



SHIRE OF KONDININ
MINUTES OF MEETING
Kondinin Shire Council
ALL OPEN AND CONFIDENTIAL ITEMS
Ordinary Council Meeting

Held at the Hyden Community Resource Centre on 22 April 2026

This page is intentionally left blank.

Order of Business

1 Opening of Meeting 5

2 Acknowledgement of Traditional Owners and Dignitaries..... 5

3 Recording of Attendance 5

3.1 Attendance 5

3.2 Attendance by Telephone or Instantaneous Communication..... 5

3.3 Apologies 5

3.4 Approved Leave of Absence 5

3.5 Declarations of Disclosures of Interest..... 5

4 Application for Leave of Absence..... 5

5 Response to Previous Questions 5

5.1 Questions from Elected Members taken on Notice 5
 Nil

5.2 Questions taken on Notice from Public 6
 Nil

6 Public Time 6

6.1 Public Question Time..... 6

6.2 Public Statement Time 6

6.3 Petitions/Deputations/Presentations/Submissions 6
 Nil

7 Questions from Members without Notice 6

8 Announcements by Presiding Members without Discussion..... 6

9 Declaration of Members to have Given due Consideration to all Matters Contained in the Agenda Before the Meeting..... 6

10 Confirmation of Minutes of Previous Meetings..... 6

11 Reports of Committees..... 7

11.1 Audit & Risk 7
 Nil

11.2 Add the others 7
 Nil

12 Reports of Officers 8

12.1 Corporate Services..... 8

 12.1.1 List of Accounts - March 2026..... 8

 12.1.2 Financial Report - March 2026 11

12.2 Planning & Assets..... 15

 12.2.1 Wayfinding at Wave Rock Precinct 15

 12.2.2 Community Water Supplies Partnership Program - Diversion of Stormwater from Kondinin Airstrip to Kondinin CBH North Dam and Associated Works 18

12.2.3	Request to Refund Planning Fees for Proposed Ambulance Subcentre at Lot 99 Lynch Street, Hyden.....	23
12.2.4	Proposal to Consider Closure of Section of Public Road to Incorporate into Freehold Lot 2425 on DP 169236	26
12.3	Works.....	31
	Nil	
12.4	Chief Executive Officer	32
12.4.1	Regularisation of Contracted Ranger Services and Application of Procurement Exemption	32
12.4.2	Code of Conduct - Council Members, Committee Members & Candidates.....	37
12.4.3	Application for CCTV and Automatic Number Plate Recognition (ANPR) Grant Funding - WA Government	40
12.4.4	Kondinin & Hyden Aquatic Centres - Season Report	43
13	Business of an Urgent Nature	44
14	Motions of which Previous Notice has been Given	44
	Nil	
15	Matters for which Meeting may be Closed / Confidential Items.....	44
	Nil	
16	Decisions Made while Meeting was Closed to the Public	44
17	Close of Meeting	44
17.1	Date of Next Meeting	44
17.2	Closure	44

1 OPENING OF MEETING

The meeting was opened by the Shire President at 5.07pm

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND DIGNITARIES

The Shire President acknowledged the traditional owners upon which we meet and paid respect to elders past, present & emerging.

The Shire President acknowledged Mr Brad Newnham and Ms Erin Grise from Synergy and their presentation to the Council.

3 RECORDING OF ATTENDANCE

3.1 ATTENDANCE

Shire President K Mouritz (Presiding Member), Deputy Shire President B Gangell (Deputy Presiding Member), Cr B Browning, Cr M James, Cr D Pool, Chief Executive Officer B Wright, Manager Planning & Assets Mrs T Young, Manager Corporate Services Mr V Bugna, Cr T Smeed, Cr P Green, Acting Manager Works Mr Bob Edwards.

3.2 ATTENDANCE BY TELEPHONE OR INSTANTANEOUS COMMUNICATION

Nil

3.3 APOLOGIES

Nil

3.4 APPROVED LEAVE OF ABSENCE

Nil

3.5 DECLARATIONS OF DISCLOSURES OF INTEREST

Cr Murray James declared an impartiality interest (non-pecuniary) in item 12.2.4 - Proposal to Consider Closure of Section of Public Road to Incorporate into Freehold Lot 2425 on DP 169236 as a family member is a party to the matter before the Council.

4 APPLICATION FOR LEAVE OF ABSENCE

Nil

5 RESPONSE TO PREVIOUS QUESTIONS

5.1 QUESTIONS FROM ELECTED MEMBERS TAKEN ON NOTICE

Nil

5.2 QUESTIONS TAKEN ON NOTICE FROM PUBLIC

Nil

6 PUBLIC TIME

6.1 PUBLIC QUESTION TIME

Nil

6.2 PUBLIC STATEMENT TIME

Nil

6.3 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

7 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

8 ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

Nil

9 DECLARATION OF MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE AGENDA BEFORE THE MEETING

Acknowledged by Councillors.

10 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RESOLUTION OCM/26/023

Moved: Cr Toni Smeed

Seconded: Cr Murray James

That the minutes of the Ordinary Council Meeting of 25 March 2026 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

CARRIED 7/0

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool, Toni Smeed and Paul Green

Against: Nil

11 REPORTS OF COMMITTEES

11.1 AUDIT & RISK

Nil

11.2 ADD THE OTHERS

Nil

12 REPORTS OF OFFICERS

12.1 CORPORATE SERVICES

12.1.1 List of Accounts - March 2026

FILE NUMBER:

DATE: 15 April 2026

AUTHOR: Vince Bugna, Manager Corporate Services

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. List of Accounts - March 2026 - *Under Separate Cover*

RECOMMENDATION

That Council receive the attached report – List of Accounts Due & Submitted to Council for the month of March 2026:

• Municipal Fund payment cheque numbers 19552 – 19553; 19556 - 19557	= \$ 19,579.20
• Municipal EFT21912 – 22034	= \$ 690,790.23
• Direct Debits – Transport – Hyden Office	= \$ 11,885.20
• Direct Debits – Transport – Kondinin Office	= \$ 18,954.85
• Direct Debits – Credit Cards DD23709.1	= \$ 9,513.00
• Direct Debits – Other	= \$ 50,833.21
• EFTPOS, AKF, Bank Fees	= \$ 1,116.47
• Payroll EFTs	= \$ 127,872.92
TOTAL	= \$ 930,545.08

SUMMARY

To present to Council a list of accounts paid from Municipal and Trust Funds (when applicable) under the delegated authority to the CEO.

VOTING REQUIREMENT

Absolute Majority

COUNCIL’S ROLE

Executive

The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

BACKGROUND

The Chief Executive Officer 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.*

FINANCIAL

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

RISK

Non-compliance

POLICY

NIL

STATUTORY

Local Government (Financial Management) Regulations 1996

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

4.2 We are a compliant and resourced Local Government

Strategy

4.1.5 The capability of our organisation is continually improved

4.2.1 External audits and reviews confirm compliance with relevant Local Government legislation

4.2.2 Financial sustainability in achieving community aspirations

COMMENT

NIL

CONSULTATION

NIL

RESOLUTION OCM/26/024

Moved: Cr Beverley Gangell

Seconded: Cr Toni Smeed

That Council receive the attached report – List of Accounts Due & Submitted to Council for the month of March 2026:

• Municipal Fund payment cheque numbers 19552 – 19553; 19556 - 19557	= \$ 19,579.20
• Municipal EFT21912 – 22034	= \$690,790.23
• Direct Debits – Transport – Hyden Office	= \$ 11,885.20
• Direct Debits – Transport – Kondinin Office	= \$ 18,954.85
• Direct Debits – Credit Cards DD23709.1	= \$ 9,513.00
• Direct Debits – Other	= \$ 50,833.21
• EFTPOS, AKF, Bank Fees	= \$ 1,116.47
• <u>Payroll EFTs</u>	<u>= \$127,872.92</u>
TOTAL	<u>= \$930,545.08</u>

CARRIED 7/0 BY ABSOLUTE MAJORITY

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool, Toni Smeed and Paul Green

Against: Nil

Councillor Gangell noted that two cheques (56 & 57) were cancelled but are included within the resolution for reference (not contained within the attachment).

12.1.2 Financial Report - March 2026

FILE NUMBER:**DATE:** 15 April 2026**AUTHOR:** Vince Bugna, Manager Corporate Services**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Financial Report - March 2026 - *Under Separate Cover***RECOMMENDATION**

That Council:

Receive the attached reports entitled Monthly Financial Report (Containing the required Statement of Financial Activity and Statement of Financial Position) for the period ended 31 March 2026.

SUMMARY

To present to Council the Monthly Financial Report for the period ended 31 March 2026.

VOTING REQUIREMENT

Absolute Majority

COUNCIL'S ROLE**Executive**

The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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 of Kondinin's financial activities for the period at which it relates.

FINANCIAL

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.

RISK

NIL

POLICY

NIL

STATUTORY

Local Government Act 1995

Local Government (Financial Management) Regulation 1996

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

4.2 We are a compliant and resourced Local Government

Strategy

4.1.5 The capability of our organisation is continually improved

4.2.1 External audits and reviews confirm compliance with relevant Local Government legislation

4.2.2 Financial sustainability in achieving community aspirations

4.2.3 Strategic Resource Plan - ratios

COMMENT

Highlights of the March 2026 financial reports are as follows:

Item	Reference
<ul style="list-style-type: none"> • Cash at Bank The Shire’s total cash as of 31 March 2026 was \$7,912,741 – composed of \$3,598,005 reserve accounts (restricted), \$54,193 LCDC fund, \$2,254,423 term deposit investments and \$2,006,120 general fund (Muni, OCDF & Petty cash). 	<p>Page 9 – Note 6 Cash and Financial Assets</p> <p>Page 10 – Note 7 Reserve Accounts</p>
<ul style="list-style-type: none"> • Receivables Rates and Rubbish = \$481,681 net collectible – equivalent to 11% as of 31 March 2026, 2% movement from last month. Other receivables of \$514,260 – composed of \$393,925 Sundry Debtors (\$152,306 of which was private works for Synergy for the Lovering Road works, \$200,000 Capital Contribution of KCRC for Kondinin Pavilion renovation), \$72,977 Gst receivable and \$47,358 	<p>Page 16 – Note 10 Receivables</p>

<p>ESL and pensioner related receivables.</p>	
<ul style="list-style-type: none"> • Current Liabilities YTD balance is \$1,804,355 which includes \$456,313 of employees' annual and long service leave provision, \$106,471 Current portion of borrowings (payable within 12 months), \$846,492 unearned Capital Grants/Contributions and \$395,079 creditors invoices. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>
<ul style="list-style-type: none"> • Closing Funding Surplus (Deficit) YTD actual is \$3,523,028 – composed of \$8,873,689 Current Assets less \$1,804,355 Current Liabilities and \$(3,546,306) Adjustments to Net Current Assets. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>
<ul style="list-style-type: none"> • Significant Capital Projects: <ul style="list-style-type: none"> ✓ Roadworks amended budgeted of \$6.17m is 53% completed composed of: Safer Local Road and Infrastructure Program (SLRIP) funded Hyden Norseman Road and RTRs funded Bushfire Rock Road, Nth Lake Grace-Karlgarin Road, Pederah West Road and Whyte Road, RRG funded Lovering Road and Hyden Mt Walker Road, and Council funded Forbes Road, King Rocks East Road and Reservoir East Road. ✓ Plant and equipment with amended budget of \$992,000 have two (2) vehicles purchased to date. ✓ Land and buildings with amended total budget of \$3m for two (2) Shire housing for Hyden and Kondinin, Karlgarin Bowling Club & Country Club Building and Kondinin Pavilion upgrade have 68% completion. ✓ Other infrastructure with amended budget of \$958,040 (includes footpath, Airstrip upgrade, water tanks) is 38% completed. 	<p>Page 7 – Key Information</p> <p>Page 11 to 14 – Note 8 Capital Acquisitions</p>
<ul style="list-style-type: none"> • Grants, Subsidies and Contributions <ul style="list-style-type: none"> ✓ Operating grants total received to date = \$1,518,244 from MRWA Direct grant, FAGS, Diesel Fuel Rebate and DFES 3 quarters payment. ✓ Capital grants total received to date = \$3,658,748 from RRG progress claims, RTR Bushfire Rock Road, SLRIP Hyden Norseman Road, DWER's Water infrastructure & CBH Dam upgrade, DSR Grant and Sports Groups Contributions for Sports Pavilion and Karlgarin Bowling Club new building. RRSP first payment received – reclassified as Capital grant liability – unspent as at 31 March 2026. 	<p>Pages 21 – Note 15 Grants, Subsidies and Contributions</p> <p>Page 22 – Note 16 Capital Grants, Subsidies and Contributions.</p>

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.

CONSULTATION

NIL

RESOLUTION OCM/26/025

Moved: Cr Bruce Browning

Seconded: Cr Paul Green

That Council:

Receive the attached reports entitled Monthly Financial Report (Containing the required Statement of Financial Activity and Statement of Financial Position) for the period ended 31 March 2026.

CARRIED 7/0 BY ABSOLUTE MAJORITY

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool, Toni Smeed and Paul Green

Against: Nil

12.2 PLANNING & ASSETS

12.2.1 Wayfinding at Wave Rock Precinct

FILE NUMBER:**DATE:** 14 April 2026**AUTHOR:** Amanda Kemp, Community Development Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Wayfinding signs plan - *Under Separate Cover***RECOMMENDATION**

That Council:

1. Endorses and approves the installation of previously purchased replacement directional signage within the Wave Rock Precinct
2. Authorises the Chief Executive Officer to arrange for installation works to be undertaken, noting that installation costs will be met from within existing budget allocations.

SUMMARY

The purpose of this report is to seek Council approval to proceed with the installation of previously purchased replacement directional signage within the Wave Rock Precinct, including the removal and disposal of existing signage.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE**Executive**

The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

BACKGROUND

Directional signage within the Wave Rock Precinct has progressively deteriorated due to age, weather exposure and general wear and tear, many of the signs are damaged and difficult to read.

To address this, signs were previously purchased within the 2024/2025 budget, the new signs align with contemporary wayfinding standards and are intended to enhance visibility and navigation to the attractions within the area.

These signs are currently in storage and ready for installation.

This report seeks Council endorsement to remove existing directional signage and install replacement signage on a like-for-like basis at the same locations within the Wave Rock Precinct.

The Waverock Precinct Strategic Plan was previously endorsed by Council; however, it is not the subject of a formal resolution. Accordingly, this report now formalises the determined placement position of the signage.

FINANCIAL

- The Signs have already been purchased in the 2024/2025 budget at a cost of \$25,905 (inc GST)
- Costs associated with installation can be met within the Other Tourist Facilities Maintenance (13254) account.

RISK

- Continued visitor confusion and potential safety concerns
- Reputational impact due to poor wayfinding infrastructure
- Further deterioration of current signage

POLICY

Nil

STATUTORY

Nil

STRATEGIC

Theme

2. ECONOMY

Goal

2.2 Safe and efficient transport network enables economic growth

2.3 Coordinated planning and promotion of the visitor and tourist experience

Strategy

2.2.4 We actively participate in Roe Tourism to receive local benefit

2.3.2 Visitors receive timely and up to date information on experiences, attractions and amenities

COMMENT

This report addresses a strategic administrative action and seeks Council approval of the nominated sites for signage placement.

CONSULTATION

Nil

RESOLUTION OCM/26/026

Moved: Cr Bruce Browning

Seconded: Cr Paul Green

That Council:

1. Endorses and approves the installation of previously purchased replacement directional signage within the Wave Rock Precinct
2. Authorises the Chief Executive Officer to arrange for installation works to be undertaken, noting that installation costs will be met from within existing budget allocations.

CARRIED 7/0

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool, Toni Smeed and Paul Green

Against: Nil

Councillor Green requested that stakeholder engagement in the areas Is completed prior to installation.

12.2.2 Community Water Supplies Partnership Program - Diversion of Stormwater from Kondinin Airstrip to Kondinin CBH North Dam and Associated Works

FILE NUMBER:	HRT G.1
DATE:	14 April 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Site Plan - Diversion Drainage and Headworks - <i>Under Separate Cover</i> 2. Proposed Area for Culvert System on CBH Site Leading to CBH Dam - <i>Under Separate Cover</i> 3. Proposed Area for Culvert System at CBH Site - <i>Under Separate Cover</i> 4. Proposed Site for Culvert System under De Largie (Airport Road) - <i>Under Separate Cover</i> 5. Existing 600mm barrel culvert system under disused railway line - <i>Under Separate Cover</i> 6. Proposed Drainage Grading on Airstrip Site_Example 1 - <i>Under Separate Cover</i> 7. Proposed Drainage Grading on Airstrip Site Example 2 - <i>Under Separate Cover</i> 8. Proposed Drainage Grading at Airstrip Site Example 3 - <i>Under Separate Cover</i>

RECOMMENDATION

That Council:

1. SUPPORTS an application for funding through the Department of Water and Environment's Community Water Supplies Partnership Program for the diversion of stormwater drainage from Kondinin Airstrip to Kondinin CBH North Dam and associated works
2. APPROVES the allocation of a 30 percent contribution (cash and in-kind) of up to \$50,000 towards the project in the 26/27 financial year.

SUMMARY

This report is for Council is twofold, namely: to support an application for funding through the Department of Water and Environment's Community Water Supplies Partnership Program for the diversion of stormwater drainage from the Kondinin Airstrip to Kondinin North CBH dam: and approve the inclusion of up to \$50,000 in the 26/27 budget to cover the Shire's 30 percent contribution towards the project and unforeseen cost escalations.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE

Executive

The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

BACKGROUND

The Shire of Kondinin continues to work closely with the Department of Water and Environmental Regulation to improve water capture and security across the Shire, illustrated through numerous projects, several of which have received funding through the Community Water Supplies Partnership Program. These have included works and associated infrastructure at Hyden CBH, The Humps Community Water Standpipe, Kondinin CBH, Karlgarin Dam, McCanns Rock and Karlgarin Bowling Club.

The key objectives of the Community Water Supplies Partnership Program (CWSP) are as follows:

- To assist in broadacre farming communities in establishing or improving non-potable water supplies
- Increase water availability for emergency livestock and firefighting to better prepare communities for periods of low rainfall
- Ensure water is available for public amenities to reduce reliance on potable water supplies for non-potable needs
- Provide assistance to areas that have a history of water deficiency or where on-farm and non-potable community water supplies are unreliable

The key priority funding objectives of the CSWP are as follows:

- Establish or upgrade strategic emergency water supplies for firefighting and livestock
- A project must provide clear benefits to the community
- Reduce reliance on scheme water
- Increase public amenities through the irrigation of open spaces, such as ovals, gardens and parks.

The proposal to seek funding to undertake drainage works to divert stormwater from the Kondinin Airstrip to Kondinin North CBH dam aligns strongly with the key objectives of the CWSP and the key priority funding objectives of the program, in particular the benefits to the community; the reduction in carting of scheme water and enhancement of public amenities by increasing the irrigation of the playing fields within the Kondinin Sporting Precinct.

FINANCIAL

The total cost of the project has been estimated at \$125,786. The grant requires a 30 percent (cash and in-kind) contribution to the project, with the remaining 70 percent from the CWSP grant funding.

Whilst a 10 percent contingency has been added to the project budget costings, \$50,000 is recommended to be allocated to the Shire's 26/27 budget to meet with the grant requirements and unforeseen cost escalations.

Based on indicative costings received, the project budget breakdown for the grant application is as follows:

Work Item	Work Description	CWSP Grant	Shire Contribution	Total
1	Mobilisation and Demobilisation		\$16,955	\$16,955
2	Grading of Stormwater Diversion Drain	\$10,000	\$1,924	\$11,924
3	Supply and Install 2 x four-barrel 450 diameter drainage crossings inclusive of headwalls	\$77,909		\$77,909
4	Cracker Dust 100 tonnes @ \$15 per tonne		\$1,500	\$1,500
5	Carting of Cracker Dust 12 hours @ \$290 per hour		\$3,480	\$3,480
6	Re-Patching of 12mx 8m section of De Largie (Airport) Road, Kondinin		\$1,500	\$1,500
7	Contingency		\$12,519	\$12,519
TOTAL PROJECT COST		\$87,909	\$37,878	\$125,786

RISK

The Shire has undertaken like projects through the Community Water Supply Partnership Program that have been delivered on time and within budget. The scope of the project is straight-forward and presents minimal risk to the Council.

The Shire have obtained / in the process of obtaining the necessary approvals required to undertake the work on the CBH lot (existing Licence Agreement in place) and the Railway Reserve (Third Party Access Form has been submitted to the Public Transport Authority). The majority of the works are being undertaken on the Shire owned lot 10 on DP 75882 and the adjacent public local road reserve managed by the Shire.

POLICY

Nil

STATUTORY

Local Government Act 1995

STRATEGIC

Theme

1. COMMUNITY

Goal

- 1.4 Recreational and social spaces encourage active and healthy lifestyles

Strategy

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

COMMENT

Currently stormwater runoff from the Kondinin Airstrip and surrounds is haphazard and diverts to various low-lying areas over the lot and into the adjacent road reserve. This project presents an opportunity to formally capture the stormwater runoff created from the airstrip and divert the water directly into the adjacent CBH dam. Ongoing maintenance of the catchment areas within the Kondinin CBH North site has ensured stormwater from the CBH site diverts into this holding dam before being pumped into the Kondinin Town Dams to reticulate the Kondinin Sporting Precinct. Whilst this generally works well, without summer rains this dam runs very low resulting in significant reductions in watering the sporting fields and in years of severe water deficiency stopping reticulation completely. By diverting water from the adjacent Kondinin Airstrip site will increase the water runoff to the dam, in turn increasing the ability to continue to use non-potable water to reticulate the Kondinin Sporting Precinct through the summer months. The sealing of the Kondinin Airstrip scheduled to be completed by the end of April 2026 will serve to further increase the surface runoff capacity.

The scope of the project comprises the undertaking of a maintenance-grade swale drain and associated headworks to divert stormwater runoff from the existing tracks adjacent to the Kondinin airstrip to the existing four-barrel 600mm culvert system and then into the Kondinin North CBH dam. The works include the supply and installation of 2 x 4-barrel 450 diameter drainage crossings, inclusive of headwalls proposed to be installed at De Largie (Airport) Road, and on the western boundary of the Kondinin North CBH site.

CONSULTATION

The Shire of Kondinin has long received consistent messaging from community members in relation to the importance of having well maintained sporting playing surfaces that are kept regularly watered and green all year round. This project responds to the messaging from the community.

RESOLUTION OCM/26/027

Moved: Cr Beverley Gangell

Seconded: Cr Bruce Browning

That Council:

1. SUPPORTS an application for funding through the Department of Water and Environment's Community Water Supplies Partnership Program for the diversion of stormwater drainage from Kondinin Airstrip to Kondinin CBH North Dam and associated works
2. APPROVES the allocation of a 30 percent contribution (cash and in-kind) of up to \$50,000 towards the project in the 26/27 financial year.

CARRIED 6/1

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool and Toni Smeed

Against: Cr Paul Green

Councillor Green cited that the project should not proceed as it is not a currently considered or scheduled project.

Councillor Gangell noted that the subject works would complete the current works at the Kondinin airstrip.

Councill Browning added that the subject works would create value to add to the sustainability of water supply to town ovals.

12.2.3 Request to Refund Planning Fees for Proposed Ambulance Subcentre at Lot 99 Lynch Street, Hyden

FILE NUMBER:	DT.4
DATE:	15 April 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	1. Written Request from St John Ambulance to Refund Planning Fees for Construction of Subcentre Building - <i>Under Separate Cover</i>

RECOMMENDATION

That Council:

1. Approves a full refund of planning application fees in the amount of \$2,598.66 to St John Ambulance, paid on 15 April 2025, for the development application associated with the proposed Ambulance Subcentre at Lot 99 Lynch Street, Hyden.
2. Authorises the Chief Executive Officer to undertake all necessary administrative and financial actions to effect the refund.

SUMMARY

This report is for Council to consider the request from St John Ambulance to refund the planning fees of \$2,598.66 that have been receipted for the construction of an Ambulance Subcentre at Lot 99 Lynch Street, Hyden.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE

Executive

The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

BACKGROUND

The Shire of Kondinin has received a development application from St John Ambulance for the construction of an ambulance substation at Lot 99 Lynch Street, Hyden, receipted on the 15 April 2026.

The Shire's Chief Executive Officer and Council Members received a request via email on the 13 April 2026 seeking consideration for the planning fee to be refunded. A copy of the request is shown as an attachment to this Agenda Report.

Under Part 7 (r.52) of the Planning and Development Regulations 2009 a Local Government may waive or refund, in whole or in part, payment of a fee for planning service.

At the Ordinary Meeting of Council held on the 10 February 2021 the Council supported the request from St John Ambulance for the waiving of the fees associated with the construction of the new substation building in Kondinin.

FINANCIAL

As per the Shire's 2025/2026 Fees and Charges the planning fees for the proposed subcentre at Lot 99 Lynch Street, Hyden are \$2,598.66. The Officer Recommendation to refund the planning fees will result in no fees being received for planning service associated with this development.

RISK

Low

POLICY

Nil

STATUTORY

Planning and Development Act 2005

Planning and Development Regulations 2009

STRATEGIC

Theme

1. COMMUNITY
4. CIVIC LEADERSHIP

Goal

- 1.5 Support local volunteer organisations
- 4.2 We are a compliant and resourced Local Government

Strategy

- 1.5.1 Clubs and service organisations feel supported
- 4.2.1 External audits and reviews confirm compliance with relevant Local Government legislation

COMMENT

The St John Ambulance subbranch have been actively fundraising to fund the construction of this new fit for purpose subcentre in Hyden. As a community-based organisation comprising local volunteers that work tirelessly attending to accident and medical emergency situations across the Shire of Kondinin, it is strongly recommended by the reporting officer that Council support refunding the planning fees in full.

The issuing of the development application for the new subcentre in Hyden is independent of this request and will be issued under delegation from Council as per the Shire's Delegation Register. A copy of the plans has been attached to this Agenda Report for information only.

CONSULTATION

The Shire's Administration have consulted with St John Ambulance as the landowners of the property and the architects as the applicants of the development application.

RESOLUTION OCM/26/028

Moved: Cr Murray James

Seconded: Cr Toni Smeed

That Council:

1. Approves a full refund of planning application fees in the amount of \$2,598.66 to St John Ambulance, paid on 15 April 2025, for the development application associated with the proposed Ambulance Subcentre at Lot 99 Lynch Street, Hyden.
2. Authorises the Chief Executive Officer to undertake all necessary administrative and financial actions to effect the refund.

CARRIED 7/0

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool, Toni Smeed and Paul Green

Against: Nil

Cr Murray James declared an impartiality interest (non-pecuniary) in item 12.2.4 - Proposal to Consider Closure of Section of Public Road to Incorporate into Freehold Lot 2425 on DP 169236 and did not enter to discussions relative to the matter.

12.2.4 Proposal to Consider Closure of Section of Public Road to Incorporate into Freehold Lot 2425 on DP 169236

FILE NUMBER:	E.R.5
DATE:	16 April 2026
AUTHOR:	Bruce Wright, Chief Executive Officer
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	<ol style="list-style-type: none">1. Map of Proposed Road Reserve to be Closed - <i>Under Separate Cover</i>2. Map Accompanying Letter Objecting to Proposed Road Reserve Closure - <i>Under Separate Cover</i>

RECOMMENDATION

That Council:

1. Notes Council Resolution 4607 from the Ordinary Meeting of Council on 20 August 2025 and Council Resolution OCM/26/016 from the Ordinary Meeting of Council on 25 March 2026 together with the associated Officer reports and attachments; and
2. Endorses those documents as forming the comprehensive background, basis and historical record relevant to the matter currently before Council, and either,
3. Rejects the application to support a request to be made to the Minister pursuant to section 58 (1) under the Land Administration Act 1997 to lose the section of local road reserve (Land ID 3662697) that runs along the southern and eastern boundary of Lot 2425 on DP 169236 Walton Road, Karlgarin to amalgamate with the adjoining land as outlined in the map attached.

OR

4. SUPPORTS a request to be made to the Minister pursuant to section 58 (1) under the Land Administration Act 1997 to lose the section of local road reserve (Land ID 3662697) that runs along the southern and eastern boundary of Lot 2425 on DP 169236 Walton Road, Karlgarin to amalgamate with the adjoining land as outlined in the map attached, and
5. ADVISES the Minister that the Shire of Kondinin has complied with section 58 (2) of the Land Administration Act 1997 by publishing the proposed closure of the local road reserve (Land ID 3662697) that runs along the southern and eastern boundary of Lot 2425 on DP 169236 Walton Road, Karlgarin by way of notice in the local district on the 27 June 2025 and 2 July 2025 and individual letters sent to surrounding land owners on 27 June 2025, and
6. RECEIVES the formal submission attached made during the advertising period taken in accordance with section 58 (2) of the Land Administration Act 1997 and ADVISES the Minister that this be considered in the decision to close the public road reserve (Land ID 3662697)
7. Resolves that Council has received and considered all available information and submissions relevant to this matter and will not accept or consider any further applications,

correspondence or submissions in relation to it.

SUMMARY

At the Ordinary Meeting of Council on 20 August 2025, Council voted against (resolution 4607) a submission made by Mr Greg Henderson to support the closure of a section of road reserve in Walton Road, Karlgarin to amalgamate said reserve into the property of Mr Henderson at Lot2425 on DP 169236.

During December 2025, Mr Henderson made a further submission to the Chief Executive Officer seeking presentation of additional information for Council consideration. This matter was touched on during Council briefings. Council received the additional information and requested that the Chief Executive Officer undertake a further assessment of the newly received information.

The principal information received from Mr Henderson and presented to Council during August 2025 has not materially changed, rather it is now augmented by the additional information received in December 2025. It is noted that Mr Henderson has agreed to allow access to neighbours utilise a fire track on his property to access Aylmore Road (east to west) to Medcalf Rock Road.

This report now seeks a determination by Council to either reject the application by Mr Henderson in accordance with resolution 4697 from the Ordinary Meeting of Council on 20 August 2025 or to endorse and approve a request to the Minister to amalgamate the reserve into the property of Mr Henderson.

Council has now been presented with all available information, and it is recommended that no further applications, correspondence or submissions are accepted in relation to this matter.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE

Executive

The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

BACKGROUND

The request to close a section of local road reserve adjoining Lot 2425 on DP 169236, Walton Road, Karlgarin, has been considered through a structured and compliant statutory process under section 58 of the Land Administration Act 1997 and Regulation 9 of the Land Administration Regulations 1998. The original approach by Mr Henderson sought to regularise the property boundary by aligning the boundary with the existing fence line, consistent with the northern and western boundaries of the lot. The proposal was presented as a low-impact adjustment, with existing native vegetation within the road reserve proposed to be retained in a similar manner to vegetation already present along the other boundaries of the property.

A site inspection undertaken by the Shire's Administration confirmed that closure of the subject section of road reserve would not alter or diminish access arrangements for the subject land or neighbouring properties. Ongoing access would continue to be available via Walton Road, Chalk Hill

West Road and Karlgarin East Road, and no alternative access obligations would arise as a result of the proposed closure.

In accordance with statutory requirements, Council resolved on 25 June 2025 to support advertising of the proposed road closure and authorised the Chief Executive Officer to commence the formal process. The proposal was advertised for the required period, including notices in local media and direct written consultation with adjacent landowners. During the advertising period, one formal submission objecting to the proposal was received, together with a verbal enquiry seeking clarification on Mr Henderson's intentions.

Following consideration of the submissions received, Council resolved at its Ordinary Meeting held on 20 August 2025 not to support a request to the Minister for closure of the road reserve. This decision reflected Council's assessment of the objection received and its consideration of public interest and road network implications at that time.

In December 2025, Mr Henderson provided additional information seeking reconsideration of Council's decision. That information was presented to Council at its Ordinary Meeting on 25 March 2026, at which time Council resolved to take the submission on notice and requested further inquiry into the implications of reconsidering resolution 4607.

The additional information provided by Mr Henderson introduces new considerations, including that the reconstruction of the subject section of road may not be economically viable nor aligned with the Shire's long-term planning priorities, and a proposal to provide informal access for light vehicles via a fire track on Mr Henderson's property to improve east-west connectivity. While this information is material, it does not in itself resolve all statutory and policy considerations. In particular, any undertaking regarding vehicle access through private land is not a sustainable substitute for formal road status, and any clearing or modification of vegetation within the existing road reserve or elsewhere would remain subject to separate statutory approvals which cannot be presumed or implied through the road-closure process.

It is also relevant that an objection was received during the statutory advertising period. That objection remains part of the formal record and must continue to be reflected in any further consideration of the proposal. While the receipt of additional information allows Council to re-examine its previous decision, it does not negate the need to assess the proposal against public interest, long-term asset management considerations, and the potential precedent set by the permanent amalgamation of a road reserve.

The adjacent land holder who lodged the original objection was consulted in relation to the further submission of Mr Henderson and he reiterated that the original objection remained.

FINANCIAL

Nil to the Shire. The landowner of Lot 2425 requesting the road closure will be required to purchase the section of the road reserve from the Crown.

RISK

Nil

POLICY

Nil

STATUTORY

Land Administration Act 1997

Land Administration Regulations 1998

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.2 We are a compliant and resourced Local Government

Strategy

4.2.1 External audits and reviews confirm compliance with relevant Local Government legislation

COMMENT

Council has previously considered this matter through a compliant statutory process and resolved not to support the proposed closure of the local road reserve, following public advertising and receipt of a formal objection. The additional information subsequently provided by Mr Henderson is acknowledged as material and has enabled Council to revisit the implications of its earlier decision; however, it does not fundamentally alter the statutory framework or remove the need to balance private benefit against wider public interest, long-term asset management considerations and the integrity of the local road network.

The consultation requirements under section 58 of the Land Administration Act 1997 have been satisfied, and the objection received during the advertising period remains a relevant consideration. While the proposal is characterised as low impact from an access perspective, the permanent amalgamation of a road reserve is a significant step and must be assessed cautiously, particularly where alternative future uses, environmental management obligations, proposed substituted road access and precedent considerations may apply.

Council is therefore now in a position to determine whether, having regard to the full chronology, submissions received and information provided, the matter should proceed further or be finalised.

CONSULTATION

Consultation was undertaken as prescribed under the *Land Administration Regulations 1998*. Since the matter was first presented to Council in June 2025, the Shire's Administration have undertaken further consultation with the landowner of Lot 2425 on DP169236 seeking the request, and with the landowner that submitted a formal objection to the proposal. The position of both parties remains the same.

RESOLUTION OCM/26/029

Moved: Cr Bruce Browning

Seconded: Cr Darren Pool

That Council:

1. Notes Council Resolution 4607 from the Ordinary Meeting of Council on 20 August 2025 and Council Resolution OCM/26/016 from the Ordinary Meeting of Council on 25 March 2026 together with the associated Officer reports and attachments; and
2. Endorses those documents as forming the comprehensive background, basis and historical record relevant to the matter currently before Council, and either,
3. SUPPORTS a request to be made to the Minister pursuant to section 58 (1) under the Land Administration Act 1997 to lose the section of local road reserve (Land ID 3662697) that runs along the southern and eastern boundary of Lot 2425 on DP 169236 Walton Road, Karlgarin to

amalgamate with the adjoining land as outlined in the map attached, and

4. ADVISES the Minister that the Shire of Kondinin has complied with section 58 (2) of the Land Administration Act 1997 by publishing the proposed closure of the local road reserve (Land ID 3662697) that runs along the southern and eastern boundary of Lot 2425 on DP 169236 Walton Road, Karlgarin by way of notice in the local district on the 27 June 2025 and 2 July 2025 and individual letters sent to surrounding land owners on 27 June 2025, and
5. RECEIVES the formal submission attached made during the advertising period taken in accordance with section 58 (2) of the Land Administration Act 1997 and ADVISES the Minister that this be considered in the decision to close the public road reserve (Land ID 3662697)
6. Resolves that Council has received and considered all available information and submissions relevant to this matter and will not accept or consider any further applications, correspondence or submissions in relation to it.

CARRIED 6/0

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Darren Pool, Toni Smeed and Paul Green

Against: Nil

Abstained: Cr Murray James

12.3 WORKS

Nil

12.4 CHIEF EXECUTIVE OFFICER

12.4.1 Regularisation of Contracted Ranger Services and Application of Procurement Exemption

FILE NUMBER:**DATE:** 16 April 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil
Authoriser - Nil**ATTACHMENTS:** Nil**RECOMMENDATION**

That Council:

1. Notes that the engagement of contracted Ranger services commenced without a public tender process as required by Regulation 11(1) of the Local Government (Functions and General) Regulations 1996;
2. Determines, pursuant to Regulation 11(2)(f) of the Local Government (Functions and General) Regulations 1996, that public tenders are not required in the present circumstances due to limited market availability;
3. Authorises by an absolute majority in accordance with section 6.8(1)(b) of the Local Government Act 1995, the future expenditure of funds for the engagement of contracted Ranger services;
4. Authorises the Chief Executive Officer to prepare and manage the necessary administrative and legal instruments to enter into a three (3) year contract with no option to extend with WA Contract Ranger Services for the provision of Ranger services; and
5. Notes that, prior to the expiry of the contract, a compliant procurement process is intended to be undertaken unless Council separately determines that a lawful exemption applies at that time.
6. Council acknowledges that this resolution does not constitute retrospective approval of the original engagement and applies only to future contractual arrangements.

SUMMARY

This report seeks Council endorsement and approval to regularise the engagement of WA Contract Ranger Services Pty Ltd (Contractor). It seeks further endorsement and approval to apply a procurement exemption prospectively and authorises future expenditure and a time-limited contract in accordance with legislative requirements.

VOTING REQUIREMENT

Absolute Majority

COUNCIL'S ROLE

Executive

The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

BACKGROUND

The Shire has engaged the Contractor since approximately 2020 to deliver statutory compliance, animal management, enforcement and related functions. This engagement has operated without a formal written contract and without having been procured through a public tender process.

The value of the services provided to date exceeds (in the aggregate) the prescribed tender threshold under the Local Government (Functions and General) Regulations 1996.

The absence of a formal contract and Council authorisation creates ongoing governance, financial and compliance risk for the Shire. This report is intended to address those risks prospectively.

Procurement Requirements

Regulation 11(1) of the Local Government (Functions and General) Regulations 1996 requires a local government to publicly invite tenders before entering into a contract for the supply of services where the expected value is \$250,000 or more.

The engagement of the Contractor exceeds this threshold and is therefore subject to Regulation 11(1).

Procurement Exemption

Regulation 11(2) sets out an exhaustive list of circumstances in which a local government is not required to invite public tenders.

Specifically, regulation 11(2)(f) provides an exemption where:

“the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier.”

A review of the Western Australian market for contracted municipal Ranger services indicates that there is a severely limited market for providers capable of delivering compliant, whole-of-shire Ranger services with appropriate legislative delegations and operational capacity.

On this basis, Council may lawfully determine that the present circumstances satisfy Regulation 11(2)(f). Any such determination applies prospectively only. Notwithstanding this, a review of market conditions indicates that the availability of suitably qualified Ranger service providers in 2020 was materially consistent with current market conditions, with no meaningful increase in the number of potential suppliers.

Proposed Contract Arrangements

It is proposed that Council authorise the Chief Executive Officer to enter into a three (3) year contract with the Contractor for the provision of Ranger services, subject to the following governance controls:

1. The contract term is strictly limited to three (3) years;
2. No option to extend or renew is included;
3. The contract clearly defines scope, reporting, key performance indicators, emergency response obligations and compliance requirements; and
4. Any continuation of services beyond the contract term must be considered by Council through a compliant procurement process or lawful exemption determination at that time.

Prior to the expiry of the contract, it is intended that the Shire proceed with a compliant procurement process, unless Council separately determines that a lawful exemption applies at that time.

This approach ensures that reliance on the exemption remains proportionate, transparent and reviewable, and avoids the creation of an ongoing or open-ended arrangement.

The Contractor

The Contractor provides ranger services to in excess of thirty (3) local governments throughout Western Australia. The services provided are consistent with those required by legislation, all staff are appropriately skilled, experienced and duly licensed; and the Shire has received strong service delivery at a reasonable rate.

FINANCIAL

Section 6.8(1) of the Local Government Act 1995 provides that a local government must not incur expenditure unless:

- the expenditure is included in the annual budget; or
- the expenditure is authorised by a decision of the Council made by an absolute majority; or
- the expenditure is authorised in an emergency.

The proposed expenditure associated with the contracted Ranger services requires Council authorisation under section 6.8(1)(b).

Approval of this report will provide the necessary authorisation for future expenditure only.

Historical Spend:

Financial Year	Fee
2025-2026	\$41,989
2024-2025	\$59,094
2023-2024	\$48,986
2022-2023	\$39,661
2021-2022	\$38,428
2020-2021	\$39,106
2019-2020	\$7,490
Total	\$274,754

Contract:

Service fees (inclusive) are capped for the three (3) year contract term. The Contractor will provide a weekly attendance at the Shire and in addition, provide after hours and emergency services.

Service	Rate (Inc GST)	Monthly Fee Estimate
Routine work hours	\$127 hr	\$2,032
Non routine work / emergency call out	\$127 hr	\$635
Travel	\$127 hr	\$1,270
Total		\$3,937

Estimated service costs over the life of the contract (3 years) are estimated at \$141,732 (inc GST). This does not include provision for extenuating circumstances such as significant rise and fall in fuel prices, and comprehensive assessments of out of hours and emergent requirements.

RISK

Risk	Mitigation
Procurement non-compliance	Formal exemption determination and contract
Audit scrutiny	Transparent governance narrative and controls
Service disruption	Time-limited contract
Over-reliance on exemption	Planned return to market.

POLICY

Purchasing Policy

The Shire’s Purchasing Policy is currently under review, with future updates to include the delivery of a comprehensive training package for staff and the implementation of streamlined, user-friendly processes to support consistent and compliant procurement practices.

STATUTORY

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.2 We are a compliant and resourced Local Government

Strategy

4.2.1 External audits and reviews confirm compliance with relevant Local Government legislation

COMMENT

The report seeks to correct and regularise the Shire’s engagement of the Contractor by applying a compliant exemption under Regulation 11(2)(f) of the Local Government (Functions and General) Regulations 1996. The exemption is based on a demonstrably limited market. The report also seeks authorisation of future expenditure and a time-limited three-year contract.

CONSULTATION

WA Contract Ranger Services Pty Ltd

Executive Manager Planning, Environment & Community Services

Community Consultation – Survey

RESOLUTION OCM/26/030

Moved: Cr Darren Pool

Seconded: Cr Paul Green

That Council:

1. Notes that the engagement of contracted Ranger services commenced without a public tender process as required by Regulation 11(1) of the Local Government (Functions and General) Regulations 1996;
2. Determines, pursuant to Regulation 11(2)(f) of the Local Government (Functions and General) Regulations 1996, that public tenders are not required in the present circumstances due to limited market availability;
3. Authorises by an absolute majority in accordance with section 6.8(1)(b) of the Local Government Act 1995, the future expenditure of funds for the engagement of contracted Ranger services;
4. Authorises the Chief Executive Officer to prepare and manage the necessary administrative and legal instruments to enter into a three (3) year contract with no option to extend with WA Contract Ranger Services for the provision of Ranger services; and
5. Notes that, prior to the expiry of the contract, a compliant procurement process is intended to be undertaken unless Council separately determines that a lawful exemption applies at that time.
6. Council acknowledges that this resolution does not constitute retrospective approval of the original engagement and applies only to future contractual arrangements.

CARRIED 7/0 BY ABSOLUTE MAJORITY

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool, Toni Smeed and Paul Green

Against: Nil

12.4.2 Code of Conduct - Council Members, Committee Members & Candidates

FILE NUMBER:**DATE:** 16 April 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Code of Conduct - Councillors, Committee Members & Candidates - *Under Separate Cover***RECOMMENDATION**

That Council:

1. Repeals the existing Code of Conduct for Council Members, Committee Members and Candidates of the Shire of Kondinin.
2. Adopts the amended Shire of Kondinin Code of Conduct for Council Members, Committee Members and Candidates (attached).
3. Authorises the establishment of a Committee of Council to investigate complaints made under the Code of Conduct, comprising all Councillors except:
 - I. the Councillor who is the subject of the complaint; and
 - II. the complainant, where the complainant is a Councillor.

SUMMARY

This report seeks Council consideration and adoptions of the updated Shire of Kondinin Code of Conduct for Council Members, Committee Members and Candidates (the Code) to meet compliance with amended legislative requirements.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE**Legislative**

Includes adopting local laws, town planning schemes and policies.

BACKGROUND

The Local Government (Model Code of Conduct) Regulations 2021 came into effect on 3 February 2021 and introduced a prescribed Model Code of Conduct applicable to all Western Australian local governments. Accordingly, the Shire of Kondinin adopted a Code of Conduct for Council Members, Committee Members and Candidates that is consistent with the structure and requirements of the Model Code.

The Regulations were subsequently amended by the Local Government Legislation Amendment Regulations 2025, which commenced on 1 January 2026. These amendments require all local governments to adopt an updated Code of Conduct by 1 April 2026.

The 2025 amendments significantly strengthen the Councillor conduct framework and introduce a graduated and centrally managed misconduct system overseen by the Local Government Inspector and the Local Government Inspectorate.

Key changes include:

- The Inspector and Inspectorate now occupy a central role in the misconduct system, with expanded investigative powers and the ability to recommend suspension or dismissal of individual councillors, or whole councils, to the Minister.
- Complaints alleging conduct breaches are now assessed by the Local Government Inspector and, where appropriate, determined by Local Government Adjudicators, replacing the former Standards Panel process.
- Breaches of Division 3 (Behaviour) are now classified as behavioural breaches, with a repeat-offender mechanism allowing escalation to a conduct breach after two prior findings.
- The former “minor breach” classification has been replaced with the term conduct breach, reflecting the seriousness of the conduct regulated.
- Breaches of specified offences under Schedule 8A.1 of the Local Government Act 1995 are classified as specified breaches and may be referred by the Inspector to the State Administrative Tribunal.
- Increased penalties apply, including the suspension of fees and allowances, suspension from Council or committees, and disqualification from holding office for up to ten years under a three-strike rule.
- Any person may now lodge a complaint with the Inspector, who is empowered to dismiss frivolous, vexatious or misconceived complaints.
- Decisions and penalties imposed by adjudicators are required to be published, enhancing transparency for electors.

Divisions 1, 2 and 4 of the Model Code are prescribed and must be adopted without amendment. Division 3 (Behaviour) allows local governments to include additional behavioural provisions, provided they are not inconsistent with the Model Code.

To provide procedural clarity, the updated Code confirms that the Chief Executive Officer is authorised to receive and withdraw complaints and that Council is responsible for determining how complaints are dealt with, unless it authorises another person or body to perform these functions. It is recommended that a Committee of Council be authorised for the initial consideration of behavioural complaints, noting that a councillor who is the complainant or the subject of a complaint must not participate in the relevant investigation.

Although the requirement to update the Code was noted during a sector webinar in December 2025, the adoption deadline was inadvertently missed. The Department of Local Government, Industry Regulation and Safety and the Local Government Inspector have been advised accordingly.

FINANCIAL

Nil

RISK

A failure to adopt the Code presents a high compliance risk to the Shire.

POLICY

The Code of Conduct forms part of the Shire's Policy Framework and will replace the existing policy once adopted.

STATUTORY

Local Government (Model Code of Conduct) Regulations 2021, as amended by the Local Government Legislation Amendment Regulations 2025.

STRATEGIC**Theme**

4. CIVIC LEADERSHIP

Goal

4.2 We are a compliant and resourced Local Government

Strategy

4.2.1 External audits and reviews confirm compliance with relevant Local Government legislation

COMMENT

This report enables the Shire of Kondinin to address a legislative update in a transparent, timely and governance-focused manner by adopting the amended Councillor Code of Conduct, ensuring compliance with current statutory requirements and strengthening the Shire's framework for accountability, behavioural standards and complaint handling.

CONSULTATION

Nil

RESOLUTION OCM/26/031

Moved: Cr Toni Smeed

Seconded: Cr Bruce Browning

That Council:

1. Repeals the existing Code of Conduct for Council Members, Committee Members and Candidates of the Shire of Kondinin.
2. Adopts the amended Shire of Kondinin Code of Conduct for Council Members, Committee Members and Candidates (attached).
3. Authorises the establishment of a Committee of Council to investigate complaints made under the Code of Conduct, comprising all Councillors except:
 - I. the Councillor who is the subject of the complaint; and
 - II. the complainant, where the complainant is a Councillor.

CARRIED 7/0

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool, Toni Smeed and Paul Green

Against: Nil

12.4.3 Application for CCTV and Automatic Number Plate Recognition (ANPR) Grant Funding - WA Government

FILE NUMBER:**DATE:** 16 April 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. CCTV and ANPR Expansion – Letter to Local Governments (WA Police Force, Great Southern District) - *Under Separate Cover*
2. CCTV Grant Program Guidelines - *Under Separate Cover*

RECOMMENDATION

That Council:

1. Supports the submission of a grant application under the State Government CCTV Grant Program for funding of up to five (5) Automatic Number Plate Recognition (ANPR) cameras within the Shire of Kondinin;
2. Approves, in principle, the inclusion of \$50,000 in the 2026–2027 Annual Budget to meet installation, infrastructure and associated costs required for implementation, should the grant application be successful;
3. Notes that no expenditure will be incurred unless and until funding is awarded and the relevant budget is adopted by Council; and
4. Authorises the Chief Executive Officer to undertake all actions necessary to prepare and submit the grant application, including consultation and sign-off with the WA Police Force.

SUMMARY

This report seeks Council endorsement of the submission of a grant application for funding of up to five (5) Automatic Number Plate Recognition (ANPR) cameras under the State Government’s CCTV Grant Program, and in addition, to approve a \$50,000 commitment in the 2026–2027 Annual Budget to meet associated installation, infrastructure and implementation costs.

VOTING REQUIREMENT

Absolute Majority

COUNCIL’S ROLE**Executive**

The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

BACKGROUND

The Western Australian State Government, through the Department of Local Government, Industry Regulation and Safety (LGIRS) in partnership with the WA Police Force, has established a grant

program to support the expansion of closed-circuit television (CCTV) and Automatic Number Plate Recognition (ANPR) infrastructure across Western Australia as part of the 2025 election commitment.

Eligible local governments may apply for funding for up to five (5) fixed cameras, with funding capped at \$20,343 per camera. Grant funding is limited to the supply of cameras only and does not cover associated infrastructure costs, including power supply, communications, mounting works, or any installation costs exceeding the capped amount.

The WA Police Force Great Southern District has formally encouraged local governments to expand CCTV networks and integrate ANPR technology, highlighting the operational and community safety benefits of improved surveillance coverage.

The proposed installation of ANPR cameras within the Shire of Kondinin would significantly enhance policing capability, community safety and asset protection. ANPR technology enables real-time detection of vehicles associated with criminal activity, stolen vehicles, high-risk offenders and time-critical incidents, and supports investigations and emergency management.

While grant funding is available for the purchase of cameras, the Shire will be required to fund associated infrastructure and installation works. It is estimated that a contribution of approximately \$50,000 will be required and is proposed to be included in the 2026–2027 Annual Budget.

Submission of the grant application requires collaboration with the local WA Police Officer in Charge, including identification of suitable locations and approval sign-off. Successful applicants must also register cameras on the Cam-Map WA database and participate in the SaferCities vGRID platform to enable secure, real-time access by authorised police officers.

At this stage, the report seeks Council endorsement to submit the grant application and approval to recognise and commit the required funding in the forthcoming budget. No expenditure will be incurred until the relevant budget has been adopted and funding awarded.

FINANCIAL

Grant funding of up to \$101,715 may be available for five cameras (subject to assessment).

The Shire will be required to contribute \$50,000, proposed to be funded through the 2026–2027 Annual Budget, subject to Council adoption.

No unbudgeted expenditure will be incurred as a result of this report.

RISK

Failure to pursue available grant funding represents a missed opportunity to enhance safety outcomes using external funding. Risks associated with cost overruns, compliance and ongoing maintenance will be managed through further reporting if funding is approved.

POLICY

Nil

STATUTORY

Nil

STRATEGIC

Theme

1. COMMUNITY
4. CIVIC LEADERSHIP

Goal

1.6 Support emergency services planning, risk mitigation, response and recovery

4.1 Skilled, capable and transparent team

Strategy

1.6.1 We collaboratively plan service delivery and respond to emergency situations (LEMC)

1.6.4 Local police service is retained

4.1.2 We are inclusive and our communities feel heard

This proposal supports Council's strategic priorities relating to:

- Community safety and wellbeing;
- Partnerships with enforcement agencies; and
- Crime prevention and asset protection.

COMMENT

This report seeks Council support to apply for State Government CCTV grant funding for the installation of up to five Automatic Number Plate Recognition (ANPR) cameras within the Shire of Kondinin to enhance community safety and policing capability, and to approve, in principle, a \$50,000 allocation in the 2026–2027 Annual Budget to fund associated installation and infrastructure costs should the application be successful, noting that no expenditure will occur unless funding is awarded and the relevant budget is formally adopted by Council.

CONSULTATION

WA Police – Officer in Charge Kondinin

RESOLUTION OCM/26/032

Moved: Cr Darren Pool

Seconded: Cr Murray James

That Council:

1. Supports the submission of a grant application under the State Government CCTV Grant Program for funding of up to five (5) Automatic Number Plate Recognition (ANPR) cameras within the Shire of Kondinin;
2. Approves, in principle, the inclusion of \$50,000 in the 2026–2027 Annual Budget to meet installation, infrastructure and associated costs required for implementation, should the grant application be successful;
3. Notes that no expenditure will be incurred unless and until funding is awarded and the relevant budget is adopted by Council; and
4. Authorises the Chief Executive Officer to undertake all actions necessary to prepare and submit the grant application, including consultation and sign-off with the WA Police Force.

CARRIED 5/2 BY ABSOLUTE MAJORITY

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James and Toni Smeed

Against: Crs Darren Pool and Paul Green

12.4.4 Kondinin & Hyden Aquatic Centres - Season Report

FILE NUMBER:**DATE:** 16 April 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil
Authoriser - Nil**ATTACHMENTS:**

1. Hyden Aquatic Centre - Season Report - *Under Separate Cover*
2. Kondinin Aquatic Centre - Season Report - *Under Separate Cover*

UPDATE

The Shire of Kondinin swimming season is now closed.

Attached are the Season Reports from both management operators at the Kondinin & Hyden Aquatic Centres.

The Administration is pleased to advise that the operators of the Kondinin Aquatic Centre and the Hyden Aquatic Centre have performed to a high standard throughout the year and have been fully compliant with all contractual obligations.

Both operators consistently delivered services in accordance with agreed service standards, legislative requirements and contractual conditions. In addition to operational compliance, the operators demonstrated a strong commitment to excellent customer service, proactive community engagement and inclusive participation across a broad range of user groups.

From an administrative and governance perspective, the operators were outstanding business partners. Engagement with Shire staff was consistently professional, cooperative and solutions-focused, and all matters were managed in a timely and constructive manner. At all times, the operators acted in a way that reflected the Shire's values and upheld the spirit of community collaboration.

The Administration has received positive feedback from community members regarding the accessibility, cleanliness, professionalism and welcoming nature of both facilities. The approach taken by the operators has contributed positively to community wellbeing, participation and pride in these important Shire assets.

On behalf of the Council, Shire Administration and the communities of Kondinin and Hyden, sincere thanks are extended to the operators and their staff for their dedication, professionalism and contribution over the past year. Their efforts have resulted in a successful operating period and a high-quality service for residents and visitors alike.

The information report was noted by the Council

13 BUSINESS OF AN URGENT NATURE

Nil

14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

**15 MATTERS FOR WHICH MEETING MAY BE CLOSED /
CONFIDENTIAL ITEMS**

Nil

**16 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE
PUBLIC**

17 CLOSE OF MEETING

17.1 DATE OF NEXT MEETING

To be held at Kondinin Shire Chambers at 4:00 PM on 20 May 2026.

17.2 CLOSURE

The Meeting closed at 5.25pm.