



SHIRE OF KONDININ

NOTICE OF MEETING

Councillors: Please be advised that the next meeting of the

KONDININ SHIRE COUNCIL

will be held in Council Chambers on 16th July 2025

3.00pm - 4.00pm Agenda Briefing
4.00pm Ordinary Council Meeting

A handwritten signature in black ink, appearing to read 'Mark Hook'.

Mark Hook

10th July 2025

ACTING CHIEF EXECUTIVE OFFICER

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

All communications are to be addressed to the ACTING 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* (WA), the *Local Government (Administration) Regulations 1996* (WA), the Shire's procedure and a guide to the completion of registering attendance and question/s.

- Members of the public should ideally register their attendance and question with the Council before the meeting before the closing of business the day before the scheduled meeting. This can be done;
 - a. In person at the Shire of Kondinin Office (11 Graham St, Kondinin).
 - b. By emailing the Executive Support Officer at eso@kondinin.wa.gov.au
 - c. By phoning the Executive Support Officer on 08 9889 1006
- When registering the following information will need to be supplied for record keeping and future correspondence (if required);
 - a. Name, Address, contact number and Name of Organisation representing (if applicable)
 - b. A written copy of the question to be asked at Public Question Time.
- It is recommended to arrive at the location of the Council Meeting 5 minutes before the commencement of the meeting. If you have not registered in advance, it can be completed at this time. However, public members will still be able to attend the meeting and provide the required details meeting if they have not been able to register in advance.
- The Presiding Member will open Public Question Time and, if necessary, provide a summary of the rules, regulations and procedures of Public Question Time:
 - a. The person asking the question must state their name before asking it.
 - b. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
 - c. To provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Any preamble to questions should therefore be minimal and no debating on the issue between the Gallery, Councillors or Officers is permissible.
 - d. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
 - e. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order and will not be recorded in the minutes.

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

SHIRE OF KONDININ

DISCLOSURE OF FINANCIAL/IMPARTIALITY & PROXIMITY INTEREST

To: *Chief Executive Officer*

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

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

Item No	Details of Interest

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

Councillor's Signature _____ Councillor's Name _____ Date _____

NB:

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

Remember the responsibility to declare an interest rests with individual Councillors. If Councillors are in any doubt seeking legal opinion, or, to be sure, simply declare in any case. Penalties for not disclosing an interest apply.

Office Use Only:

Date/Initial

1. Particulars of the declaration given to the meeting

2. Particulars recorded in the minutes

Signed by Chief Executive Officer

Or President (when the declaration belongs to the CEO)

SHIRE OF KONDININ DISCLAIMER

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

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

Signed on behalf of Council

A handwritten signature in black ink, appearing to read 'Mark Hook', with a stylized flourish at the end.

Mark Hook
Acting 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 Brett Smith	Cr Beverley Gangell Cr Paul Green Cr Kerrie Green	Cr Bruce Browning Cr Murray James
Staff:	Mark Hook (ACEO) Mark Burgess (MoW)	Vince Bugna (MCS) Ellen Valenta (ESO)	Tory Young (MPA)
Apologies:			

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. APPLICATION FOR LEAVE OF ABSENCE

6. PETITIONS/DEPUTATION/PRESENTATIONION FACILITY

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/INFORMATION REPORTS

7.1 MINUTES OF COUNCIL MEETING – 25th June 2025

RECOMMENDATION:

Moved: Cr

Seconded: Cr

That the minutes of the Council Meeting, held on the 25th June 2025 be confirmed.

Carried:

For:

Against:

7.2 INFORMATION REPORT – April 2025

RECOMMENDATION:

Moved: Cr

Seconded: Cr

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

Carried:

For:

Against:

8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

9. ITEMS

9.1 MANAGER OF PLANNING & ASSETS

- 9.1.1 Response to Draft Guidelines on Community Benefits for Renewable Energy Projects
- 9.1.2 WALGA Submission on Draft Guidelines on Community Benefits for Renewable Energy Projects – Consultation Paper

9.2 MANAGER OF CORPORATE SERVICES

- 9.2.1 List of Accounts – June 2025

9.3 MANAGER OF WORKS

- 9.3.1 General Report

9.4 CHIEF EXECUTIVE OFFICER

- 9.4.1 RFT 01 – 25/26 Provision of Medical Services

9.5 CONFIDENTIAL ITEMS

Nil

9.6 COMMITTEE ITEMS

Nil

9.1 MANAGER OF PLANNING & ASSETS

9.1.1 RESPONSE TO DRAFT GUIDELINE ON COMMUNITY BENEFITS FOR RENEWABLE ENERGY PROJECTS

Author:	Tory Young, Manager Planning and Assets
Authorising Officer:	Mark Hook, Acting Chief Executive Officer
Date:	4 th July 2025
Disclosure of Interest:	Nil
Attachments:	Draft Guideline on Community Benefits for Renewable Energy Projects – Consultation Paper; Shire of Kondinin Response to Draft Guideline

OFFICER RECOMMENDATION

Moved: Cr **Seconded:** Cr

That Council:

- a) **RECEIVES** the Draft Guideline on Community Benefits for Renewable Energy Projects – Consultation Paper as attached:
- b) **ENDORSES** the Shire's Response to the Draft Guideline on Community Benefits for Renewable Energy Projects – Consultation Paper as attached: and
- c) **AUTHORISES** the Chief Executive Officer to submit the Shire's Response to the Department of Energy, Mines, Industry Regulations and Safety Energy Policy WA by no later than 18 August 2025.

Carried:

For:

Against:

Summary

The purpose of this report is to seek endorsement from Council to submit the written response to the Draft Guideline on Community Benefits for Renewable Energy Projects – Consultation Paper to Department of Energy, Mines, Industry Regulations and Safety Energy Policy WA.

Background

On 12 July 2025, the Department of Department of Energy, Mines, Industry Regulations and Safety Energy Policy WA released the Draft Guideline on Community Benefits for Renewable Energy Projects – Consultation Paper for public comment.

The purpose of the paper is outlined to:

- Provide information to communities about the types of benefit sharing arrangements available for the renewable energy infrastructure they are hosting
- Provide information to developers about State Government expectations for community benefits arrangements
- Provide a guide on appropriate value of community benefits in different contexts
- Provide suggestions for the governance and administration of community benefits funds
- Provide confidence and clarity for proponents and investors by setting out a clear framework for benefit-sharing arrangements across Western Australia.

The Shire's Administration have reviewed the consultation paper based on their experience in dealing with the two renewable energy facilities that have been issued development approval in 2018 and 2022 respectively.

In summary, whilst the information presented in the draft Guidelines provides a loose framework and a general overview of different approaches and matters to consider in the preparation of a community benefit fund, it is the view of the Shire's Administration the document falls short of being an effective tool for Local Government in negotiating a Community Benefit Fund Agreement for large-scale renewable energy projects.

A detailed response is attached to this Agenda Report.

Statutory Environment

Nil

Consultation

Feedback on the Draft Guideline on Community Benefits is to be submitted to the Department of Department of Energy, Mines, Industry Regulations and Safety Energy Policy WA by 18 August 2025.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

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

"CIVIC LEADERSHIP

4.2 We are a compliant and resourced Local Government."

Voting Requirement

Simple majority

9.1.2 WALGA SUBMISSION ON DRAFT GUIDELINE ON COMMUNITY BENEFITS FOR RENEWABLE ENERGY PROJECTS – CONSULTATION PAPER

Author: Tory Young, Manager Planning and Assets
Authorising Officer: Mark Hook, Acting Chief Executive Officer
Date: 4th July 2025
Disclosure of Interest: Nil
Attachments: WALGA Submission on the Draft Guideline on Community Benefits for Renewable Energy Projects

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council:

- a) **RECEIVES** WALGA's Draft Submission to the Draft Guideline on Community Benefits for Renewable Energy Projects – Consultation Paper:
- b) **ENDORSES** the general intent of WALGA's Draft Submission to the Draft Guideline on Community Benefits for Renewable Energy Projects; and
- c) **AUTHORISES** the Chief Executive Officer to provide feedback to WALGA's Submission via WALGA's survey response platform by 25th July 2025.

Carried:

For:

Against:

Summary

The purpose of this report is to seek endorsement from Council to provide comment to WALGA on their Draft Submission relating to the Draft Guideline on Community Benefits for Renewable Energy Projects – Consultation Paper that is currently open for public comment.

Background

At the Renewable Energy Ministerial Forum on the 12 June 2025, Minister Sanderson announced the release of the Draft Guideline on Community Benefits for Renewable Energy Projects – Consultation Paper. Formal consultation on the draft Guideline is now open, and WALGA has prepared a draft submission on behalf of the sector.

WALGA has reached out to Local Governments to provide feedback on their submission, with a particular focus on:

1. Section 2.2.1 - Benefit value guidelines:
2. Section 2.2.6 - Commencement of benefit sharing arrangements: and
3. Section 2.2.9 - Monitoring implementation of the framework.

On endorsement from Council, the Shire's Administration will provide feedback to WALGA on the abovementioned focus points based on the information detailed in the Shire's own response to the Draft Guideline which is tabled as a separate Agenda Item.

Statutory Environment

Nil

Consultation

Feedback on WALGA's Draft Submission on the Draft Guideline on Community Benefits for Renewable Energy Projects – Consultation Paper is to be submitted to WALGA by Friday 25 July 2025.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

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

"CIVIC LEADERSHIP

4.2 We are a compliant and resourced Local Government."

Voting Requirement

Simple majority

9.2 MANAGER OF CORPORATE SERVICES

9.2.1 LIST OF ACCOUNTS – JUNE 2025

Applicant: Shire of Kondinin
 Author: Vince Bugna, Manager Corporate Services
 Disclosure of Interest: Nil
 Date: 7th July 2025
 Attachment(s): List of Accounts 01/06/2025 – 30/06/2025

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council receive the attached report – List of Accounts Due & Submitted to Council for the month of June 2025:

• Municipal Fund payment cheque numbers 19505 to 19514	= \$ 25,762.63
• Municipal EFT20584 – 20642; 20644 – 20715; 20717 – 20729	= \$1,196,031.84
• Direct Debits – Transport – Hyden Office	= \$ 10,811.40
• Direct Debits – Transport – Kondinin Office	= \$ 15,737.45
• Direct Debits – Credit Cards DD22675.1	= \$ 2,311.22
• Direct Debits – Other	= \$ 137,151.55
• EFTPOS Merchant Fees & Tyro	= \$ 1,130.13
• Bank Fees – NAB Connect	= \$ 121.98
• Payroll EFTs	= \$ 251,362.82
• Trust EFT20643 & 20716	= \$ 480.00
TOTAL	= \$1,640,901.02
	Carried:

For:

Against:

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 2024/25 Annual Budget.

Strategic Implications

Shire's Strategic Community Plan 2022 – 2032

4. Civic Leadership

4.1 Skilled, capable and transparent team:

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

- *The capability of our organisation is continually improved*

4.2 We are a compliant and resourced Local Government:

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

- *Financial sustainability in achieving community aspirations*

Voting Requirement

Simple Majority

9.3 MANAGER OF WORKS

Nil

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 RFT 01 – 25/26 PROVISION OF MEDICAL SERVICES

Author: Mark Hook, Acting Chief Executive Officer
Authorised Officer: Mark Hook, Acting Chief Executive Officer
Date: 2nd July 2025
Disclosure of Interest: Nil
Attachments: RFT 01 – 25-26, Advertisement for provision Medical Services

OFFICER RECOMMENDATION

Moved: Cr **Seconded: Cr**

That Council:

AUTHORISES the Acting Chief Executive Officer to advertise the RFT 01 – 25/26 Provision of Medical Services for the Shire of Kondinin.

Carried:

For:

Against:

Summary

This report is for Council to authorise the Acting CEO to advertise RFT 01 – 25/26 for the provision of Medical Services for the Shire of Kondinin.

Background

At the Special Meeting of Council held on the 30th May 2025, Council accepted the resignation Ms Vivienne Chukwuneke as the Medical Services Practitioner. Dr Mackie is undertaking the Locum work until the position is filled within a reasonable amount of time.

At the writing of this report the Acting CEO had not heard from the Shire of Kulin regarding the shared services agreement so the tender documents have been written for Medical Services to Kondinin and Hyden only.

Due to the time frame the Acting CEO has been unable to put this to the Medical Services Committee and without any information being received from the Shire of Kulin the Acting CEO is presenting this item to the Ordinary Council Meeting.

Statutory Environment

- Local Government Act 1995
- Functions and General Regulations 1996

Policy Implications

Shire of Kondinin Policy – Purchasing FIN-005

Financial Implications

Unknown at this stage as it will depend on the tender received whether practice is taken over as is or run as a single entirely by the doctor or a corporate run practice.

Adjustments may be needed to the 25/26 Budget regarding the Shire of Kulin contribution to the Medical Services. The current income in the 25/26 Budget from Kulin is \$142,062. Council may also lose income due to loss of numbers visiting the practice, this is hard to quantify as there may not be a loss of numbers due to additional days in Kondinin and patients still travelling from Kulin.

If the tender accepted is for the doctor to manage and run the practice or for a corporate body to run the practice then there may be savings in the 25/26 Budget due to less expenses with Council only providing the Medical Centre, a vehicle and the House.

Strategic Implications

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

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
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
	Seniors have access to local support services and social programs
	Achieve and update the Aged Friendly Community Plan
	Achieve and update the Disability Access Inclusion Plan

Voting Requirement

Simple majority

9.5. CONFIDENTIAL ITEMS

Nil

9.6 COMMITTEE ITEMS

Nil

10. BUSINESS OF AN URGENT NATURE

11. CLOSURE

Being no further business, the meeting was closed at _____ pm.