



# SHIRE OF KONDININ

## MINUTES OF MEETING

### KONDININ SHIRE COUNCIL

held on Wednesday 16<sup>th</sup> August 2023 at the  
Hyden CRC

**David Burton**  
**11<sup>th</sup> August 2023**  
**CHIEF EXECUTIVE OFFICER**

11 Gordon Street, KONDININ WA 6367 Tel (08) 98891006  
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# 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 4:10pm.

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

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

## 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

## 4. PUBLIC QUESTION TIME

NIL

## 5. APPLICATIONS FOR LEAVE OF ABSENCE

### RESOLUTION #4187:

**Moved: Cr Murray James**

**Seconded: Cr Brett Smith**

That Council approves leave for Cr Paul Green and Cr Kerrie Green during the September 2023 Ordinary Council Meeting.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

## 6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

NIL

## 7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/ INFORMATION REPORT

### 7.1 MINUTES OF COUNCIL MEETING- 19<sup>th</sup> July 2023

**RESOLUTION #4188:**

**Moved: Cr Brett Smith**

**Seconded: Cr Darren Pool**

That the minutes of the Council Meeting held on the 19<sup>th</sup> July 2023, be confirmed.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool;  
Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

### 7.2 INFORMATION REPORT- August 2023

**RESOLUTION #4189:**

**Moved: Cr Tom Mulcahy**

**Seconded: Cr Paul Green**

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

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool;  
Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

## 8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

NIL

## 9. ITEMS

### 9.1 MANAGER OF PLANNING & ASSETS

9.1.1 REALIGNMENT OF LOT BOUNDARIES AND CONSOLIDATION OF RESERVES WITHIN THE KONDININ SPORTING PRECINCT

9.1.2 DETERMINATION OF TENDER 3/2023-24- CLEANING SERVICES

9.1.3 SURRENDER OF FREEHOLD LOTS 19 & 21 FEDERAL STREET, KARLGARIN TO THE CROWN TO AMALGAMATE WITH CROWN RESERVE 31640 AT THE KARLGARIN BOWLING GREEN

9.1.4 RENT INCREASE FOR 76 GRAHAM STREET, KONDININ

9.1.5 CONSOLIDATION OF RESERVES 29301 (LOT 231 ON DP 210625) & 29302 (LOT 232 ON DP 210625) GRAHAM STREET, KONDININ

9.1.6 PROPOSED PUBLIC EASEMENT ON LOTS 15 & 16 DP 5661 LYNCH STREET, HYDEN

### 9.2 MANAGER OF CORPORATE SERVICES

9.2.1 LIST OF ACCOUNTS

9.2.2 2023-2024 ANNUAL BUDGET ADOPTION (*LATE ITEM*)

**9.3 MANAGER OF WORKS**

**9.4 CHIEF EXECUTIVE OFFICER**

9.4.1 DISCOVERY CENTRE

9.4.2 TOURISM MASTER PLAN

9.4.3 BUSH FIRE BRIGADE FIRE CONTROL OFFICERS

9.4.4 PROHIBITED BURNING PERIOD

9.4.5 MEDICAL SERVICES CONTRACT (*LATE ITEM*)

## 9.1 MANAGER OF PLANNING & ASSETS

### 9.1.1 REALIGNMENT OF LOT BOUNDARIES AND CONSOLIDATION OF RESERVES WITHIN THE KONDININ SPORTING PRECINCT

**Applicant:** N/A  
**Author:** Tory Young, Manager Planning and Assets  
**Authorising Officer:** David Burton, Chief Executive Officer  
**Date:** 4<sup>th</sup> August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** IOFD Deposited Plan 404100; Reserve Map

#### **RESOLUTION #4190:**

**Moved: Cr Murray James**

**Seconded: Cr Brett Smith**

That Council:

1. SUPPORTS the realignment of lot boundaries in the Kondinin Sporting Precinct to reduce the total number of reserves from 6 to 4 as shown in the IOFD 404100 Deposited Plan attached, with the balance of UCL 331 included with Lot 262 on DP2111790;
2. SUPPORTS the proposed newly created four (4) reserves as shown in the Reserve Map attached to be managed by the Shire for the purposes listed as follows:
  - (a) The area shown in red to be for the purpose of Recreation;
  - (b) The area shown in blue to be for the purpose of Caravan Park and Tourism;
  - (c) The area shown in green for the purpose of Municipal Depot;
  - (d) The area shown in orange for the purpose of Local Government Requirements;
3. SUPPORTS the proposed newly created four (4) reserves to include Management Orders with the power afforded to the Shire to lease or licence; and
4. AUTHORISES the Chief Executive Officer to complete a Crown Enquiry Form and submit to the Department of Planning, Lands and Heritage to progress the matter.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

#### **Summary**

The purpose of this report is to seek approval from Council to resolve the various anomalies that exist with the current lot boundaries and reduce the total number of reserves at the Kondinin Recreation Precinct to better reflect the current and projected land use and to align with the zonings in the Shire's Local Planning Scheme No.1.

#### **Background**

This matter was first presented to Council back in July 2013 in which Council resolved as follows:

1. *Formally request the Hon. Minister for Lands to consolidate and re-vest various Crown reserves and Unallocated Crown Land within the 'Kondinin Recreation Precinct' in the Kondinin townsite in accordance with the details shown on the attached Plan 5; and*

2. *Indemnify the Minister for Lands and the State of Western Australia against any possible costs and/or claims arising from the proposed consolidation and re-vesting of the various Crown reserves and Unallocated Crown Land within the 'Kondinin Recreation Precinct'.*

The matter was receipted by the then Department of Lands on the 25<sup>th</sup> July 2013 and the IOFD Deposited Plan 404100 was created. No further correspondence between the Shire and the Department of Planning, Lands and Heritage was recorded and the matter was not progressed.

During the preparation of the documentation for the separate crown lot to enable DFES to operate independent of the Shire's depot operations, the historic information was revealed by the Department of Lands, Planning and Heritage and forwarded to the Shire's Administration for consideration.

Through discussions with the Department of Lands, Planning and Heritage it has been recommended that the matter be progressed similar to where it left off, with some slight amendments being the balance of UCL 331 that is not being utilized by the Department of Fire and Emergency Services (DFES) being incorporated into Lot 262 on DP211179 and reducing the current six (6) reserves down to four (4).

A council resolution is required to progress the matter back through the Department of Planning, Lands and Heritage.

In light of the above it is considered that the consolidation of the crown land holdings in the Kondinin Recreation Precinct will lead to improvements in the management of this land with long term benefits to the community, and therefore recommended to be supported by Council.

### **Statutory Environment**

- Land Administration Act 1997
- Land Administration Regulations 1998

### **Policy Implications**

Nil

### **Financial Implications**

Most of the costs relating to this proposal were covered in the preparation of the IOFD Plan back in 2013. Some minor administrative costs maybe incurred to complete the process which can be covered in the Shire's 2023/2024 budget.

### **Strategic Implications**

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

*"CIVIC LEADERSHIP*

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

### **Voting Requirement**

Simple majority

### **9.1.2 DETERMINATION OF TENDER 3/2023-24 – CLEANING SERVICES**

**Author:** Tory Young, Manager Planning and Assets  
**Authorising Officer:** David Burton, Chief Executive Officer  
**Date:** 3<sup>rd</sup> August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Nil

#### **RESOLUTION #4191:**

**Moved: Cr Tom Mulcahy**

**Seconded: Cr Beverley Gangell**

That Council:

1. ACCEPTS the Tender submitted by We Will Do Cleaning and a Cleaning Services Contract be entered into for the Cleaning Services in the Hyden and Karlgarin Town Sites, Wave Rock, The Humps and McCann's Rock; and
2. ACCEPTS the Tender submitted by Patricia Barrett and a Cleaning Services Contract be entered into for the Cleaning Services in the Kondinin Town Site.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

#### **Summary**

This report recommends that Council accepts the tenders received for two separate cleaning contracts one for Hyden / Karlgarin and one for Kondinin.

#### **Background**

With the Shire's current cleaning services contracts both completing their terms on the 24<sup>th</sup> August 2023 and the 8<sup>th</sup> September 2023 respectively the Shire's Administration were required to advertise the tender for Cleaning Services.

An information session and site visit were offered to allow prospective tenderers to ask questions and obtain a better understanding of the requirements.

The tender was advertised in The West Australian on the 15<sup>th</sup> July 2023 and in the Narrogin Observer on the 20<sup>th</sup> July 2023 closing at 4.00pm on the 31<sup>st</sup> July 2023. During this period two (2) formal tenders were received as per listed below:

#### ***We Will Do Cleaning***

Hyden, WA  
ABN: 77 658 622 560

#### ***Patricia Barrett***

Kondinin, WA  
ABN: 66 426 304 266

The evaluation was carried out using the following criteria with each being given a rating from 1 to 10 with 1 being poor and 10 being excellent. A weighting was then calculated for each of the criteria.

Criteria	Weighting
<b>Financial Offer/Fee Proposal</b> <ul style="list-style-type: none"> <li>This contract is offered on an hourly rate basis. Include in the hourly rate all fees, costs, disbursements and the appropriate level of the Goods and Services Tax (GST)</li> <li>Represents the "best value" for money</li> <li>Inclusion in the hourly rate of any consumables that would otherwise be provided in Schedule 2</li> </ul>	30%
<b>Relevant experience or qualifications</b> Demonstrate: <ul style="list-style-type: none"> <li>Role and credentials of the key person(s) in the provision of the service (i.e. formal qualifications and experience)                             <ul style="list-style-type: none"> <li>Understanding of the required level of service associated with delivering the services to the Shire</li> </ul> </li> </ul>	40%
<b>History and Viability of Organisation</b> <ul style="list-style-type: none"> <li>Include any comments received from referees or references</li> <li>Demonstrate your capacity to deliver e.g. ABN, Insurance, equipment</li> <li>Examples of similar work</li> </ul>	30%
<b>TOTAL</b>	<b>100%</b>

A summary statement and confidential assessment of each tender is tabled for Council's information.

#### Statutory Environment

- Local Government Act 1995

#### Policy Implications

Nil

#### Public Consultation

Undertaken in accordance with Regulations

#### Financial Implications

Cleaning Services are an essential Council service that are adequately accounted for in the Council's budget.

#### Strategic Implications

Supports the following section of the 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 SURRENDER OF FREEHOLD LOTS 19 & 21 FEDERAL STREET, KARLGARIN TO THE CROWN TO AMALGAMATE WITH CROWN RESERVE 31640 AT THE KARLGARIN BOWLING GREEN**

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

**RESOLUTION #4192:**

**Moved: Cr Murray James**

**Seconded: Cr Kerrie Green**

That Council:

1. SUPPORTS the surrender of freehold lots 19 and 21 Federal Street, Karlgarin and have these amalgamated into Reserve 31640 (Lot 20 on DP 205103) incorporated into one Lot pursuant to section 51 of the Land Administration Act 1997.
2. SUPPORTS the proposed enlarged Reserve 31640 to include the same provisions as the existing Reserve 31640 including a Management Order with the power afforded to the Shire to lease or licence the Lot;
3. SUPPORTS the proposed enlarged Reserve 31640 to include the same provisions as the existing Reserve 31640 including for the purpose of the reserve to remain for Recreation Bowling Green; and
4. AUTHORISES the Chief Executive Officer to complete a Crown Enquiry Form and submit to the Department of Planning, Lands and Heritage to progress the matter.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

**Summary**

The purpose of this report is to seek approval from Council to surrender freehold lots 19 and 21 Federal Street, Karlgarin and have these amalgamated with Reserve 31640 (Lot 20 on DP 205013) Federal Street, Karlgarin to better reflect the current land use and management of these three lots. The enlarged Reserve would have the same provisions as the existing Reserves including a Management Order with the power afforded to the Shire to lease or licence the Lot and for the purpose of the Reserve to remain the same being Recreation Bowling Green.

**Background**

This matter was last presented to Council in October 2021 in which Council resolved as follows:

**RESOLUTION #3837**

**Moved: Cr B Browning**

**Seconded: Cr B Smith**

*That Council*

1. **ACCEPTS** the offer from the Karlgarin Country Club dated 14<sup>th</sup> September 2021 to gift Lots 19 & 21 Federal Street, Karlgarin to the Shire of Kondinin for the sum of \$200 per lot;
2. **AUTHORISES** the Chief Executive Officer to then gift Lots 19 & 21 to the State for the purpose of Bowling Green to be vested and managed by the Shire;
3. **APPROVES** that all administrative fees associated with the transfer of the Lots is borne by the Shire of Kondinin

The settlement of the two freehold properties took effect on the 23<sup>rd</sup> July 2023 with the two freehold titles of Lots 19 and 21 Federal Street, Karlgarin being transferred as freehold to the Shire of Kondinin.

With this now completed, the matter is being presented back to Council to formalise the surrender of the newly transferred freehold lots to the Crown in line with point 2 of the above resolution.

Consideration to also include Unallocated Crown Lot 18 on DP 205013 in this proposed amalgamation with Reserve 31640 has been raised by the Karlgarin Bowling Club. Initial feedback from the Department of Planning, Lands and Heritage has indicated that the lot is under consideration for inclusion in the Noongar Land Estate as part of the South West Settlement compensation package. Given this, it cannot be supported inclusion into Reserve 31640 for Recreation and Bowling Green and therefore not recommended to be pursued by the Shire at this point in time.

The progression towards the installation of a new club house building for the Karlgarin Bowling Club is in its preliminary design and costing stage and will be presented to Council for consideration in due course.

The change in land tenure does not change or compromise the current liquor licence area of the Karlgarin Country Club that extends to the current bowling club shelter. This matter was discussed at a meeting held on the 13<sup>th</sup> July 2020 with Clubs WA and representatives of the Karlgarin Country Club and the Karlgarin Bowling Club. On further development of the proposed new club house building, this matter will be again discussed with relevant parties to work through any changes to the licenced area if required.

This proposed surrender of the two freehold lots and amalgamation into one Crown Reserve for the purpose of Recreation Bowling Green will ensure that tenure is reflective of the current land use and will enable the Shire of Kondinin in collaboration with the Karlgarin Bowling Club to lawfully undertake upgrades to the bowling green and associated infrastructure, the latter being progression towards the installation of a new club house, which is included in the Shire's Recreation and Facilities Plan 2021 – 2031. It is therefore recommended that Council continue to progress the matter to surrender freehold Lots 19 and 21 Federal Street, Karlgarin to the crown and amalgamate with Reserve 31640.

**Statutory Environment**

- Land Administration Act 1997

**Policy Implications**

Nil

**Financial Implications**

As per the Council resolution of the October 2021 resolution of Council the Shire of Kondinin were to cover the costs of the settlement and amalgamation process. To date this has cost \$3,380. 64 which included the purchase price of the two properties. There is not expected to be any significant fees associated with the proposed amalgamation as it will be undertaken as an Administration Amalgamation meaning that it would be undertaken by the State and would not impost the Shire with any amalgamation fees as it would if all three lots were to be amalgamated as freehold.

**Strategic Implications**

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

“COMMUNITY

*1.4 Recreational and social spaces encourage active and healthy lifestyles Achievement of the Sport and Recreation Facilities Plan*

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

“CIVIC LEADERSHIP

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

**Voting Requirement**

Simple majority

#### 9.1.4 RENT INCREASE FOR 76 GRAHAM STREET, KONDININ

**Author:** Tory Young, Manager Planning and Assets  
**Authorising Officer:** David Burton, Chief Executive Officer  
**Date:** 4th August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Nil

##### **RESOLUTION #4193:**

**Moved: Cr Darren Pool**

**Seconded: Cr Kerrie Green**

That Council:

AUTHORISE delegation to the Chief Executive Officer to increase the rental rate applied to 76 Graham Street, Kondinin from \$170 per week to \$480 per week and advise the tenants being the Western Australia Country Health Services (WACHS) accordingly.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

#### **Summary**

The purpose of this report is for Council to authorise delegation to the Chief Executive Officer to increase the rental rate applied to 76 Graham Street, Kondinin from \$170 per week as per the Shire's Fees and Charges to \$480 per week in line with the Government Regional Officer Housing (GROH) rent calculator published by the Department of Communities.

#### **Background**

In response to a request from the Kondinin Hospital to assist in staff housing the Shire of Kondinin have been leasing 76 Graham Street, Kondinin to the Western Australia Country Health Services (WACHS) since the 15<sup>th</sup> November 2021, first as a 12-month fixed lease, and since the 1<sup>st</sup> December 2023 as a periodic lease. This arrangement has been working well and has served to attract nurses to stay for longer periods of time.

The current rental rate received is consistent with the Shire's Fees and Charges which is \$170 per week for private rentals. At the last Housing and Building Committee held on the 28<sup>th</sup> June 2023 it was asked that the Shire's Administration investigate the increase to this rental rate of 76 Graham Street, Kondinin. Discussions have been held with the property managers at the Western Australian Country Health (WACHS) who directed Shire staff to the GROH tenant rent calculator as a guide. Under this calculator, the median rent for a 3-bedroom house in Kondinin constructed post 1986 is \$480 per week. It is considered reasonable to increase the rent to this median rate.

For this to take effect, the Shire's Administration need to advise the Western Australian Country Health Services (WAHCS) of this proposed increase to the rental rate, which would take effect 60 days following the notification.

#### **Statutory Environment**

- Residential Tenancy Act 1987 (WA)
- Local Government Act 1995

**Policy Implications**

Nil

**Public Consultation**

No formal public consultation is required however the Shire's Administration have held discussions with the WACHS property managers and the Kondinin Hospital on the matter.

**Financial Implications**

Increasing the rental rate of 76 Graham Street, Kondinin from \$170 per week (\$8,840 per annum) to \$480 per week (\$24,960) will result in a \$16,120 increase of income from this property to the Shire over a 12-month period.

**Strategic Implications**

Shire's Strategic Community Plan 2022-2032

*"1. COMMUNITY*

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

*Local health facilities, visiting allied health and volunteer health services are retained*

*2. ECONOMY*

*2.4 Housing meets existing and future community needs for families and workers*

*Shire housing stock is well maintained and expanded upon*

*We advocate for improved State Government and Public Housing stock"*

**Voting Requirement**

Simple Majority

**9.1.5 CONSOLIDATION OF RESERVES 29301 (LOT 231 ON DP 210625) & 29302 (LOT 232 ON DP 210625) GRAHAM STREET, KONDININ**

**Applicant:** N/A  
**Author:** Tory Young, Manager Planning and Assets  
**Authorising Officer:** David Burton, Chief Executive Officer  
**Date:** 4<sup>th</sup> August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Aerial Map

**RESOLUTION #4194:**

**Moved: Cr Tom Mulcahy**

**Seconded: Cr Brett Smith**

That Council:

1. SUPPORTS Reserve 29301 (Lot 231 on DP 210625) to be amalgamated with Reserve 29302 (Lot 232 on DP 210625) to be managed by the Shire for the purpose of Recreation as shown on the attached plan;
2. SUPPORTS the amalgamated reserve to include Management Orders with the power afforded to the Shire to lease or licence; and
3. AUTHORISES the Chief Executive Officer to complete a Crown Enquiry Form and submit to the Department of Planning, Lands and Heritage to progress the matter.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

**Summary**

The purpose of this report is to seek approval from Council to resolve the anomalies that exist with the current lot boundaries and land use purposes of Reserve 29301 (the former site of the Kondinin Swimming Pool and now Community Garden) and Reserve 29302 (parts of the Community Garden, Skate Park and Parkland) to be amalgamated as one to better reflect the current and projected land use.

**Background**

This matter was presented to Council back in July 2013 in which Council resolved as follows:

1. *Formally request the Hon. Minister for Lands to consolidate and re-vest various Crown reserves and Unallocated Crown Land within the 'Kondinin Recreation Precinct' in the Kondinin townsite in accordance with the details shown on the attached Plan 5; and*
2. *Indemnify the Minister for Lands and the State of Western Australia against any possible costs and/or claims arising from the proposed consolidation and re-vesting of the various Crown reserves and Unallocated Crown Land within the 'Kondinin Recreation Precinct'.*

Since the matter was receipted by the then Department of Lands on the 25<sup>th</sup> July 2013 and the IOFD Deposited Plan 404100 was created. The IOFD plan prepared excluded these two reserves due to the Unallocated Crown Land located along the southern boundary of Repacholi Parade being subject to Native Title which separated Reserves 29301 & 29302 being part of the broader Kondinin Recreation Precinct.

Through recent discussions with the Department of Lands, Planning and Heritage it has been confirmed that the Unallocated Crown Lot along the southern boundary of Repacholi Parade adjacent to Reserve 29302 remains under consideration for inclusion in the Noongar Land Estate as part of the South West Settlement compensation package.

Given the uncertainty and timing on the outcome of this it is recommended that two Crown Reserves 29301 and 29302 be amalgamated as one for the purpose of Recreation. Consideration to include the Unallocated Crown Lot currently subject to Native Title is recommended to be addressed once an outcome of the claim is confirmed.

A council resolution is required to progress the matter back through the Department of Planning, Lands and Heritage.

In light of the above it is considered that the consolidation of these two crown lot holdings and amendments to their purpose will lead to improvements in the management of this land with long term benefits to the community, and therefore recommended to be supported by Council.

**Statutory Environment**

- Land Administration Act 1997
- Land Administration Regulations 1998

**Policy Implications**

Nil

**Public Consultation**

Nil.

**Financial Implications**

Some minor administrative costs maybe incurred to complete this process which can be covered in the Shire's 2023/2024 budget.

**Strategic Implications**

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

*"CIVIC LEADERSHIP*

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

**Voting Requirement**

Simple majority

**9.1.6 PROPOSED PUBLIC EASEMENT ON LOTS 15 & 16 DP 5661 LYNCH STREET, HYDEN**

**Applicant:** N/A  
**Author:** Tory Young, Manager Planning and Assets  
**Authorising Officer:** David Burton, Chief Executive Officer  
**Date:** 7<sup>th</sup> August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Engineering Plan, Aerial Plan, Certificate of Titles

**RESOLUTION #4195:**

**Moved: Cr Paul Green**

**Seconded: Cr Kerrie Green**

That Council:

1. SUPPORTS the engagement of a surveyor to prepare a formal easement to create a public laneway through freehold Lots 15 & 16 on DP 5661 Lynch Street, Hyden to connect to Coronation Park as per the plans attached;
2. SUPPORTS that the Shire of Kondinin benefit and will be fully responsible for the management of the proposed easement on Lots 15 & 16 on DP 5661 Lynch Street, Hyden;
3. AUTHORISES the Chief Executive Officer to follow the provisions pursuant to section 195 & 196 of the *Land Administration Act 1997* to complete the process;
4. NOTES that information and costings relating to the construction of the proposed accessway, final design, drainage and associated car parking will be presented back to Council on finalization of the easement for budget considerations.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

**Summary**

The purpose of this report is to seek approval from Council to endorse the engagement of a surveyor to prepare a public easement benefiting the Shire of Kondinin on Lots 15 & 16 on DP 5661 Lynch Street, Hyden that creates a public access way through the two (2) freehold lots from Lynch Street to Coronation Park.

**Background**

The Shire's Administration have been asked by Council to investigate the possibility of creating a public laneway that extends through the freehold Lots 15 & 16 on DP 5661 from Lynch Street to Coronation Park. Both lots are freehold owned by the Shire of Kondinin. The easiest and most cost-effective approach to create the access way is to establish a public easement on the two (2) lots. To establish a formal road or right of way would require a much more lengthy and costly process involving subdivision and the creation of a dedicated road reserve.

This matter was first considered and included in section 4.5 of the Hyden Town Revitalisation Plan (2017) relating to Coronation Park Upgrades and Hall Parking, and was then advertised in the Shire's Echo in August 2022 for public comment which was specifically on a laneway through Lot 15 Lynch Street, Hyden.

The progression of the matter was put on hold during discussions around the location of the proposed Electric Vehicle Charging Station being positioned on Lot 15 Lynch Street, Hyden. With the confirmed location of the Electric Vehicle Charging Station now at the Hyden Information Bay, this matter can now be progressed.

As this is an easement, the tenure will remain the same for Lots 15 & 16 Lynch Street, Hyden however the deed of easement placed on the title will stipulate that the Shire of Kondinin are responsible for the management of the easement. This is viewed as a much more efficient and cost-effective process than a full subdivision creating a dedicated road reserve across the two lots.

With the proposal being highlighted at a strategic level in the Hyden Town Site Revitalisation Plan back in 2017 as a way to better connect and activate Coronation Park, it is recommended that Council progress the matter to the formal easement stage.

### **Statutory Environment**

- Land Administration Act 1997

### **Policy Implications**

Nil

### **Public Consultation**

Completed in August 2022 and as part of preparation of Hyden Town Site Revitalisation Plan in 2017.

### **Financial Implications**

There will be fees associated in the preparation of the survey plans and the lodgement at Landgate, estimated around \$3,000 which can be covered in the Shire's 2023/2024 consultancy budget allocation.

*Costings relating to the construction of the proposed accessway, final design, drainage and associated car parking will be presented back to Council on finalization of the easement for budget considerations*

### **Strategic Implications**

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

*"1. COMMUNITY*

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

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

Supports the following section of the Hyden Town Site Revitalisation Plan 2017

*"4.5 Coronation Park Upgrades and Hall Parking*

- *To encourage visitors and locals to use the park in a variety of ways.*
- *To promote safety and surveillance of the park.*
- *Improve presentation and legibility of existing parking area. "*

### **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:** 7<sup>th</sup> August, 2023  
**Attachment(s):** List of Accounts 01/07/2023 to 31/07/2023

<b>RESOLUTION #4196:</b>	
<b>Moved: Cr Brett Smith</b>	<b>Seconded: Cr Beverley Gangell</b>
That Council:	
RECEIVES the attached report – List of Accounts Due & Submitted to Council for the month of July 2023:	
<ul style="list-style-type: none"> <li>• Municipal Fund payment cheque numbers 19332 to 19339</li> <li>• Municipal EFT17178 – 17343 (excl EFT17236)</li> <li>• Direct Debits – Transport – Hyden Office</li> <li>• Direct Debits – Transport – Kondinin Office</li> <li>• Direct Debits – Credit Cards DD20164.2</li> <li>• Direct Debits – Other</li> <li>• Trust Fund EF17236</li> <li>• EFTPOS Merchant Fees</li> <li>• Bank Fees – NAB Connect &amp; Tyro</li> <li>• Payroll</li> </ul>	<ul style="list-style-type: none"> <li>= \$ 33,390.13</li> <li>= \$ 908,832.06</li> <li>= \$ 24,825.95</li> <li>= \$ 30,738.85</li> <li>= \$ 3,882.80</li> <li>= \$ 51,888.21</li> <li>= \$ 1,500.00</li> <li>= \$ 989.59</li> <li>= \$ 170.00</li> <li>= \$ 131,991.33</li> </ul>
<b>TOTAL</b>	<b>= \$1,188,208.92</b>
<b>FOR:</b> Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith	
<b>AGAINST:</b> NIL	
<b>ABSENT:</b> Cr Bruce Browning	
<b>Carried: 8/0</b>	

**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 2023-2024 ANNUAL BUDGET ADOPTION (LATE ITEM)**

<b>Applicant:</b>	Shire of Kondinin
<b>Author:</b>	Vince Bugna, Manager Corporate Services
<b>Authorising Officer:</b>	David Burton, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	10 <sup>th</sup> August 2023
<b>Attachment(s):</b>	1. Statutory Budget 2023-2024 2. Ministerial Approval Letter - Differential Rates 2023/24

#### **Summary**

To present to Council the Shire of Kondinin's 2023/2024 Annual Budget for formal adoption.

#### **Background**

The draft 2023/2024 budget has been compiled based on the principles contained in the Integrated Plans and in accordance with presentations made to Council in May, June and July workshops prior Council meetings.

In accordance with the Local Government Act, 1995, Section 6.33(3) the Shire of Kondinin advertised its intention to levy a differential rate on mining tenement Unimproved Value (UV) properties which is more than double the general UV Rate that applies to farm land. Subsequently, application for Ministerial approval to impose for differential rates was sought for and received on 14<sup>th</sup> August 2023.

#### **Details**

The budget has been prepared to include information required by the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The main features of the draft budget include:

- ✓ Total capital works program of \$9.6M for 2023/2024 which include the construction and acquisition of (but not limited to) the following:
  - \$2.7M or 54% of the total budgeted cost: Upgrade to Hyden Norseman Road (\$5M - 80% Federal funded) is expected construction works and included in this year's budget.
  - \$604,900 for Lovering Road Reseals, Shoulders and Construction – 2/3 RRG grant funded and 1/3 Shire.
  - \$506,416 total for Bendering Road Reseal, Tolland Road Gravel Resheeting, Bendering East Road Reseal, Bellericay Road Form and Gravel, Whyte Road Reseal and Worland Road Gravel Resheeting – 100% R2R grant funded.
  - \$640,010 total for Bates Road Gravel Resheeting, Sedgewick Road Form and Gravel, Modesty Rock East Road Form and Gravel, Holland Track Road Form and Gravel, Higgins Road Form and Gravel and Clayton Street Drainage Reconstruct and Seal – Shire funded.
  - \$313,234 for Hyden Norseman Road and East Hyden Bin Road construction – Local Roads and Community Infrastructure program - LRCI phase 4(b) funded.
  - \$985,000 Road Plant, Community Bus, Doctor's and Administration vehicles purchases and replacement - \$300,000 Reserves funded, \$289,000 trade-in value and \$396,000 from the Shire's general fund.
  - \$210,000 for the Re-Roofing of Hyden Tennis Club Building – partly funded from the balance of Local Roads and Community Infrastructure program (LRCI) phase 3 Grant.

- 1.4M Purchase of x2 builds or transportables for WACHS housing, x1 Shire staff housing and purchase of Land in Hyden – Loan and Shire funded.
- \$1.46M Upgrade to Kondinin Sports Pavilion – partly funded by the KCRC \$300,000, DSR grant \$420,882, LRCI phase 4(a) grant \$543,234 and Shire contribution \$200,000.
- 
- ✓ Principal grant and contribution funding for the year is expected as follows:
  - Remote Road Upgrade Pilot Program (RRUPP) Federal - \$2M.
  - Regional Road Group (RRG) – MRWA - \$403,267.
  - Roads to Recovery (R2R) Federal - \$506,416.
  - Local Roads and Community Infrastructure program (LRCI) Phase 4(b) - \$313,234.
  - Local Roads and Community Infrastructure program (LRCI) Phase 3 balance - \$150,000.
  - Local Roads and Community Infrastructure program (LRCI) Phase 4(a) - \$543,234.
  - Department of Sports and Recreation (DSR) - \$420,882.
  - Kondinin Community and Recreation Council (KCRC) - \$300,000.
  - Main Roads Western Australia (MRWA) – Direct Grant - \$226,154 for general road maintenance.

Details of capital expenditure and sources of funding is on page 27 of the 2023/2024 budget document.

- ✓ Other Capital and Operating Contributions, transfer to(from) reserves (cash backed) are as follows:
  - Community grants and other contributions - \$55,580.75 (Res4137, 4131, 2273).
  - Transfer to Landfill Reserve - \$92,259 (Res2672) – top-up provision per 2022 audit.
  - Transfer to SJA Capital Upgrade Reserve - \$50,000 (Res4128).
  - Transfer to Tourism Development Reserve - \$37,984 (Wave Rock Infrastructure Depreciation)
  - Transfer to Hyden Visitor Centre Reserve - \$200,000.
  - Transfer from Plant Replacement Reserve - \$(250,000).
  - Transfer from Housing Reserve - \$(500,000).
  - Transfer from Community Bus Reserve - \$(50,000).
  - Transfer from Tourism Development Reserve - \$(50,000).
  - Transfer from SJA Capital Upgrade Reserve - \$(50,000) (Res3500 balance).
- ✓ New Loans included in the 2023/24 budget are:
  - \$900,000 Council Loan for WACHS x2 housing project.
  - \$900,000 Self-Supporting Loan (SSL) – KCRC WACHS housing project.
- ✓ An estimated surplus of about \$4.3M is anticipated to be brought forward from 30 June 2023 comprising of Advanced Financial Assistance Grants (FAGS) allocation and capital grants for LRCI projects carried forward. However, this amount is unaudited and may change. Any changes will be addressed as part of the mid-year budget review.
- ✓ \$3.6m of rates is expected to be raised to cover the budget deficiency and to bring the budget to balance.

### **Consultation**

Extensive internal consultation has occurred between Executive Management and through discussions with elected members at budget workshops.

### Statutory Environment

Section 6.2 of the *Local Government Act 1995* requires that no later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Division 5 and 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2023/2024 budget as presented is considered to meet the statutory requirements.

### Policy Implications

The budget is based on the principles contained in the Integrated Plans such as: Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan, Asset Management Plan and Workforce Plan.

### Financial Implications

Specific financial implications are as outlined in the detailed section of this report and as itemised in the draft 2023/2024 budget for adoption.

### 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

Absolute Majority required: Yes, for some of the parts of the recommendations.

#### **PROCEDURAL RESOLUTION #4197**

**Moved: Cr Tom Mulcahy**

**Seconded: Cr Brett Smith**

That Part A to Part D be considered en-bloc.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool;  
Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

#### **RESOLUTION:**

**Moved: Cr Tom Mulcahy**

**Seconded: Cr Brett Smith**

That Council:

ADOPT the tabled 2023/2024 budget:

#### **PART A – MUNICIPAL FUND BUDGET FOR 2023/2024**

Pursuant to the provisions of section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, the council adopt the Municipal Fund Budget as contained in Attachment of this agenda, for the Shire of Kondinin for the 2023/2024 financial year which includes the following:

1. Statement of comprehensive Income on page 2 showing a net result for the year of

\$275,815.

2. Statement of Cash Flows on page 3 showing an estimated cash and cash equivalents of \$4,183,024.
3. Statement of Financial Activity on page 4 showing an amount required from general rates of \$3,567,129.
4. Index to Notes as Forming Part of the Statutory Budget on pages 5 to 26.
5. Budget Capital Expenditure (itemised) as detailed in page 27.
6. Budget Summary and Program Schedules (detailed) on pages 28 to 48.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

**ABSOLUTE MAJORITY REQUIRED**

**PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS**

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following differential general and minimum rates on Gross Rental and Unimproved Values.

1.1 Differential General Rates

- Residential (GRV)	12.6840 cents in the dollar
- Mining (GRV)	25.3937 cents in the dollar
- Rural (UV)	1.1395 cents in the dollar
- Mining (UV)	27.0497 cents in the dollar

1.2 Minimum Rates

- Residential (GRV)	\$460
- Mining (GRV)	\$460
- Rural (UV)	\$460
- Mining (UV)	\$460

2. Pursuant to section 6.45 of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, council nominates the following due dates for the payment in full by instalments:

- Full payment and 1 <sup>st</sup> instalment due date	29 <sup>th</sup> September 2023
- 2 <sup>nd</sup> quarterly instalment due date	30 <sup>th</sup> November 2023
- 3 <sup>rd</sup> quarterly instalment due date	29 <sup>th</sup> January 2024
- 4 <sup>th</sup> and final quarterly payment due date	29 <sup>th</sup> March 2024
- 2 <sup>nd</sup> half instalment due date	29 <sup>th</sup> January 2024

3. Pursuant to section 6.46 of the *Local Government Act 1995*, council offers a discount of 3% to ratepayers who have paid their rates in full, including arrears on or before 29 September 2023 or 35 days after the date the service appearing on the rate notice, whichever is the later.

4. Pursuant to section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, council adopts an instalment administration charge where the owner has to pay rates through an instalment option of \$10 for each instalment after the initial instalment is paid.

5. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 5% where the owner has elected to pay rates through an instalment option.

6. Pursuant to section 6.47 of the Local Government Act 1995, council grants full rating concession to the following:

Assessment Number:

7037	Kondinin Community Resource Centre	3-5 Gordon Street, Kondinin
7039	Kondinin Golf Club Inc.	Avon Location 28325, Kondinin
7042	Kondinin Arts Centre	Lot 11 Rankin Street, Kondinin
7517	Hyden Golf Club	Roe Location 2936, Hyden
7017	Kondinin Country Club	Lot 263-1 Gordon Street, Kondinin
7018	Kondinin Tennis Club	Lot 263-2 Gordon Street, Kondinin
7508	Hyden Tennis Club	Lot 151/3 Marshall Street, Hyden
7514	Hyden Community Resource Centre	Lot 151 Naughton Street, Hyden
7027	Kondinin Lions Club & Seniors Centre	Lot 22 Jones Street, Kondinin
515	Karlgarin Country Club	Lot 19,22,23 & 24 Karlgarin
210	Kondinin Men's Shed	Lot 277 Nicholls Street, Kondinin
7513	Regional Early Education & Development	Lot 70 McPherson Street, Hyden

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

**ABSOLUTE MAJORITY REQUIRED**

### **PART C – OTHER STATUTORY FEES FOR 2023/2024**

Pursuant to Section 67 of the *Waste Avoidance and Resource Recovery Act 2007*, Council adopts the following charges for the removal and deposit of domestic and commercial waste:

-	240ltr bin	\$470 pa
-	140ltr bin	\$350 pa
-	Rural Waste	\$130 pa
-	Kondinin Golf Club	\$200 pa
-	Hyden Golf Club	\$200 pa
-	Karlgarin Bowling Club	\$200 pa

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

**ABSOLUTE MAJORITY REQUIRED**

**PART D – MATERIAL VARIANCE REPORTING FOR 2023/2024**

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and *AASB 1031 Materiality*, the level to be used in statements of financial activity in 2023/2024 for reporting material variances shall be 10% or \$10,000 whichever is the greater.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool;  
Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

**ABSOLUTE MAJORITY REQUIRED**

**9.3 MANAGER OF WORKS**

NIL

## 9.4 CHIEF EXECUTIVE OFFICER

### 9.4.1 DISCOVERY CENTRE

**Applicant:** Shire of Kondinin  
**Author:** David Burton – Chief Executive Officer  
**Authorising Officer:** David Burton – Chief Executive Officer  
**Date:** 8<sup>th</sup> August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Minutes from Meeting

#### **RESOLUTION #4198:**

**Moved: Cr Paul Green**

**Seconded: Cr Murray James**

That Council:

1. AUTHORISES the Chief Executive Officer to work with the Working group towards a funding application towards the end of the year;
2. APPROVES Mr Brian Mayfield be appointed as the Chairperson for the Working Group
3. REQUESTS members of the working Group to assist the Chief Executive Officer with administrative functions at the discretion of the Chief Executive Officer;
4. CONFIRM and APPROVE the working name for the Discovery Centre.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangel; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

#### **Summary**

This report is for Council to note actions and confirm the actions of the Discovery Centre Working Group.

#### **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 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**

For governance reasons, this report has been presented to confirm the actions of the working group including the Chairperson for the group, working name for the Centre and assistance for the CEO to ensure an application is prepared.

Previously, there was discussion about the Shire of the Hyden Progress Association taking the lead on this project. Each had benefits and difficulties, but the effort will be collaborative with the CRC and both these groups.

The Working Groups notes have been included to bring all members up to date with the current situation and direction the Group are taking to try and secure funding from other resources, including State Government.

The current round of Growing Regions funding has closed for expression of interest. Advice on the grant website indicates that the second round will be opening later this year. This will be the final round for this current funding stream. It is unknown what funding will be available after this. While it is likely that some form of funding will be available in the future, the details and timing are not available. The next round of funding will be a major consideration for this project and the working group is attempting to align all arrangements for the best possible application for the next round.

Due to the tight timeframes, the CEO is requesting that members of the Working Group be allowed to perform administrative functions (organising meetings, preparing information, etc.), to assist the CEO in the preparation of a submission for the next round of funding.

## **Statutory Environment**

- Local Government Act 1995

## **Policy Implications**

Nil

## **Financial Implications**

The Project is listed in the Long-Term Financial Plans for the Shire, however was to be considered at a later date. Due to funding possibilities, this will be considered as a priority project to enable funding to be allocated in time for funding opportunities. The Long-Term Financial Plan will be updated when finance staff have completed the current budget and audit requirements.

The Shire currently has a Reserve for the project. It is anticipated that securing of funding will minimise the impact to the Shire and should keep the Shires financial contribution to the funds in the Reserve.

Running of the Centre will be a longer-term consideration and this is being considered as part of the project to reduce the financial burden of the Shire and the CRC with the longer-term operations of the Centre.

## **Strategic Implications**

Strategic Community Plan 2022-2032

“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 TOURISM MASTER PLAN

**Applicant:** Shire of Kondinin  
**Author:** David Burton – Chief Executive Officer  
**Authorising Officer:** David Burton – Chief Executive Officer  
**Date:** 9<sup>th</sup> August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Draft Destination Development Plan

##### **RESOLUTION #4199:**

**Moved: Cr Kerrie Green**

**Seconded: Cr Brett Smith**

That Council:

AUTHORISES the Chief Executive Officer to seek Expressions of Interest for participants who can assist in the drafting of the Tourism Master Plan for the Shire of Kondinin and form a working group to prepare the finalised Plan.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

#### **Summary**

This report is for Council to authorise the formation of a working group for a Tourism Master Plan (TMP) for the Shire of Kondinin

#### **Background**

As part of the seeking of funding through State Government for the Discovery Centre, we have been seeking endorsement from Tourism WA and Australia's Golden Outback (AGO). Late last year staff participated in the workshops for the drafting of a destination plan for Tourism WA and AGO to encourage funding towards our region.

A draft Plan from Tourism WA and AGO was circulated to members previously, highlighting and action of a TMP for the Shire to consider items going forward.

#### **Comment**

The TMP will look at the entire area of the Shire and how we can promote tourism in our regional in the longer term. As such, the working group will be looking for representatives from all towns and strategize how we can best promote our tourism and capitalise on the additional income.

Some projects that are currently being worked on by the communities and Shire include:

Discovery Centre in Hyden

Sealing of the Hyden Norseman Road

Creation of the 'Cappuccino Strip' in Kondinin

Interpretive panels to tell our histories

Possible formation of Historical Societies and museum

Any other project the working group can consider.

In the Destination Development Plan, the TMP was to be a collaborative work with the Shire and AGO. In discussions with the CEO from AGO, they currently do not have any funding for the TMP, but some may be forthcoming in the future.

Being that the Discovery Centre is a priority action to apply for funding, the TMP will be used as a major document to assist with any applications.

As such, the sooner the Shire can get the document prepared, the sooner it can be used to assist with funding tourism projects in the future for all our towns. It is anticipated that the working group will be approximately 10 people excluding Shire staff and any Members who want to be on the Working Group. This is to ensure that a good representation of the communities is considered in the plan.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Strategic Community Plan 2022-2032

*“2. ECONOMY*

*2.3 Coordinated planning and promotion of the visitor and tourist experience”*

**Voting Requirement**

Simple Majority

### **9.4.3 BUSH FIRE BRIGADE FIRE CONTROL OFFICERS**

**Applicant:** Shire of Kondinin  
**Author:** CEO – David Burton  
**Authorising Officer:** N/A  
**Date:** 11 August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Nil

#### **RESOLUTION #4200:**

**Moved: Cr Kerrie Green**

**Seconded: Cr Brett Smith**

That Council:

ENDORSES the Bush Fire Control Officers and Dual Bush Fire Control Officers as listed in the report.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

#### **Summary**

This report is for Council to consider the appointment of Bush Fire Control Officers for 2023/2024.

#### **Background**

At the AGM of the Bush Fire Brigades, the Bush Fire Control Officers and Dual Bush Fire Control Officers were recommended as included in the report.

#### **Comment**

The Bush Fire Control Officers for the various brigades in the Shire of Kondinin are:

#### **Chief Fire Control Officer & Fire Weather Officer**

David Burton, CEO

#### **Deputy Chief Fire Control Officer & Fire Weather Officer**

Tom Mulcahy (East) FCO  
Roger Northey (West) DFCO

#### **Kondinin Town Brigade**

Allan Nelson FCO

#### **Kondinin Brigade (West)**

Glen Browning FCO  
Kurt Spurgeon DFCO

#### **Kondinin Brigade (East)**

Neil Whyte FCO  
Jeff ~~Geoff~~ Whyte DFCO

**Karlgarin Brigade (North)**

Murray James FCO  
Peter Richter DFCO

**Karlgarin Brigade (South)**

Andrew James FCO  
Craig Soper DFCO

**Hyden Town Brigade**

Ashley Rogers FCO

**Hyden Brigade (North)**

Paul Green FCO  
Jeremy James DFCO

**Hyden Brigade (South)**

Trevor Hinck FCO  
Stephen James DFCO

**East Hyden Brigade (North)**

James Falconer FCO  
Dennis Gittos DFCO

**Forrestania Brigade**

Forrestania Mine  
General Manager (Duncan Sutherland)

The Dual Bush Fire Control Officers for the Shire of Kondinin and neighbouring Shires includes:

**Shire of Corrigin**

Glenn Browning  
Roger Northey

**Shire of Kulin**

Trevor Hinck  
Andrew James

**Shire of Narembeen**

Neil Whyte  
Murray James  
Paul Green

**Shire of Yilgarn**

James Falconer

**Shire of Lake grace**

Tom Mulcahy

**Statutory Environment**

- Bush Fires Act

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Strategic Community Plan 2022-2032:

*"1. COMMUNITY*

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

*Resourced bush fire brigades and support to meet compliance and encourage participation."*

**Voting Requirement**

Simple Majority

#### **9.4.4 PROHIBITED BURNING PERIOD**

**Applicant:** Shire of Kondinin  
**Author:** CEO – David Burton  
**Authorising Officer:** N/A  
**Date:** 11 August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** Nil

##### **RESOLUTION #4201:**

**Moved: Cr Murray James**

**Seconded: Cr Beverley Gangell**

That Council:

APPROVES the Prohibited Burning dates to be 1<sup>st</sup> November 2023 to 14<sup>th</sup> February 2024.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool;  
Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

#### **Summary**

This report is for Council to approve the Prohibited Burning dates for the coming fire seasons.

#### **Background**

Each year the restricted period is reviewed by the Bush Fire Brigade for consideration of dangers for the season and the dates of control.

#### **Comment**

The Prohibited Period is to ensure that no fires are lit during this time as the dangers with dry fuel would create significant loss and damage for local residents.

The time can be extended beyond 14<sup>th</sup> February if required at the discretion of the Chief Bush Fire Control Officer.

#### **Statutory Environment**

- Bush Fires Act 1954

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

#### **Strategic Implications**

Strategic Community Plan 2022-2032:

*"1. COMMUNITY*

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

*Resourced bush fire brigades and support to meet compliance and encourage participation."*

**Voting Requirement**  
Simple Majority

#### 9.4.5 MEDICAL SERVICES CONTRACT

**Applicant:** Shire of Kondinin  
**Author:** David Burton – Chief Executive Officer  
**Authorising Officer:** David Burton – Chief Executive Officer  
**Date:** 16 August 2023  
**Disclosure of Interest:** Nil  
**Attachments:** MEDICAL SERVICES AGREEMENT - TRANSITIONAL

#### **RESOLUTION #4202**

**Moved: Cr Murray James**

**Seconded: Cr Tom Mulcahy**

That Council:

1. ENDORSES the Medical Services Contract with Dr Vivienne Chukwuneke;
2. AUTHORISE the Shire President and Chief Executive Officer to sign the Medical Services Agreement; and
3. AUTHORISE the Shire of Kondinin Common Seal to be affixed to the Contract.

**FOR:** Cr Kent Mouritz (President); Cr Paul Green; Cr Kerrie Green; Cr Darren Pool; Cr Beverley Gangell; Cr Murray James; Cr Thomas Mulcahy; Cr Brett Smith

**AGAINST:** NIL

**ABSENT:** Cr Bruce Browning

**Carried: 8/0**

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

#### 5.23. Meetings generally open to public

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

#### **Summary**

This report is for Council to endorse the Medical Services Agreement and authorise the Shire President and Chief Executive Officer to sign the agreement and affix the Shire of Kondinin Common Seal

#### **Background**

For the last 12 months the Shire has followed a process of seeking expressions of interest for Medical Services as our current Doctor had indicated that he was looking at reducing hours of work.

The process of the Expressions of Interest led to several options for Council and this was gradually reduced to a single option of the provision of Medical Services from Dr Vivienne Chukwuneke.

**Comment**

This will be the first single operated Medical Service for Dr Chukwuneke and as such, as transitional contract has been prepared to allow the Doctor to get established in the Medical Service Provision and gradually transition all item of administration to her. As such, this current contract is for a 12-month period.

The current contract allows for a 12-month transition; however, Dr Chukwuneke has indicated a preference for a shorter time. This can be accommodated to the preference of the Doctor while ensuring that they are not overwhelmed in administration.

Advice from the Doctor is that they are still chasing up hospital admitting rights with WACHS and hope to have this finalised soon. Admitting rights will be a significant income generator for the Doctor.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Budget allocations have been made in the 2023/2024 Budget for the provision of the new service.

**Strategic Implications**

Strategic Community Plan 2022-2023

1. *“Community*

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

**Voting Requirement**

Simple Majority

**10 BUSINESS OF AN URGENT NATURE**

NIL

**11 CLOSURE**

Meeting closed at 4:57pm.