmed:

- Shire of Kondinin; \$20,000
- Funding/Community Groups \$4,226.50

Total project cost = \$47,726.50

- \$17,726.50 – community workshops, wall preparation and cladding installation
- \$30,000 – engagement of Jacob Butler (Shakey) to paint mural

The working group and the Hyden CDO are also looking at alternative grant funding options that would reduce the Shire’s contribution, if successful, and have been in contact with local community groups for other contribution possibilities.

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

We are showcasing local artists and attracting cultural events to our communities

We collaborate with CRCs and local organisations to deliver community programs and activities.”

VOTING REQUIREMENT

Simple majority required

9 BUSINESS OF AN URGENT NATURE

1. Hyden Coronation Park Access – Plan circulated with the Agenda.
2. Karlgarin Bowling Club – Letters received from Bowling Club circulated with the Agenda.
3. Committee Meetings for the remainder of 2023- Confirm dates:
 - 3.1 Housing & Building Committee Meeting
 - 3.2 Works Committee Meeting
 - 3.3 Sports Council Committee

10 CLOSURE