



SHIRE OF KONDININ

NOTICE OF MEETING

Councillors: Please be advised that the next meeting of the

KONDININ SHIRE COUNCIL

Will be held on Wednesday 21st June 2023 at the

Kondinin Council Chambers

12:30PM Budget Workshop
2:00PM-3:00PM Informal Discussion
3:00PM Ordinary Council Meeting

David Burton
16th June 2023
CHIEF EXECUTIVE OFFICER

11 Gordon Street, KONDININ WA 6367 Tel (08) 98891006
All communications are to be addressed to the CHIEF EXECUTIVE OFFICER
ceo@kondinin.wa.gov.au

STATEMENT OF COMMITMENT TO INDIGENOUS AUSTRALIANS

“The Shire of Kondinin acknowledges that, as we proceed with the development & management of facilities & services within the Shire we give recognition of the distinctive relationship that indigenous people have within the community and encourage a broader understanding & appreciation of indigenous heritage & culture.

The Shire of Kondinin is committed to consultation across all communities in our Shire & we aim for mutual respect to achieve recognition of all cultures.”

SHIRE OF KONDININ QUESTIONS FROM THE PUBLIC

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

- Members of the public should ideally register their attendance and question with the Council before the meeting before the closing of business the day before the scheduled meeting. This can be done;
 - a. In person at the Shire of Kondinin Office (120 Graham St, Kondinin)
 - b. By emailing the Executive Support Officer at eso@kondinin.wa.gov.au
 - c. By phoning the Executive Support Officer on 08 9889 1006
- When registering the following information will need to be supplied for record keeping and future correspondence (if required);
 - a. Name, Address, contact number and Name of Organisation representing (if applicable)
 - b. A written copy of the question to be asked at Public Question Time.
- It is recommended to arrive at the location of the Council Meeting 5 minutes before the commencement of the meeting. If you have not registered in advance it can be completed at this time. However, public members will still be able to attend the meeting and provide the required details if they cannot register in advance.
- The Presiding Member will open Public Question Time and, if necessary, provide a summary of the rules, regulations and procedures of Public Question Time:
 - a. The person asking the question must state their name before asking it.
 - b. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
 - c. To provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Therefore, any preamble to questions should be minimal and no debating on the issue between the Gallery, Councillors or Officers is permissible.
 - d. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
 - e. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order and will not be recorded in the minutes.

- f. Questions from members of the public that do not comply with the Rules of Question Time or do not abide by a ruling from the Presiding Member, or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member or Council, or refuse to abide by any reasonable direction from the Presiding Member, will be ruled 'out of order and the question will not be recorded in the minutes.
 - g. Answers to questions provided in good faith, however, unless reasonable prior written notice of the question is given, answers should not be relied upon as being comprehensive.
 - h. The priority for asking questions shall be 'first' questions on which written notice has been given before the meeting' (that is, before noon on the day immediately preceding the meeting) and secondly, 'questions from the floor.
- Public Question Time is set for a maximum period of 15 minutes and will terminate earlier should no questions be forthcoming.
 - There are circumstances where it may be necessary to place limits on asking questions to give all members of the public a fair and equitable opportunity to participate in Public Question Time. In these events, the Presiding Member will apply the most appropriate limit for the circumstance. Generally, each member of the public shall be provided with a maximum two minutes time limit in the first instance, in which to ask a maximum of two questions (whether these are submitted 'in writing' or 'from the floor). A question may include a request for the tabling of documents where these are relevant to an issue before Council.
 - Should there be time remaining on the initial period for Public Question Time (i.e. 15 minutes) after all members of the public have posed their initial allotment of two questions, the Presiding Member will then allow members of the public to sequentially (by the register) ask further questions (with necessary limits in place as discussed above if required) until the initial period for Public Question Time has expired.
 - Any extension to the initial period for Public Question Time is to be limited to a period that will allow sufficient time for any remaining members of the public to ask their initial allotment of two questions.
 - Where a question (compliant to these rules) is raised and is unable to be answered at the meeting, the question shall be 'taken on notice' with an answer being given at the next appropriate Council Meeting.
 - Where a member of the public submitting a question is not physically present at the meeting, those questions will be treated as an item of correspondence and will be answered in the normal course of business (and not be recorded in the minutes).

**SHIRE OF KONDININ
DISCLOSURE OF FINANCIAL/IMPARTIALITY & PROXIMITY
INTEREST**

To: *Chief Executive Officer*

As required by Section 5.65(1) (a) of the Local Government Act 1995, I hereby declare my interest in the following matters included on the Agenda paper for the Council/Committee meeting to be held on _____(Date).

The type of interest I wish to declare is a: Financial Proximity Impartiality

Item No	Details of Interest

The extent of interest only has to be declared if the Councillor also requests to remain present at a meeting or participate in discussions or the decision-making process (see item 6 below).

Councillor's Signature _____ Councillor's Name _____

Date _____

NB:

- 1 This notice must be given to the Chief Executive Officer before the meeting or at the meeting immediately before the matter in which you have an interest is discussed, Section 5.65(1) (a) & (b).
- 2 It remains the Councillor's responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
- 3 It is a Councillor's responsibility to ensure that the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
- 4 It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. This responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are being confirmed.
- 5 It is recommended that when previewing the Agenda, Councillors mark Agendas with items on which interest is to be declared and complete the declaration form at the same time.
- 6 Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision-making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of Council. Where Councillors request consideration of such approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decided upon the Councillors application.

Remember The responsibility to declare an interest rests with individual Councillors. If Councillors are in any doubt seeking legal opinion, or, to be sure, simply declare in any case.

Penalties for not disclosing an interest apply.

Office Use Only:	Date/Initial
1. Particulars of the declaration given to the meeting	<hr/>
2. Particulars recorded in the minutes	<hr/>
Signed by Chief Executive Officer	<hr/>
Or President (when the declaration belongs to the CEO)	<hr/>

SHIRE OF KONDININ DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Kondinin for any act, omission or statement or intimation occurring during Council/Committee meetings or formal/informal conversations with Staff. Shire of Kondinin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or limitation of approval made by a member or officer of Shire of Kondinin during the course of any meeting is not intended to be and is not taken as notice of approval from Shire of Kondinin. The Shire of Kondinin warns that anyone who has an application lodged with the Shire of Kondinin must obtain and only should rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Kondinin in respect of the application.

Signed on behalf of Council



David Burton

Chief Executive Officer

Order of Business

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Shire President Cr Mouritz read the Statement of Commitment to Indigenous Australians, welcomed those present and declared the meeting open at _____pm.

2. RECORD OF ATTENDANCE/ APOLOGIES/ LEAVE OF ABSENCE

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

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/ INFORMATION REPORT

7.1 MINUTES OF COUNCIL MEETING- 17th May 2023

RECOMMENDATION:

That the minutes of the Council Meeting held on the 17th May 2023, be confirmed.

7.2 MINUTES OF **SPECIAL** COUNCIL MEETING- 24th May 2023

RECOMMENDATION:

That the minutes of the Special Council Meeting held on the 24th of May 2022, be confirmed.

7.3 INFORMATION REPORT- June 2023

RECOMMENDATION:

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

8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

9. ITEMS

9.1 MANAGER OF PLANNING & ASSETS

- 9.1.1 Creation of Two Crown Reserves on Existing UCL Lot 331 Graham Street, Kondinin & Amalgamation with Crown Lot 262 on DP 211790 (Reserve 23660)
- 9.1.2 Proposed Refurbishments of the Kondinin Pavilion
- 9.1.3 Upgrades to Kondinin North CBH Grain Receival Site- Lot 1 on DP542237 Corrigin- Kondinin Road, Kondinin
- 9.1.4 Western Australia Country Health Services (WACHS) Housing Investment Partnership for Kondinin Hospital
- 9.1.5 Four (4) additional accommodation units at Lot 2952 Aylmore Road, Hyden (The Silos)
- 9.1.6 Proposed Depot at Lot 1 (on DP69082) Munday Loop, Hyden

9.2 MANAGER OF CORPORATE SERVICES

- 9.2.1 List of Accounts- May 2023
- 9.2.2 Financial Reports- May 2023
- 9.2.3 Proposed Differential Rates
- 9.2.4 Rates- Sale of Land

9.3 MANAGER OF WORKS

- 9.3.1 Side Tipper

9.4 CHIEF EXECUTIVE OFFICER

- 9.4.1 Allen Rocks Pistol Club
- 9.4.2 Contribution to Lions Club 50th
- 9.4.3 GECZ Minutes
- 9.4.4 Expressions of Interest- Catering Council Meetings 2023/2024
- 9.4.5 Proposed Amendment Local Law

9.5 ENVIRONMENTAL HEALTH OFFICER

9.6 COMMUNITY DEVELOPMENT OFFICER

- 9.6.1 Community Grant Policy Recommendation- COM002

9.7 WORKS COMMITTEE

- 9.7.1 2023/2024 Road Works Programs
- 9.7.2 Plant Replacement 10 Year Program

9.8 SPORTS COUNCIL COMMITTEE

- 9.8.1 Finalising Scope of Hyden Recreation Centre

9.1 MANAGER OF PLANNING & ASSETS

9.1.1 CREATION OF TWO CROWN RESERVES ON EXISTING UCL LOT 331 GRAHAM STREET, KONDININ & AMALGAMATION WITH CROWN LOT 262 ON DP 211790 (RESERVE 23660)

Author: Tory Young, Manager Planning and Assets
Authorising Officer: David Burton, Chief Executive Officer
Date: 1st June 2023
Disclosure of Interest: Nil
Attachments: Aerial and Land Tenure Maps

OFFICER RECOMMENDATION:

That Council;

- a) APPROVES the creation of two (2) Crown Reserves as shown in the attached tenure plan with the lands demarcated in 'blue' to be Managed by DFES with the purpose of "Fire and Emergency Services and all ancillary uses" and the lands shown as 'red' to be Managed by the Shire of Kondinin;
- b) APPROVES that the portion of the new Crown Reserve proposed to be managed by the Shire of Kondinin be amalgamated with adjacent Crown Reserve Lot 262 on DP211790 (Reserve 23640) for the purpose of Municipal Depot as shown in the tenure plans attached.

Summary

This report is for Council to approve the creation of two (2) Crown Reserves on the existing UCL Lot 331 Graham Street, Kondinin to separate the operations of the Department of Fire and Emergency Services and the operations of the Kondinin Shire Depot. The report is also for Council to approve for the Shire's Managed Reserve to be amalgamated with adjacent Crown Reserve Lot 262 on DP211790 (Reserve 23640) for the purpose of Municipal Depot to streamline the management of the Kondinin Shire Depot reflective of the land use and zoning under the Shire's Local Planning Scheme No.1.

Background

Lot 331 Graham Street Kondinin is an Unallocated Crown Lot currently occupied by both the Department of Fire and Emergency Services and the Shire of Kondinin undertaking their respective operations.

Initial discussions were held between the Shire of Kondinin and the Department of Lands, Planning and Heritage Services for the UCL Lot 331 to remain as one and a Management Order to be placed on the Lot to formalise the shared access and use of the land by both the Shire and the Department of Fire and Emergency Services.

Since these early discussions, the Department of Fire and Emergency Services have proposed their preference for a portion of Lot 331 Graham Street, Kondinin to be excised with an exclusive Management Order for the sole purpose of the Department of Fire and Emergency Services.

A site visit was held on the 6th of October 2022 with representatives from the Department of Fire and Emergency Services and their representing consultants and the Shire of Kondinin Administration where matters of vehicle and service access were discussed. Factoring in these considerations the boundaries for the proposed Department of Fire and Emergency Services portion of the land tenure proposal has been formulated as attached to this Agenda Report.

The Council at its Ordinary Meeting held on the 26th of October 2022 considered the matter and resolved it as follows:

- (a) *ACCEPTS in principle the land assembly proposed by the Department of Fire and Emergency Services as shown in the attachment to this Agenda Report; and*
- (b) *REQUESTS that a scaled copy of the land assembly is forwarded to the Shire of Kondinin from the Department of Lands, Planning and Heritage before being finalized.*

Following this resolution, the Department of Planning, Lands, and Heritage have been progressing with a proposal submitted by ACORPP acting on behalf of the Department of Fire and Emergency Services. ACORPP has requested to excise a portion of Unallocated Crown Land (UCL) Lot 331, Graham Street, Kondinin to grant Management Order to DFES for the purpose of “Fire and Emergency Services and all ancillary uses”. ACORPP provided the Shire Resolution above, showing the Shire of Kondinin accepting an in-principle land assembly proposed by DFES for a Crown Reserve to be created over the remaining balance of UCL Lot 331 with Management granted to the Shire.

The Department of Planning, Lands and Heritage is now requesting the Shire of Kondinin provide a Council Resolution for the approval to create two (2) Crown Reserves, the lands shown as ‘blue’ to be Managed by DFES with the purpose of “Fire and Emergency Services and all ancillary uses” and the lands shown as ‘red’ to be Managed by the Shire of Kondinin. In discussions with the Department of Planning, Lands and Heritage, the Shire of Kondinin would also like to utilize this opportunity for the proposed Shire Managed Reserve to be amalgamated with adjacent Crown Reserve Lot 262 on DP211790 (Reserve 23640) for the purpose of Municipal Depot to streamline the management of the Kondinin Shire Depot reflective of the land use and zoning under the Shire’s Local Planning Scheme No.1.

Statutory Environment

Land Administration Act 1997

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

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

“4. CIVIC LEADERSHIP

4.2 We are a compliant and resourced Local Government”

Voting Requirement

Simple majority

9.1.2 PROPOSED REFURBISHMENTS OF THE KONDININ PAVILION

Author: Tory Young, Manager Planning and Assets
Authorising Officer: David Burton, Chief Executive Officer
Date: 13th June 2023.
Disclosure of Interest: Nil
Attachments: Plan for Refurbishments of the Kondinin Pavilion
Costings for Refurbishments of the Kondinin Pavilion
Letter from Kondinin Community Recreation Council

OFFICER RECOMMENDATION:

That Council:

1. RESCINDS the resolution of Council #3966 made at the Ordinary Meeting held on the 20th of July 2022 relating to the upgrades to the Hyden Recreation Centre;
2. SUPPORTS the total Local Roads and Community Infrastructure Phase 4 Funding allocation of \$543,234 to go towards refurbishments to the Kondinin Pavilion in the 2023/2024 and 2024/2025 financial years;
3. ACCEPTS the Concept Plans and associated Quantity Surveyor Report as attached to guide the scope and costings of the refurbishments to the Kondinin Pavilion to be undertaken in the 2023/2024 and 2024/2025 financial years;
4. SUPPORTS a contribution of up to \$200,000 in consultancy fees for the refurbishments of the Kondinin Pavilion in the 2023/2024 financial year;
5. SUPPORTS a contribution of up to \$500,000 towards the refurbishments of the Kondinin Pavilion over the 2023/2024 and 2024/2025 financial years;
6. AUTHORISES the Shire's Chief Executive Officer to apply for funding in the CSRFF forward funding round that closes in September 2023 for refurbishments to the Kondinin Pavilion;
7. ACCEPTS the offer from the Kondinin Community Recreation Council for a contribution of \$300,000 towards the refurbishments of the Kondinin Pavilion as outlined in the letter attached.

SUMMARY

This report seeks approval from Council to support budget and grant allocations to be included in the 2023/2024 and 2024/2025 financial years to complete the refurbishments of the Kondinin Pavilion.

The recommendation is also for Council to rescind the motion for the allocation of Phase 4 of the Local Roads and Community Infrastructure (LRCI) Funding to the Hyden Recreation Centre. This is consistent with subsequent resolutions of the Sports Council Committees held on the 22nd of August 2022 and 17th of May 2023 advising Council not to proceed with the application of any grant funding on the Hyden Recreation Centre project until a firm direction for the project is resolved and a cash contribution towards the project is committed from the community and/or Hyden Sports Council.

Without this direction, the Shire's Administration simply does not have the required information to prepare a grant application or finalise a cash contribution from Council to progress the project. Notwithstanding this, the Shire's Administration is committed to continue working with the architects, the Hyden Sports Council and the broader community to ensure that the facilities offered at the Hyden Sports Precinct are commensurate with the needs of the community and compliant with modern building standards within achievable budget parameters.

BACKGROUND

The Kondinin Pavilion was first constructed in 1977 which largely comprised change rooms and a small kitchen area to support football and cricket played at the oval directly east of the building. The building underwent extensions in 1993 to create a small function area to broaden the use of the facility. The building has served its purpose well, however in recent times it has become apparent that the building requires alterations and additions to improve its functionality and to meet modern standards and expectations and better align with the developing one-day sport concept.

In 2021 the Shire of Kondinin undertook a review of its Sport and Recreation Facilities Plan. During the preparation of this document, the Kondinin community identified the need to undertake a basic upgrade to the Kondinin Pavilion to address issues with a leaking roof and to improve the functionality of the space that better meets modern standards. The upgrades to the Kondinin Pavilion were included in the updated Sports and Recreation Facilities Plan 2021 – 2031 endorsed by the Council on the 16th of June 2021 and the amended version endorsed on the 16th of March 2022. The Plan proposed works to be undertaken at the Kondinin Pavilion in the medium term with concept planning to commence in the short term.

Following the engagement of a consultant, the Returned Brief for the Proposed Refurbishments of the Kondinin Pavilion was endorsed by Council at its Ordinary Meeting on the 16th of November 2022.

A community meeting was held with the architects, the Kondinin Community Recreation Council and representatives from all local community and sporting groups on the 27th of February 2023 to discuss the concept design for the proposed upgrades to the Kondinin Pavilion. The meeting was well attended and the feedback received was developed into the current plans and scope that are attached to this report.

At the Sports Council Committee held on the 17th of May 2023 the matter of the upgrades to the Kondinin Pavilion was considered and it was resolved as follows:

1. *RECEIVE the current plans and associated indicative costings for the extension to the Kondinin Sports Pavilion for discussion;*
2. *The Sports Council Committee REQUESTS the Kondinin Community Recreation Council provide a maximum cash contribution figure towards the project to the Shire's Chief Executive Officer accordingly; and*
3. *The Sports Council Committee REQUESTS the Kondinin Community Recreation Council provide a final scope for the proposed extensions to the Shire's Chief Executive Officer to progress the project.*

In response to the above resolution, a letter was received from the Kondinin Community Recreation Council confirming the scope of the project to include the hockey change rooms and timekeeper's box and confirmation of a cash contribution of up to \$300,000.

The Shire's Administration has been working in close collaboration with the architect, the Kondinin Community Recreation Council and the local community to develop the plans and costings for this project. Through this process the scope developed addresses both the needs of the community to maximise the use of the building both for sporting and other community purposes together with addressing modern compliance standards including universal access toilets and a functional compliant kitchen. In addition, the replacement of the roof and upgrades to electrical and plumbing utilities will provide a structurally sound and functioning building to mitigate ongoing maintenance issues in the medium to long term.

On finalisation of potential grant funding the Shire would look to re-engage the architect to finalise the construction plans and associated documentation to go out to tender in early 2024 so as to be ready to commence works by July 2024 and completion by June 2025.

STATUTORY ENVIRONMENT

- Local Government Act 1995
- Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Shire of Kondinin Policy # Fin 002 – Purchasing

Shire of Kondinin Policy # FACS 003 – Sporting Club and Amenity

PUBLIC CONSULTATION

- Regular consultation with Kondinin Community Recreation Council through the planning stage
- Community Engagement in preparation of Recreation Facilities Plan 2021 – 2031
- Community Workshop held in February 2023 seeking feedback from community and sporting group representatives
- Kondinin Community Recreation Council Meeting held in May 2023

FINANCIAL IMPLICATIONS

The final cost contribution from Council will be dependent on securing grant funding to a maximum of \$700,000 over the 2023/2024 and 2024/2025 financial years.

Total Local Roads and Community Infrastructure Phase 4 funding of \$543,234 is proposed to be allocated to the project which must be acquitted by June 2025.

STRATEGIC IMPLICATIONS

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"

Supports the following section of the Shire's Sport and Recreation Facilities Plan:

Facility Planning

Since the initial workshops, the Shire of Kondinin and sports clubs have developed the following list of short-term (1-2yrs), medium-term (3-5yrs) and long-term (5yrs plus) significant facility projects.

Short term	E	Kondinin Pavilion Plan	Design for improvements at the pavilion	Shire of Kondinin Community Recreation Council
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Medium-term	E	Kondinin Pavilion improvements	Pavilion improvements	Shire of Kondinin Community Recreation Council
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VOTING REQUIREMENT

Simple Majority

9.1.3 UPGRADES TO KONDININ NORTH CBH GRAIN RECEIVAL SITE – LOT 1 ON DP542237 CORRIGIN-KONDININ ROAD, KONDININ

Author: Tory Young, Manager Planning and Assets
Authorising Officer: David Burton, Chief Executive Officer
Date: 13th June 2023
Disclosure of Interest: Nil
Attachments: Plans

OFFICER RECOMMENDATION:

That the application for development approval submitted by Co-Operative Bulk Handling to install a Grid, Augur Pit and 500tph Conveyor Loading System to service OBH 03 and OBH 04 at its existing grain handling and storage facility on Lot 1 Corrigin-Kondinin Road, Kondinin 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; and
2. CBH shall implement appropriate dust management measures to minimize dust nuisance with particular emphasis on ensuring that the operational efficiency and safety of the nearby Kondinin airport are not compromised.

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 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 noise generated by any activities on-site, including machinery motors or vehicles, shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
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. An application must be submitted within 28 days of the determination.

SUMMARY

This report recommends that Development Application submitted by Co-operative Bulk Handling (CBH) to install a Grid, Augur Pit and 500tph Conveyor Loading System to service OBH 03 and OBH 04 at its existing grain handling and storage facility on Lot 1 Corrigin-Kondinin Road, Kondinin be approved subject to conditions.

BACKGROUND

Co-operative Bulk Handling (CBH) is seeking Council's planning approval to install a Grid, Augur Pit and 500tph Conveyor Loading System to service OBH 03 and OBH 04 at its existing grain handling and storage facility on Lot 1 Corrigin-Kondinin Road, Kondinin to meet future and current demands for handling grain at the Kondinin North Site.

DEVELOPMENT ASSESSMENT

Lot 1 is located just north of the Kondinin town site immediately east of Corrigin-Kondinin Road, south of Notting-Karlgarin Road and west of the Kondinin-Bendering railway line and Kondinin Airport beyond. The subject land is rectangular in shape and comprises a total area of approximately 34.315 hectares.

Lot 1 has been extensively cleared and is used for purposes associated with CBH's existing grain handling and storage facilities (i.e. sheds, open grain storage bulkheads, conveyors, weighbridge, surface water drainage management, ablution and other staff facility buildings and numerous internal access roads). Vehicle access is facilitated via an existing sealed, kerbed and drained crossover along the land's Corrigin-Kondinin road frontage.

It is noted that a Traffic Impact Assessment and a Stormwater Management Plan have not been included as attachments to this application noting no additional storage capacity or hardstand areas are proposed. It is acknowledged that CBH will be lodging a development application in the coming months for development approval for the two temporary storage bulkheads for an additional site capacity of 64,680 tonnes. The Shire has requested that a Traffic Impact Assessment and a Stormwater Management Plan be submitted as part of this future development application by September 2023 to ensure that both temporary bulkheads have permanent approval by December 2023.

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

- i) The Kondinin North CBH facility is currently serviced by one fixed grid and two Drive Over Grids (DOGs) servicing OBH 03/04 and TBH 05/06. The proposed solution is to install a Grid, Auger Pit and 500tph Conveyor Loading System (CLS) (x 250m) to service OBH 03 and OBH 04 to meet future and current demands for handling grain at the Kondinin North site.
- ii) The proposed structures will have a setback of 150 metres from the land's western boundary (i.e. the land's Corrigin-Kondinin Road frontage), a setback of approximately 170 metres from the land's southern side boundary and a setback of approximately 200 metres from the Kondinin airport runway to the east.

Local Planning Scheme No.1

Lot 1 is classified 'Rural' zone under the Shire of Kondinin's current operative Local Planning Scheme No.1 (LPS No.1).

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

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

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

- i) It is directly associated with and will support the continuation of broad-hectare farming in the district;
- ii) It will be of significant benefit to the district and will not be detrimental to any natural resources or the environment; and
- iii) It represents a logical expansion to the existing approved grain handling and storage facility on the land.

The proposed development and use of the land is most appropriately defined in TPS No.1 as a 'industry – primary production' which is a 'D' use under the Shire's Local Planning Scheme No.1 meaning that the development may be approved by Council if it is generally satisfied that it is consistent with the broader principles of proper and orderly planning, the provisions and standards contained in LPS No.1 and any other planning considerations the local government deems relevant in the circumstances.

A detailed assessment of the proposal in the context of the relevant planning criteria and standards contained in LPS No.1 concludes that it is generally acceptable for the following reasons:

1. The proposed works constitute a simple addition and upgrade to the existing approved use of the land for 'industry – primary production purposes;
2. The nature and scale of the proposed works are consistent with all existing approved development on the site;
3. Current vehicle access arrangements to the site will remain unchanged and are in accordance with Main Roads WA standards and requirements;
4. The proposed boundary setbacks satisfy the specific requirements of LPS No.1; and
5. The bulk and scale of the proposed works are unlikely to have a detrimental impact on the character or amenity of the immediate locality.

Conclusion

It is concluded from a detailed assessment of the application that CBH's proposal to install a Grid, Augur Pit and 500tph Conveyor Loading System to service OBH 03 and OBH 04 its existing grain handling and storage facility on Lot 1 Corrigin-Kondinin Road, Kondinin 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

- Environmental (Noise) Regulations 1997.

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Whilst not mandatory, the proposal was advertised in the locality from 15th May to the 2nd June 2023 with no comments received. A referral was also made to Main Roads WA who had no issues or comments on the proposal.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022-2032:

"2. ECONOMY

1.1 Support the diverse industry across the Shire"

VOTING REQUIREMENT

Simple Majority

9.1.4 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: 11th June 2023
Disclosure of Interest: Nil
Attachments: Business Plan; Aerial Plans

OFFICER RECOMMENDATION:

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 report 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.

SUMMARY

For Council to approve proceeding 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

In recent years the Shire of Kondinin has been approached by various public and private entities in relation to the provision, management and access to housing, particularly in the town site of Kondinin. Changing demographics of workers, with more choosing to 'drive in and drive out' and the reduction in government and private entities wishing to construct and own housing stock in the regions, together with volunteer fatigue in local community groups, has resulted in heightened emphasis being placed on regional local government authorities to invest in providing housing stock to support their local communities.

These matters have been raised at the last two Housing Committee Meetings in which it was agreed that addressing the need to accommodate staff at the Kondinin Hospital was a priority as illustrated in the following resolution from the Committee Meeting held on the 29th March 2023.

"RESOLUTION

Moved: Cr Bruce Browning

Seconded: Cr Tom Mulcahy

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

That the 10-Year Housing Replacement Plan and 10-Year Draft Shire Building Forward Plan be noted as working documents for consideration in the 2023/2024 Budget and the Long-Term Planning for the Shire with priority given to WA Country Health housing. Carried: 4/0."

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 are not proposed in the short or medium term, together with the two Government Regional Officer Housing (GROH) houses on Young Avenue recently 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 remains 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 recommends that the construction of two (2) 2-bedroom x 2-bathroom dwellings is fiscally achievable at this point in time to support the needs of the Kondinin Hospital.

The Shire's Administration has sourced indicative costings for the construction of 2-bedroom x 2-bathroom dwellings with a floor area of around 102m² in both brick and modular styles. Both are estimated at between \$400,000 to \$430,000 (excl. GST) which includes site works, landscaping and building certification.

Recommended Way Forward

Representatives from WACHS and the Kondinin Hospital attended Discussion Period at the 15th February 2023 Ordinary Meeting of Council to outline the needs of the Kondinin Hospital and provided an outline of the Country Health Housing Investor Partnership Program. Since this meeting, the Shire's Administration has been in contact with WACHS and other Shires looking at this same model and considering 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

9.1.5 FOUR (4) ADDITIONAL ACCOMMODATION UNITS AT LOT 2952 AYLMORE ROAD, HYDEN (THE SILOS)

Author: Tory Young, Manager Planning and Assets
Authorising Officer: David Burton, Chief Executive Officer
Date: 10th June 2023.
Disclosure of Interest: Nil
Attachments: Plans

OFFICER RECOMMENDATION:

That the application for development approval for the proposed four (4) x two (2) bedroom transportable accommodation units on Lot 2952 Aylmore Road, Hyden by APPROVED subject to compliance with the following conditions and advice notes;

CONDITIONS

1. The development shall be undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council;
2. Due regard to all recommendations of the Bushfire Attack Level Assessment Report dated 23rd October 2017, including:
 - a) That the proposed buildings be constructed in accordance with the assigned BAL rating of 12.5;
 - b) That the Bushfire Survival Plan be updated to include the additional transportable building;
 - c) That the Bushfire Attack Level Assessment Report be amended to include reference to the proposed new four (4) transportable buildings;
3. A completed Certified Building Permit must be submitted to and approved by the Shire of Kondinin and shall include detailed plans of the proposed four (4) x two (2) bedroom transportable building showing fit-out details and specifications of all works and compliance with all the necessary requirements of the BCA, including but not limited to the following items:
 - a) Structural certification including footing details;
 - b) The submission of an Energy Assessment Report;
 - c) Hard-wired smoke alarms to each compartment and interconnected with light incorporated; and written confirmation of compliance with BAL report dated 23rd October 2017;
 - d) Electrical and Plumbing Compliance is required for the installation of the transportable buildings;
4. An application to install an apparatus for the treatment of sewage in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste)

5. Regulations 1974 is required to be submitted to the Department of Health and the Shire of Kondinin for approval to install the septic tank/s as required prior to the issuing of a Building Licence.
6. All works must comply with Part 8 of the Shires Health Local Laws 2016, including an updated Lodging House Registration and any other relevant requirements relating to Environmental Health;

ADVICE NOTES

- a) 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;
- b) This is a development approval only and not a building permit or 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;
- c) 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.

SUMMARY

This report recommends that the four (4) accommodation units proposed to be constructed on Lot 2952 Aylmore Road, Hyden to expand the existing short-term accommodation premise (The Silos) be approved subject to conditions.

BACKGROUND

Development Approval at this site was first issued in 2017 for a change of use from abattoir to holiday accommodation comprising two (2) transportable buildings each containing four (4) single-bedroom units for guest accommodation and the conversion of existing buildings for associated guest facilities. Following initial development, one (1) additional transportable building with four (4) independent living compartments was issued approval and since constructed together with a 'nature-based park' which was approved as a separate operation on the north-western portion of the site.

This proposal for a further four (4) x two (2) bedroom accommodation units with kitchenette and bathroom is a further intensification of the site to match the increasing demand for short-stay accommodation in the region.

TOWN PLANNING ASSESSMENT AND CONSIDERATIONS

Lot 2952 Aylmore Road is located 3km south-east of the Hyden town site in close proximity to Wave Rock bounded by broad acre farming to its southern, eastern and western boundaries and the Hyden-Lake King Road to the north. The subject land is rectangular in shape and comprises a total area of approximately 16.863 hectares and extensively cleared with native vegetation remaining around its boundaries and pocketed throughout the nature-

based park.

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

- i. The construction of four (4) 42sqm transportable accommodation units comprising two (2) bedrooms, one (1) bathroom and a kitchenette;
- ii. The proposed accommodation units will have a setback of 196m metres from the eastern boundary, a setback of approximately 102 metres from the land's northern boundary along the Hyden-Lake King Road and a setback of approximately 250 metres from the boundary to the south.
- iii. The proposed accommodation units are to be positioned in a semi-circle configuration each approximately five (5) meters apart and approximately 130m from the existing accommodation units and associated infrastructure and approximately 160m from the nature-based park to the south of the site.

Local Planning Scheme No.1

Lot 2952 Aylmore Road is classified 'Rural' zone under the Shire of Kondinin's current operative Local Planning Scheme No.1 (LPS No.1).

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

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

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

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

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

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

- 1) The proposed works constitute an addition to an existing approved use of the land for holiday/workers' accommodation;
- 2) The nature and scale of the proposed works are consistent with all existing approved development on the site;
- 3) Current vehicle access arrangements to the site will remain unchanged and are in accordance with Main Roads WA standards and requirements;
- 4) The proposed boundary setbacks satisfy the specific requirements of LPS No.1.

- 5) The bulk and scale of the proposed works are unlikely to have a detrimental impact on the character or amenity of the immediate locality; and
- 6) No submissions were received objecting to the development during the public advertising period.

Conclusion

It is concluded from a detailed assessment of the application the proposal to construct an additional four (4) accommodation units at the existing short-stay accommodation premise (The Silos) will complement the existing infrastructure on the site and is unlikely to have a negative impact on the general amenity, character, functionality of the locality and may therefore be approved by Council. It is therefore recommended that Council exercise its discretion and grant conditional approval to the application.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022-2032:

"2. ECONOMY

2.1 Support the diverse industry across the Shire"

VOTING REQUIREMENT

Simple Majority

9.1.6 PROPOSED DEPOT AT LOT 1 (ON DP69082) MUNDAY LOOP, HYDEN

Author: Tory Young, Manager Planning and Assets
Authorising Officer: David Burton, Chief Executive Officer
Date: 14th June 2023
Disclosure of Interest: Nil
Attachments: Plans

OFFICER RECOMMENDATION:

APPROVE the proposed depot comprising a shed and associated parking and loading areas at Lot 1 Munday Loop, Hyden 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;

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. Any further expansion of the site that increases operations to the parking or garaging of three (3) or more commercial vehicles changes the use type to 'Transport Depot', which is currently a prohibited use under the Shire's Local Planning Scheme No.1;
3. This is a development approval only and not a building permit or 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;
4. Lot 1 Munday Loop has been designated by the Fire and Emergency Services Commissioner as being bushfire prone. Unless exempt a Bush Fire Attack (BAL) Assessment shall be arranged by the proponent and all recommendations of the BAL Assessment adhered to in the operations of the proposed facility;
5. 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.

SUMMARY

This report recommends that the proposed depot comprising a shed and parking, access and loading areas at Lot 1 Munday Loop, Hyden for transport operations be approved subject to conditions.

BACKGROUND

Lot 1 Munday Loop, Hyden is located within the industrial area of Hyden approximately 1.5km west of the Hyden town site. The subject land is rectangular in shape comprising a total area of approximately 4321m². It has been partially cleared for internal access ways with large portions of low-lying vegetation remnant across the majority of the lot.

PLANNING ASSESSMENT AND CONSIDERATIONS

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

- i. The construction of a 15m x 7m x 4m enclosed lockable shed on the south-eastern corner of the site;
- ii. Parking, access and loading areas for the loading and unloading of vehicles.

Local Planning Scheme No.1

Lot 1 Munday Loop, Hyden is classified as 'Urban Development' under the Shire of Kondinin's current operative Local Planning Scheme No.1 (LPS No.1).

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

- *To allow for a variety of uses such as may be found in a small country town but subject to the preservation of local amenities and character.*
- *To allow a variety of uses in the zone.*

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

- i. It will allow for new land use within the industrial area of Hyden whilst preserving the local amenity and character of the area; and
- ii. It will enable the diversity of land uses in this industrial area of Hyden supporting local businesses.

The proposed development and use of the land are most appropriately defined in the Shire's LPS No.1 as a 'Industry – Light which is a 'D' use under the Shire's Local Planning Scheme No.1 meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval.

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

- 1) The proposed works are consistent with the immediately surrounding land uses in the locality and compatible with the surrounding industrial land uses;
- 2) The nature and scale of the proposed works are not deemed to impact the local environment or character of the locality;
- 3) Proposed vehicle access arrangements are appropriate to the site and will not be detrimental to local traffic movement;
- 4) The proposed boundary setbacks satisfy the requirements of LPS No.1; and
- 5) The proposal is not considered to cause any water runoff or flooding issues.

Conclusion

It is concluded from a detailed assessment of the application the proposal to operate a depot comprising a shed and associated loading and unloading areas is compatible with the surrounding land uses and is unlikely to have a negative impact on the general amenity, character, functionality of the locality and may therefore be approved by Council. It is therefore recommended that Council exercise its discretion and grant conditional approval to the application.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

N/A

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022-2032

"2. ECONOMY

2.1 Support the diverse industry across the Shire"

VOTING REQUIREMENT

Simple Majority

9.2 MANAGER OF CORPORATE SERVICES

9.2.1 LIST OF ACCOUNTS

Applicant: Shire of Kondinin
Author: Vince Bugna, Manager Corporate Services
Disclosure of Interest: Nil
Date: 7th June, 2023
Attachment(s): List of Accounts 01/05/2023 to 31/05/2023

OFFICER RECOMMENDATION:

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

• Municipal Fund payment cheque numbers 19319 to 19326	= \$ 47,574.76
• Municipal EFT16869 – 17010	= \$ 659,372.95
• Direct Debits – Transport – Hyden Office	= \$ 15,177.60
• Direct Debits – Transport – Kondinin Office	= \$ 18,015.75
• Direct Debits – Credit Cards DD19969.1	= \$ 898.29
• Direct Debits – Other	= \$ 47,463.63
• EFTPOS Merchant Fees	= \$ 1,253.64
• Bank Fees – NAB Connect & Tyro	= \$ 151.16
• Payroll	= \$ 116,869.25
TOTAL	= \$ 906,777.03

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- MAY 2023**

Applicant: Shire of Kondinin
Author: Vince Bugna, Manager of Corporate Services
Disclosure of Interest: Nil
Date: 14th June 2023
Attachment(s): Monthly Financial Report for the period ended 31 May 2023

OFFICER RECOMMENDATION:

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

SUMMARY

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

Item	Reference
<ul style="list-style-type: none"> • Cash at Bank <p>The Shire’s total cash as of 31st May 2023 was \$6,099,900 comprising the \$3,297,827 in cash-backed reserves (restricted); \$20,510 in Trust account (restricted); \$48,059 LCDC funds; \$1,062,686 Term deposit investments; \$6,102 ODCF and \$1,664,715 Muni operating funds.</p>	<p>Page 09 – Note 6 Cash and Financial Assets</p> <p>Page 10 – Note 7 Reserve Accounts</p>
<ul style="list-style-type: none"> • Receivables <p>Rates and Rubbish – net collectable as of 31st May 2023 was \$253,702 equivalent to 7%.</p> <p>Other receivables (Sundry Debtors) – a total of \$224,285 comprising \$103,299 GST input, \$48,420 Hyden Tennis Club contribution, \$17,505 HPA SSL and other minor receivables combined.</p>	<p>Page 16 – Note 10 Receivables</p>
<ul style="list-style-type: none"> • Grants, Subsidies and Contributions <p>Operating grants – 100% collected as of 31st May 2023, Major payments came from the Grants Commission four quarters allocation for roads and general purposes as well as the MRWA direct grant for road maintenance.</p> <p>Capital grants – 42% as of 31st May 2023, Major sources came from the Wheatbelt Secondary Freight Network (WSFN) grant, Roads to Recovery (R2R) and MRWA Regional Road Group (RRG) capital projects grant.</p>	<p>Page 21 – Note 15 Grants, subsidies and contributions</p> <p>Page 22 – Note 16 Capital grants, subsidies and contributions</p> <p>Page 07 – Key Information - Grants, Subsidies and Contribution</p>
<ul style="list-style-type: none"> • Closing Funding Surplus/(Deficit) <p>YTD actual is \$1,907,231 – composed of \$6,607,858 Current Assets less \$1,205,738 Current Liabilities and \$3,494,890 Net Adjustments to Net Current Assets.</p>	<p>Page 05 – Note 2 Statement of Financial Activity Information</p> <p>Page 2 – Statement of Financial Activity</p>

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

VOTING REQUIREMENTS

Simple Majority

9.2.3 PROPOSED DIFFERENTIAL RATES

Applicant: Shire of Kondinin
Author: Executive Support/ Rates Officer - Leandr  Genis
Authorising Officer: Manager Corporate Services – Vince Bugna
Date: 6th June 2023
Disclosure of Interest: Nil
Attachments: Nil

OFFICER RECOMMENDATION:

That Council:

Apply to the Minister for Local Government pursuant to Section 6.33(3) of the Local Government Act, 1995 seeking approval to apply the proposed differential rate between (UV) mining tenements and (UV) rural and the proposed minimum rates, advising the Minister that no objections were received within the public consultation process.

Summary

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, more than double the general UV Rate that applies to farmland. We advertised in the newspapers (Saturday, West Australian, May 20th and Narrogin Observer, Thursday, May 25th) and placed a notice on the Shire website calling for any objections to the proposed rates and the minimum payments. No objections or comments were received by the closing date (Wednesday 14th June, 4 pm).

Background

Due to the increase in unimproved values across the farming and mining areas of the Shire, we were able to decrease the rate in the dollar for both areas. With the decrease in the rate of the dollar, we are still able to have a modest rate of revenue increase. Council now need to apply to the Minister for Local Government for approval to impose a differential general rate more than twice the lowest general rate imposed by it and to approve the minimum payment proposed.

Land Category	Rate – cents in the dollar (\$)	Minimum Payment \$
GRV – Town Sites	12.6840	460
GRV – Mining	25.3937	460
UV – Mining	27.0497	460
UV – Rural	1.1395	460

Statutory Environment

Local Government Act 1995, section 6.33(3), section 6.35

Policy Implications

Nil

Financial Implications

The outcome of this recommendation will allow council to move forward with the Budget to be presented.

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 Requirement

Simple Majority

9.2.4 RATES- SALE OF LAND

Applicant: Shire of Kondinin
Author: Executive Support/ Rates Officer
Authorised: Manager of Corporate Services- Vince Bugna
Date: 8th June 2023
Disclosure of Interest: Nil

OFFICER RECOMMENDATION:

1. That Council proceeds to sell A182 – Lot 227, 18 Howlett Street Kondinin, arrears of 3 or more years, and recover from the proceeds of sale the outstanding balances which total \$11 401.07;
2. That Council do not enter into any agreement as per Section 6.69 (2) of the Local Government Act 1995 for the listed property.

Summary

For Council to consider further action for this property with rates outstanding beyond 3 years.

Background

There is currently 1 property that has rates outstanding by three or more years for which it has not been possible to enter into acceptable and successful arrangements for the payment of the balance owing. In this instance, a written notification has been directed to the last known postal address of the ratepayer and the property advising that it will be our intention to refer the matter to Council with a recommendation to sell the property in order to recover the outstanding balance.

The property that has rates currently in arrears by three or more years is Lot 227, 18 Howlett Street, Kondinin. Below is a brief history of the action taken to date.

Property 1 – Lot 227, 18 Howlett Street, Kondinin	
Assessment	A182
Zoning/Area	Kondinin - Residential/0.0961ha
Period Outstanding	2016/17- Current
Amount Outstanding	\$11 401.07 including Probate Search, Legal Fees etc.
Payment	11 April 2017 \$200.00
Recovery Action	May 2008- Letter sent to Owner requesting payment of outstanding rates May 2009- Letter sent to Owner requesting payment of outstanding rates June 2011 – Owner deceased December 2015- Letter sent to Owner requesting payment of outstanding rates February 2016- Handed over to Ampac for debt collection April 2016- GPC served July 2016- Ready to proceed with Judgment September 2016- Probate search- no results found

	<p>March 2017- Spoke to Owner’s relative regarding the outstanding Rates. Owner’s relative is going to pay these once insurance is through for Owner. The house was bequeathed to a relative of the Owner.</p> <p>May 2017- Letter sent to Owner’s relative requesting payment of outstanding rates</p> <p>June 2018- Letter send to Owner’s relative regarding the property not being compliant with the Health (Miscellaneous Provisions) Act 1911 (Mail was returned to sender)</p> <p>September 2018- Health Notice issued declaring the house unfit and ordering its repair and clean up (Mail was returned to sender)</p> <p>April 2020- Title Search Done</p> <p>August 2021- Demolition Notice advertised in the Narrogin Observer. The Notice was also sent to the owner via registered post with no reply.</p> <p>September 2021- Demolition Notice advertised in the Narrogin Observer & sent to the owner and affixed to the house.</p> <p>November 2021- Demolition Permit issued</p> <p>February 2022- Debt handed over to Cloud Payment Group</p> <p>May 2023- Probate Search done again and still no results. Water Corp also contacted to find out if there is an outstanding water bill on the property.</p>
Response	The owner has not responded to recent notices or correspondence.

Details of Proposal

It is proposed to sell the land to recover outstanding rates and charges in excess of 3 years, in accordance with Section 6.64(1)(b) of the Local Government Act 1995.

Comments

Options

Option 1 – Exercise the provisions of Section 6.64 of the Local Government Act 1995

- given the high level of the debt, and the amount of time that has been afforded to enable the ratepayers to either clear or reduce the debt, it is appropriate to apply the relevant section of the Local Government Act 1995 empowering the sale of land provisions in relation to unpaid rates and charges.

Option 2 – Exercise the provisions of Section 6.74 of the Local Government Act 1995

- apply to the Minister to have the land re-vested in the Crown in the right of the State.

Option 3 – Exercise the provisions of Section 6.75 of the Local Government Act 1995

- make application for the land to be vested in the local government.

Conclusion

It is suggested that Council apply the provisions of Section 6.64 of the Local Government Act 1995 and sell the land in respect of the unpaid rates and charges, which are in arrears for a period of excess of 3 years.

Statutory Environment

Section 6.64 of the Local Government Act 1995 states:

(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in

accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and –

- (a) from time to time lease the land;*
- (b) sell the land;*
- (c) cause the land to be transferred to the Crown; or*
- (d) cause the land to be transferred to itself.*

(2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.

Policy Implications

Outstanding Rate Debtors FIN-003.

Financial Implications

The sale of this land will equate to a decrease in the level of outstanding rates of \$11401.07.

Strategic Implications

Strategic Community Plan 2022-2032:

“4. CIVIC LEADERSHIP

We are a compliant and resourced Local Government.”

Voting Requirements

Simple Majority

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

OFFICER RECOMMENDATION:

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.

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

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

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		
Howard Porter 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 ALLEN ROCKS PISTOL CLUB

Applicant:	Shire of Kondinin
Author:	David Burton – Chief Executive Officer
Authorising Officer:	David Burton – Chief Executive Officer
Date:	12 th June 2023
Disclosure of Interest:	Nil
Attachments:	Copy of the previous resolution passed by Council in 1976

OFFICER RECOMMENDATION:

That Council supports its previous resolution to support the establishment and ongoing operation of the Allen Rocks Pistol Club on Roe Location 2078.

Summary

For Council to consider ongoing support for the establishment of the Allen Rocks Pistol Club.

Background

On 18th November 1976, the Shire of Kondinin supported the forming of the Allen Rocks Pistol Club on Roe location 2078.

Since then, the pistol club has been operating successfully.

In recent times, with changes to firearms legislation, the Pistol Club is now looking at the requirements of the club and wants to ensure they are compliant with current legislation. As such, they have requested support from the Shire for the ongoing operation of the Pistol Club.

Comment

The Pistol Club provides another avenue for sport for those who want to try something different from mainstream sporting such as football, tennis, hockey, and other sports.

By supporting the club, the Shire can ensure that the operations can continue into the future.

As the previous resolution was passed in 1976, it may be questioned if the Club has support of the current Shire. As such, it is recommended that the Shire show ongoing support for the continued operation of the club in the event that support is required for licensing purposes.

Statutory Environment

Firearms Act
Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil, support for the operations of the Club would create no foreseeable cost for the Shire.

Strategic Implications

Strategic Community Plan 2022-2032:

"1. COMMUNITY

1.5 Support local volunteer organisations

Clubs and service organisations feel supported".

Voting Requirement

Simple Majority

9.4.2 CONTRIBUTION TO LIONS CLUB 50th

Applicant:	Shire of Kondinin
Author:	David Burton – Chief Executive Officer
Authorising Officer:	David Burton – Chief Executive Officer
Date:	12 th June 2023
Disclosure of Interest:	Nil
Attachments:	Letter from Lions Club

OFFICER RECOMMENDATION:

That Council supports the Kondinin Lions Club 50th Birthday function for the amount of \$500 with a request that a History Booklet be donated to the Kondinin Public Library.

Summary

For Council to consider a contribution to the Kondinin Lions Club 50th Birthday Function.

Background

The Kondinin Lions Club have been very active in the Community over the past 50 years and in November 2023, will be celebrating their 50th Birthday.

The Lions' Club has been an integral part of the Kondinin Community during this period, from small concreting jobs, tree lopping and the annual Lions Auction in the early days to now running the two second-hand shops in town and coordinating the collection of bottles, cans, and plastic for the Containers of Change program.

Comment

The Kondinin Lions Club, as a community group, have been very active and continue to provide a valuable community-based service to the town and its residents.

To celebrate 50 years of the Club, a special function will be held on 4th November 2023 with commemorative items and a history booklet to be produced.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The amount of \$500 can be included for events in the 2023/2024 Annual Budget.

Strategic Implications

Strategic Community Plan 2022-2032:

"1. COMMUNITY

1.3 Celebrate our pioneers, community members and protect our heritage;

1.5 Support local volunteer organisations

Clubs and service organisations feel supported".

Voting Requirement
Simple Majority

9.4.3 **GECZ MINUTES**

Applicant: Shire of Kondinin
Author: David Burton – Chief Executive Officer
Authorising Officer: David Burton – Chief Executive Officer
Date: 14 June 2023
Disclosure of Interest: Nil
Attachments: Minutes of Meeting

OFFICER RECOMMENDATION:

That Council notes the Minutes of the GECZ Meeting held in Merredin on 17th April 2023.

Summary

For Council to consider items from the Minutes of the GECZ Meeting held in Merredin on 17th April 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

Items presented at the Meeting included:
Agency Reports from Various Government Agencies

Item 9.1 – Wheatbelt Interagency Health and Wellbeing Plan

Zone Reports

WALGA State Council Reports.

An emerging issue of Live Exports was discussed to the impact that this will have on the Zone and the farmers in the area.

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

9.4.4 Expressions of Interest – Catering Council Meetings 2023/2024

Name of Applicant: Shire of Kondinin
Author: ESO
Date: 13th May 2023

OFFICER RECOMMENDATION:

That Council resolve to give 11 meetings to the Kondinin Hotel. The Kondinin Hotel will cater all 11 meetings.

SUMMARY/ COMMENT

Adverts were placed in the Weekly Echo, Hyden-Karlgarin Householder, online and on Facebook for expressions of interest to cater for 2023/2024 Council meetings. Only one response was received.

Kondinin Hotel has offered to cater meetings for \$550.00 per meeting (*This includes afternoon tea and dinner for up to 14 people*).

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

These costs will be managed by the members' refreshments and reception expenses account.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

9.4.5 Proposed Amendment Local Law

Applicant: N/A
Author: Chief Executive Officer – David Burton
Date: 7 June 2023
Disclosure of Interest: None
Attachments: Proposed Amendment Local Law

OFFICER RECOMMENDATION:

That–

1. in accordance with the Local Government Act s.3.12(2) and (3) and all other legislation enabling it, local public notice be given that Council intends to make an Amendment Local Law, and inviting submissions for a minimum 6 week period –
 - Purpose – to amend matters in the Bush Fire Brigades Local Law 2022, Dogs Local Law 2022 and Public Places & Local Government Property Local Law 2022 in accordance with the undertakings given to the Joint Standing Committee on Delegated Legislation.
 - Effect – to align the local laws with these undertakings.
2. in accordance with the Local Government Act s.3.12(3), copies of the proposed local law be –
 - sent to the Minister for Local Government and Minister for Emergency Services,
 - made available to any other person requesting a copy.

Summary

To consider a proposed Amendment Local Law to amend the following local laws in accordance with the undertakings given to the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) and commence the statutory process for adoption of a local law in accordance with the Local Government Act s.3.12 –

- Bush Fire Brigades Local Law 2022
- Dogs Local Law 2022
- Public Places and Local Government Property Local Law 2022

Background

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

- Purpose – to amend matters in the Bush Fire Brigades Local Law 2022, Dogs Local Law 2022 and Public Places & Local Government Property Local Law 2022 in accordance with the undertakings given to the Joint Standing Committee on Delegated Legislation.
- Effect – to align the local laws with these undertakings.

The three principal local laws were published in the Government Gazette on 10 November 2022, as part of a raft of six new local laws.

In February 2023, once Parliament had resumed, the JSCDL requested undertakings be given to amend the three local laws, which were given by Council following the March 2023 meeting.

Bush Fire Brigades Local Law 2023

Despite being essentially identical to local laws adopted by the City of Greater Geraldton and Shire of Carnarvon in late 2021 and accepted by the JSCDL after these two local governments obtained a joint legal opinion contradicting the JSCDL position, the JSCDL appear to have reinstated their objections.

The Bush Fires Act is 70 years old, and there has been substantial changes in legislation, communications methods and community expectations since then. The WA Local Government Model Local Law is over 20 years old and is not considered to meet expectations, having been set aside by City of Rockingham, City of Wanneroo, City of Greater Geraldton, Shire of Carnarvon and others, in favour of a much shorter more relevant local law that still complies with the Bush Fires Act, as evidenced by the legal opinion obtained by others.

Much of the push for use of the model local law appears to be coming from Dept. of Fire and Emergency Services, and is perhaps a result of the introduction of the *Work Health and Safety Act 2020*. Strangely, the model is nearly silent on firefighting matters, the area of greatest risk, and focuses largely on administrative matters, where risk is relatively minor, and could be easily managed by adoption of policy by Council.

That use of policy is acceptable, is evident in the JSCDL's use of the WALGA model as a benchmark, and the model's inclusion of the ability for Council to adopt policy. Accordingly, the JSCDL's objection to Procedures being adopted by Council, effectively a policy decision, is inconsistent with their acceptance of use of policy in the model, by decision of Council and adoption of the Brigade.

The model permits a brigade to adopt policies which seems contradictory to the Local Government Act s.2.7 stipulating policies are to be adopted by Council, and also delegating governance or regulating powers to a subordinate group.

Regardless, Council resolved to give an undertaking to address the issues notified by the JSCDL. The resolution made and accepted by the JSCDL was –

The Council of the Shire of Kondinin resolves to undertake to the Joint Standing Committee on Delegated Legislation that–

- 1. Within the next 6 months the local law is amended by making the required amendments, which could include attaching the Procedures to the local law;*
- 2. Ensure all consequential amendments arising from undertakings will be made;*
- 3. That the local law will not be enforced in a manner contrary to undertaking 1;*
- 4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.*

The proposed Amendment Local Law removes any reference to adoption of procedures.

Dogs Local Law 2023

The JSCDL identified several minor errors. Accordingly, it was resolved –

The Council of the Shire of Kondinin resolves to undertake to the Joint Standing Committee on Delegated Legislation that–

- 1. Within 6 months amend clause 7.2(2) to replace the reference to clause 5.1(2) to clause 6.2(2);*
- 2. The local law will not be enforced in a manner contrary to undertaking 1;*
- 3. All consequential amendments arising from undertaking 1 will be made;*
- 4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.*

Public Places & Local Government Property Local Law 2023

The JSCDL again identified several errors. Accordingly, it was resolved –

The Council of the Shire of Kondinin resolves to undertake to the Joint Standing Committee on Delegated Legislation that–

1. *Within 6 months –*
 - *exclude cats from the operation of clauses 4.8(b) ad 7.2(2)(a)*
 - *amend clause 9.5 to ensure that any lost property covered by the regulatory gap is dealt with appropriately, such as being handed to WA Police;*
 - *correct the typographical errors in clauses 2.7(1)(i), 9.2 and 11.3(2)(b)*
2. *Not enforce the local law to the contrary before it is amended in accordance with undertaking 1;*
3. *Ensure all consequential amendments arising from undertakings will be made;*
4. *Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertakings.*

The original text of clause 9.5 and others now amended to exclude potential limitation of cats, have been used multiple times by local governments over the years, and until now have been accepted by the JSCDL. However, the view that the gaps exist is correct.

Conclusion

Council may make amendments to the proposed Amendment Local Law now, or when it comes to Council for final adoption after the public consultation period. If made at the later time, and the amendment is considered significant, the public consultation process must recommence.

The statutory process is the same for making, amending or revoking a local law –

- Local public notice inviting public comment – minimum of 6 weeks
- During this time, submit to Dept. of Local Government and Dept. of Fire and Emergency Services.
- At the end of public comment, summary of public comments and any changes recommended by the departments to Council for decision regarding those comments, and consideration of any changes to the draft local law
- final adoption of the amendment local law by Council
- publication in the Government Gazette
- local public notice to be given of the adoption, publication and commencement date of the local law
- submission all necessary documents to Parliamentary Joint Standing Committee on Delegated Legislation for their review.

The JSCDL reviews the local law, its effects and may recommend to Parliament that it be amended and request an undertaking, or that it be disallowed. The JSCDL will not review the local law until after it has been formally adopted, Gazetted etc.

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*

Bush Fires Act 1954 –

s.35A – volunteer fire fighter means a bush fire control officer, a person who is a registered member of a bush fire brigade established under this Act or a person working under the direction of that officer or member,

s37 – local government to insure “volunteer fire fighters”, plant and appliances etc.

s.41 – local government may establish brigades, and equip them in accordance with those local laws

s.43 – a local government which establishes a bush fire brigade shall by its local laws provide for appointment or election of captain, a first lieutenant and other officers, and shall prescribe their duties

s.62 – may make local law for –

- appointment, duties etc. of fire control officers*
- organisation etc. of bush fire brigades*
- matters affecting the exercise of any powers or duties conferred by the Act*

Dog Act 1976 –

49. Local laws

A local government may make local laws —

(a) for its district and any other area that is to be regarded, for the purposes of this Act, as being within that district.

Policy Implications

None.

Financial Implications

Advertising of local laws, and publication in Government Gazette etc. on final adoption

Strategic Implications

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

4 “Civic Leadership

4.1 Skilled, capable and transparent team

4.2 We are a compliant and resourced Local Government”

Voting Requirement

Simple majority

9.5 ENVIRONMENTAL HEALTH OFFICER

9.6 COMMUNITY DEVELOPMENT OFFICER

9.6.1 COMMUNITY GRANT POLICY AMENDMENT – COM002

Applicant:	Shire of Kondinin
Author:	Kirstie Pool – Community Development Officer
Authorising Officer:	David Burton – Chief Executive Officer
Date:	14 th June 2023
Disclosure of Interest:	Nil
Attachments:	Community Grant Program Policy - COM002

OFFICER RECOMMENDATION:

That Council:

ADOPT the alterations to the Community Grant Policy – COM002.

Summary

This report is for Council to consider the alteration of the Shire of Kondinin Community Grant Policy – COM 002.

Background

The Shire of Kondinin is committed to recognising the value of all community organisations. The Community Grants Program (CGP) provides funding support up to a maximum of \$7,500 each, to enable Shire of Kondinin community-based organisations to develop projects that increase participation and benefit the community. The total amount Council will allocate to the Community Grants Program is \$80,000.00 each financial year.

This policy aims to ensure the success and prosperity of the Shire community while ensuring transparency of funding decisions and accountability of those parties receiving funding.

Council adopted the Community Grant Policy at the February Ordinary Council Meeting 2023.

Comment

This year was the first round of the Community Grants under the community grant policy-COM002.

A few changes have been made to the policy to better outline confusions for future Community Grant applications:

1. **'What items will not be funded'**- No replacement & repairs of consumables: including technology items.
2. **'What items will not be funded'** - Projects that duplicate an existing or similar project/service within the community; unless support can be shown of approval by business & council approval
(The Community Resources in the Shire usually service their own community, this will not be considered as a competing business);

3. **'Timeline of Project'** - No items can be purchased before the adoption of annual budget (unless approved by the Shire's CEO).

This outlines that items to be purchased, must wait until after the adoption of the Annual Budget at either the July or August Council meeting. However, if an applicant needs to purchase equipment before the budget is adopted, the CEO's approval must be sought and be within reason.

Statutory Environment

Nil

Policy Implications

Community Grant Policy – COM002

Financial Implications

Nil

Strategic Implications

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

"1. Community

1.5. Support local volunteer organisations – Community Grant Scheme is well subscribed."

Voting Requirement

Absolute Majority

9.7 WORKS COMMITTEE

9.7.1 2023/2024 ROAD WORKS PROGRAMS

Applicant:	Shire of Kondinin
Author:	Chief Executive Officer – David Burton Manager of Works – Mark Burgess
Disclosure of Interest:	Nil
Date:	24 April 2023
Attachment(s):	Road Project Costing Sheets will be provided in a separate email.

OFFICER/ COMMITTEE RECOMMENDATION:

That consideration is given for the 2023/2024 Works Program to be included in the 2023/2024 Budget.

SUMMARY

To provide information on the 2023/2024 Road Works Program, including consideration of Members' concerns.

BACKGROUND

As part of the process for the 2023/2024 Works Program, we requested Members to list any issues of significance. This had good responses from Members on a range of issues. Some of these may be able to be rectified as part of the 2022/2023 maintenance works, others will be carried forward into future years.

REPORTING OFFICER'S COMMENT

The current 2023/24 program will be presented to members for consideration and to work through. While some works may have some flexibility, projects under the Regional Road Group Funding will have specific requirements to be met and may be established for the financial year.

Projects and concerns raised by Council Members will be taken into consideration for Shire funded projects for discussion.

The Shire will be starting on the Hyden-Norseman Road Pilot Project which will be completed over two years.

Road works are broken into several different programs including Regional Road Group (RRG), Roads to Recover (RTR) and General Funds.

RRG – Funded on a 2/3 grant 1/3 Shire basis and does require an MCA score for the works
RTR – Can be used on any road providing it has not been funded previously. This funding also requires the Shire to maintain its level of normal expenditure on the roads or funding may be reduced.

General Funds – Can be used at the Shire's discretion.

Recently we have seen significant cost increases for road construction that may require some jobs to be shortened or carried over into future years.

Current Projects will exceed allocations of the Long-Term Financial Plan and will need to be discussed. Included in this are items:

	Current Allocation	Budget Allowance
Hyden Norseman Road	\$3m approx.	\$2.5m
Council Funded Roads	\$780,000 approx.	\$560,000

Regional Road Group is a little lower than budget, but not a significant variation.

Roads to Recovery has funds of \$263,000 from current year that will need to be carried forward.

STATUTORY ENVIRONMENT

Local Government Act 1995

Adopted works program – budgetary constraints and potential cost increase implications.

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Nil

FINANCIAL IMPLICATIONS

The proposed program is reliant on funding being made available and any reduction in grants would impact the proposed programs and the final actual program(s) scheduled.

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022-2032

“2 Economy

2.2 Safe and efficient transport network enables economic growth

5 Civic Leadership

5.1 Skilled, capable and transparent team

5.2 We are a compliant and resourced Local Government”

VOTING REQUIREMENT

Simple Majority

9.7.2 PLANT REPLACEMENT 10 YEAR PROGRAM

Applicant: Shire of Kondinin
Author: Chief Executive Officer – David Burton
Manager of Works – Mark Burgess
Disclosure of Interest: Financial – Vehicles for CEO and MOW part of Salary package (as staff are not voting, they are not required to leave the meeting)
Date: 24 May 2023
Attachment(s): Plant Replacement 10-year program (will be provided in a separate email)

OFFICER/ COMMITTEE RECOMMENDATION:

That the Plant Replacement Program for 2023/2024 and beyond be considered for the 2023/2024 Annual Budget.

SUMMARY

To provide information on the Plant Replacement Program for 2023/2024 and beyond.

BACKGROUND

The Plant Replacing Program is taken over a 10-year period to fit in with the Long-Term Financial Plans for the Shire and to ensure that machines are replaced at regular intervals so that the Shire always has machines capable of performing the tasks as required.

REPORTING OFFICER'S COMMENT

The 10-year program does ensure that staff and members are aware of when larger machines will need to be replaced as this can create a large impost on the Council and the financial sustainability of the Shire.

Machines are replaced at regular intervals when it is considered the 'optimal' time to replace them, or when the Council has received the best value and to keep the vehicles longer, which may increase maintenance and running costs beyond the cost of replacing the machines.

The program also allows for the consideration of items to try and remove any major expenditure in a single year and try to balance the plant replacement over the 10-year program. While this is not always possible, every effort is made to reduce the impact. The program also allows for changes to be considered and the financial impacts. The use of Plant Reserve can be made available to assist in reducing the impacts of years of larger plant purchases and replenished in years of smaller plant purchases. This can reduce the impact on the budget to maintain a steady funding allocation.

For the 2023/2024 financial year, the plant replacement recommended consist of the following:

Minor Plant

0KN Toyota Prado - CEO

KN0 Toyota Prado - WM

KN04 Subaru Outlander – CSM

KN54 Subaru Outlander- Doctor

KN60 Mitsubishi Dual Cab Tray Top – Works

KN79 Community Bus

Major Plant

KN64 Volvo Grader

KN** Skid Steer (with attachments)

In previous plant replacement programs, we looked at replacing a prime mover in the 23/24 financial year, but as we are getting two new trucks shortly, the Staff believe there is more value in replacing the Volvo Grader and delaying the prime mover until 24/25. This will also reduce the budget impact of the plant replacement program.

In discussions with Council we have also looked at the possibility of a street sweeper for footpaths and sealed carparks. Listed in the program for 23/24 we have sought the purchase of a skid steer which can achieve the same results but can also have additional attachments that will be of great assistance to the Shire. Currently the Shire often hires a skid steer as we do not have one of our own.

The Kondinin Community Bus has also been listed for replacement as this is important for the community.

STATUTORY ENVIRONMENT

Local Government Act 1995

Adopted works program – budgetary constraints and potential cost increase implications.

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Nil

FINANCIAL IMPLICATIONS

The proposed program is reliant on funding being made available and any reduction in grants would impact on the proposed programs and the final actual program(s) scheduled.

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022-2032:

"2 Economy

2.2 Safe and efficient transport network enables economic growth

4 Civic Leadership

4.1 Skilled, capable and transparent team

4.2 We are a compliant and resourced Local Government".

VOTING REQUIREMENT

Simple Majority

9.8 SPORTS COUNCIL COMMITTEE

9.8.1 Finalising Scope of Hyden Recreation Centre

Applicant:	Shire of Kondinin
Author:	Tory Young (MPA)
Disclosure of Interest:	Nil
Date:	16 th May 2023
Attachment(s):	QS Report V.1 2020 (Extension) QS Report V.2 2022 (Extension) QS Report V.3 2023 (New Build) Site Costing Plan (Extension) Site Costing Plan (New Build) Public Survey Results Presentation

OFFICER/ COMMITTEE RECOMMENDATION:

That Council:

1. CONFIRMS that the public survey was prepared and distributed in September 2022;
2. CONFIRMS that the public meeting was held on the 18th of October 2022 to discuss the outcome of the survey results;
3. ADVISES the public survey results as attached illustrated an equal distribution of preference towards:
 - a) new build of the Hyden Sports Pavilion including the demolition of the existing Sports Pavilion and Tennis Club;
 - b) an extension to the existing Hyden Sports Pavilion as shown in the attachment to this report;
4. RECEIVES the site plan/s and associated indicative costings for a new build of the Hyden Sports Pavilion and extensions to the existing building to be tabled for discussion;
5. The Sports Council Committee REQUESTS the Hyden Sports Council seek feedback on the preferred option (i.e. new build or extension to an existing building) from the local community and advise the Shire's Chief Executive Officer before the end of June 2023 of the preferred option accordingly; and
6. The Sports Council Committee REQUESTS the Hyden Sports Council to provide a final cash contribution towards the project to the Shire's Chief Executive Officer before the end of June 2023 to progress the project.

SUMMARY

This report aims to discuss the scope of the extensions to the Hyden Recreation Centre to progress the project. The latest version from the architects and earlier plans are attached for consideration.

BACKGROUND

In 2016 Council completed Stage 1 of the extensions to the Hyden Recreation Centre which included enlarging the function area, upgrading the kitchen and bar area, providing a unisex accessible toilet and upgrades to the ladies' change rooms. The second stage was to be completed at a later date and included a gymnasium, additional storage and upgraded change rooms.

At the Ordinary Meeting of Council held on the 18th of September 2019 Council supported the Shire's Administration to arrange a project brief and seek quotations from suitably qualified practitioners to prepare detailed plans, engineering drawings and a quantity surveyor report to progress with Stage 2 of the extensions based on a floor plan from the Hyden Sports Council proposing a new gym, upgrades to the men's change rooms and additional storage space. At the Ordinary Meeting of Council held on the 18th of March 2020, Council awarded Slavin Architects to prepare the plans and associated documentation.

In August 2020 preliminary concept plans for the extensions of the existing pavilion were prepared and a QS report was submitted to the Shire with an estimated project cost of \$2,457,677. Based on these costings the following funding model was proposed by the Shire's Administration and presented to Council at its Ordinary Meeting on the 20th July 2022. At this meeting, Council resolved that it could commit to a maximum of \$2.5 million to the project, which included grant funding and contribution from the Hyden Sports Council.

- **Shire Contribution** - \$1,534,234 (\$1 million cash plus the \$534,234 Local Roads and Community Infrastructure (LRCI) Federal funding phase 3 extension money which is available from July 2023).
- **CSRFF Contribution** - \$819,226 (If successful with 1/3 funding from CSRFF)
- **Hyden Sports Council** - \$104,217

(NB any shortfall of funding not received by the grant funding or Hyden Sports Council in the above model to be met by the Shire of Kondinin)*

Meetings with the Department of Local Government Sports and Cultural Industries (DLGSC) were held on the 8th of December 2020 and the 9th of March 2022 with representatives from the Shire's Administration, Council Members and the Hyden Sports Council to discuss the eligibility of the project for the CSRFF funding and what needs to be completed to submit in a grant application. Initial feedback from the DLGSC has indicated that the project is eligible, but aspects of the project have higher priority than others, as follows:

- Women's and away team change rooms – high priority
- Gym Construction – low priority
- Storage space – medium to high priority
- Improved spectator viewing and meeting space (childcare space) -low priority

As recommended by the DLGSC the Shire prepared a Sport and Recreation Facilities Plan 2021 – 2031 and an accompanying Precinct Plan, both of which have been endorsed by Council.

Recent changes to the CSRFF funding have also been announced via media release in May 2023 that will see a significant increase to this program in the next two financial years (pool increased from \$12.5M to \$20M) and the maximum amount for major projects from \$2M to \$2.5M scheduled to take effect when next round opens in July 2023.

With due regard to escalating construction costs, the Shire's Administration received an updated QS report indicating that the projected cost (for extensions to the existing build), if work were to commence in January 2024, would be \$3,313,801. This assumes that costs will continue to escalate, although an opinion is that they may stabilise as rate increases begin to impact. Based on the Shire's fiscal capacity, it is impossible to submit a grant application for a project of this magnitude.

As such, it was recommended by the Shire's Administration that discussions were held with the Hyden Sports Council and the architects to devise a scope of works to a maximum construction cost of \$2,500,000.

The Shire have not received a formal response from the Hyden Sports Council via way of a meeting resolution, however, they have indicated that they will be able to provide \$50,000 cash towards the project and are currently seeking pledges from local sporting groups and progress associations for additional contributions.

Since the Council Meeting on the 20th of July 2022, the architects submitted a draft sketch to factor in the additional considerations by the Hyden Sports Council and an attempt to reduce the project cost to \$2.5 million. The sketch was submitted with the following information.

I've prepared a very rough sketch of the new brief/design you sent through to establish approximate building areas – see attached. I've also now discussed costs with Graham Peden from Wilde and Woollard – the quantity surveyor for the project. His view, after considering the area and high level of servicing for the building, is that the construction cost in today's market will be of the order of \$2.5m. In addition, there are other add-on costs including fees, which will take it to around \$2.9m. It must be remembered that these estimates are based on today's construction costs, which is an issue given the high level of escalation we're experiencing in the industry".

Addressing the resolution of the Sports Council Committee held on the 12th of August 2022 a community survey was prepared with three main options for the redevelopment of the Hyden Sports Pavilion. The results of the survey were presented at a public meeting held on the 18th of October 2022 which was well attended and indicated an even split in the community between those that preferred the extension to the existing Hyden Sports Pavilion building and those that preferred the demolition of the existing building and the tennis club building and construction of an entirely new Sports Pavilion building.

In response to the survey results and discussion with Council and the Hyden Sports Council, under the current arrangement with the architects, a site plan and costing for the demolition of the existing Hyden Sports Pavilion and the Hyden Tennis Club Building and an entirely new build was undertaken and attached to this Agenda report for discussion.

REPORTING OFFICER'S COMMENT

To be in a position to apply for grant funding and progress this project, the Shire's Administration seeks consensus on the scope and associated cash contribution of this proposed development through input from the Council, the Sports Council Committee, the Council and the Hyden Sports Council, representing the needs and priorities of the local community and sporting groups.

STATUTORY ENVIRONMENT

- Local Government Act 1995
- Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Shire of Kondinin Policy # Fin 002 – Purchasing

Shire of Kondinin Policy # FACS 003 – Sporting Club and Amenity

PUBLIC CONSULTATION

- Community Survey is required for Grant Application
- Regular consultation with Hyden Sports Council through the planning stage
- Community Meetings with the Department of Local Government Sports and Cultural Industries
- Community Engagement in preparation of Recreation Facilities Plan 2021 – 2031
- Community Workshops held in February 2022 seeking feedback on the priority of Hyden Recreation Pavilion Extension and Hyden Visitor Centre
- Public Survey distributed in September 2022
- Public Meeting on the 18th of October 2022

FINANCIAL IMPLICATIONS

The Council at its Ordinary Meeting on the 20th July 2022 has endorsed a maximum of \$2.5 million total project cost over the 2023/2024 and 2024/2025 financial years.

STRATEGIC IMPLICATIONS

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”

VOTING REQUIREMENT

Simple Majority

9.8.2 Update on Extensions to Kondinin Sports Pavilion

Applicant: Shire of Kondinin
Author: Tory Young (MPA)
Disclosure of Interest: Nil
Date: 15th May 2023
Attachment(s): QS Report V.1
Plans from Architects
Sports and Recreation Facilities Plan 2021 – 2031

OFFICER/ COMMITTEE RECOMMENDATION:

That Council

1. RECEIVE the current plans and associated indicative costings for the extension to the Kondinin Sports Pavilion for discussion;
2. The Sports Council Committee REQUESTS the Kondinin Community Recreation Council provide a maximum cash contribution figure towards the project to the Shire's Chief Executive Officer accordingly; and
3. The Sports Council Committee REQUESTS the Kondinin Community Recreation Council provide a final scope for the proposed extensions to the Shire's Chief Executive Officer to progress the project.

SUMMARY

The purpose of this report is to provide an update on the scope and indicative costings relating to the extensions to the Kondinin Pavilion. The latest plans from the architects and associated costings are attached for information.

BACKGROUND

The Kondinin Pavilion was first constructed in 1977 which largely comprised change rooms and a small kitchen area to support football and cricket played at the oval directly east of the building. The building underwent extensions in 1993 to create a small function area to broaden the use of the facility. The building has served its purpose well, however in recent times it has become apparent that the building requires alterations and additions to improve its functionality and to meet modern standards and expectations and better align with the developing one-day sport concept.

In 2021 the Shire of Kondinin undertook a review of its Sport and Recreation Facilities Plan. During the preparation of this document, the Kondinin community identified the need to undertake a basic upgrade to the Kondinin Pavilion to address issues with a leaking roof and to improve the functionality of the space that better meets modern standards. The upgrades to the Kondinin Pavilion were included in the updated Sports and Recreation Facilities Plan 2021 – 2031 endorsed by the Council on the 16th of June 2021 and the amended version endorsed on the 16th of March 2022. The Plan proposed works to be undertaken at the Kondinin Pavilion in the (medium term) with concept planning to commence in the (short term).

Following the engagement of a consultant, the Returned Brief for the Proposed Refurbishments of the Kondinin Pavilion was endorsed by Council at its Ordinary Meeting on the 16th of November 2022.

A community meeting was held with the architects, the Kondinin Community Recreation Council and interested representatives from all local community and sporting groups on the 27th of February 2023 to discuss the concept design for the proposed upgrades to the Kondinin Pavilion. The meeting was well attended and the feedback received was developed into the current plans attached to this Agenda Report.

REPORTING OFFICER'S COMMENT

The Shire's Administration has been working in close collaboration with the architect and the Kondinin Community Recreation Council to develop the plans and costings for this project. The purpose of this Report is largely to provide an update to the Sports Council Committee and seek a formal request from the Kondinin Community Recreation Council to provide the final scope and maximum cash contribution of the project so that the matter can be presented to a formal Council meeting for budget deliberations and options for grant funding.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Shire of Kondinin Policy # Fin 002 – Purchasing

Shire of Kondinin Policy # FACS 003 – Sporting Club and Amenity

PUBLIC CONSULTATION

- Regular consultation with Kondinin Community Recreation Council through the planning stage
- Community Engagement in preparation of Recreation Facilities Plan 2021 – 2031
- Community Workshop held in February 2023 seeking feedback from community and sporting group representatives

FINANCIAL IMPLICATIONS

Final cost contribution from Council will be dependent on confirmed funds from the Kondinin Community Recreation Council and securing grant funding.

STRATEGIC IMPLICATIONS

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"

Supports the following section of the Shire's Sport and Recreation Facilities Plan:

Facility Planning

VOTING REQUIREMENT

Simple Majority

9.8.3 Update on Sport and Recreation Facilities Plan 2021 – 2031

Applicant: Shire of Kondinin
Author: Tory Young (MPA)
Disclosure of Interest: Nil
Date: 16th May 2023
Attachment(s): Sports and Recreation Facilities Plan 2021 – 2031
Sports and Recreation Facilities Plan 2021 – 2031 (Action List)

OFFICER/ COMMITTEE RECOMMENDATION:

The Sports Council Committee NOTES the actions to date against the Shire's Sport and Recreation Facilities Plan 2021 – 2031 as shown as an attachment to this report.

SUMMARY

This report aims to provide an update on how the Shire's Administration and Council are progressing in actioning the projects listed in the Shire's Sport and Recreation Facilities Plan 2021 – 2031.

BACKGROUND

The Shire's Sports and Recreation Facilities Plan 2021 – 2031 was adopted by Council at its Ordinary Meeting on the 16th June 2021. The Plan was amended by Council at its Ordinary Meeting on the 14th of February 2022 to reallocate the re-surface of the Hyden Tennis Courts to a 'medium project' so that it could be undertaken in 2023. The associated Excel document that was prepared with the Plan is an in-house working operational document to assist in budget planning and does not form part of the formal Sports and Recreation Facilities Plan 2021 – 2031 adopted by Council.

REPORTING OFFICER'S COMMENT

The Shire's Administration has been working closely with relevant sporting and community groups to progress the actions listed in the Shire's Sport and Recreation Plan 2021 – 2031. To date, the Shire's Administration is tracking well with the projects listed as short and medium-term priorities within the Plan.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Shire of Kondinin Policy # Fin 002 – Purchasing

Shire of Kondinin Policy # FACS 003 – Sporting Club and Amenity

PUBLIC CONSULTATION

Community meetings were held in the preparation of the Sports and Recreation Facilities Plan 2021 – 2031.

FINANCIAL IMPLICATIONS

Dependent on Council budget allocations, sourcing of grant funding and contribution from sporting and community groups.

STRATEGIC IMPLICATIONS

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”

VOTING REQUIREMENT

Simple Majority

10 BUSINESS OF AN URGENT NATURE

11 CLOSURE