



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 29 October 2025

2.00pm - 4.00pm Agenda Briefing
5.00pm Ordinary Council Meeting

Bruce Wright

20 October 2025

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* (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 minute 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



Bruce Wright
Chief Executive Officer

Order of Business

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Shire President XXXXXX 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 Cr Paul Green Cr B Browning	Cr Beverley Gangell Cr Murray James	Cr Darren Pool Cr Toni Smeed
Staff:	Bruce Wright (CEO) Mark Burgess (MoW)	Vince Bugna (MCS) Amanda Kemp (CDO)	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 ORDINARY COUNCIL MEETING – 17TH SEPTEMBER 2025

RECOMMENDATION:

Moved: Cr

Seconded: Cr

That the minutes of the Ordinary Council Meeting, held on the 17th September 2025 be confirmed.

Carried:

For:

Against:

Absence:

7.2 MINUTES OF MEDICAL SERVICES SPECIAL MEETING – 3 OCTOBER 2025

RECOMMENDATION:

Moved: Cr

Seconded: Cr

That the minutes of the Special Medical Services Meeting, held on the 3rd October 2025 be confirmed.

Carried:

For:

Against:

Absence:

7.3 **INFORMATION REPORT – OCTOBER 2025**

RECOMMENDATION:**Moved:** Cr**Seconded:** Cr

That Council receives and accepts the October 2025 Information Report before this meeting.

Carried:**For:****Against:****Absence:**

8. **ANNOUCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION**

9. **ITEMS**

9.1 **MANAGER OF PLANNING & ASSETS**

9.1.1 RoeRoc Housing Project – Shire of Kondinin Submission

9.1.2 Closure of Road – King Rocks

9.2 **MANAGER OF CORPORATE SERVICES**

9.2.1 List of Accounts – September 2025

9.2.2 Financial Reports – September 2025

9.3 **MANAGER OF WORKS**

Nil

9.4 **CHIEF EXECUTIVE OFFICER**

9.4.1 Hyden Liquid Effluent Pond – A Question of Remediation

9.4.2 Hyden Discovery Centre – Memorandum of Understanding

9.4.3 Audit, Risk & Improvement Committee – Independent Appointments

9.4.4 Roe Regional Organisation of Councils

9.4.5 Chief Executive Officer – Performance Indicators – 2025-2026

9.4.6 RFT 02-2023-2024 – Supply & Cover of Bituminous Products

9.4.7 Shire of Kondinin Bush Fire Brigades – 2026 Annual General Meeting

9.4.8 2025-2026 – Capital Budget Amendment – Miscellaneous Works

9.5 **CONFIDENTIAL ITEMS**

9.5.1 Award of RFQ 01/2025-2026 – Building Maintenance Services

9.6 **COMMITTEE ITEMS**

Nil

9.1 **MANAGER OF PLANNING & ASSETS**

9.1.1 **ROEROC HOUSING PROJECT – SHIRE OF KONDININ SUBMISSION**

Author:	Tory Young – Manager Planning & Assets
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	21 October 2025
Disclosure of Interest:	Nil
Attachments:	Schematic Drawings and Indicative Costings

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council:

1. **ENDORSES** the schematic drawings and dwelling configurations for development on No. 43 (Lot 151) Radbourne Drive, Hyden; No. 19 (Lot 73) Rankin Street, Kondinin and No. 74 (Lot 45) Graham Street, Kondinin as the preferred development locations for key worker housing in the Shire of Kondinin: and
2. **RECEIVES** the cost estimates as a guide for residential development of No. 43 (Lot 151) Radbourne Drive, Hyden; No. 19 (Lot 73) Rankin Street, Kondinin and No. 74 (Lot 45) Graham Street, Kondinin: and
3. **AUTHORISES** the Chief Executive Officer to advise RoeROC of the Council's preferred locations, dwelling configurations and indicative costing for development of key worker housing in the Shire of Kondinin.

Carried:

For:

Against:

Absence:

Summary

The purpose of this report is to present to Council an update on the ROEROC housing project and seek confirmation on the proposed dwelling configurations and locations and present indicative cost estimates for Council consideration.

Background

RoeROC, consisting of the Shires of Narembeen, Corrigin, Kondinin, and Kulin, has been actively exploring solutions to address the critical shortage of key worker housing in the region. Workforce housing shortages have been identified as a barrier to attracting and retaining essential workers, impacting local government operations, businesses, and community services.

A Cost-Benefit Analysis and Preliminary Business Case was completed in 2025 to assess the feasibility, economic impact, and potential funding mechanisms for developing key worker dwellings across the four local governments. This analysis provides a framework for investment, considering factors such as project costs, economic returns, regional workforce sustainability, and potential partnerships. These documents were presented to the Ordinary Meeting of Council held on the 19 March 2025 in which Council resolved as follows:

RESOLUTION: #4521

Moved: Cr Brett Smith

Seconded: Cr Paul Green

That Council:

1. ADOPTS the RoeROC Key Worker Housing Investment Cost-Benefit Analysis and Preliminary Business Case.
2. NOTES the findings and recommendations contained in the report.
3. SUPPORTS continued collaboration with RoeROC member councils to explore funding and delivery options for the key worker housing initiative.
4. REQUESTS the CEO to engage with relevant stakeholders, including government agencies and potential funding partners, to progress discussions on investment opportunities.

Carried: 8/0

Following the endorsement of these documents, RoeROC subsequently engaged the services of Whitney Consulting to prepare a more detailed business plan to progress funding options and pursue advocacy opportunities.

As part of the preparation of this more detailed Business Plan, participating RoeROC Shires have been asked to collate and submit the following information.

1. **Collation of Supporting Documentation (i.e. letters of support from local businesses, with specific situations, demonstrating demand and economic impact.**

To date, the Shire's Administration have received 18 letters of support from business and government agencies operating within Kondinin, Karlgarin and Hyden demonstrating demand and economic impact of key worker housing availability.

2. **Confirm and Provide Land Parcel Details (i.e. location, ownership status, zoning)**

As per the documentation attached to this Agenda Report, the following properties are proposed for development.

Property # 1

Location: No. 43 (Lot 151) Radbourne Drive, Hyden

Ownership: Shire of Kondinin

Zoning: Residential R10/25

Site Area: 2147m²

Property # 2

Location: No. 19 (Lot 73) Rankin Street, Kondinin

Ownership: Shire of Kondinin

Zoning: Residential R10/25

Site Area: 1394m²

Property # 3

Location: No. 74 (Lot 45) Graham Street, Kondinin

Ownership: Shire of Kondinin

Zoning: Residential R10/25

Site Area: 1411m²

3. Collect design schematics and cost estimates (i.e. preferred housing designs, estimated cost contribution)

A copy of the design schematics and cost estimates are detailed as attachments to this Agenda report and summarised as follows:

Property # 1

Location: No. 43 (Lot 151) Radbourne Drive, Hyden

Housing Design: three 2 x 1 units and two 3 x 2 units

Indicative Cost for Five Dwellings: \$2,639,547.07 (Ex GST)

Additional Costs: \$60,000 (Site & Miscellaneous Works)

Total: \$2,699,550

Property # 2

Location: No. 19 (Lot 73) Rankin Street, Kondinin

Housing Design: three 2 x 1 units and two 3 x 2 units

Indicative Cost for Two Dwellings: \$1,253,126.82 (Ex GST)

Additional Costs: \$60,000 (Site & Miscellaneous Works)

Total: \$1,313,127

Property # 3

Location: No. 74 (Lot 45) Graham Street, Kondinin

Housing Design: three 2 x 1 units and two 3 x 2 units

Indicative Cost for two Dwellings: \$1,253,126.82 (Ex GST)

Additional Costs: \$60,000 (Site & Miscellaneous Works)

Total: \$1,313,127

Statutory Environment

Planning and Development Act 2005

Local Planning Scheme No.1

Policy Implications

Nil

Financial Implications

The costings for the proposed development of three (3) selected sites are summarised within the Background section and outlined as Attachments to this report. The actual financial commitment from Council will depend on the chosen funding model in liaison with the participating RoeROC Shires and the extent of external funding secured. Further financial modelling and risk assessments will be required before making a final investment decision.

Strategic Implications

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

“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

9.1.2 CLOSURE OF ROAD – KING ROCKS

Author:	Tory Young – Manager Planning & Assets
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	21 October 2025
Disclosure of Interest:	Nil
Attachments:	Aerial Map; Letter; Summary of Submissions

OFFICER RECOMMENDATION**Moved: Cr****Seconded: Cr**

That Council:

1. **SUPPORTS** the application of Schedule 9.1 (5) of the *Local Government Act 1995* and Regulation 9 of the *Local Government (Uniform Local Provisions) Regulations 1996* for approval to install a gate across a public thoroughfare at the intersection of King Rocks Road North and Casuarina Road, Hyden subject to the following conditions:
 - A) The adjacent landowners of Lot 1232 on DP 204262, Lot 1234 on DP 204262 and Lot 2640 on DP 210252 are responsible to undertake and cover all costs associated with purchase, maintenance and service of the gate:
 - B) The Shire of Kondinin is responsible for all maintenance to the section of King Rocks Road North that will be closed by the gate:
 - C) The gate is to always remain unlocked to ensure access in case of an emergency and maintenance purposes:
 - D) No signage indicating references to “Private Road” or “Trespassing Prohibited” or their derivatives is permitted to be displayed on the gate.
 - E) The Shire of Kondinin has the authority to cancel or vary the approval issued to the applicant/s at its discretion.
2. **RECEIVES** the Summary of Submissions as attached: and
3. **AUTHORISES** the inclusion of the gate onto the Shire’s Register of Gates as required under Regulation 9 of the *Local Government (Uniform Local Provisions) Regulations 1996*

Carried:**For:****Against:****Absence:****Summary**

The purpose of this report is to seek approval from Council to install a gate across a public thoroughfare to close the northern section of the King Rocks Road North from Casuarina Road to the termination of the public road where it adjoins the State Barrier Fence as shown in the map attached.

Background

This matter was reported to the Ordinary Meeting of Council held on the 20 August 2025, in which two options or the combination the two were presented to Council for consideration. Council opted for the second option as outlined in the extract from the minutes below.

RESOLUTION: #4609

Moved: Cr P Green

Seconded: Cr D Pool

That Council:

1. **SUPPORTS** the application of Schedule 9.1 (5) of the *Local Government Act 1995* and Regulation 9 of the *Local Government (Uniform Local Provisions) Regulations 1996* as an interim measure to install a gate across a public thoroughfare at the intersection of King Rocks Road North and Casuarina Road, Hyden, subject to publishing a notice of the proposed closure via letters to surrounding owners and occupiers and an advert in a publication circulated in the locality; and
2. **AUTHORISES** the Chief Executive Officer to report the matter back to Council following the advertising period with a set of recommended conditions to be considered should permission be granted to install a gate across a public thoroughfare pursuant to Schedule 9.1 (5) of the *Local Government Act 1995* and Regulation 9 of the *Local Government (Uniform Local Provisions) Regulations 1996*.

Carried: 6/0

Following the processes under Schedule 9.1 (5) of the *Local Government Act 1995* and Regulation 9 of the *Local Government (Uniform Local Provisions) Regulations 1996* the proposal to install a gate across the public thoroughfare at the intersection of King Rocks Road North and Casuarina Road, Hyden was advertised and now reported back to Council for formal permission.

Under the Regulations, Council may impose various conditions it sees fit such as condition on the construction, placement and maintenance of the gate and maintenance on the road that has been closed. The local government has the authority to cancel or vary the permission issued to the applicant at its discretion. The Local Government must also keep a register of gates and other devices constructed in accordance with a permission granted under this regulation. The Officer Recommendation addressing these requirements.

Consultation

The Shire's Administration have spoken to the landowners abutting the section of road proposed to be closed, both of whom are supportive of the closure. In addition to this, the Shire advertised the proposed closure via various mediums, including the Shire's website and publications circulated in the locality. Individual letters were also sent to adjacent landowners and proximity landowners. During the advertising period, just the one (1) submission was received which is shown in the summary of submissions attached to the Agenda Report.

Conclusion

Given that all surrounding lots, being Lot 1232 on DP 204262 (376 Bagshaw Road, Hyden); Lot 2640 on DP210252 (No. 442 King Rocks Road, Hyden) and Lot 1234 on DP204262 (No. 633 King Rocks Road North, Hyden) will still all have direct access to a constructed road should this section of King Rocks Road, North be closed by the installation of the gate; and that no objections were received during the advertising period it is recommended that Council support the Officer Recommendation granting approval to install a gate to close the proposed section of road.

Statutory Environment

- Local Government Act 1995
- Local Government (Uniform Local Provisions) Regulations 1996.

Policy Implications

Nil

Financial Implications

All costs associated with the gate will be borne by the applicants / adjacent landowners.

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 – SEPTEMBER 2025**

Author:	Vince Bugna – Manager Corporate Services
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	7 October 2025
Disclosure of Interest:	Nil
Attachments:	List of Accounts: 1 September 2025 to 30 September 2025

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council:

1. Receives and acknowledges the List of Accounts Due and Submitted for the month of September 2025. (attached).

• Municipal Fund payment cheque numbers 19525 to 19528	= \$ 6,060.54
• Municipal EFT21085 – 21124, 21126-21168, 21170-21220	= \$ 815,307.56
• Direct Debits – Transport – Hyden Office	= \$ 32,452.65
• Direct Debits – Transport – Kondinin Office	= \$ 22,037.15
• Direct Debits – Credit Cards DD22937.1	= \$ 2,188.56
• Direct Debits – Other	= \$ 53,580.01
• EFTPOS Merchant Fees & Tyro	= \$ 2,048.34
• Bank Fees – NAB Connect	= \$ 135.98
• Payroll EFTs	= \$ 149,868.73
• Trust EFT21125 & 21169	= \$ 1,100.00
TOTAL	= \$1,084,779.52

Carried:

For:

Against:

Absence:

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.*

Comment

This report is a statutory reporting function under the provisions of the Local Government (Financial Management) Regulations 1996

Statutory Environment

Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Financial Implications

All payments made to the Shire creditors have been in accordance with the 2025/26 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.

9.2.2 FINANCIAL REPORTS – SEPTEMBER 2025

Author:	Vince Bugna – Manager Corporate Services
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	7 October 2025
Disclosure of Interest:	Nil
Attachments:	Monthly Financial Report for the period ended 30 September 2025

OFFICER RECOMMENDATION**Moved: Cr****Seconded: Cr**

That Council:

1. That Council receives and acknowledges the reports titled Monthly Financial Report (Containing the required Statement of Financial Activity and Statement of Financial Position) for the period ended 30 September 2025.. (attached).

Carried:**For:****Against:****Absence:****Summary**

To present to Council the Monthly Financial Report for the period ended 30 September 2025.

Background

The monthly Financial Report (Containing the Financial Activity and Financial Position) is presented in accordance with the Local Government Act 1995 and the Local Government (Financial Management) Regulation 1996.

Regulation 4(4) states that, *a statement of financial activity, and the accompanying documents (notes) referred to in sub regulation (2), are to be –*

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- (b) recorded in the minutes of the meeting at which it is presented.*

The Statement of Financial Activity summarizes the Shire's financial activities for the period at which it relates.

Comment

The highlights of the September 2025 financial reports are as follows:

Item	Reference
Cash at Bank The Shire's total cash as at 3 September 2025 was \$8,588,499 – composed of \$4,042,951 reserve accounts (restricted), \$54,193 LCDC fund, \$746,826 term deposit investments and \$3,744,529 general fund (Muni, OCDF & Petty cash).	Page 9 – Note 6 Cash and Financial Assets Page 10 – Note 7 Reserve Accounts
Receivables Rates and Rubbish = \$2,336,608 collectible progressing cash inflow due to ratepayers payments within the discount period. Other receivables of \$503,695 – composed of \$219,174 sundry debtors, \$113,670 gst receivable and \$170,850 ESL and pensioner related receivables.	Page 16 – Note 10 Receivables
Current Liabilities YTD balance is \$1,879,400 which includes \$485,162 of employees' annual and long service leave provision, \$241,446 Current portion of borrowings (payable within 12 months), \$278,795 unearned Capital Grants/Contributions and \$874,027 creditors invoices.	Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity
Closing Funding Surplus (Deficit) YTD actual is \$5,889,013 – composed of \$11,678,328 Current Assets less \$1,879,400 Current Liabilities and \$(3,909,915) Net Adjustments to Net Current Assets.	Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity
Significant Capital Projects: ✓ Roadworks budgeted for \$4.3m this financial year is 32% completed composed of: Safer Local Road and Infrastructure Program (SLRIP) funded Hyden Norseman Road and RTR funded Bushfire Rock Road, Nth Lake Grace-Karlgarin Road, RRG funded Lovering Road and Council funded Forbes Road. ✓ Plant and equipment budgeted for \$847,000 – one (1) vehicle purchased to date. ✓ Land and buildings have a total budget of \$3.6m for two (2) Shire housing for Hyden and Kondinin, Karlgarin Bowling & Country Clubs Building and Kondinin Pavilion upgrade are 24% completed.	Page 7 – Key Information Page 11 to 14 – Note 8 Capital Acquisitions
Grants, Subsidies and Contributions ✓ Operating grants total received to date = \$700,629 from MRWA Direct grant, FAGS, Diesel Fuel Rebate and DFES quarter 1. ✓ Capital grants total received to date = \$1,527,568 from RRG 40% claim, RTR Bushfire Rock Road, progress	Pages 21 – Note 15 Grants, Subsidies and Contributions Page 22 – Note 16 Capital Grants,

payment for SLRIP and initial DOT grants for Shared pathway.	Subsidies and Contributions.
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In relation to material variances, “timing difference are due to the monthly spread of the budget not matching in comparison to the actual spread of revenue or expenditure. Timing difference will not result in a forecast adjustment.

Where the material variance is flagged as “permanent”, this indicates that a forecast adjustment to the annual budget is required. – Refer to page 6, Note 3 – Explanation of Material Variances.

Statutory Environment

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Financial Implications

In accordance with the approved material variances of 10% or \$10,000 whichever is the greater within the monthly Statement of Financial Activity during the 2025/26 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*

Voting Requirement

Simple majority.

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 HYDEN LIQUID EFFLUENT POND – A QUESTION OF REMEDIATION

Author:	Bruce Wright - Chief Executive Officer
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	23 October 2025
Disclosure of Interest:	Nil
Attachments:	Talis Consultants - Wastewater Management Options Assessment and Implementation Plan – 19 March 2024 Sketch Plans – Alternate Option 1

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council:

1. Receives and notes the Talis Consultants “Wastewater Management Options Assessment and Implementation Plan – Hyden Liquid Effluent Pond – 19 March 2024” (attached).
2. Receives and notes the sketched plans for an alternate concept to construct a replacement liquid effluent pond adjacent to the existing pond in the vicinity of the Waverock Caravan Park precinct (attached).
3. Endorses and authorises the Chief Executive Officer to undertake further inquiries with the Western Australian Department of Health and the Department of Water and Environmental Regulation to determine if the alternate concept is compliant with the appropriate legislation, regulations and industry standards.
4. Endorses and authorises the Chief Executive Officer to undertake further inquiries with local landowners to develop a more detailed understanding of alternate opportunities that might be considered.
5. Endorses and authorises the Chief Executive Officer to seek legal advice in relation to the Shire’s legal position relative to the options proposed by Altis, the alternate construction option as attached and any identified landholder opportunities.
6. Notes that upon completion of the additional inquiries by the Chief Executive Officer, a further report to Council will be made as a matter of priority.

Carried:

For:

Against:

Absence:

Summary

This report seeks Council's endorsement and approval of a roadmap to the sustainable and compliant remediation of the Hyden Liquid Effluent Pond located adjacent to the Waverock Caravan Park precinct.

During March 2024, the Shire commissioned Talis Consultants to undertake an assessment of the pond and to develop remediation options. The report concludes that the following options are available to the Shire:

1. **Current Location Rebuild** – decommissioning the existing pond and construction of a new pond system in the same location.
2. **Mould Land Application** – decommissioning the existing pond and replacing the pond system with a standalone system for the Shire's Public Toilets.
3. **Disposal To Water Corporation Facility** – decommissioning the existing pond and installing a pumped system to the Water Corporation facility near to Hyden
4. **Rebuild At Airport** – decommissioning of the existing pond and installing a new pond system adjacent to the airport.

The pond presents as a non-compliant asset and has been tagged by auditors as a contingent liability of the Shire. The remediation presents the Shire with a series of operational and commercial challenges that should now be considered against existing and future capital and operational commitments.

The remediation options proposed by Talis do not include due consideration of:

- The existing lease and the interconnectivity of assets within the border of the Crown allotment upon which the caravan park precinct and pond are positioned. Wherever possible, infrastructure proximity must remain intact and contiguous. A separation of assets is not deemed sustainable and is prone to further unintended consequences.
- Sustainable solutions – the construction of infrastructure across multiple allotment boundaries is not considered as being sustainable. No guarantee of tenure for infrastructure and continuity of service can be reasonably assured.
- Unforeseen costs associated with cross boundary construction and legal intervention.

A legal advising will provide clarity against these considerations.

Background

The existing leasing arrangements and circumstances leading to the current situation at the Waverock Caravan Park effluent pond are considered as being well known to the Council and for this reason will not be addressed in this item.

Post receipt of the Talis Consulting report, a period of observation has been maintained at the site. This has neither resolved nor furthered the response to the issues of non-compliance and an informed response is now required.

Of the options presented to the Shire by Talis Consultants, it is recommended that:

1. **Current Location Rebuild** – This option should be explored further and include a variation of the Talis concept.
2. **Mould Land Application** – This option should not be considered further as it does not provide for service support to the caravan park precinct.
3. **Disposal To Water Corporation Facility** – This option should not be considered further as it requires a significant commercial commitment, crosses boundaries and includes exposed infrastructure that *may* be prone to environmental issues with age.
4. **Rebuild At Airport** – This option should be explored further with a potential landowner concept variation considered.

A series of inquiries have been undertaken by Shire Officers that has identified a construction solution that is similar to that contained within Option 1 of the Altis report. Drawings are attached for reference. It will be necessary to have the concept verified for compliance against DoH & DEWR regulations and corresponding industry regulations. A rough order of magnitude of the cost of this approach is circa. \$1m.

This solution provides an opportunity to construct a pond in a position adjacent to the existing pond and upon completion of construction, safely relocate the liquid effluent to the new site and thereafter, commission the new site.

Further anecdotal information suggests that an adjacent landowner who will remain confidential at this time, may be willing to offer a construction solution on an alternate property. The unconfirmed solution will in simple terms, require the transfer of liquid effluent from the Waverock Caravan Park precinct across land boundaries and thereafter commissioning of the pond with connection to the caravan park precinct and Shire public toilets. The intent is that the landowner funds the construction and management of the facility, and the Shire will incur a fee for service to transfer waste to the landowner pond. This will result in significant cost efficiencies to the Shire.

As presented, the landowner option offers the Shire a cost-effective solution, however, separates the Shire assets from the pond and offers no security of tenure (subject of negotiation).

It is recommended that legal advice is taken in relation to the referenced options and those contained in the Altis report.

Comment

The question of remediating the existing liquid effluent pond at the Waverock Caravan park precinct will require further investigation by the Shire to develop a superior understanding of, but not limited to:

- The legal implications of the existing lease obligations of the Shire relating to the infrastructure that is the subject of that lease, the implications of constructing across allotment boundaries and the reliance upon third party pond ownership.
- Latent risks: operational, environmental, commercial and compliance.
- Funding requirements: utilising cash reserves or the raising of debt.

Statutory Environment

- Western Australian Department of Health Regulations
- Western Australian Department of Water and Environmental Regulations
- Western Australian Guidelines for Biosolids Management, December 2012 (WA Biosolids Guidelines).
- Water Corporation's Design Guideline: Waste Stabilisation Ponds, August 2019 (Water Corp Design Guidelines).
- DWER Guideline: Odour Emissions (Odour Guidelines)
- AS 1547:2012 Onsite Domestic Wastewater Management (AS 1547:2012)
- National Airports Safeguarding Framework Guideline C (Airport Safeguarding Guidelines)
- Contaminated Sites Act 2003 (WA).
- Contaminated Sites Regulations 2006 (WA).
- DWER Assessment and Management of Contaminated Sites Guideline 2021 (Contaminated Sites Guideline); and
- DWER Identification, reporting and classification of contaminated sites in Western Australia 2017.

Policy Implications

Environmental Management
Asset Management Planning
Long Term Financial Plan

Financial Implications

The financial implications will be determined upon further investigation and reported under separate cover.

Existing and future commitments will require further review and consideration.

Strategic Implications

Strategic Community Plan 2022-2032

3.1 Maintain a high standard of environmental health and waste services.

Voting Requirement

Simple majority.

9.4.2 HYDEN DISCOVERY CENTRE – MEMORANDUM OF UNDERSTANDING

Author:	Bruce Wright - Chief Executive Officer
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	23 October 2025
Disclosure of Interest:	Nil
Attachments:	Memorandum of Understanding – HPA Owned & Shire Auspice Memorandum of Understanding – Shire Owned & Acting As Principal

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council:

1. Receives and notes the attached Memorandum of Understanding “HPA Owned Shire Auspice” for the Wave Rock – Katter Kich Discovery Centre, Hyden.
2. Receives and notes the attached Memorandum of Understanding “HPA Shire Owned Acting As Principal” for the Wave Rock – Katter Kich Discovery Centre, Hyden.
3. Notes and acknowledges that a Memorandum of Understanding is generally not a legally binding document. It serves as a formal agreement outlining the terms and details of a mutual understanding of parties, but it does not create enforceable obligations.
4. Endorses and approves (in principle) the Memorandum of Understanding “HPA Owned Shire Auspice” for the Wave Rock – Katter Kich Discovery Centre, Hyden.
5. Endorses and reaffirms a capital commitment of \$1.4m of Shire funds, inclusive of \$250,000 to meet the costs of preliminary activities including: architect fees, required surveys and heritage assessments and tender preparation documents to progress the project to enable a ‘design and construct’ tender to be issued.
6. Authorises the Chief Executive Officer to execute the Memorandum of Understanding “HPA Owned Shire Auspice” with the Hyden Progress Association.
7. Authorises the transfer of \$250,000 from the Hyden Discovery Centre Reserve to the 2025-2026 operational budget:

Current reserve balance: **\$945,832.80**

Transfer: **\$250,000.00**

Amended reserve balance: \$695,832.80

8. Endorses and approves the withdrawal of Shire resources and funding if the next round of grant funding applications described within the MOU is not successful.

Carried:

For:

Against:

Absence:

Summary

This report seeks Council's endorsement and approval for the Chief Executive Officer to enter a Memorandum of Understanding (MOU) with the Hyden Progress Association (HPA) for the design, development and construction of the Discovery Centre in Hyden, Western Australia.

The MOU is required to progress grant funding applications but concurrently, it clearly identifies the roles, responsibilities and financial commitment of the Shire and the HPA in consideration of the project.

The HPA has developed two (2) project models for the Discovery Centre Project:

- The HPA retains ownership of the project and the Discovery Centre and the Shire auspices the grant application, and
- The Shire retains ownership of the project and the Discovery Centre in the capacity of principal.

At the HPA General Meeting of 15 October 2025, the membership voted in the majority for the HPA to lead the project under grant auspicing by the Shire.

This report seeks Council endorsement and approval to proceed as the auspicing body under the provisions of the Memorandum of Understanding "HPA Owned Shire Auspice" (attached). It is important to note that the MOU is the subject of six (6) monthly review - the staffing agreement can be expected to change significantly as the project enters the operational phase and the operating capacity of the Shire and HPA to support staffing is accurately determined and adjusted.

Both the Shire and the HPA have allocated a significant amount of cash and non-cash resources to this project over many years. To receive any tangible benefit for the existing investment, this project must now be successfully realised, developed and activated.

It is recommended that if the grant funding application is not successful on this occasion; no further Shire resources are applied to the project.

Background

The Hyden Katter Kich Discovery Centre project is a long-standing initiative of the Shire and the HPA. The project has been the subject of many consultative meetings, briefings and Council resolutions that are well reported and will not be further explored in this item.

The HPA has engaged a specialist consultant, Ms Juliet Grist to support the re-development of a grant application for the project. This consultant is highly regarded in regional development initiatives and the preparation of grant applications for similar projects. The MOU's and the comparison table contained within the body of this report are the work of Ms Grist and are presented with the authority and endorsement of the HPA.

Ms Grist has provided advice to the HPA that an MOU between the HPA and the Shire that clearly articulates roles, responsibilities and financial commitments of the parties (among other things) is required to support the grant application. The MOU also provides guidance and direction for the research, design, preparation and activation of the project – features that have previously been diluted and sometimes confused. It is important to note that the MOU is the subject of six (6) monthly review and can be expected to change as the project progresses – particularly in the operational stages where staffing and operational capacity is accurately determined.

Ms Grist has also introduced the concept of the Shire auspicing a grant application made by the HPA wherein the HPA retains ownership of the Discovery Centre.

At this stanza, it is important to clearly articulate the concept of an auspicing agreement. In general terms, auspicing a grant means the local government acts as the legal and financial sponsor for a community group that is not eligible or capable of applying directly. The local government receives and manages the grant funds, ensuring that they are used in line with funding conditions, while the community group delivers the project.

In consideration of the MOU's, Ms Grist has prepared the following comparative table. The table is designed to highlight the key differences in governance, ownership, and the risk structure of both models.

Category	Option A - Shire Owned / Acting as Principal	Option B - HPA Owned / Shire Auspice	Commentary
Project Ownership	Land transferred from HPA to Shire for \$1 prior to construction. Shire owns building outright.	Land retained by HPA; strata ownership structure introduced. Shire purchases strata unit proportionate to its contribution.	Option A: Shire fully owns the asset. Option B: Shared ownership via strata model.
Project Lead	Shire is project lead and principal applicant on funding.	HPA is project lead; Shire acts as funding auspice.	Option A centralises control with Shire; Option B decentralises with HPA lead.
Governance	Shire is responsible for all project governance,	HPA establishes Project Oversight Committee and	Option A gives Shire full control; Option B

Category	Option A - Shire Owned / Acting as Principal	Option B - HPA Owned / Shire Auspice	Commentary
	financial acquittals, and compliance.	leads governance during development; Shire provides oversight via Auspice Agreement once funding achieved.	delegates governance to HPA under auspice.
Funding Application Responsibility	Shire lodges and manages all funding applications as principal applicant.	HPA prepares grant documentation; Shire lodges applications as auspice.	In Option B, HPA prepares while Shire submits. Option A Shire completes all preparation and submits.
Financial Accountability	Shire is responsible for acquittals, reporting, and cost overruns.	HPA is responsible for construction acquittals under 'backing contract'; Shire is responsible for funding acquittals under auspice.	Option A = full financial risk on Shire; Option B = shared but Shire may still bear funding risk under auspice.
Capital Contributions	Shire: \$1.4m; HPA: \$0.5m (incl. \$100k for prelim works).	Shire: \$1.4m (incl. \$250k prelim); HPA: \$0.5m (incl. \$100k prelim).	Financial commitments similar; timing and structure differ (Option B links Shire payment to strata purchase).
Land Arrangements	HPA transfers land to Shire for \$1 before construction.	HPA retains land; Shire receives strata title proportional to its contribution.	Option B maintains community ownership of site and reduces Shire's long term financial commitment for maintenance.
Risk Management	Shire assumes all project and cost overrun risks.	HPA assumes cost overrun risk; Shire retains grant acquittal risk.	Option A higher exposure for Shire.
Project Manager	Shire appoints Project Manager in consultation with HPA.	HPA appoints Project Manager post-funding, in consultation with Shire.	Control of project execution shifts from Shire (A) to HPA (B).
Executive Officer Funding	80% Shire / 20% HPA for first 5 years, 50/50 for years 6-10.	90% Shire / 10% HPA for first 5 years, 70/30 for years 6-10.	Option B reduces HPA contribution to early-stage staffing in recognition of pick-up of maintenance and operational costs.
Museum Fit-Out	Shire leads funding and coordination, may partner with HPA.	HPA leads funding and coordination, may partner with Shire.	Reversal of lead roles between versions.

Category	Option A - Shire Owned / Acting as Principal	Option B - HPA Owned / Shire Auspice	Commentary
Approvals & Compliance	Shire responsible for all approvals, tendering, procurement, and construction management.	HPA responsible for tendering, design and construct contract, and compliance oversight.	Option A centralised under local government procedures; Option B under HPA management.
Insurance & Maintenance	Shire holds all building insurances and ongoing maintenance.	Each party insures and maintains its strata portion.	Option B divides liability by ownership share.
Governance Structure	Shire chairs Project Oversight Committee.	HPA chairs Project Oversight Committee.	Option A: Shire governance-led. Option B: community governance-led.
Decision-Making Authority	Shire final authority in financial, legal, and governance issues; HPA in community engagement.	Same clause replicated in both versions.	Identical governance balance.
Termination	Either party may terminate with 30-day notice.	Same provision.	Identical clause. In Option B a formal legal contract would replace the MOU once capital funding is secured. This would have separate termination clauses.
Outcome Focus	Greater Shire integration and control, ensuring compliance and asset ownership.	Greater community empowerment and shared governance, maintaining community ownership.	Option A suits infrastructure control; Option B suits community partnership.

The staffing and cost model expressed within the MOU is based on the contribution of revenue received from gate takings at the Wave Rock Car Park and is included for completeness in project modelling. Operational capacity of the HPA and Shire to staff the centre will be the subject of ongoing review as the operational phase approaches. Therefore, it can be expected that this section of the MOU will require modification in time.

Comment

The Hyden Discovery Centre has been a long-standing priority of the Council and has been the subject of multiple Council resolutions and commitments. This MOU now provides significant clarity and direction for the project team to commence preparations for grant applications.

Statutory Environment

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Policy Implications

Long Term Financial Plan

Financial Implications

Project Costs & Grant Funding Targets

The project in its current form bears an estimated cost of \$17m. Based on the expert advice of the HPA consultant, the total project cost must be managed downwards to avoid overreach for a Shire of this size.

The revised total target project cost of \$12.35m; less the Shire commitment of \$1.4m (based on current reserves and an additional two years of consolidated contributions), and the HPA land contribution valued at \$0.5m realises a shortfall of \$10.45m.

It is anticipated that \$10.45m in grant funding will be sought through:

Growing Regions	\$7.7m (representing 70% of design and construct costs)
Lotterywest	\$2.75m

Shire Financial Implications

Current reserve balance:	\$945,832.80
Transfer:	\$250,000.00
Amended reserve balance:	<u>\$695,832.80</u>

To meet the agreed and endorsed Shire commitment of \$1.4m an additional \$454,167.20 must be returned to the reserve over the next two (2) years..

Financial Risk

It is recommended that current and emerging operational and capital funding requirements are considered against the Shire Long Term Financial Plan.

Strategic Implications

Strategic Community Plan 2022-2032

2.3 Coordinated planning and promotion of the visitor and tourist experience

“Complete the Hyden Visitor Centre with additional funding”

Voting Requirement

Absolute majority.

9.4.3 AUDIT, RISK & IMPROVEMENT COMMITTEE – INDEPENDENT APPOINTMENTS

Author:	Bruce Wright - Chief Executive Officer
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	23 October 2025
Disclosure of Interest:	Nil
Attachments:	<u>Confidential Attachments</u> Resume – Mrs Catherine Mayfield Resume – Mrs Tracey Utley

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council:

1. Endorses and authorises the appointment by exception of Mrs Catherine Mayfield as the Independent Presiding Member of the Audit, Risk & Improvement Committee in accordance with the provisions of the Local Government Act 1995, Section 5.12 for a period of two (2) years to commence on 1 November 2025 and to expire on 31 October 2027.
2. Endorses and authorises the appointment by exception of Mrs Tracey Utley as the Independent Deputy Presiding Member of the Audit, Risk & Improvement Committee in accordance with the provisions of the Local Government Act 1995, Section 5.12(2) for a period of two (2) years to commence on 1 November 2025 and to expire on 31 October 2027.
3. Endorses and authorises the payment of a \$250 meeting attendance fee and reasonable costs of travel per meeting attended per member in accordance with the provisions of the Local Government Act 1995, section 5.100 and the Salaries and Allowances Act 1975, Part 6, clause 6.3.
4. Notes that the appointment of the Independent Presiding and Deputy Presiding Members meets with the provisions of the Local Government Amendment Act 2024, section 87, (yet to be commenced).
5. Authorises the Chief Executive Officer to develop, execute and implement the necessary instruments of appointment of the Independent Presiding and Deputy Presiding Members.

Carried:

For:

Against:

Absence:

Summary

This report seeks Council's endorsement and approval to appoint Mrs Catherine Mayfield as the Independent Presiding Member and Mrs Tracey Utley as the Deputy Presiding Member of the Shire of Kondinin Audit, Risk & Improvement Committee (ARIC).

Background

Under the provisions of the Local Government Act 1995, Section 5.12 & 5.12(2), the Shire may appoint a Presiding and Deputy Presiding Members to a committee.

The Local Government Amendment Act 2024, section 87 (yet to be commenced) mandates the establishment of an Audit, Risk and Improvement Committee (ARIC) by the Shire. This committee will be responsible for overseeing financial reporting, risk management and improving governance within the Shire. While yet to commence, the Act requires the appointment of an independent Presiding and Deputy Presiding Member.

On 26 August 2025, the Shire advertised for expressions of interest against the ARIC Presiding and Deputy Presiding Member positions. The closing date for submissions was 19 September 2025. No expressions of interest were received, and the advertisement was extended for an additional four (4) week period.

Mrs Catherine Mayfield and Mrs Tracey Utley lodged expressions of interest and are now recommended for appointment by exception. Mrs Mayfield is a qualified Chartered Accountant with extensive experience in financial auditing with a Global Top 4 accounting firm, business operations and management. Mrs Utley holds extensive experience in Treasurer roles, business management and operation. (Resumes are attached under Confidential cover).

Both appointees are not council members, employees or contractors of the Shire; and maintain the pre-requisite independence prescribed by the Local Government Amendment Act 2024.

The appointment of the Presiding and Deputy Presiding Members meets the Shire's obligations under the Act and is pre-emptive of the commencement of the Local Government Amendment Act 2024 and the mandatory ARIC requirements. The ARIC will meet quarterly.

Comment

This report is an administrative action to appoint an Independent Presiding and Deputy Presiding Member to the Shire of Kondinin Audit Risk and Improvement Committee.

Statutory Environment

Local Government Act 1995, Section 5.12

Salaries and Allowances Act 1975, Part 6, clause 6.3.

Local Government Amendment Act 2024, section 87 (yet to be commenced).

Policy Implications

Nil.

Financial Implications

Meeting fees:	\$250 per member per meeting
Reasonable Travel:	\$60 per member per meeting
Total:	\$2480.00 (4 meetings)

Strategic Implications

Strategic Community Plan 2022-2032

4.2 External audits and reviews confirm compliance with relevant local government legislation

Voting Requirement

Absolute majority.

9.4.4 ROE REGIONAL ORGANISATION OF COUNCILS

Author:	Bruce Wright - Chief Executive Officer
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	15 October 2025
Disclosure of Interest:	Nil
Attachments:	1. Chief Executive Officer Councillor Briefing - RoeRoc - October 2025 CONFIDENTIAL ATTACHMENT 2. A Comparative Analysis of Regional Organisations of Councils in NSW & WA - July 2012 3. Regional Organisations of Councils (ROCS) The Emergence of Network Governance in Metropolitan and Rural Australia – 2003 4. GVROC Investment Project Prospectus 2025 TO 2026 5. WEROC Strategic Plan 6. Cooperation-Shared-Services-July-2024 7. RoeRoc Committee Meeting Minutes – 4 September 2025 8. RoeRoc Memorandum of Understanding – Revised 9. RoeRoc Operational Guidelines – Revised 10. Shire of Wickepin – Request for Membership – Discussion Paper

OFFICER RECOMMENDATION**Moved: Cr****Seconded: Cr**

That Council:

1. Rescinds resolution number 4634 for Council report titled *Roe Regional Organisation of Councils – Application for Membership by the Shire of Wickepin*, lost at the September Ordinary Meeting of Council.
2. Receives and endorses the Chief Executive Officer *Councillor Briefing - RoeRoc - October 2025* (attached Confidential document) and supporting attachments (attached).
3. Acknowledges and endorses the meeting minutes from the RoeRoc Committee Meeting convened on 4 September 2025 at Naremben (attached).
4. Acknowledges and endorses the updated *RoeRoc Memorandum of Understanding* endorsed by the RoeRoc Committee Meeting on 4 September 2025 (attached).
5. Acknowledges and endorses the updated *RoeRoc Operational Guidelines* (attached).
6. Receives and endorses the *Shire of Wickepin – Request for Membership – Discussion Paper* (attached).
7. Endorses and supports the request for membership of RoeRoc by the Shire of Wickepin.

Carried:**For:****Against:****Absence:****Summary**

At the October Ordinary Meeting of Council, the Council rejected an application by the Shire of Wickepin to join the Roe Regional Organisation of Councils (RoeRoc) and the supporting administrative documents of the RoeRoc. Council subsequently sought further advice on the advantages and disadvantages of Shire membership of the RoeRoc.

A Chief Executive Officer briefing note to Council recommends that the Shire retain membership of RoeRoc and in addition, supports the admission of the Shire of Wickepin into RoeRoc. In summary, Roe ROC offers the Shire and its membership:

- Strength in Numbers
- Improved Competitiveness
- Greater Credibility
- Enhanced Business Cases
- A Shared Advocacy Burden
- Future Funding Success
- It Demonstrates Maturity Resilience and Flexibility
- Long-Term Regional Positioning

This report seeks Council's acknowledgement and endorsement of the Chief Executive Briefing (confidential attachment), RoeRoc Committee Meeting minutes from the Ordinary Meeting of RoeRoc convened at Narembeen on 4 September 2025; and endorsement and approval of the *RoeRoc Memorandum of Understanding* (as revised) and the *RoeRoc Operational Guidelines* (as revised) is sought.

Council is also requested to consider and endorse a formal request from the Shire of Wickepin to join the Roe Regional Organisation of Councils (RoeRoc). The RoeRoc Committee has supported the proposal in principle and now seeks formal endorsement from all existing member Councils as required under the RoeRoc Memorandum of Understanding (2024–2029) (as revised).

Background

At its meeting on 4 September 2025, the RoeRoc Committee considered the Shire of Wickepin's formal application to join RoeRoc. A comprehensive discussion paper, prepared by the RoeRoc Executive Officer in consultation with member CEOs, assessed the strategic, financial, and governance implications of the application.

The application aligns with the governance principles of RoeRoc and has received in principle support from all CEOs, including commentary from the Shire of Kulin suggesting that the admission of the Shire of Wickepin is the subject of an entry contribution and a potential review after 12–18 months.

In accordance with Section 9 of the RoeRoc MOU, admission of a new member requires a unanimous resolution of all current member Councils.

Comment

The Shire of Wickepin's inclusion is considered as being strategically beneficial to RoeRoc through strengthening RoeRoc's regional capacity and furthering collaboration in shared services, advocacy, and infrastructure planning.

The Shire of Wickepin will not be participating in legacy projects including the Bendering Waste Site and the RoeHealth EHO Scheme. It has expressed strong interest in contributing to new and emerging initiatives, including:

- Shared Services Working Group (SSWG)
- ERP procurement
- Renewable Energy Policy Framework
- Digital resource platforms

The Shire of Wickepin has also agreed to:

- Pay a one-off entry contribution of \$8,869 (equal to 1/5th of 2024/25 Executive Officer cost).
- Participate in ongoing cost-sharing arrangements for the RoeRoc Executive Officer and joint projects.

This financial arrangement will result in reduced Executive Officer costs for all existing members from the point of Wickepin's admission.

Statutory Environment

Local Government Act 1995 – Section 3.65

RoeRoc Memorandum of Understanding 2024–2029 (as revised) – Section 9 (Admitting New Members)

Policy Implications

Nil

Financial Implications

The Shire will realise a saving in subscription costs to RoeRoc from \$11,364 to \$9,091 per annum.

Strategic Implications

Strategic Community Plan 2022-2032

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

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

4. Civic Leadership

"RoeRoc and regional groupings deliver local benefit"

RoeRoc Strategic Objectives 2025–2027

"Strengthened regional partnerships;

*Efficient delivery of shared services;
Enhanced advocacy and influence through broader collaboration.”*

Voting Requirement

Simple majority.

9.4.5 **CHIEF EXECUTIVE OFFICER – PERFORMANCE INDICATORS** **2025-2026**

Author:	Bruce Wright - Chief Executive Officer
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	15 October 2025
Disclosure of Interest:	Nil
Attachments:	Model Standards – CEO Recruitment, Performance & Termination Chief Executive Officer Performance 2025-2026

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council:

1. In accordance with the provisions of the Section 5.39B of the Local Government Legislation Amendment Act 2019, endorses and approves the Shire of Kondinin *Model Standards for CEO Recruitment, Performance and Termination* (attached).
2. In accordance with the Local Government (Administration) Regulations 1996, Division 3, Section 16 (1), endorses and approves the *Shire of Kondinin – 2025-2026 Chief Executive Officer Performance* (attached).
3. Endorses and approves that the Chief Executive Officer initial (6 month) probation review is conducted on or immediately after Wednesday 18 February 2026 by the Shire President.
4. Endorses and approves that the Chief Executive Officer annual performance review is conducted on or immediately after the 12-month anniversary of the probation review for the remainder of the Chief Executive Officer's employment contract (expiring on 17 August 2028).
5. Endorses and approves the Shire President, in consultation with the Chief Executive Officer, to determine the process by which the Chief Executive Officer's performance will be reviewed and to implement the review process against the agreed performance indicators and review process.

Carried:

For:

Against:

Absence:

Summary

This report seeks Council's endorsement and approval of the Shire of Kondinin Model Standards for CEO Recruitment, Performance and Termination.

Further and in accordance with the provisions of the Model Standards, the report seeks Council endorsement and approval of Shire of Kondinin Chief Executive Officer performance indicators for the financial year 2025-2026.

Background

The Local Government Act 1995, Division 4, sections 5.39A and 5.39B requires a local government to develop standards for the recruitment, performance and termination of its Chief Executive Officer.

Schedule 2 of the Local Government (Administration) Regulations 1996 provides a local government with the prescribed details required within the Model Standards.

In consideration of the endorsement by Council, the Local Government Act 1995, Division 4, section 5.39B cites:

5.39B Adoption of model standards

- (1) *In this section -
 model standards means the model standards prescribed under section 5.39A(1).*
- (2) *Within 3 months after the day on which regulations prescribing the model standards come into operation, a local government must prepare and adopt* standards to be observed by the local government that incorporate the model standards.*

** Absolute majority required.*
- (3) *Within 3 months after the day on which regulations amending the model standards come into operation, the local government must amend* the adopted standards to incorporate the amendments made to the model standards.*

** Absolute majority required.*
- (4) *A local government may include in the adopted standards provisions that are in addition to the model standards, but any additional provisions are of no effect to the extent that they are inconsistent with the model standards.*
- (5) *The model standards are taken to be a local government's adopted standards until the local government adopts standards under this section.*
- (6) *The CEO must publish an up-to-date version of the adopted standards on the local government's official website.*
- (7) *Regulations may provide for —*
 - (a) *the monitoring of compliance with adopted standards; and*
 - (b) *the way in which contraventions of adopted standards are to be dealt with.*

The attached Model Standards articulate the detail prescribed by the Regulations, however, will be incorporated into the review of Shire policies for later amendment and endorsement.

The Local Government (Administration) Regulations 1996, Division 3, Section 16 (1) require a local government and Chief Executive Officer to mutually agree on performance indicators for the CEO and the review process to be undertaken against those performance criteria. It is recommended that the Shire President is endorsed by Council to represent the Council to determine this process in consultation with the CEO.

Comment

The endorsement and approval of the Model Standards and the Chief Executive Officer performance criteria are statutory requirements.

Statutory Environment

Local Government Act 1995

Local Government (Administration) Regulations 1996

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Strategic Community Plan 2022-2032

4.2 We are a compliant and well-resourced Local Government

Voting Requirement

Absolute majority.

9.4.6 RFT 02-2023-2024 – SUPPLY & COVER OF BITUMINOUS PRODUCTS

Author:	Bruce Wright - Chief Executive Officer
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	20 October 2025
Disclosure of Interest:	Nil
Attachments:	RFT 02-2023-2024 "Supply & Cover of Bituminous Products" and supporting correspondence

OFFICER RECOMMENDATION**Moved: Cr****Seconded: Cr**

That Council:

1. Receives and notes the attached RFT 02-2023-2024 "Supply & Cover of Bituminous Products" and supporting correspondence relating to the engagement of Bitutek Pty Ltd to undertake road works on behalf of the Shire of Kondinin.
2. Acknowledges that the works that are the subject of the RFT 02-2023-2024 relate to the supply and application of bitumen to the Hyden-Norseman Road (SLK 39.14-48.14) and Lovering Road; and that these works have been satisfactorily completed by Bitutek Pty Ltd.
3. Authorises the Chief Executive Officer to approve the payment of \$334,114.08 (ex GST) to Bitutek Pty Ltd from the approved 2025-2026 budget for road works.

Carried:**For:****Against:****Absence:****Summary**

This report seeks Council's endorsement and approval for the Chief Executive Officer to authorise the payment of \$334,114.08 (ex GST) to Bitutek Pty Ltd. Bitutek Pty Ltd is a WALGA preferred supplier.

The works that are the subject of the order include the mobilisation and demobilisation fees for the supply and application of 72,808 square metres of bitumen and aggregate to the Hyden-Norseman Road.

Background

During May 2023, a Request for Tender (02-2023-2024) for the Supply and Cover of Bituminous Products on the Hyden-Norseman Road and Lovering Road. Bitutek Pty Ltd was subsequently awarded the works. (Tender attached for reference).

Bitutek Pty Ltd is a preferred supplier on the WALGA pre-qualified panel of suppliers. Under the provisions of the Local Government (Functions and General) Regulations 1996, Division 2,

Section 11(2)(b), the Shire is exempt from going to tender as the supply of goods or services is to be obtained through the WALGA Preferred Supplier Program.

On 23 June 2025, Bitutek Pty Ltd was notified in writing of an extension to the program funding and completed the remaining road sections on time and within the prescribed budget.

The invoice for the final tranche of works completed by Bitutek Pty Ltd is \$334,114.08 (ex GST) and exceeds the CEO's delegated authority. This report now seeks Council authorisation for the CEO to approve the invoice.

Comment

This report is an administrative action to provide delegated authority to the CEO to authorise the payment of the final Bitutek Pty Ltd invoice for works rendered.

Statutory Environment

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Strategic Community Plan 2022-2032

2.2 Achievement of our road construction program

Voting Requirement

Simple majority.

9.4.7 SHIRE OF KONDININ BUSH FIRE BRIGADES – 2025 ANNUAL GENERAL MEETING

Author:	Bruce Wright - Chief Executive Officer
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	13 October 2025
Disclosure of Interest:	Nil
Attachments:	2025 Shire of Kondinin Bushfire Brigades Annual General Meeting Minutes – 19 August 2025

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council:

1. Receives and acknowledges the meeting minutes from the 2025 Shire of Kondinin Bushfire Brigades Annual General Meeting Minutes – 19 August 2025 (attached).
2. Endorses and approves the brigades meeting recommendation to conditionally appoint Mr Roger Northey as the Shire of Kondinin Bushfire Brigades Chief Bush Fire Control Officer for the financial year 2025-2026.
3. Endorses and approves the brigades meeting recommendation to appoint Mr Tom Mulchay as the Shire of Kondinin Bushfire Brigades Deputy Chief Bush Fire Control Officer for the financial year 2025-2026.
4. Endorses and approves the brigades meeting recommendation to appoint Mr Neil Whyte as the Shire of Kondinin Bushfire Brigades Deputy Chief Bush Fire Control Officer for the financial year 2025-2026.
5. Endorses and approves the brigades meeting recommendation to appoint Mr Bruce Wright as the Shire of Kondinin Bushfire Brigades Fire Weather Officer for the financial year 2025-2026.
6. Endorses and approves the brigades meeting recommendation to appoint the Fire Control Officers and Dual Shire Bushfire Control Officers nominated within the meeting minutes (attached) for the financial year 2025-2026.
7. Endorses and approves the brigades meeting recommendation that Mr Roger Northey maintains the position of Chief Bush Fire Control Officer until such time as either Deputy successfully completes the prerequisite training to become the Chief Bush Fire Control Officer; at which point, a Deputy will be recommended to Council for appointment to the office of Chief Bush Fire Control Officer.
8. Authorises the Chief Executive Officer in consultation with the Chief Bush Fire Control Officer to amend the nominated Fire Control Officers, Dual Shire Bush Fire Control Officers and membership register, as required, to maintain register accuracy throughout the financial year 2025-2026.

9. Authorises the Chief Executive Officer to exercise the notice provisions of Section 38(2A) of the Bush Fires Act 1954 in relation to the recommended appointments.

Carried:

For:

Against:

Absence:

Summary

This report seeks Council's receipt and acknowledgement of the 2025 Annual General Meeting Minutes of the Shire of Kondinin Bushfire Brigades; and the endorsement and approval to appoint:

- (Conditional) Chief Bush Fire Control Officer – Mr Roger Northey
- Deputy Chief Bush Fire Control Officer – Mr Tom Mulchay
- Deputy Chief Bush Fire Control Officer – Mr Neil Whyte
- Fire Weather Officer – Mr Bruce Wright
- Fire Control Officers and Dual Shire Fire Control Officers

The report also seeks Council approval to conditionally appoint the Chief Bush Fire Control Officer contingent on a nominated Deputy successfully completing prerequisite training for Council appointment to the Chief role thereafter.

Background

Under the provisions of the Bush Fires Act 1954, Part IV, Division 1 Section 38(1), a local government may:

38. Local government may appoint bush fire control officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.*

On 19 August 2025, the Shire of Kondinin Bushfire Brigades convened for the 2024-2025 Annual General Meeting. Existing Officer positions were vacated and an election conducted to fill the roles for the period FY 2025-2026. The specified nominations were received and the recommended appointments unanimously supported.

Comment

The appointment of officers, fire control officers and the fire weather officer by the Shire Council are prescribed under the provisions of the Bush Fires Act 1954

Statutory Environment

Bush Fires Act 1954

Policy Implications

Local Emergency Management Arrangements

Financial Implications

The Shire is the recipient of an annual Department of Fire and Emergency Services grant. No financial implications exists.

Strategic Implications

Strategic Community Plan 2022-2032

1.6 Support Emergency Services planning, risk mitigation, response and recovery.

Voting Requirement

Simple majority.

9.4.8 **2025-2026 - CAPITAL BUDGET AMENDMENT - MISCELLANEOUS WORKS**

Author:	Bruce Wright - Chief Executive Officer
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	23 October 2025
Disclosure of Interest:	Nil
Attachments:	Nil

OFFICER RECOMMENDATION

Moved: Cr

Seconded: Cr

That Council:

1. Cancels the 2025-2026 Capital Works Project titled “Economic Services – Waverock Precinct Improvement” and remove the allocated \$50,000 allocation from the adopted budget.
2. Endorses and approves the reallocation of \$50,000 from the cancelled project to the following new capital works projects in accordance with the provisions of the Local Government Act 1995, Section 6.8(1):
 - a) Hyden CWA Hall Garden Development - \$20,000
 - b) Hyden Concrete Footpath Upgrades - \$20,000
 - c) Kondinin Bush Trail Wayfinding - \$10,000
3. Authorises the Chief Executive Officer to update the 2025-2026 Capital Works Program and financial records accordingly.

Carried:

For:

Against:

Absence:

Summary

This report seeks Council's endorsement and approval to amend the adopted 2025-2026 Capital Works program to cancel the Waverock Precinct Improvement Project and reallocate the corresponding \$50,000 to the following projects:

- Hyden CWA Hall Garden Development,
- Hyden Concrete Footpath Upgrades, and
- Wayfinding for the Kondinin Bush Trail.

A commitment to undertake these new projects was previously made, however, the projects remain unfunded within the 2025-2026 budget. The re-allocation of funding to these projects will provide for the completion of each.

Background

The 2025-2026 Annual Budget included a capital allocation of \$50,000 for the project titled “Economic Services – Waverock Precinct Improvement”, intended for annual improvements to the Waverock precinct.

Following a further review of asset priorities and outstanding commitments, it is proposed that the Waverock project be deferred to 2026-2027 and the budget allocated to the project be reallocated to several smaller projects that will address emerging community needs.

Comment

This report recommends that the \$50,000 originally allocated to the project “Economic Services – Waverock Precinct Improvement” be reallocated to:

New Project	Proposed Allocation	Description
Hyden CWA Hall Garden Development	\$20,000	Design, development and installation of new landscaping and garden features at the CWA Hall to improve amenity and provide functional aesthetic to hall users and community.
Hyden Concrete Footpath Upgrades	\$20,000	Upgrades and development of footpaths servicing public shower facilities, residential spaces and the facilities within the rest area immediately adjacent to the swimming pool.
Wayfinding for the Kondinin Bush Trail	\$10,000	Design, manufacture and installation of interpretive and wayfinding signage for the Kondinin Bush Trail.

The proposed projects align with community priorities, can be delivered within the current financial year, and will provide visible community benefit. There will be no impact on overall Shire expenditure, as the funds are being reallocated within the existing budget.

Statutory Environment

Local Government Act 1995 - Section 6.8(1): A local government is not to incur expenditure from its municipal fund for an additional purpose unless authorised in advance by an absolute majority decision of Council.

Local Government (Financial Management) Regulations 1996

Policy Implications

Nil.

Financial Implications

There is no net increase in overall capital expenditure and no change to the total Shire funding requirement for 2025-2026.

Strategic Implications

Strategic Community Plan 2022-2032

*1.4 Parks, nature reserves and community spaces are green, tidy, accessible and activated.***Voting Requirement**

Absolute majority.

9.5. CONFIDENTIAL ITEMS**RECOMMENDATION:****Moved:** Cr**Seconded:** Cr

That Council moves behind closed doors to a confidential session

Carried:**For:****Against:****Absence:****9.5.1 AWARD OF RFQ 01/2025-2026 – BUILDING MAINTENANCE SERVICES**

Author:	Tory Young – Manager Planning & Assets
Authorising Officer:	Bruce Wright - Chief Executive Officer
Date:	22 October 2025
Disclosure of Interest:	Nil
Attachments:	Request for Quote; 4 x Submissions; 3 x Evaluation Criteria; Model Contract.

OFFICER RECOMMENDATION**Moved:** Cr**Seconded:** Cr

That Council:

1. **APPROVES** the award of “RFQ 01-25/26 – Building Maintenance Services to the Shire of Kondinin” to XXXXXXXXX for a period of one year with two, one-year options (1+1+1):
2. **AUTHORISES** the Chief Executive Officer to execute the necessary administrative and legal instruments to enter a contract with XXXXXXXXX for the provision of Building Maintenance Services to the Shire of Kondinin.

Carried:**For:****Against:****Absence:**

RECOMMENDATION:

Moved: Cr

Seconded: Cr

That Council moves from behind closed doors and back into the ordinary meeting session.

Carried:

For:

Against:

Absence:

9.6 COMMITTEE ITEMS

Nil

10. BUSINESS OF AN URGENT NATURE

11. CLOSURE

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