



SHIRE OF KONDININ

MINUTES OF MEETING KONDININ SHIRE COUNCIL

held on Wednesday 19th July 2023 at the
Kondinin Shire Offices

David Burton
14th July 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

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 3:18pm.

2. RECORD OF ATTENDANCE/ APOLOGIES/ LEAVE OF ABSENCE

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

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

4. PUBLIC QUESTION TIME

NIL

5. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLUTION #4168:

Moved: Cr Beverley Gangell

Seconded: Cr Brett Smith

That Council approves leave for Cr Bruce Browning during the August 2023 Ordinary Council Meeting.

Carried: 8/0

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

NIL

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/ INFORMATION REPORT

7.1 MINUTES OF COUNCIL MEETING- 21st June 2023

RESOLUTION #4169:

Moved: Cr Murray James

Seconded: Cr Bruce Browning

That the minutes of the Council Meeting held on the 21st June 2023, be confirmed.

Carried:9/0

7.2 INFORMATION REPORT- July 2023

RESOLUTION #4170:

Moved: Cr Brett Smith

Seconded: Cr Paul Green

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

Carried: 9/0

8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

NIL

9. ITEMS

9.1 MANAGER OF PLANNING & ASSETS

- 9.1.1 Development Application – Proposed Electric Vehicle Charging Station – Marshall Street, Hyden
- 9.1.2 Western Australia Country Health Services (WACHS) Housing Investment Partnership for Kondinin Hospital
- 9.1.3 Licence Agreement – Proposed Electric Vehicle Charging Station – Marshall Street, Hyden
- 9.1.4 Kondinin Community Recreation Council- Self-Supporting WA Treasury Loan

9.2 MANAGER OF CORPORATE SERVICES

- 9.2.1 List of Accounts
- 9.2.2 Financial Reports

9.3 MANAGER OF WORKS

- 9.3.1 Side Tipper

9.4 CHIEF EXECUTIVE OFFICER

- 9.4.1 Proposed Fencing Local Law- Final Adoption
- 9.4.2 GECZ WALGA Meeting Minutes
- 9.4.3 RoeROC Meeting Minutes
- 9.4.4 Corporate Business Plan
- 9.4.5 ARC Land Access Agreement
- 9.4.6 Gourmet in the Garden/ Community Garden
- 9.4.7 Councillor Training 2022/2023
- 9.4.8 WALGA AGM- Local Government Week
- 9.4.9 Annual Performance Review

9.5 ENVIRONMENTAL HEALTH OFFICER

9.6 COMMUNITY DEVELOPMENT OFFICER

9.7 HOUSING & BUILDING COMMITTEE

- 9.7.110 Year Housing Programs
- 9.7.210 Year Building Programs

9.1 MANAGER OF PLANNING & ASSETS

9.1.1 DEVELOPMENT APPLICATION – PROPOSED ELECTRIC VEHICLE CHARGING STATION – MARSHALL STREET, HYDEN

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

RESOLUTION #4171:

Moved: Cr Darren Pool

Seconded: Cr Bruce Browning

That the application for development approval submitted by Planning Solutions on behalf of Synergy to install an Electric Vehicle Charging Station within the Marshall Street Road Reserves (Land ID 3153316 & 3153313), Hyden be APPROVED subject to compliance with the following conditions and advice notes;

CONDITIONS

1. The development shall be undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council;
2. Final design and dimensions of the proposed infrastructure be submitted to the Shire of Kondinin prior to any works commencing on site;
3. The location of the EV station infrastructure is to be positioned so that it does not impact the Corten steel solar illuminated signage located in close proximity to the proposed development.

ADVICE NOTES

1. The development shall be substantially commenced within two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect;
2. This is a development approval only and not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws;
3. The EV charging station will be managed in accordance with the Licence Agreement between the Shire of Kondinin and Synergy; and
4. If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted within 28 days of the determination.

Carried: 9/0

SUMMARY

This report recommends that the Development Application submitted by Planning Solutions on behalf of Synergy within the Marshall Street Road Reserves (Land ID 3153316 & 3153313) be supported subject to conditions.

BACKGROUND

Over 12 months ago the Shire of Kondinin were approached by Synergy seeking approval for the installation of an Electric Vehicle (EV) Charging Station in Hyden, as part of the State Government's Electric Vehicle Highway to deliver a network of EV fast chargers north to Kununarra along the southwest coast to Eucla and east to Kalgoorlie by 2024. The Shire of Kondinin Administration and Synergy representatives have been in regular contact to determine the best location to install the EV station. Endorsement from Main Roads WA providing delegation to the Shire of Kondinin to manage the preferred site has resulted in the Marshall Street Road Reserve being agreed upon.

With the location confirmed, the Development Application can now be considered.

DEVELOPMENT ASSESSMENT

The proposed location of the EV Charging Station is within the Marshall Street Road Reserve at the Information Bay opposite Lynch Street, Hyden. The proposed site is well located being readily accessible and visible to motorists within close proximity to the town centre and amenities.

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

- i) Two electric vehicle charging units:
 - One (1) DC fast charger of 150kW comprising two charging cables in order to charge two cars simultaneously; and
 - One (1) back up AC charger of 7.6kW
- ii) Three (3) car parking bays dedicated to EV charging in parallel arrangement; and
- iii) A 'Paymate System' located in between the two charging units allowing users to make payment for the EV charging service.

The above infrastructure will be supported by a dedicated Western Power transformer also located on the subject site and associated switchboard and underground power lines.

The Applicant has advised that the final design and dimensions of the proposed infrastructure will be confirmed upon vendor selection.

Local Planning Scheme No.1

The subject site is reserved 'Public Open Space' under the Shire of Kondinin's current operative Local Planning Scheme No.1 (LPS No.1).

Council's stated objectives for land classified 'Public Open Space' under LPS No.1 are:

- *To set aside areas of public open space within close proximity to urban development; and*
- *To develop and maintain reserves to serve the active and passive recreation needs of the local community.*

An Electrical Vehicle Charging Station', is not specifically listed in the Zoning Table of LPS1. As such due regard must be given to the requirements of clause 18(4) of LPS1 which expressly states:

The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as following within a use class referred to in the zoning table:

- (a) Determine that the use **is consistent** with the objectives of a particular zone and therefore is a use that may be permitted in the zone subject to conditions imposed by the local government; or
- (b) Determine that the use **may be consistent** with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
- (c) Determine that the use **is not consistent** with the objectives of a particular zone and is therefore not permitted in the zone.

The proposed development and use of the subject land is considered to be consistent with the abovementioned objectives for land classified 'Public Open Space' in LPS No.1 for the following reasons:

- i) The proposed development represents a logical expansion and enhancement of the existing site that currently accommodates a car park, information bay, vehicle rest stop and adjoining amenities including an undercover area, seating and associated landscaping;
- ii) The proposed development will continue to serve the active and passive recreation needs of the local community offering a place that motorists can charge their vehicles whilst increasing the use of the undercover area and information bay; and
- iii) The proposed use is compatible with the existing land use at the site and will not place any detrimental impact on the surrounding land uses in the locality.

The proposed development was given notice under clause 64 of the deemed provisions with no objections raised during the advertising period.

A detailed assessment of the proposal in the context of the relevant planning criteria including the standards contained in LPS No.1, clause 67 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015 (Deemed Provisions) and the Draft Position Statement for Electric Vehicle Charging Infrastructure (DPLH June 2023) concludes that it is acceptable for the following reasons:

1. The proposal is consistent with the provisions of the Shire's LPS No. 1 and compliant with the applicable statutory planning framework;
2. The proposed works are unlikely to have a detrimental impact on the character or amenity of the immediate locality;
3. The proposal is not anticipated to generate additional traffic to the extent that it adversely impacts the parking availability on site, the surrounding locality or the vehicle movement, flow and access on the surrounding network;
4. The nature, operations and scale of the proposed works are consistent with the immediate land use at the site and will not have a substantial impact on the surrounding land uses;
5. Current vehicle access arrangements to the site will remain unchanged and are in accordance with Main Roads WA standards and requirements; and
6. The proposal will assist in facilitating tourism in the Hyden locality in turn bringing flow on effects to benefit local businesses and the wider community.

Conclusion

It is concluded from a detailed assessment of the application that Synergy's proposal to install an electric vehicle charging station and associated infrastructure is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality and may therefore be approved by Council.

It is therefore recommended that Council exercise its discretion and grant conditional approval to the application.

STATUTORY ENVIRONMENT

- Planning and Development Act 2005
- Planning and Development (Local Planning Scheme) Regulations 2015
- Local Planning Scheme No.1
- Draft Position Statement: Electric Vehicle Charging Infrastructure (DPLH June 2023)

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

The proposed development was given notice under clause 64 of the deemed provisions via letters to surrounding land owners, an advert in the local Householder, information on the public notice board in Hyden and referral letters sent to relevant state agencies.

At the conclusion of the advertising period no objections to the proposal were received.

FINANCIAL IMPLICATIONS

The EV Charging Station will be managed in accordance with the Licence Agreement between Synergy and the Shire of Kondinin which stipulates that the infrastructure remains the property of Synergy who are responsible for all installation and on-going costs of the development.

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 WESTERN AUSTRALIA COUNTRY HEALTH SERVICES (WACHS) HOUSING INVESTMENT PARTNERSHIP FOR KONDININ HOSPITAL

Author: Tory Young, Manager Planning and Assets
Authorising Officer: David Burton, Chief Executive Officer
Date: 4th July 2023
Disclosure of Interest: Nil
Attachments: Business Plan; Aerial Plans;

RESOLUTION #4146:

Moved: Cr Bruce Browning

Seconded: Cr Tom Mulcahy

That Council:

- 1) APPROVES entering an investor partnership with the Western Australia Country Health Services (WACHS) for the construction of two (2) dwellings at No. 51 (Lot 121) Rankin Street, Kondinin to service staffing demand at Kondinin Hospital;
- 2) AUTHORISES the Chief Executive Officer to give public notice to the Business Case for the proposal prepared under Section 3.59 of the Local Government Act 1995 and reporting the matter back to Council accordingly following the advertising period; and
- 3) APPROVES seeking a loan of \$900,000 over a 20-year period from the Western Australia State Treasury to fund the project.

Carried: 9/0

SUMMARY

For Council to approve to proceed with the construction of two (2) dwellings through the WA Country Health Services (WACHS) Housing Investment Partnership Program to supply staffing for the Kondinin Hospital and for the Shire's Chief Executive Officer to follow due process in accordance with section 3.59 Local Government Act 1995 to progress the matter.

BACKGROUND

This matter was presented to the Ordinary Meeting of Council held on the 21st June 2023 in which a procedural motion was made requesting more information. The matter was discussed again at the Housing and Building Committee Meeting held on the 28th June 2023.

The Shire of Kondinin is very fortunate to house a hospital and a resident doctor within its municipality. Over the years the staffing demographics at the Kondinin Hospital have changed to the extent that of the 30 – 40 staff that are required to staff the hospital up to 80 to 90 per cent live outside the district hence requiring accommodation.

With the old nurses' quarters no longer considered suitable for agency workers and recent confirmation from WACHS that the upgrades to these quarters is not proposed in the short or medium term, together with the two Government Regional Officer Housing (GROH) houses on Young Avenue resumed by the Department of Education, the Hospital is actively looking into alternative arrangements. This currently includes a periodic lease for the Shire's house at No. 76 Graham Street, a 3-month lease of one of the Shire's Caravan Park Chalets and a 3-month lease of a local Air B & B. These are obviously just short-term measures to meet the current situation, where medium-term solutions are required as a matter of urgency to ensure staffing of the hospital can be met and the hospital remain viable.

The Kondinin Hospital has advised to address current and projected housing needs and to attract more permanent staff employees they required four (4) 2-bedroom x 2-bathroom dwellings and one (1) 3-bedroom x 2-bathroom dwelling.

Factoring in budget forecasting the Shire's Administration recommend that the construction of two (2) 2-bedroom x 2-bathroom dwellings is fiscally achievable at this point in time to supporting the needs of the Kondinin Hospital.

The Shire's Administration have sort indicative costings for the construction of 2-bedroom x 2-bathroom dwellings with a floor area of around 102m² in both brick and modular style. Both are estimated at around \$430,000 (excl. GST) which includes site works, landscaping and building certification.

Following the discussions at the June Ordinary Meeting of Council the following additional information is provided.

WACHS requirements

An information brochure (as attached) outlining the requirements of the WACHS investment partnership details the various building scenarios. The 2 x 2 recommendation of the reporting officer is in response both to guidance from WACHS, site context, the versatility and flexibility of the asset to the Shire and the needs of the Kondinin Hospital. Various scenarios can be considered, requiring approval from WACHS before progressing the project.

Community / Private Investment

The matter has been tabled at the Kondinin Community Recreation Council (KCRC) meeting held on the 21st June 2023 for discussion. The KCRC are looking at the possibility of investing in two (2) dwellings via a WA Treasury loan to be constructed on Lot 325 (No. 9) Browning Street, Kondinin owned by the Kondinin Progress Association and ask that the Shire would match their contribution in the construction of two dwellings for WACHS. Letter attached from the Kondinin Community Recreation Council.

Recommended Way Forward

Representatives from WACHS and the Kondinin Hospital attended the Discussion Period at the 15th February 2023 Ordinary Meeting of Council to outline the needs for the Kondinin Hospital and provided an outline of the Country Health Housing Investor Partnership Program. Since this meeting the Shire's Administration have been in contact with WACHS, the Kondinin Hospital, the Kondinin Community Recreation Council and other Shires looking at this same model and consider this to be the best way to approach the current and projected housing needs.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Under Section 3.59 of the Local Government Act 1995, the Business Case for this proposal is required to be advertised for a minimum of six (6) weeks before being reported back to Council to consider any submissions received.

FINANCIAL IMPLICATIONS

The proposal requires a \$900,000 loan from WA Treasury Corporation.

The WA Treasury Corporation incremental rates available for 20 years (forecast) is 4.8% in the 2023-2024 budget year. The total interest repayment for 20 years is \$558,485.31 in addition to the principal payment.

Under the Western Australia Country Health (WACHS) Housing Investment Partnership program the Shire is in negotiations to secure a 10-year lease arrangement comprising rental repayments that will cover the costs of the development, service on the loan and maintenance expenses. It is anticipated that the Shire will be able to undertake a further 10-year lease under a similar arrangement to cover the period of the Treasury loan.

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

9.1.3 LICENSE AGREEMENT – PROPOSED ELECTRIC VEHICLE CHARGING STATION – MARSHALL STREET, HYDEN

Author: Tory Young, Manager Planning and Assets
Authorising Officer: David Burton, Chief Executive Officer
Date: 5th July 2023
Disclosure of Interest: Nil
Attachments: Licence Agreement

RESOLUTION #4172:

Moved: Cr Brett Smith

Seconded: Cr Tom Mulcahy

That Council APPROVES the licence agreement between the Shire of Kondinin and Synergy for the management of the Electric Vehicle Charging Station and associated infrastructure at Marshall Street, Hyden to be adopted and signed with a Common Seal by Order of Council.

Carried: 9/0

SUMMARY

This report recommends that Council approve the Licence Agreement with a Common Seal for the proposed Electrical Vehicle within the Marshall Street Road Reserves (Land ID 3153316 & 3153313).

BACKGROUND

Over 12 months ago the Shire of Kondinin were approached by Synergy seeking approval for the installation of an Electric Vehicle (EV) Charging Station in Hyden, as part of the State Government's Electric Vehicle Highway to deliver a network of EV fast chargers north to Kununarra along the southwest coast to Eucla and east to Kalgoorlie by 2024. The Shire of Kondinin Administration and Synergy representatives have been in regular contact to determine the best location to install the EV station. Endorsement from Main Roads WA providing delegation to the Shire of Kondinin to manage the preferred site has resulted in the Marshall Street Road Reserve being agreed upon.

With the location confirmed the licence agreement can be signed and adopted.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Nil

FINANCIAL IMPLICATIONS

The EV Charging Station will be managed in accordance with the Licence Agreement between Synergy and the Shire of Kondinin which stipulates that the infrastructure remains the property of Synergy who are responsible for all installation and on-going costs of the development.

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022-2032

"2. *ECONOMY*

2.1 *Support the diverse industry across the Shire*"

VOTING REQUIREMENT

Simple Majority

Unconfirmed

9.1.4 KONDININ COMMUNITY RECREATION COUNCIL – SELF-SUPPORTING WA TREASURY LOAN

Author: Tory Young, Manager Planning and Assets
Authorising Officer: David Burton, Chief Executive Officer
Date: 5th July 2023
Disclosure of Interest: Nil
Attachments: Letter from Kondinin Community Recreation Council

RESOLUTION #4173:

Moved: Cr Bruce Browning

Seconded: Cr Brett Smith

That Council:

Pursuant to section 6.20 of the Local Government Act 1995 APPROVES seeking a self-supporting loan of \$900,000 over a 10-year period from the Western Australia State Treasury to assist the Kondinin Community Recreation Council construct housing at No.9 (Lot 325) Browning Street, Kondinin, subject to provision of 3 guarantors or asset as security be provided to the loan.

Carried: 9/0

SUMMARY

For Council to approve the request from the Kondinin Community Recreation Council for a \$900,000 loan from WA State Treasury for the construction of housing and for the Shire's Chief Executive Officer to follow due process in accordance with section 3.59 Local Government Act 1995 to progress the matter.

BACKGROUND

The Shire of Kondinin have been in liaison with the Kondinin Community Recreation Council in relation to the dire need of additional housing in the Kondinin Town Site. The Kondinin Community Recreation Council would like to assist in this regard and as per the letter attached are asking consideration of Council for a self-supporting loan for \$900,000 to construct housing at No. 9 (Lot 325) Browning Street, Kondinin.

The Kondinin Community Recreation Council have looked into costings for 2 x 2-bedroom dwellings in both modular and brick and iron indicating that by the time of construction could be up to \$430,000 per dwelling. The Kondinin Community Recreation Council's preference is to enter into a partnership with WACHS for a 10-year lease for the two properties.

The final design and costings for the developments need to be finalised through an agreement between the WACHS and the Kondinin Community Recreation Council. The investment partnership will be established on a cost recovery arrangement.

The Kondinin Community Recreation Council currently have a 10-year WA Treasury self-supporting loan through the Shire of Kondinin for the purchase of the mechanics on Jones Street. This loan will be paid off by the end of the 2023-2024 financial year. The main income source of the Kondinin Community Recreation Council is their community cropping program from of approximately 345ha on Sloan Road and 40ha leased on Kondinin-Narembeen Road, Bendinger.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Nil

FINANCIAL IMPLICATIONS

The proposal requires a \$900,000 loan from WA Treasury Corporation. The WA Treasury Corporation incremental rates available for 10 years (forecast) is 4.4% in the 2023-2024 budget year. The total interest repayment for 10 years is \$258,575.07 in addition to the principal payment.

Under the Western Australia Country Health (WACHS) Housing Investment Partnership program the Kondinin Community Recreation Council is in negotiations to secure a 10-year lease arrangement comprising rental repayments that will cover the costs of the development, service on the loan and maintenance expenses. The formula for rental return is anticipated to be based on the following:

<i>Capital Cost to develop property</i>	<i>\$900, 000</i>
<i>Borrowing Costs</i>	<i>\$258,575,07</i>
<i>Annual operating/maintenance costs (over 25 years)</i>	<i><u>\$500,000</u></i>
<i>Total cost over 25 years</i>	<i>\$1,658,575</i>

*Monthly lease – 300 months @ \$5528.60 per month
Equates to weekly rent per unit of \$691*

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

9.2 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: 12th June, 2023
Attachment(s): List of Accounts 01/06/2023 to 30/06/2023

RESOLUTION #4174:

Moved: Cr Murray James

Seconded: Cr Paul Green

That Council receive the attached report – List of Accounts Due & Submitted to Council for the month of June 2023:

• Municipal Fund payment cheque numbers 19327 to 19331	= \$ 14,836.38
• Municipal EFT17011 – 17177 (excl EFT17058)	= \$1,511,817.74
• Direct Debits – Transport – Hyden Office	= \$ 24,629.60
• Direct Debits – Transport – Kondinin Office	= \$ 18,362.15
• Direct Debits – Credit Cards DD20070.1	= \$ 1,244.51
• Direct Debits – Other	= \$ 21,434.01
• Trust Fund EF17058	= \$ 2,000.00
• EFTPOS Merchant Fees	= \$ 669.21
• Bank Fees – NAB Connect & Tyro	= \$ 202.91
• Payroll	= \$ 113,728.92
TOTAL	= \$1,708,925.43

Carried: 9/0

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 2022/23 Adopted 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: Vince Bugna, Manager Corporate Services
Disclosure of Interest: Nil
Date: 12th July 2023
Attachment(s): Monthly Financial Report for the period ended 30 June 2023

RESOLUTION #4175:

Moved: Cr Beverley Gangell

Seconded: Cr Kerrie Green

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

Carried: 9/0

SUMMARY

To present to Council the Monthly Financial Report for the period ended 30 June 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 2022/23 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 June 2023 financial reports are as follows:

Item	Reference
<ul style="list-style-type: none"> • Cash at Bank The Shire's total cash as at 30th June 2023 was \$9,035,720 comprising the \$3,401,039 in cash backed reserves (restricted); \$21,370 in Trust account (restricted); \$48,739 LCDC funds; \$569,656 Term deposit investments; \$6,122 ODCF and \$4,988,794 Muni operating funds. 	Page 09 – Note 6 Cash and Financial Assets Page 10 – Note 7 Reserve Accounts
<ul style="list-style-type: none"> • Receivables Rates and Rubbish – net collectable as at 30th June 2023 was \$245,420 equivalent to 6%. Other receivables (Sundry Debtors) – a total of \$154,451 comprising \$96,084 gst input and other minor receivables combined. 	Page 16 – Note 10 Receivables
<ul style="list-style-type: none"> • Grants, Subsidies and Contributions Operating grants – 100% collected as at 30th June 2023, MRWA direct grant for road maintenance plus the 100% advanced payment allocation of \$2,857,687 for 2023-2024 general purpose and local roads. Capital grants – 64% as at 30th June 2023, major source came from the Wheatbelt Secondary Freight Network (WSFN) grant, Roads to Recovery (R2R) and MRWA Regional Road Group (RRG) capital projects grant. 	Page 21 – Note 15 Grants, subsidies and contributions Page 22 – Note 16 Capital grants, subsidies and contributions Page 07 – Key Information - Grants, Subsidies and Contribution
<ul style="list-style-type: none"> • Closing Funding Surplus/(Deficit) YTD actual is \$5,084,083 – composed of \$9,524,982 Current Assets less \$1,164,194 Current Liabilities and \$3,276,706 Net Adjustments to Net Current Assets. 	Page 05 – Note 2 Statement of Financial Activity Information Page 2 – Statement of Financial Activity

- In relation to material variances, refer to page 06, Note 3 – Explanation of Material Variances.

VOTING REQUIREMENTS

Simple Majority

Unconfirmed

9.3 MANAGER OF WORKS

9.3.1 Side Tipper

Author: Manager of Works, Mark Burgess
Date: 21 June 2023
Disclosure of Interest: Nil
Attachments: Nil

RESOLUTION #4154:
Moved: Cr Tom Mulcahy **Seconded: Cr Bruce Browning**
 That Council Purchase the One (1) New 2024 Howard Porter Bullmaster Tri Axle Side Tipper submitted as quote 230262JD for the sum of \$147,000 inclusive of GST.
Carried:9/0

Summary

That Council consider the purchase of the quotation 230262JD submitted by Howard Porters for the purchase of One (1) New 2024 Howard Porter Bullmaster Tri Axle Side Tipper.

Background/Comment

This matter was presented to the Ordinary Meeting of Council held on the 21st June 2023 in which a procedural motion was made requesting more information. The information requested have been included in this report.

As Council is aware this has been due for replacement for some time now. Given the age of the side tipper (2004 model) KN 2111 and the amount that has been spent on it in the past 2 years for repairs, it is felt that now is a good time to trade in this side Tipper and upgrade to a new one.

Side Tipper KN2418 (bought second hand in 2016, age unknown, however, it is a later model than the one that is proposed to be sold) will also need to be replaced sometime in the future.

Given the price of second-hand side tippers, we could receive up to \$30,000, possibly more, for the trade of KN 2111 through auction or private sale.

Whilst there are some differences between the makes of side tippers, both are reputable companies that have been supplying the industry for many years, however, based on the selection criteria it is felt that the availability of the Howard Porter trailer puts them in a position slightly ahead of the one of Bruce Rock Engineering at this point in time.

The selection was based on the following:

- 40% Price
- 20% Availability
- 40% Previous Experience

RFQ Tri Axle Side Tipper – requests sent via email 10 May 2023		
<u>Howard Porter</u> Jarrad Day 0429 223 640 jarrad.day@howardporter.com.au	\$133,000 not incl GST	Avail Feb 24

Bruce Rock Engineering Mitch Lang 0488 083 228 mitch.l@brucerockengineering.com.au	\$145,419.50 not incl GST	Avail Aug 24
Haulmore alan@haulmore.com.au	No Submission	

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

An allocation of \$80,000 changeover was allocated to the 2022/23 Budget for the side tipper changeover. While the cost is more than anticipated, the shire does have some surplus funds from the purchase of the prime movers. This surplus will cover the extra cost for the side tipper.

Strategic Implications

Strategic Community Plan 2022-2032:

4 *“Civic Leadership*

4.1 *Skilled, capable and transparent team*

We are a compliant and resourced Local Government”

Voting Requirement

Simple Majority

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 Proposed Fencing Local Law – Final Adoption

Applicant: N/A
Author: Chief Executive Officer – David Burton
Date: 6 July 2023
Disclosure of Interest: None
Attachments: Proposed Fencing Local Law

RESOLUTION #4176:

Moved: Cr Brett Smith

Seconded: Cr Murray James

That Council –

1. RESOLVES to make the Fencing Local Law as per the attached draft, incorporating amendments outlined by the Department of Local Government, Sport and Cultural Industries;
2. AUTHORISE the President and CEO to sign and affix the Common Seal to the Local Law;
3. AUTHORISE the CEO to –
 - publish the Local Law in the Government Gazette and provide copies of the local law to the Minister for Local Government; and
 - forward a copy of the Gazetted Local Law, explanatory memoranda and associated documentation to the Parliamentary Joint Standing Committee on Delegated Legislation for review.

Carried:9/0

Summary

To consider the final adoption of the Fencing Local Law in accordance with the Local Government Act s.3.12.

Background

The Local Government Act requires the following statements be made in the agenda and minutes of the meeting –

- Purpose – to prescribe a sufficient fence and the standard for construction of fences and create offences for non-compliance.
- Effect – to establish the minimum requirements for fencing, provide for permitted and prohibited fencing, and create offences for non-compliance.

Public notice was given by four methods as required by the Local Government Administration Regulations r.3A, for public comment on the proposed local law.

A notice was placed in the Hyden-Karlgarin Householder Newsletter on 1 March 2023, with the submission period for public comment closing on 18 April 2023. Notice was also given on the Shire's website as required by the Regulations, and in social media, office and library notice boards.

At the close of the submission period, comment had been received from Dept of Local Government, Sport and Cultural Industries –

- Dividing Fences Act 1961 –

The Department noted that as this Act does not provide any head of power for a local law, although referencing local laws on occasion, it can be removed from titles and enabling provisions.

- Australia Standards – reference to Australian Standards is permitted in a local law, however, there are a number of requirements –
 - (a) The full citation of each standard should be used at least once, either in the applicable clause or a suitable definition;
 - (b) The most up-to-date citation should be used.
 - (c) The local law should specify whether the standards are applicable as made from a certain date or whether they are applicable “as amended from time to time”; and
 - (d) The Shire’s website should include information on where a copy of the standard can be freely viewed, either at the Shire office or some other location.

The local law uses Australian Standards in only in the definitions and clause 5.2(4), noting “as amended from time to time”.

The Standard does have to be made available free of charge, but is not required to be held at all times, only made available on request. Accordingly, obtaining the Standard as or when requested satisfies the requirement.

In order to comply with (d), it is suggested that the Local Laws page on the website include the following –

Australian Standards quoted in local laws

Australian Standards (AS or AS/NZS) are sometimes quoted in local laws to provide the basis for industry standards for the matter it relates to.

As noted in the local laws, these may be inspected at the Kondinin office of the Shire, free of charge, during business hours.

Please note, these Standards are copyright to Standards Australia, and accordingly:

- *They are able to be discussed with the relevant employee in person or on the telephone; and*
- *They can be inspected free of charge at the Shire Office*
 - *If we don't hold a current copy of the relevant Standard, we will obtain it for you to view.*

Because the Standards are copyright, we will not:

- *Email quotes of text taken from the Standard; or*
- *Permit photocopying or photos to be taken on a mobile phone etc.*

Should you need a copy of the Standard please contact Standards Australia www.standards.org.au. See their contacts page for an online enquiry form or telephone 1800 035 822 (free call) or 02 9237 6000 or post to GPO Box 476, Sydney, NSW 2001.

None of the suggested changes altered the intent of the provision amended nor placed additional obligations on the community. Accordingly, it is considered that the amendments are not of a significant nature that requires re-advertising.

Once formally adopted by Council, the–

- the local law is to be published in the Government Gazette,
- local public notice given of adoption of the local laws (separate to previous advertising of proposals),
- signed copies are to be sent to Minister for Local Government, and
- copies sent to the Parliamentary Joint Standing Committee on Delegated Legislation together with other required documentation, within 10 days of publication in the Government Gazette.

Please note –

- disallowance of the local law may be made by Parliament, and could take some time depending on sitting days,
- if a provision is not considered to be critical, the JSCDL may require an undertaking from Council to make an amendment,
- the local law takes effect on the day stipulated in the local law, generally 14 days after publication in the Government Gazette.

Statutory Environment

Local Government Act 1995 –

- *s 3.12 – Procedure for making local laws*
- *s.3.13 – Significant changes require recommencement of proposal*
- *s.3.14 – Unless otherwise provided for, local laws come into effect 14 days after Gazettal*
- *s.3.15 – local public notice of the final adoption/making of a local law to be given*

Policy Implications

None to current local laws.

Financial Implications

Advertising of adoption of the local law, publication in Government Gazette etc

Strategic Implications

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

"Goal 4: Civic

4.2 We are a compliant and resourced Local Government."

Voting Requirement

Absolute majority

9.4.2 **GECZ WALGA MEETING MINUTES**

Applicant: Shire of Kondinin
Author: David Burton – Chief Executive Officer
Authorising Officer: David Burton – Chief Executive Officer
Date: 11 July 2022
Disclosure of Interest: Nil
Attachments: Minutes from Meeting

RESOLUTION #4177:

Moved: Cr Kerrie Green

Seconded: Cr Bruce Browning

That the Minutes of the Great Eastern Country Zone Meeting held in Kellerberrin on 20th June 2023 be noted.

Carried:9/0

Summary

This report is for Council to note actions and recommendations from the Great Eastern Council Zone of Western Australian Local Government Association (GECZ WALGA) Meeting held in Kellerberrin on 20th June 2023

Background

GECZ WALGA is our regional representation for matters presented to WALGA or state-wide considerations of WALGA on behalf of the industry.

Comment

The following items were discussed at the WALGA Zone Meeting:

4. GUEST SPEAKERS / DEPUTATIONS

4.1 Water Corporation Presentation.

8. AGENCY REPORTS

- 8.1 Department of Local Government, Sport and Cultural Industries
- 8.2 Wheatbelt Development Commission
- 8.3 RDA Wheatbelt
- 8.4 Main Roads WA.
- 8.5 Water Corporation.

9. MINUTES

- 9.1 GECZ Meeting 17 April 2023
- 9.2 Business Arising.
- 9.3. Executive Meeting 6th June 2023

10. ZONE BUSINESS

- 10.1 Biosecurity and Agriculture Management Act 2007 – Stage 3 Review
- 10.2 Aboriginal Cultural Heritage Act 2021 - Update

11. ZONE REPORTS

- 11.1 Presidents Report
- 11.2 Local Government Agricultural Freight Group
- 11.3 Wheatbelt District Emergency Management Committee

11.4 Regional Health Advocacy Group

11.5 WALGA Roadwise

12. WALGA Business.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Community Plan 2022-2032:

"4. Civic Leadership

RoeROC and Regional Groupings deliver local benefit"

Voting Requirement

Simple Majority

Unconfirmed

9.4.3 **ROEROC MEETING MINUTES**

Applicant: Shire of Kondinin
Author: David Burton – Chief Executive Officer
Authorising Officer: David Burton – Chief Executive Officer
Date: 11 July 2022
Disclosure of Interest: Nil
Attachments: Minutes from Meeting

RESOLUTION #4178:

Moved: Cr Tom Mulcahy

Seconded: Cr Darren Pool

That the Minutes of the RoeROC Meeting held in Corrigin on 15th June 2023 be noted.

Carried: 9/0

Summary

This report is for Council to note actions and recommendations from the Roe Regional Organisation of Councils (RoeROC) Meeting held in Corrigin on 16th June 2023.

Background

RoeROC is the grouping of the Shires of Corrigin, Kondinin, Kulin and Narembeen to look at benefits that can be gained by working collaboratively on projects to deliver in our region.

Comment

The following items were discussed at the RoeROC Meeting:

6. Presentations

6.1 Avon Waste – Contract and Recycling Processing Facility.

7. Matters for Decision

- 7.1 Financial Report
- 7.2 Bending Tip Asset Insurance
- 7.3 Bending Tip Stage 1 Estimated Closure Date
- 7.4 Bending Tip Working Group
- 7.5 RoeROC MOU
- 7.6 Roe Regional Environmental Health Scheme MOU

8. Other Matters

8.1 Public Health Plans Discussion on Joint Projects

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Community Plan 2022-2032:

*"4. Civic Leadership
RoeROC and Regional Groupings deliver local benefit"*

Voting Requirement
Simple Majority

Unconfirmed

9.4.4 **CORPORATE BUSINESS PLAN**

Applicant: Shire of Kondinin
Author: David Burton – Chief Executive Officer
Authorising Officer: David Burton – Chief Executive Officer
Date: 11 July 2022
Disclosure of Interest: Nil
Attachments: Draft Corporate Business Plan

RESOLUTION #4179:

Moved: Cr Brett Smith

Seconded: Cr Tom Mulcahy

That the Corporate Business Plan for 2022-23 to 2025-26 be adopted and added as an attachment to the Strategic Community Plan 2022-2032.

Carried: 9/0

Summary

This report is for Council to adopt the Corporate Business Plan for 2022-2026 as part of the Integrated Strategic Planning and Reporting.

Background

As part of the Strategic Planning and Reporting Framework, Local Governments are required to have a Corporate Business Plan to address how the Shire will meet the requirements of the Strategic Community Plan.

Comment

Rather than having a separate document for the Corporate Business Plan, this draft has been designed to be an attachment to the Strategic Community Plan and work in conjunction with that document. This is to reduce the repetition of the Plans and also make it easier to follow.

The Corporate Business Plan considers items from the other plans, such as the Long-Term Financial Plan and show how and when Council will be looking at following the projects that have come from the Strategic Community Plan.

As part of the Planning and Reporting framework, the Corporate Business Plan also contains a reporting section that will be updated and reported to Council Quarterly to show progress on projects.

While the Strategic Community Plan is for 10 years, the Corporate Business Plan is a shorter term and designed to be done over a 4-year period. This allows the document to be more adaptive to change and what projects are delivered.

Statutory Environment

Local Government Act 1995

Section 5.56:

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.

- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996
19DA

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.

Policy Implications

Nil

Financial Implications

Items in the Corporate Business Plan have been included in the Long-Term Financial Plan, so will therefore be included in budgets as items are progressed.

Strategic Implications

Strategic Community Plan 2022-2023:

4.1 Skilled, capable and transparent team

We are inclusive and our communities feel heard

We engage with the community on key projects and we provide regular, transparent communication”

Voting Requirement

Absolute Majority

9.4.5 ARC LAND ACCESS AGREEMENT

Applicant: Shire of Kondinin
Author: David Burton – Chief Executive Officer
Authorising Officer: David Burton – Chief Executive Officer
Date: 11 July 2022
Disclosure of Interest: Nil
Attachments: ARC License

RESOLUTION #4180:

Moved: Cr Murray James

Seconded: Cr Bruce Browning

That:

- a) The Deed of Variation to the Licence to Use and Occupy Corridor Land (Kondinin) be confirmed as signed by the Shire President and CEO; and
- b) The Shire of Kondinin Common Seal is attached to the final documents.

Carried: 9/0

Summary

This report is for Council to confirm the Deed of Variation to Use and Occupy Corridor Land (Kondinin) and for the affixing of the Shire of Kondinin Common Seal.

Background

The Shire of Kondinin has a Licence to Use and Occupy a strip of land within the rail corridor near Kondinin for the purpose of transferring water from the CBH dam to the ovals for reticulation. The Licence was up for renewal on 30th June 2023 and has been renewed as essential, but the agreement does require the Shire Common Seal.

Comment

In order to ensure that the Agreement did not lapse, confirmation of the extension of the agreement was made with Arc Infrastructure prior to 30th June, but after the June Council Meeting. ARC is happy to establish the new Agreement as attached, but to finalise the Agreement, the Shire Common Seal is required to be affixed.

The continuation of the Agreement is essential to ensure that the water from the CBH dam can be transferred to the other dams for the reticulation of the Kondinin ovals.

Statutory Environment

Local Government Act 1995

Section 9.49A – Execution of Documents.

Policy Implications

Nil

Financial Implications

This agreement does not have any cost impact to the Shire.

Strategic Implications

Strategic Community Plan 2022-2023:

“4. CIVIC LEADERSHIP

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

Voting Requirement
Simple Majority

Unconfirmed

9.4.6 GOURMET IN THE GARDEN / COMMUNITY GARDEN

Applicant: Shire of Kondinin
Author: David Burton – Chief Executive Officer
Authorising Officer: David Burton – Chief Executive Officer
Date: 11 July 2022
Disclosure of Interest: Nil
Attachments: Reconciliations for event and Garden.

RESOLUTION #4181:

Moved: Cr Darren Pool

Seconded: Cr Bruce Browning

That the Report for the 'Gourmet in the Garden' and Community Garden be received.

Carried: 9/0

Summary

This report is for Council to receive a reconciliation of the event 'Gourmet in the Garden' and also the expenses for the Kondinin Community Garden.

Background

The Gourmet in the Garden event has been held for several years and is quickly becoming a major event for the Shire creating a festive event for residents of the district.

The Community Garden was an initiative to use the old Pool facilities in Kondinin to create a stop area and event centre for public use. This has created a stop on the Highway for Kondinin and is used by locals for events and also travellers passing through.

Comment

The Gourmet in the Garden was a successful event for 2023. This year we also tried using the bus to transport Hyden residents to the event, which proved very successful and will be carried forward into the future.

The event (with a Shire contribution of \$2,000) led to a profit of \$863.26 or this could be interpreted that the Shire costs were only \$1,136.74. Most of the decorations for the event are reused, keeping the costs down.

Next year, staff are applying for funding through various other sources to try and enhance the event and reduce the costs further.

Concern has been raised by the Committee for the event about future chef expenses. At the moment, costs are kept low with the Chef costing under \$5,000, but this may be more difficult in the future. Staff are looking at sponsorship to help in covering the costs and ensuring the continuation of the event.

For the Community Garden, expenses were increased this year to \$25,216.47 to allow for the purchase of several items. This included:

Solar Lighting	\$ 4,061.32
Building Maintenance Services	\$ 2,572.50
Landscape Consultancy	\$ 2,272.73
Gourmet in the Garden Expenses	\$11,505.70
General Costs	<u>\$ 4,804.22</u>

\$25,216.47

The full expenditure of the Community Garden also includes expenditure for the 'Gourmet in the Garden', shown as a separate item above.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The Gourmet in the Garden event has an annual allocation of \$2,000 included in the budget to cover Shire contributions to the event, the rest of the costs are covered by the income of the event. As decorations are re-used, the costs are kept to a minimum and items replaced as required or consumables purchased.

Strategic Implications

Strategic Community Plan 2022-2023:

1. *COMMUNITY*

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

We hold well attended local events and activities."

Voting Requirement

Simple Majority

9.4.7 Councillor Training 2022/2023

Applicant: Shire of Kondinin
Author: Leandré Genis- Executive Support Officer
Authorising Officer: David Burton – Chief Executive Officer
Date: 13 July 2023
Disclosure of Interest: Nil
Attachments: Training Report

RESOLUTION #4182:

Moved: Cr Tom Mulcahy

Seconded: Cr Kerrie Green

That the training report for Councillors for 2022/2023 be noted and displayed on the Shire of Kondinin Website.

Carried: 9/0

Summary

To receive the information on Councillors Training for the 2022/2023 Financial Year.

Background

As part of Policy GOV-008 Council Member Continuing Professional Development, there is a requirement for the CEO to keep a record of conferences and training and a report to be prepared each financial year. This report is to be published on the Shire website within 1 month after the end of the Financial Year.

Comment

Since the Elections in 2019, it has been compulsory for Council members to attend training in order to fulfil their obligations under the Local Government Act 1995. As part of this, it is also recommended that Council continue their ongoing professional development by attending training sessions or conferences to gain additional knowledge and better serve their Local Governments.

Statutory Environment

Nil

Policy Implications

Shire Policy GOV-008

Financial Implications

The attendance of training and conferences by Members is expected as part of ensuring Councillors are given the best knowledge to service their Councils. As such, funds are factored into the budget process for this attendance.

Consultation

Council Members

Strategic Implications

The project meets the following objectives of the Shire's Community Strategic Plan 2022-2032:

*"4.1 Skilled, capable and transparent team
Elected member are trained and feel supported*

*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.”*

Voting Requirement

Simple Majority

Unconfirmed

9.4.8 WALGA AGM – LOCAL GOVERNMENT WEEK

Applicant: Shire of Kondinin
Author: David Burton – Chief Executive Officer
Authorising Officer: David Burton – Chief Executive Officer
Date: 13 July 2023
Disclosure of Interest: Nil
Attachments: LG Conference Program

RESOLUTION #4183:

Moved: Cr Beverley Gangell

Seconded: Cr Brett Smith

That:

- 1) registration for the Local Government Week Conference / AGM be completed and accommodation reservations be made at an appropriate location for the following attendees:
 1. Cr Kent Mouritz
 2. Cr Beverley Gangell
 3. Cr Tom Mulcahy
 4. Cr Brett Smith
 5. CEO – David Burton

and;

- 2) voting rights for the WALGA AGM be given to Shire President and Deputy President, with proxies being Cr Tom Mulcahy and CEO/Cr Brett Smith.

Carried:9/0

Summary

To consider the participation of Council Members to the Local Government Week Convention and elect voting delegates for the WALGA AGM

Background

The WALGA Local Government Week Convention and AGM is an annual event showcasing information and exhibited items for Council members. This year, the Convention will be held at Crown Perth from Sunday 17th September to Tuesday 19th September 2023.

As part of the Convention, the WALGA AGM will be held on Monday 18th September from 2pm to 5pm. The Shire will need to nominate voting delegates for the WALGA AGM.

Comment

The WALGA Local Government Week Convention is an excellent opportunity for Council Members to network with other Local Government representatives, receive information or ideas on a variety of topics or from motivational speakers and also keep information about the latest trends in Local Government through the trade exhibitors. Information is readily available for members to peruse and discuss with vendors the practicality of how new approaches could work in their own community.

This year, the venue has returned to Crown Perth, which means members can be accommodated at the same location as the Convention and allow greater social networking outside of the Convention with other Council Members if desired. This year, the Shire of Narembeen is also responsible for the RoeROC Dinner which will include members from the Shires of Corrigin, Kondinin, Kulin and Narembeen.

Costs for the conference are to be confirmed, but generally \$1,200 for a full Delegate.

Accommodation at Crown hotels can be at the following:

Crown Towers	From \$369 per night TBC
Crown Metropol	From \$299 per night TBC
Crown Promenade	From \$219/ \$229 per night. TBC

A range of parking options are available as well.

Other Perth hotels are available, but will require travel to and from the venue.

For the WALGA AGM, two members are to be given voting rights for the meeting. This is usually the President and Deputy President providing that they are attending the conference. If unavailable proxy members are nominated to ensure voting for the Shire.

Statutory Environment

Nil

Policy Implications

Attendance at the WALGA Local Government Week is an approved conference as per Policy GOV-007

Financial Implications

An amount of \$20,000 has been included in the 2023/2024 draft Budget for Conferences, this may not cover all members attending and accommodation pending accommodation costs.

Strategic Implications

Strategic Community Plan 2022-2023

“4. CIVIC LEADERSHIP

4.1 We are a compliant and resources Local Government

External audits and reviews confirm compliance with relevant Local Government legislation.”

Voting Requirement

Simple Majority

9.4.9 ANNUAL PERFORMANCE REVIEW

Applicant: Shire of Kondinin
Author: David Burton – Chief Executive Officer
Authorising Officer: David Burton – Chief Executive Officer
Date: 14 July 2023
Disclosure of Interest: Financial Interest – Wages considered.
Attachments: Report from Consultant will be supplied next week.

All staff left the meeting at 3:53PM.

RESOLUTION #4184:

Moved: Cr Brett Smith

Seconded: Cr Murray James

That Council accept the Report of the Review of the Chief Executive Officer and approve the requested remuneration changes from 1st July 2023.

Carried: 9/0

****CONFIDENTIAL****

Local Government Act 1995

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (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 —
 - (a) a matter affecting an employee or employees; and
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

Leandré Genis & David Burton returned to the meeting at 4:01PM.

9.5 ENVIRONMENTAL HEALTH OFFICER

NIL

9.6 COMMUNITY DEVELOPMENT OFFICER

NIL

9.7 HOUSING & BUILDING COMMITTEE

9.7.1 10 YEAR HOUSING PROGRAMS

Applicant:	Shire of Kondinin
Author:	Manager of Planning and Assets – Tory Young
Responsible Officer:	Chief Executive Officer – David Burton
Disclosure of Interest:	-
Date:	23 rd June 2023
Attachment(s):	Long Term Housing Development Plan – Working Copy 10 Year Housing Maintenance and Capital Work Plan (as amended)

RESOLUTION #4185:

Moved: Cr Bruce Browning

Seconded: Cr Brett Smith

That the 10 Year Housing Maintenance and Capital Works Plan as amended be noted for consideration in the Long-Term Planning for the Shire; and

That the 10 Year Housing Replacement Plan as amended be noted as a working document for consideration in the 2023/2024 Budget and the Long-Term Planning for the Shire with priority given to the WA Country Health Housing.

Carried:9/0

SUMMARY

To provide an update on the current and projected requirements for addressing housing demand in the Shire.

BACKGROUND

At the previous Housing Committee Meeting held on the 29th March 2023 the 10-year Housing Maintenance and Capital Works Plan and the 10 Year Housing Replacement Plan were discussed and endorsed as working documents to inform the Shire's Long-Term Financial Plan. At this meeting, the Committee also resolved that priority be given to WA Country Health Housing.

The reporting officer also presented the following key matters for discussion as a way forward in the 2023/2024 financial year. A summary on the status of these recommendations are outlined as follows:

- 4) *Consider entering an investor partnership with the Western Australia Country Health Services (WACHS) for the construction and/or purchase of up to four (4) dwellings to service staffing demand at Kondinin Hospital;*

This matter was presented to the Ordinary Meeting of Council on the 21st June 2023 and deferred for more information to be provided by the Shire's Administration and reported back accordingly. The matters raised are discussed below.

WACHS requirements

The WACHS information brochure (as attached) outlines the requirements of the WACHS investment partnership detailing the various building scenarios.

The 2 x 2 recommendation of the reporting officer was in response both to guidance from WACHS, site context and in particular the needs of the Kondinin Hospital. Various scenarios can be considered but are to be approved by WACHS before progressing the project.

Community / Private Investment

The matter has been tabled at the Kondinin Community Recreation Council (KCRC) meeting held on the 21st June 2023 for discussion. The KCRC are looking at the possibility of investing in two (2) dwellings via a WA Treasury loan to be constructed on Lot 325 (No. 9) Browning Street, Kondinin owned by the Kondinin Progress Association and ask that the Shire would match their contribution in the construction of two dwellings for WACHS.

- 5) *Consider the construction of an additional dwelling at the vacant lot on No. 39 (Lot 282) Repacholi Parade, Kondinin for Shire employees within the 2023/2024 financial year;*

The Shire own the above lot on Repacholi Parade, Kondinin. The lot lends itself to a 4 x 2 dwelling that can accommodate varying occupancy types that could be expected of Shire employees. Currently a number of the Shire houses are of an age and structural condition that are unable to be easily upgraded to modern standards resulting in on-going maintenance issues. It is considered that the Shire start to construct some new dwellings to commence a replacement and renewal process.

- 6) *Consider the sale of No. 43 (Lot 284) Repacholi Parade, Kondinin*

The processes involved in the disposal of Shire property is prescribed under section 3.58 of the Local Government Act 1995 (the Act). In response to verbal interest for the purchase of No. 43 Repacholi Parade and No. 30 Repacholi Parade, the Shire's Administration have elected to follow due process in accordance with section 3.58(3) of the Act. Under this process before the Council can agree to dispose of the property the proposal needs first to be given public notice which shall include information describing the property, details of the proposed disposition and an invitation for submissions to be made. The Shire are waiting on the written consideration in the purchase of the properties including a purchasing figure before commencing the public notice period. The interest to purchase No. 43 Repacholi Parade, Kondinin has been removed from consideration in the short term.

Other Matters for Consideration

Purchase of No. 39 (Lot 150) Radbourne Drive, Hyden

The Shire have undertaken a valuation on this 2189m² property on Radbourne Drive.

It is proposed that this property be purchased in the 2023-2024 to be developed in subsequent financial years as the need arises.

The sale of No. 30 Repacholi Parade, Kondinin could provide the basis to construct dwelling/s on this property in the 2024/2025 financial year subject to budget considerations and need.

REPORTING OFFICER'S COMMENT

The purpose of this meeting and supporting documentation is primarily for this committee to look strategically at the Shire's housing stock and the housing needs of the broader community and consider the recommendations of this Agenda Report and the Housing Replacement Plan attached to mark out a way forward on this matter.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Nil

FINANCIAL IMPLICATIONS

The proposed program relies on funding being made available and any reduction found in grant funding would impact the proposed programs and the final actual program(s) scheduled.

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022-2032:

"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

2.4 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

9.7.2 10 YEAR BUILDING PROGRAMS

Applicant: Shire of Kondinin
Author: Manager of Planning and Assets – Tory Young
Responsible Officer: Chief Executive Officer – David Burton
Disclosure of Interest: -
Date: 23rd June 2023
Attachment(s): Same as item 9.7.1

RESOLUTION #4186:

Moved: Cr Murray James

Seconded: Cr Darren Pool

That the 10 Year Building Maintenance and Capital Works Plan as amended be noted for consideration in the Long-Term Planning for the Shire.

Carried: 9/0

SUMMARY

To provide an update on the current and projected requirements in the management of some of the Shire's key public buildings.

BACKGROUND

As outlined in the Integrated Planning and Reporting Framework Guidelines, the effective management of assets is crucial to the sustainable delivery of local government services. The Shire's assets need to serve the needs of the community, in alignment with the Strategic Community Plan and the Corporate Business Plan and integrated with the Long-Term Financial Plan. As local governments hold a large portfolio of long-lived assets, it is critical to plan and prioritise the maintenance, renewal and replacement of existing assets and the acquisition of new assets, requiring a long-term "whole of life" view of asset management.

The Shire's Asset Management Plan was adopted by Council at its April 2023 Ordinary Meeting providing overarching guidance to implement strategy including financial capacity (integrated with the Long-Term Financial Plan and the Corporate Business Plan) in respect of providing and maintaining adequate assets for the Shire of Kondinin. With a number of new builds and renewal projects that have been outlined in the Shire's Integrated Planning Framework documents, robust asset planning and costings are paramount to develop an understanding of the long-term costs of the existing asset base to inform budget decisions.

Sound management of assets is an important and integral part of senior management's responsibilities. Part of this responsibility is achieving high quality in the construction, renewal and maintenance of a local government's assets. This assists in achieving high value for money spent, extending the life of important assets and minimizes maintenance and replacement costs.

The Shire aims to work with the local community to ensure that the Shire's assets are commensurate with the needs of the community whilst also being within realistic budget parameters, meeting compliancy and minimizing maintenance and replacement costs. The purpose of this report is to discuss some of the key public assets that require renewal and/or replacement in the short term to meet current functional and compliance considerations.

HYDEN DEPOT

The Hyden Depot comprises a toilet/shower block; a crib room; and single bedroom dongas and associated sheds. The toilet/shower facility is aged and does not meet with modern compliance criteria and not suitable as a shared facility.

The crib room serves its purpose, however there is no storage space and the furnishings and décor require upgrading. The single room bedroom dongas are small and aged and are not suitable for long term occupancy.

As a way to consolidate the public buildings at the Hyden Depot it is proposed that the toilet block, crib room and dongas are demolished to make way for a new crib room with associated toilets, kitchen, communal space and storage and a set of six (6) new 1 x bedroom x 1 x bathroom units. Research and costings are currently being undertaken for modest modular style development.

HYDEN TENNIS CLUB

The Hyden Tennis club building is aged and structural compromised with a leaking roof and cracks in the walls of the kitchen area. A recent inspection by the Shire's Environmental Officer provided the following status on the building

"There are some structural problems in the kitchen, looks like there is a roof leak which has caused some staining on the walls and potentially building wall material degradation, also the ceiling has been identified as asbestos. The adjacent wall has a significant crack in the corner wall junction. There is evidence of rodent infestation and possibly rodents are getting in through the crack in the wall? As a registered food premises there needs to be some work done to repair the walls, leak and targeted pest control management. Alternately could just deregister it and they can use the pavilion kitchen instead?"

Initial feedback from the Hyden Tennis Club was to construct a roof over the existing building and quotes were provided from a local contractor. To follow the Shire's Procurement Policy plans needed to be prepared to enable the Shire to obtain Requests to Quote or Tender. The process was completed and the job awarded. The Shire is still however having difficulty in obtaining structural certification for the new roof. Options were presented to Council to fix the existing box gutter roof, however when presented to Council and the tennis club this was not supported.

Responses to Hyden Sports Precinct survey undertaken in October 2022 noted the following in regards to the Tennis Club Building

- *Important that there are toilets at the Tennis Courts as it is currently unsafe to have children crossing over the car park*
- *Possible structural issues with the kids' room at tennis building as kitchen wall and door moving*
- *Tennis Club Building is a disgrace and needs to be demolished*
- *Most people would be unaware of significant issues with the tennis club building.*
- *Tennis Club building needs a roof ASAP*
- *Tennis Club building will require a re-build in 5 to 10 years*
- *Tennis Club in serious state of disrepair that needs to be addressed*
- *Ramp into tennis club area not very accessible*

As noted above, part of the Shire's responsibility is achieving high quality in the construction, renewal and maintenance of its' assets. It could be argued that the proposed new roof of this building is not addressing this and that other options should be explored. The Shire's Administration is undertaking research into alternative scenarios for the tennis club building to be discussed at this Committee Meeting.

HYDEN RECREATION CENTRE

The purpose of this report is not to engage in any further debate on the upgrades to this building and the timing of this in regards to the proposed Visitor Centre, however not doing any upgrades to this building for another 10 years is concerning in particular in regards to the lack of storage and condition of the men's change rooms. The results of the community survey on the Hyden Sporting Precinct undertaken in October 2022 indicated an overwhelming majority of respondents dissatisfied with the men's change rooms and the storage space not meeting with the expectations and needs of the users.

Given the Shire's responsibility in the management of its existing assets this should still be given some consideration in the short term and not wait another 10 years.

KARLGARIN BOWLING CLUB

The Shire's Recreation Facilities Plan 2021 – 2031 includes the upgrades to the Karlgarin Bowling Club as a medium-term priority. Settlement is almost complete with titles scheduled to be issued by August 2023 to then proceed with an Administrative subdivision to amalgamate the three lots 19, 20 and 21 Federal Street, Karlgarin to one crown lot for the purpose of recreation and bowling green. This will then enable the removal of the existing asbestos building to be replaced with a new modular style club room of around 180m². Project currently at preliminary research stage.

HYDEN GOLF CLUB

The Shire's Recreation Facilities Plan 2021 – 2031 includes the upgrades to the Hyden Golf Club including upgrades to the toilet block and kitchen. Basic maintenance on the building has been undertaken in 2022 including the replacement of the leach drain and the installation of a pressure pump and associated tank to improve the water pressure in the showers. The Golf Club have indicated that they would like adequate showers in both the men's and ladies' toilets and an upgrade to a commercial kitchen.

An inspection by the Shire's Environmental Health Officer has indicated that to make the kitchen a registered food premises would require some changes, however given the scope of what the Golf Club are wanting it is not considered to be too involved.

Upgrades to the toilets and the showers has been inspected by a local builder and is achievable subject to the scope and budget parameters.

UPDATE ON CURRENT PROJECTS

Upgrades to Hyden Swimming Pool Building

Majority of works have been completed. Currently working with the builder, certifier and architect to retrofit the Hyden Youth Base storeroom to accessible toilet and shower and associated pathways and signage to be completed by October 2023 to link to pool building and pool car park.

Upgrades to Kondinin Pavilion

Concept plans and costs prepared and endorsed by community and then Council at its Ordinary Meeting on the 21st June 2023. Project to be undertaken in the 2023 – 2024 and 2024-2025 financial years.

Grants to be submitted by September 2023 by Shire's Administration.

Upgrades to Hyden Tennis Club Building

Preferred tender approved but no works commenced. As discussed above still some uncertainty in the best approach for this building.

REPORTING OFFICER'S COMMENT

The purpose of this meeting and supporting documentation is primarily for this committee to look strategically at the Shire's existing public buildings and consider the recommendations of this Agenda Report and the Plans attached to mark out an agreed way forward.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Nil

FINANCIAL IMPLICATIONS

The proposed program relies on funding being made available and any reduction found in grant funding would impact the proposed programs and the final actual program(s) scheduled.

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022-2032

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

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

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We advocate for improved State Government and Public Housing stock

VOTING REQUIREMENT

Simple Majority

10 BUSINESS OF AN URGENT NATURE

NIL

11 CLOSURE

Meeting closed at 4:41PM.