SHIRE OF KONDININ

MINUTES OF MEETING

Kondinin Shire Council

ALL OPEN AND CONFIDENTIAL ITEMS

Ordinary Council Meeting

Held at the Kondinin Shire Chambers on 22 July 2026

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Order of Business

1 OPENING OF MEETING

The Shire President opened the meeting at 3.48pm.

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND DIGNITARIES

The Shire President presented the acknowledgement of traditional owners and dignitaries.

3 RECORDING OFATTENDANCE

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, Ms D Wright, Mr B Edwards, Mrs A Kemp

3.2 ATTENDANCE BY TELEPHONE OR INSTANTANEOUS COMMUNICATION

Councillor Green – instantaneous communication (Teams)

3.3 APOLOGIES

Manager Corporate Services Vince Bugna

3.4 APPROVED LEAVE OF ABSENCE

Cr Toni Smeed

3.5 DECLARATIONS OF DISCLOSURES OF INTEREST

Councillors Mouritz and Green declared an impartiality interest in Item 12.4.1 Hyden (Wave Rock-Katter Kich) Discovery Centre – Hyden Progress Association Memorandum of Understanding & Section 3.59 Compliance. The interest of both Councillors relating to their membership of the Hyden Progress Association.

Both declarations are not a financial interest or proximity interest and the disclosures were made for transparency and for recording in the minutes.

4 APPLICATION FOR LEAVE OF ABSENCE

MOTION

RESOLUTION OCM/26/081

Moved: Cr Beverley Gangell

Seconded: Cr Darren Pool

That Council, pursuant to section 2.25(1) of the Local Government Act 1995, approves the application by Cr Browning for leave of absence from the Ordinary Meeting of Council to be held on 19 August 2026. **CARRIED 5/0**

For:	Crs Kent Mouritz, Beverley Gangell, Murray James, Darren Pool and Paul Green
Against:	Nil
Abstained:	Cr Bruce Browning

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

Questions from Councillor Smeed:

EFT22288

7359 Rent June Pool Manager - $1160

7357 Rent 29/5-2/7 CEO - $2250

Why is the pool manager still paying rent as I assume they would not be in town at present. I thought the CEO lived in a Shire house.

Response from CEO:

The Hyden pool manager is housed in a two bedroom apartment that is utilised by other contractors during the off season. The former pool manager residence will be occupied by the new Works Manager. The CEO is a rental and will be vacated within four weeks.

EFT22345

19/6 Civic Legal Joint Venture with Department of Communities with Lions Club - $3550.42

What is this for?

Response from CEO:

This relates to legal fees for an updated lease on the Whispering Gums in Hyden. The Shire is a party to the agreement as the land is Crown land vested to the Shire.

EFT22346

19/6/26 Kondinin Roadhouse - $260

Accommodation for contractors. Why is the Shire paying this?

Response from CEO:

This relates to accommodation for the maintenance contractor in accordance with the commercial proposal adopted by Council. Wherever possible, Contractors are housed in the Hyden unit however on this occasion that was not possible.

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

No declaration received

10 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RESOLUTION OCM/26/082

Moved: Cr Murray James

Seconded: Cr Bruce Browning

That the minutes of the Ordinary Council Meeting of 17 June 2026 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

CARRIED 6/0

For: Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool 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 - June 2026

FILE NUMBER:

DATE: 7 July 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 - June 2026 - *Under Separate Cover*

RECOMMENDATION

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

• Municipal Fund payment cheque numbers 19567 – 19572	=$	28,555.17
• Municipal EFT22278 – 22388	=$	515,670.25
• Direct Debits – Transport – Hyden Office	=$	9,574.15
• Direct Debits – Transport – Kondinin Office	=$	5,739.95
• Direct Debits – Credit Cards DD23983.1	=$	2,156.55
• Direct Debits – Other	=$	118,066.17
• EFTPOS, AKF, Bank Fees	=$	502.28
• Payroll EFTs	=$	137,729.23
TOTAL	**=$**	**817,993.75**

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

Nil

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/26/083

Moved: Cr Beverley Gangell

Seconded: Cr Darren Pool

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

• Municipal Fund payment cheque numbers 19567 – 19572	=$	28,555.17
• Municipal EFT22278 – 22388	=$	515,670.25
• Direct Debits – Transport – Hyden Office	=$	9,574.15
• Direct Debits – Transport – Kondinin Office	=$	5,739.95
• Direct Debits – Credit Cards DD23983.1	=$	2,156.55
• Direct Debits – Other	=$	118,066.17
• EFTPOS, AKF, Bank Fees	=$	502.28
• Payroll EFTs	=$	137,729.23
TOTAL	**=$**	**817,993.75**

CARRIED 6/0 BY ABSOLUTE MAJORITY

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

Against: Nil

12.1.2 Proposed Differential Rates 2026/27

FILE NUMBER:	
DATE:	7 July 2026
AUTHOR:	Vince Bugna, Manager Corporate Services
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil
	Authoriser - Nil
ATTACHMENTS:	Nil

RECOMMENDATION

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

SUMMARY

In accordance with the Local Government Act,1995 Section 6.33(3) the Shire of Kondinin advertised its intention to levy a differential rate on mining tenement Unimproved Value (UV) properties and mining Gross Rental Value (GRV) properties, more than double the general UV and GRV Rate that applies. We advertised in the Echo, a local newspaper on Monday 25th May 2026, the Shire website, public notice boards in Kondinin and Hyden and in The West Australian on 6th June 2026 calling for any objections to the proposed rates and the minimum payments. No objections or comments were received by the closing date Tuesday, 23rd June, 4pm.

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

In consultation with the Shires Strategic Community Plan, Corporate Business Plan and Long-Term Financial Plan and considering the proposed projects to be undertaken in the 2026/2027 financial year, an overall increase of 3.5% is required.

The gross rental valuations townsites (GRV–Townsites) did not have many changes this year since the last update in 2022/2023 financial year, and it is proposed to increase the rate in the dollar by 3.4%.

The gross rental valuation for mining infrastructure (GRV–Mining) remains unchanged, and it is proposed to increase the rate in the dollar by 3.49% or a modest $6,980 from that of the last financial year.

The unimproved valuations for the mining area (UV–Mining) had a modest increase of 0.02% and it is proposed to increase the rate in the dollar by 3.3%.

The unimproved valuations for the rural area (UV–Rural) remain unchanged this year, and it is proposed a rate increase in the dollar by 3.4% to reflect a modest revenue increase.

The minimum rental valuations remain unchanged with an average increase of 1.9%.

The proposed Differential Rates for 2026/2027 in each rating category are set out in the table below:

Land Category	Rate – cents in the dollar ($)	Minimum Payment $
GRV – Town Sites	13.2000	570.00
GRV – Mining	27.2000	570.00
UV – Mining	24.8000	570.00
UV – Rural	0.82920	570.00

FINANCIAL

Revenue from rates is a major component to cover Council's budget deficit

RISK

Nil

POLICY

Nil

STATUTORY

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

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

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Strategy

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4.2.2 Financial sustainability in achieving community aspirations

COMMENT

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

CONSULTATION

Shire Management and Council Members during budget deliberations

RESOLUTION OCM/26/084

Moved: Cr Murray James

Seconded: Cr Bruce Browning

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

CARRIED 6/0 BY ABSOLUTE MAJORITY

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

Against: Nil

12.1.3 Financial Report - June 2026

FILE NUMBER:

DATE: 13 July 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 - June 2026 - *Under Separate Cover*

RECOMMENDATION

1. 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 30 June 2026.

SUMMARY

To present to Council the Monthly Financial Report for the period ended 30 June 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

Non-compliance

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

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

4.2.2 Financial sustainability in achieving community aspirations

COMMENT

Highlights of the June 2026 financial reports are as follows:

Item	Reference
• **Cash at Bank** The Shire's total cash as of 30 June 2026 was **$9,492,034 –** composed of $3,696,241 reserve accounts (restricted), $56,019 LCDC fund, $1,303,587 term deposit investments and $4,436,187 general fund (Muni, OCDF & Petty cash).	Page 9 – Note 6 Cash and Financial Assets Page 10 – Note 7 Reserve Accounts
• **Receivables** **Rates and Rubbish = $400,432** net collectible – equivalent to 10% as of 30 June 2026. **Other receivables** have a high balance of **$644,587** – composed of $497,119 Sundry Debtors, $103,838 Gst receivable and $43,630 ESL and pensioner related receivables.	Page 16 – Note 10 Receivables
• **Current Liabilities** YTD balance is **$2,467,096** which includes $388,237 of employees' annual and long service leave provision, $283,261	Page 5 – Note 2 Net Current Assets used in the Statement of

Current portion of borrowings (payable within 12 months), \$801,007 unearned Capital Grants/Contributions and \$994,592 creditors invoices.	Financial Activity
• **Closing Funding Surplus (Deficit)** YTD actual is **\$4,629,963** – composed of \$10,623,084 Current Assets *less* \$,2467,096 Current Liabilities and \$(3,526,025) Adjustments to Net Current Assets.	Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity
• **Significant Capital Projects**: ✓ Roadworks amended budgeted of \$6.17m is 72% completed composed of: Safer Local Road and Infrastructure Program (SLRIP) funded Hyden Norseman Road and RTRs funded Billericay Road, Whyte Road, Bushfire Rock Road, Unity Street-Karlgarin, Radbourne Drive, Mouritz Street, Smith Loop, Pederah West Road and Nth Lake Grace-Karlgarin Road; RRG funded Lovering Road and Hyden Mt Walker Road, and Council funded Forbes Road, King Rocks East Road, Allen Rocks Road, Reservoir East Road, Cashmore Road, Lake Carmody Road, King Rocks West Road and Lake O'Connor Road. ✓ Plant and equipment with amended budget of \$992,000 has \$155,365 total acquisitions as of 30 June 2026 as majority of which will be carried forward next financial year. ✓ Land and buildings with amended total budget of \$3m is 92% equivalent overall completion. Completed project so far are: Shire housing n Kondinin, Karlgarin Bowling Club & Country Club Building. ✓ Other infrastructure with amended budget of \$958,040 (includes footpath, Airstrip upgrade, water tanks) is 89% completed.	Page 7 – Key Information Page 11 to 14 – Note 8 Capital Acquisitions
• **Grants, Subsidies and Contributions** ✓ Operating grants total received to date = \$4,606,276 from MRWA Direct grant, FAGS 2025/26, Diesel Fuel Rebate, DFES grant and FAGS 2026/27 advance payment. ✓ Capital grants total received to date = \$5,067,068 from RRG full payment, RTRs 2025/26 allocated grant, DWER's Water infrastructure & CBH Dam upgrade, DSR Grant and Sports Groups Contributions for Sports Pavilion and Karlgarin Bowling Club new building.	Pages 21 – Note 15 Grants, Subsidies and Contributions Page 22 – Note 16 Capital Grants, Subsidies and Contributions.

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/26/085

Moved: Cr Murray James

Seconded: Cr Beverley Gangell

1. 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 30 June 2026.

CARRIED 6/0 BY ABSOLUTE MAJORITY

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

Against: Nil

12.2 PLANNING & ASSETS

12.2.1 Consideration of Supporting Documentation Relating to Conditions of Development Approval - King Rocks Wind Farm (DAP 22/02288)

FILE NUMBER: HRT R.8

DATE: 9 July 2026

AUTHOR: Tory Young, Manager Planning & Assets

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. King Rocks Wind Farm - Operational Management Plan - *Under Separate Cover*
2. King Rocks Wind Farm - Aviation Impact Assessment - *Under Separate Cover*
3. King Rocks Wind Farm - Aviation Impact Assessment (Supporting Documentation) - *Under Separate Cover*
4. King Rocks Wind Farm - Conditions of Development Approval Summary July 2026 - *Under Separate Cover*

RECOMMENDATION

1. That Council

(i) APROVES the Construction Management Plan (OMP) dated July 2026 as attached in support of Condition 5 / Advice Note 4 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 15 November 2022 for use not listed described as ‘Wind Farm’ on two freehold agricultural lots located approximately 35km north-east of the Hyden townsite and SUPPORTS any further minor amendments being made to be undertaken and approved by the Chief Executive Officer under delegation from Council, provided that the amendments do not materially alter the intent, substance and obligations or effect of the document; and

(ii) APROVES the Aviation Impact Assessment dated July 2026 as attached in support of Condition 12 / Advice Note 13, 14 and 15 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 15 November 2022 for use not listed described as ‘Wind Farm’ on two freehold agricultural lots located approximately 35km north-east of the Hyden townsite and SUPPORTS any further minor amendments being made to be undertaken and approved by the Chief Executive Officer under delegation from Council provided that the amendments do not materially alter the intent, substance and obligations or effect of the document.

SUMMARY

This report is for Council to consider the documents attached to this Agenda Report as they relate to conditions of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 12 November 2022 for a use not listed and described as a ‘Wind Farm’ on two freehold agricultural lots located approximately 35km north-east of the Hyden townsite. The Reporting Officer considers the documentation addresses the relevant conditions of development approval and that Council approve accordingly.

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 conditional support for a use not listed described as a 'Wind Farm' on 2 freehold agricultural lots located approximately 35km north-east of the Hyden Town Site was granted with a series of conditions requiring local government approval to be addressed by the Applicant. Since development approval has been granted necessary documentation has been presented to Council incrementally for approval.

As outlined in the Conditions of Development Approval Summary as attached to this Agenda Report, most conditions of development approval have been now addressed. This report relates to approval of the Construction Management Plan and the Aviation Impact Assessment.

<u>OPERATIONAL MANAGEMENT PLAN</u>

Condition 5

Prior to operations commencing on-site, an Operational Management Plan shall be submitted to the Local Government for approval. Once approved the Operational Management Plan shall be implemented at all times to the satisfaction of the Local Government during the operational phase.

Advice Note 4

In relation to the Operational Management Plan, the following information shall be included:

a) Waste disposal;

b) Storm water management;

c) Fuel storage, handling and spill response;

d) Weed and pest management (biosecurity);

e) Flora and fauna protection / management;

f) Water management and water security;

g) The management of bushfire risk on the site during the operational period and responses to fire and emergency incidents;

h) The management of any reflected light on the site arising from any operations on the land;

i) Integration of the broad-hectare farming activities on-site with all proposed operations during the operational period;

j) Measures to ensure the use of buildings, works and materials on the site do not generate unreasonable levels of noise, vibration, dust, drainage, wastewater, waste products or reflected light.

<u>Officer Comment</u>

The Reporting Officer has reviewed the Operational Management Plan submitted by the Appilcant and supports that the documentation contained herewith suitable complies with the Condition and associate Advice Note and recommends that Council approves accordingly.

Aviation

Condition 12

On confirmation of the final layout and design of the Wind Turbines the Aviation Impact Assessment prepared by Aviation Projects accompanying this development application shall be updated and submitted to the Local Government for approval on advice from the Civil Aviation Authority and/or Air Services Australia as necessary.

Officer Comment: Synergy have advised by way of email dated 13 July 2026 that, *as part of our ongoing actions and stakeholder engagement we confirm that we have provided revisions of the AIA to Airservices Australia and CASA and will continue to update the Airservices Australia Vertical Obstacle Database team as the turbine installations progress.*

Advice Note 13

In relation to the required updates/amendments to the Aviation Impact Assessment, this must be based on the final approved site development plan. The Local Government will consult with the Civil Aviation Safety Authority and Air Services Australia prior to approval.

Officer Comment: This Advice Note conflicts in part with Advice Notes 15 and 16, in that the responsibility of all notifications be undertaken by the Proponent as the owners of the Project. On this basis it is not considered appropriate that the Local Government undertake independent consultation with the Civil Aviation Safety Authority and Air Services Australia.

Advice Note 14

The Civil Aviation Safety Authority (CASA) has advised the Proponent is responsible for ensuring medium intensity lighting is installed on all wind turbines that infringe the lowest safe altitude (LSALT) as per Section 9.4 of the CASA Manual of Standards (MOS) Part 139 and recommended radar activated steady low intensity (200 cd) aviation hazard lighting be installed as a minimum and any wind monitoring masts associated with the development should be marked as per Section 8.110 of the Part 139 (Aerodrome) Manual of Standards with the inclusion of aviation hazard markers. CASA has also advised the Proponent that all necessary notifications to the relevant aviation authorities, including the Department of Defence, local and regional aircraft operators, CASA and Air Services Australia, to ensure all relevant aviation safety requirements are met.

Officer Comment: The Aviation Impact Assessment and supporting documentation indicates that these matters have been addressed by the Proponent.

Advice Note 15

The Civil Aviation Authority (CASA) has advised the Proponent is responsible for ensuring the coordinates and estimated survey heights of each turbine and monitoring mast must be reported to the Airservices Australia Vertical Obstacle Database (VOD) on finalisation of site plan. The coordinates and estimated survey heights of each turbine and monitoring mast must be reported to the Airservices Australia Vertical Obstacle Database (VOD) email address, once the development approval is granted to ensure that the location of the wind farm can be mapped for the information of pilots. The Proponent is advised that changes to maps can take in excess of six months, therefore two weeks prior to works commencing, Airservices should be contacted via the VOD email address so that a NOTAM (Notice to Airmen) can be published by Airservices Australia advising pilots that the construction of tall structures in the area is imminent and to allow for the Grid LSALT heights to be increased. On the completion of works, the VOD should be advised of the surveyed height and location of each turbine and wind monitoring mast so that the wind farm details can be accurately recorded in the database.

Officer Comment: The Aviation Impact Assessment and supporting documentation indicates that these matters have been addressed by the Proponent. Of note a key change from previous revisions of the Aviation Impact Assessment now shows that based on the latest Airservices Australia dataset (effective 09 July 2026), the highest WTG is now located just outside the protection surface for Air Route J21. The highest WTG within the protection surface is now WTG04, which remains below the LSALT protection surface, resulting in no further LSALT raise required as advised by the author of the Aviation Impact Assessment.

Summary

The Reporting Officer has reviewed the Aviation Impact Assessment submitted by the Appilcant and supports that the documentation contained herewith suitably complies with the Condition and associated Advice Notes subject to minor administrative matters being addressed. Supporting information with respect to further stakeholder consultation and consideration to residual risks has been provided by the Applicant and attached to the Agenda Report in support of the documentation.

FINANCIAL

Nil

RISK

Low

POLICY

Nil

STATUTORY

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) 2015

Shire of Kondinin Local Planning Scheme No.1

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

CONSULTATION

Consultation was undertaken in accordance with the Planning and Development Act 2025 and the Planning and Development (Local Planning Schemes) Regulations 2015 as part of the development application process.

On going consultation has also been undertaken between the Shire's Administration and the Applicant during the project.

RESOLUTION OCM/26/086

Moved: Cr Darren Pool

Seconded: Cr Murray James

1. That Council

   (i) APROVES the Construction Management Plan (OMP) dated July 2026 as attached in support of Condition 5 / Advice Note 4 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 15 November 2022 for use not listed described as 'Wind Farm' on two freehold agricultural lots located approximately 35km north-east of the Hyden townsite and SUPPORTS any further minor amendments being made to be undertaken and approved by the Chief Executive Officer under delegation from Council, provided that the amendments do not materially alter the intent, substance and obligations or effect of the document; and

   (ii) APROVES the Aviation Impact Assessment dated July 2026 as attached in support of Condition 12 / Advice Note 13, 14 and 15 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 15 November 2022 for use not listed described as 'Wind Farm' on two freehold agricultural lots located approximately 35km north-east of the Hyden townsite and SUPPORTS any further minor amendments being made to be undertaken and approved by the Chief Executive Officer under delegation from Council provided that the amendments do not materially alter the intent, substance and obligations or effect of the document.

CARRIED 6/0

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

Against: Nil

Cr Green sought a notation that the Operational Plan include the management of roadside (and other) litter.

12.2.2 Consideration of Supporting Documentation Relating to Condition of Development Approval - Kondinin Wind Farm (Renewable Energy Facility) - DAP 18/0477

FILE NUMBER: HRT R.8

DATE: 10 July 2026

AUTHOR: Tory Young, Manager Planning & Assets

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. DAP_Determination Kondinin Renewable Energy Facility_Nov 2018 - *Under Separate Cover*
2. Kondinin Wind Farm - Construction and Operational Management Plan - *Under Separate Cover*
3. Kondinin Wind Farm Aviation Impact Assessment - *Under Separate Cover*
4. Kondinin Wind Farm Electromagnetic Interference Assessment - *Under Separate Cover*
5. Kondinin Wind Farm Noise Management and Monitoring Plan - *Under Separate Cover*
6. Kondinin Wind Farm Stormwater Management Plan - *Under Separate Cover*
7. Kondinin Wind Farm Bushfire Management Report - *Under Separate Cover*
8. Kondinin Wind Farm Traffic Management Plan - *Under Separate Cover*
9. Kondinin Wind Farm - Summary of Conditions of Development Approval July 2026 - *Under Separate Cover*

RECOMMENDATION

1. That Council

(i) APPROVES the Construction Management Plan (CMP) dated 27 May 2025 as attached in support of Condition 4 / Advice Note 3 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north and north-east of the Kondinin townsite, subject to the following information to be submitted to the Local Government for approval prior to commencement of construction:

a) A detailed Water Supply and Sourcing Strategy that addresses water volumes required for all aspects of construction both on the site and the road maintenance of Notting-Karlgarin Road, Kondinin.

(ii) APPROVES the Operational Management Plan (OMP) dated 27 May 2025 as attached in support of Condition 5 / Advice Note 4 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite

(iii) APROVES the Aviation Impact Assessment dated August 2025 as attached in support of Condition 12 / Advice Note 11, 12 and 13 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite and NOTES the Applicant has provided the additional information requested following the Council meeting held on the 25 June 2026 to the Shire's Administration;

(iv) APROVES the Electromagnetic Interface Study dated May 2025 as attached in support of Advice Note 16 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite and NOTES the Applicant has provided the additional information requested following the Council meeting held on the 25 June 2026 to the Shire's Administration

(v) APPROVES the Noise Management and Monitoring Plan dated November 2023 as attached in support of Condition 9 / Advice Note 9 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite;

(vi) APPROVES the Storm Water Management Plan dated April 2024 as attached in support of Condition 11 / Advice Note 10 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite;

(vii) APPROVES the Bushfire Management Plan dated October 2023 as attached in support of Condition 10 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite;

(viii) APPROVES the Traffic Management Plan dated April 2024 as attached in support of Condition 6 / Advice Note 5, 6, 7 and 8 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite, subject to the following information to be submitted to the Local Government for approval prior to any construction works commencing on site;

a) A detailed Road Maintenance Program for Notting-Karlgarin Road from the intersection of the Kondinin - Narembeen Road to the eastern most end of the Project Area to be adhered to throughout the construction and operational period of the project;

b) A detailed Road Assessment and Condition Report of the Notting-Karlgarin Road from the intersection of the Kondinin- Narembeen Road to the eastern most end of the Project Area;

c) The undertaking and submission of a detailed on-site survey and road assessment in conjunction with the Local Government to inform the detailed Road Maintenance Program and detailed Road Assessment and Condition Report.

d) Detailed information on the management of Over Sized and Over Mass vehicles (OSOM) on the Notting-Karlgarin Road and any other local roads within the

Shire during the construction and operational phase of the project.

SUMMARY

This report is for Council to approve the documents submitted as attached in support of the conditions and associated advice notes of development application approved by the Mid-West/Wheatbelt JDAP at its meeting on the 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin Town Site.

Given the significant time that has elapsed since development approval was issued in November 2018, and the extended period over which supporting documentation has been received by the Shire, all documents submitted to date have been included in this Agenda Report. This approach confirms and consolidates the status of each document for Council's approval.

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 Mid-West/Wheatbelt JDAP at its meeting held on the 9 November 2018 provided conditional support for a renewable energy facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite.

The approval was granted with a series of conditions and associated advice notes be addressed by the Applicant. A copy of the determination is shown as an attachment to this Agenda Report.

Below is a summary of the documentation that has been submitted to date in support of the conditions of development approval and attached to this Agenda Report for approval by Council.

CONSTRUCTION MANAGEMENT PLAN

The Construction Management Plan was presented to the October 2024 Meeting of Council noting concern with matters relating to water, waste and bushfire management to be addressed prior to endorsement of the document. These matters were addressed, and an updated version was endorsed by Council at its Ordinary Meeting held on the 21 May 2025, subject to consideration of the following:

a.) *Section 4.4 on water be amended further to reflect access to current community water supplies based on indicative required water volumes for project construction; and*
b.) *Section 6.2 (table 6) be amended to reference Shire of Kondinin Chief Executive Officer,*

rather than providing the actual name of Chief Executive Officer; and

The document was again presented to Council on the 25 June 2025 addressing in part the considerations above. As per the Officer Recommendation it is recommended that a detailed Water Supply and Sourcing Strategy be developed and submitted to the Local Government for approval, prior to construction commencement.

OPERATION MANAGEMENT PLAN

The Construction Management Plan was presented to the October 2024 Meeting of Council noting concern with matters relating to water, waste and bushfire management to be addressed prior to endorsement of the document. These matters were addressed, and an updated version was endorsed by Council at its Ordinary Meeting held on the 21 May 2025, subject to consideration of the following:

a.) *Section 4.4 on water be amended further to reflect access to current community water supplies based on indicative required water volumes for project construction; and*
b.) *Section 6.2 (table 6) be amended to reference Shire of Kondinin Chief Executive Officer, rather than providing the actual name of Chief Executive Officer; and*

The document was again presented to Council on the 25 June 2025 addressing in part the considerations above. As per the Officer Recommendation it is recommended that a detailed Water Supply and Sourcing Strategy be developed and submitted to the Local Government for approval, prior to construction commencement.

AVIATION IMPACT ASSESSMENT

The Aviation Impact Assessment was presented to the Ordinary Meeting of Council held on the 21 May 2025 with a series of conditions, and again on the 25 June 2025 in which Council endorsed the document subject to consideration of the following matter;

A.) At a minimum the three (3) turbines closest to the Kondinin airfield (K08, K15 and K03) are lit as a precaution to avoid any aircraft accidents / collisions with consideration to being linked to the existing Pilot Activated Lighting (PAL) system at the Kondinin Aerodrome;

Obstacle lighting is not specifically required by regulation, as Kondinin Aerodrome is not a certified aerodrome. However, the amended Aviation Impact Assessment dated August 2025 considers whether obstacle lighting may be required, noting that this will depend on the final layout and design specifications, as well as confirmation of applicable regulatory requirements and guidance from CASA. If required, an obstacle lighting design can then be finalized. The project may also consider linking the lighting of the two wind turbine generators located within 3 nautical miles of Kondinin to the existing Pilot Activated Lighting (PAL) system.

ELECTROMAGNETIC INTERFERENCE (EMI) ASSESSMENT

The EMI assessment was presented to the December 2024 meeting of Council where the item was laid on the table for more information to be provided. The Assessment was updated to reflect these concerns and endorsed at the Ordinary Meeting of Council held on the 25 June 2025 subject to clarification on the following matters:

- *Analysis of potential impact the wind turbines may present to electronic farm equipment in relation specifically to GPS and the ground towers on properties within the vicinity of the wind farm development:*

Officer Comment: The Applicant has undertaken further research into this matter, and discussions have been held with landowners around the wind farm in Merredin confirming that the turbines have not posed any impact on the operations of electronic farm equipment.

• *Evidence of contact made with the surrounding owners and occupiers within the vicinity of the wind farm development and a summary of ground towers and GPS systems shown spatially in relation to the locations of the wind turbines:*

Officer Comment: The Reporting Officer is satisfied with the information and research provided above indicating evidence from existing operating turbines have not posed any impact on the operations of electronic farm equipment and therefore no further contact with surrounding owners and occupiers within the vicinity of the project on this matter is required.

• *Evidence of contact made with the Royal Flying Doctors Service being the predominant uses of the Kondinin Airstrip and a summary of the feedback received*.

Officer Comment: The Reporting Officer acknowledges the information provided via email on 2 September 2025 that contact has been made with the Royal Flying Doctors (Head of Flying Operations) who have confirmed that they have no specific requirements apart from what is required under regulation. The Reporting Officer acknowledges that this information has been incorporated into the updated Aviation Report dated August 2025 and that no further information is required in this regard.

NOISE MANAGEMENT AND MONITORING PLAN

The document was receipted by the Shire's Administration in November 2023 and has been reviewed by the Shire's Administration confirming compliance with the relevant Condition and associate Advice Note of development approval and recommends that Council approves accordingly.

STORM WATER MANAGEMENT PLAN

The document was endorsed by Council on 16 October 2024. The Reporting Officer has reviewed the documentation contained herewith and confirms that compliance with the Condition and associated Advice Note and recommends that Council approves accordingly.

BUSH FIRE MANAGEMENT

Information relating to bushfire management has been incorporated into the Operational Management Plan, the Construction Management Plan and a Bushfire Report prepared in specific response to Condition 10 of the development approval, the former endorsed by Council at its Ordinary Meeting on the 25 June 2025 and the latter endorsed by Council at its Ordinary Meeting on the 16 October 2024. The Reporting Officer has reviewed the documentation contained herewith and confirms that compliance with the relevant Conditions and associate Advice Notes and recommends that Council approves accordingly

TRAFFIC MANAGEMENT PLAN

Council endorsed the Traffic Management Plan at its Ordinary Meeting on 16 October 2024. The Reporting Officer has reviewed the document and considers insufficient detail has been provided to satisfy the development approval conditions and advice notes regarding traffic management, particularly relating to detailed surveys, condition reports and the on-going maintenance of Notting-Karlgarin Road. The Reporting Officer has recommended that further detail is provided to the Local Government for approval prior to commencement of construction.

FINANCIAL

Nil

RISK

Medium – Managed through conditional approval, additional pre-construction documentation and ongoing compliance monitoring.

POLICY

Nil

STATUTORY

Shire of Kondinin Local Planning Scheme No.1

Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development Act 2005

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 Reporting Officer has reviewed the documentation presented to Council for consideration and recommends that Council approve the documentation subject to the additional information being submitted where indicated. This approach confirms and consolidates the status of each document for Council's approval.

CONSULTATION

Consultation was undertaken in accordance with the Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015 as part of the development application process.

Ongoing consultation between the Shire's Administration and the Applicant during the project.

RESOLUTION OCM/26/087

Moved: Cr Bruce Browning

Seconded: Cr Darren Pool

1. That Council

   (i) APPROVES IN PRINCIPLE the Construction Management Plan (CMP) dated 27 May 2025 as attached in support of Condition 4 / Advice Note 3 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately

5km north and north-east of the Kondinin townsite, subject to being amended as follows and to be submitted to the Local Government for further approval prior to commencement of construction:

a) Comprise a detailed Water Supply and Sourcing Strategy that addresses water volumes required for all aspects of construction both on the site and the road maintenance of Notting-Karlgarin Road, Kondinin.

b) Amended and submitted as a standalone document

c) Comprise detailed information to address Condition 13 of the development application demonstrating that suitable potable water supply and effluent disposal facilities / infrastructure are designed, installed and maintained for the life of the development in accordance with the Local Government's requirements upon advice received from Water Corporation and the Department of Health as necessary.

(ii) APPROVES IN PRINCIPLE the Operational Management Plan (OMP) dated 27 May 2025 as attached in support of Condition 5 / Advice Note 4 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite, subject to being amended as follows and submitted to the Local Government for further approval prior to commencement of operations:

a) Amended and submitted as a standalone document.

b) Comprise detailed information to address Condition 13 of the development application demonstrating that suitable potable water supply and effluent disposal facilities / infrastructure are designed, installed and maintained for the life of the development in accordance with the Local Government's requirements upon advice received from Water Corporation and the Department of Health as necessary.

c) Include a detailed methodology demonstrating commitment to satisfy condition 14 of the development approval relating to the removal of all primary and secondary ancillary infrastructure being decommissioned and removed from the site within two(2) years of cessation and operation of the development.

d) Include a detailed methodology demonstrating commitment to satisfy condition 15 of the development approval relating to the rehabilitation of the site to the satisfaction of the local government with advice received from affected landowners to enable broadacre farming or other approved farming activity to resume / continue.

(iii) APROVES the Aviation Impact Assessment dated August 2025 as attached in support of Condition 12 / Advice Note 11, 12 and 13 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite and NOTES the Applicant has provided the additional information requested following the Council meeting held on the 25 June 2026 to the Shire's Administration;

(iv) APROVES the Electromagnetic Interface Study dated May 2025 as attached in support of Advice Note 16 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite and NOTES the Applicant has provided the additional information requested following the Council meeting held on the 25 June 2026 to the Shire's Administration

(v) APPROVES the Noise Management and Monitoring Plan dated November 2023 as attached in support of Condition 9 / Advice Note 9 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite;

(vi) APPROVES the Storm Water Management Plan dated April 2024 as attached in support of Condition 11 / Advice Note 10 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite;

(vii) APPROVES the Bushfire Management Report dated October 2023 as attached in support of Condition 10 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite;

(viii) APPROVES the Traffic Management Plan dated April 2024 as attached in support of Condition 6 / Advice Note 5, 6, 7 and 8 of development approval issued by the Mid-West/Wheatbelt JDAP at its meeting on 9 November 2018 for a Renewable Energy Facility on 19 freehold agricultural lots located approximately 5km north-east of the Kondinin townsite, subject to the following information to be submitted to the Local Government for approval prior to any construction works commencing on site;

a) A detailed Road Maintenance Program for Notting-Karlgarin Road from the intersection of the Kondinin - Narembeen Road to the eastern most end of the Project Area to be adhered to throughout the construction and operational period of the project;

b) A detailed Road Assessment and Condition Report of the Notting-Karlgarin Road from the intersection of the Kondinin- Narembeen Road to the eastern most end of the Project Area;

c) The undertaking and submission of a detailed on-site survey and road assessment in conjunction with the Local Government to inform the detailed Road Maintenance Program and detailed Road Assessment and Condition Report.

d) Detailed information on the management of Over Sized and Over Mass vehicles (OSOM) on the Notting-Karlgarin Road and any other local roads within the Shire during the construction and operational phase of the project.

CARRIED 6/0

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

Against: Nil

Cr Mouritz invited the Chief Executive Officer to read a number of proposed changes to the recommendation on to the record and for the recommendations to be updated accordingly.

12.2.3 Community Development Update

FILE NUMBER:

DATE:	14 July 2026
AUTHOR:	Amanda Kemp, Community Development Officer
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil
	Authoriser - Nil
ATTACHMENTS:	Nil

COMMUNITY DEVELOPMENT UPDATE

The past month has been a busy and productive time across the Shire. On 23 June, I attended *The Accidental Councillor* course delivered by Jo Drayton in conjunction with the Kondinin CRC. That evening, we hosted the Blue Tree Project at the Kondinin Country Club, where attendees enjoyed dinner and presentations focused on mental health and wellbeing.

SOCK Week commenced in Kondinin on Monday, 29 June, with a Fluro Disco organised by the Kondinin CRC. The following day, Tory and I travelled to Narrogin, Brookton, Corrigin and Bruce Rock to research community gym facilities and explore opportunities relevant to our communities.

Events continued on Thursday, 2 July, in Hyden, where Emergency Services personnel visited Hyden Primary School as part of SOCK Week. This was followed by a Community Cuppa with Emergency Services, organised and hosted by the Hyden CRC.

NAIDOC Week began in Kondinin on Monday, 6 July, with activities coordinated by myself and the Kondinin CRC. These included a revitalisation of the Bush Tucker Garden, craft activities, damper making, and fire-roasted spuds. Celebrations continued in Hyden on Tuesday, 7 July, with events organised by the Hyden CRC. The day began with a guided walk around Hippo's Yawn and Wave Rock, led by Michael Ward from Katter Kich Tours and Gallery, followed by lunch and craft activities at the Hyden CRC.

A number of community initiatives, events and civic functions are scheduled over the coming months.

On 23 and 24 July, assistance sessions will be held at each of the Shire offices to support residents with applications for available energy assistance programs and rebates. Staff will be available to assist with completing applications, photocopying documentation and submitting the required paperwork.

On 4 August, the Shire will host Brendan Cullen in Hyden. Brendan is a respected athlete, author and motivational speaker who will present on the topics of mental health, resilience and succession planning. This event is expected to provide valuable information and support for community members, businesses and farming families.

The Shire will also host two upcoming Australian Citizenship Ceremonies:

- 15 August – Hyden
- 23 September – Kondinin

These ceremonies provide an opportunity to officially welcome new Australian citizens to our community and recognise this important milestone in their lives.

Planning is also underway for two of the Shire's major community events. Preparations have commenced for the Hyden Spring Markets and the Kondinin Twilight Markets, with work currently focused on coordination, stallholder engagement and event planning.

The report was noted by the Councillors

12.2.4 Request to Refund Planning Fees for Proposed Community and Tourist Centre at Lot 800 (No. 36) Marshall Street, Hyden

FILE NUMBER:	DT.4 / Property File
DATE:	15 July 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	1. Letter of Request to Refund Planning Fees - *Under Separate Cover*

RECOMMENDATION

1. That Council

   (a) APPROVES pursuant to Part 7, Regulation 52 of the Planning and Development Regulations 2009 a full refund of planning application fees to the amount of $18,513.63 to the Hyden Progress Association paid on 3 July 2026 for a proposed Community and Tourist Centre at Lot 800 (No. 36) Marshall Street, Hyden;

   (b) AUTHORISES the Chief Executive Officer to undertake all the necessary administrative and financial actions to effect the refund.

SUMMARY

This report seeks Council's consideration of a request from the Hyden Progress Association for a full refund of planning application fees totalling $18,513.63. The fees were receipted for the proposed construction of a Community and Tourist Centre at Lot 800 (No. 36) Marshall Street, Hyden. Council may consider the request under Part 7, Regulation 52 of the Planning and Development Regulations 2009.

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 Site Architects Studio on behalf of the Hyden Progress Association for the construction of a Community and Tourist Centre at Lot 800 (No. 36) Marshall Street, Hyden, receipted on the 3 July 2026.

The Shire's Administration received a letter from via email dated 1 July 2026 seeking consideration for the planning fee to be refunded. A copy of the letter 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.

The Hyden Progress Association has requested a refund of the planning application fee on the basis that the proposed building will provide a broad community benefit and will not be privately owned. In its request, the Association stated: *"Given that the purpose of the building is solely for the wider benefit of the community and is not for private ownership, the Hyden Progress Association are requesting that the Shire of Kondinin waive the application fee."*

The Council has previously applied Part 7, Regulation 52 of the *Planning and Development Regulations 2009* to waive or refund planning fees for deemed community-benefit developments. Previous examples include the St John Ambulance substations in Hyden and Kondinin, and two grouped dwellings developed to accommodate Western Australia Country Health Service staff, issued to St John Ambulance and the Kondinin Community Recreation Council respectively.

FINANCIAL

Under the Shire's 2025/2026 Fees and Charges, a new development with an estimated cost of $9,781,000 attracts a planning application fee of $18,513.63. If Council supports the Officer Recommendation to refund the fee in full, no planning application fee income will be received for the planning services associated with this development.

RISK

Low

POLICY

Nil

STATUTORY

Planning and Development Act 2005

Planning and Development Regulations 2009

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

For the reasons provided in the request from the Hyden Progress Association dated 1 July 2026, it is recommended that the planning fees be refunded in full as per the Officer Recommendation.

CONSULTATION

The Shire's Administration have consulted with the Hyden Progress Association as the landowners of the property and Site Architects Studio as the Applicant of the proposed development.

RESOLUTION OCM/26/088

Moved: Cr Murray James

Seconded: Cr Beverley Gangell

1. That Council

   (a) APPROVES pursuant to Part 7, Regulation 52 of the Planning and Development Regulations 2009 a full refund of planning application fees to the amount of $18,513.63 to the Hyden Progress Association paid on 3 July 2026 for a proposed Community and Tourist Centre at Lot 800 (No. 36) Marshall Street, Hyden;

   (b) AUTHORISES the Chief Executive Officer to undertake all the necessary administrative and financial actions to effect the refund.

CARRIED 6/0

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

Against: Nil

12.3 WORKS

Nil

12.4 CHIEF EXECUTIVE OFFICER

12.4.1 Shire of Kondinin - Adoption of Council Policies

FILE NUMBER:

DATE: 15 July 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. Acceptable Use of ICT Policy - Draft - For Adoption - *Under Separate Cover*
2. Staff-012 Internet and WIF/LAN use - Current Policy - *Under Separate Cover*
3. Temporary & Acting Chief Executive Officer Policy - Draft - For Adoption
4. ADM-001 Appointment of the Acting CEO - Current Policy - *Under Separate Cover*
5. Discrimination, Harassment and Bullying Policy - Draft - For Adoption - *Under Separate Cover*
6. Staff-010 Equal Employment Opportunity and Harassment Policy - Current Policy - *Under Separate Cover*
7. Gratuity Policy - Draft - For Adoption - *Under Separate Cover*
8. Staff-003 Gratuity Payments and Farewell Gifts to Employees - Current Policy - *Under Separate Cover*
9. Privacy and Information Sharing Policy - Draft - For Adoption - *Under Separate Cover*
10. Public Interest Disclosure Policy - Draft - For Adoption - *Under Separate Cover*
11. Social Media Policy - Draft - For Adoption - *Under Separate Cover*
12. GOV-001 Communications and Social Media - Current Policy - *Under Separate Cover*
13. Workplace Health and Safety Policy - Draft - For Adoption - *Under Separate Cover*
14. Staff-009 Occupational Safety and Health (OSH) Policy - Current Policy - *Under Separate Cover*

RECOMMENDATION

That Council by absolute majority:

1. Adopts the following policies, as attached:
   a) Acting or Temporary Chief Executive Officer Policy;
   b) Employee Gratuity Payments Policy;
   c) ICT Acceptable Use Policy;
   d) Public Interest Disclosure Policy;

e) Social Media Policy;

f) Privacy and Information Sharing Policy;

g) Discrimination, Harassment and Bullying Policy, and

h) Workplace Health and Safety Policy.

2. Authorises the Chief Executive Officer to make minor administrative amendments to the adopted policies, including formatting, numbering, typographical, grammatical, design, layout and cross-referencing changes, provided those amendments do not materially alter the intent, substance, obligations or effect of the policies.

SUMMARY

This report presents eight Council policies for adoption. The policies relate to governance continuity, employee gratuity payments, ICT use, public interest disclosures, social media, privacy and information sharing, workplace conduct, and workplace health and safety.

This report seeks Council endorsement and approval to adopt the policies, authorise the Chief Executive Officer to make non-material administrative and consequential amendments, and request associated procedures and implementation documents to be updated.

Where applicable, existing policies have been attached for reference and comparison against the proposed policies presented to Council for adoption.

VOTING REQUIREMENT

Absolute Majority

COUNCIL'S ROLE

Legislative

Includes adopting local laws, town planning schemes and policies.

BACKGROUND

The Shire is undertaking a review of key policies to strengthen governance consistency, improve legislative compliance and provide clear guidance to Council members, employees, contractors, volunteers and other relevant persons.

The policies presented for adoption are summarised below.

<u>Acting or Temporary Chief Executive Officer Policy</u>

This policy establishes the process for appointing an Acting CEO when the substantive CEO is absent or unavailable, and for appointing or employing a Temporary CEO when the CEO position is vacant.

Section 5.39C of the Local Government Act 1995 requires a local government to adopt a policy dealing with temporary CEO employment and acting CEO appointments for terms not exceeding one year. The policy must be adopted and amended by absolute majority, and the CEO must publish the current policy on the Shire's official website.

<u>Employee Gratuity Payments Policy</u>

This policy sets out the circumstances in which the Shire may make a gratuity payment, gift or other financial benefit to an employee whose employment is finishing.

Section 5.50 of the Local Government Act 1995 requires a local government to adopt a policy before making payments in addition to contract or award entitlements, and the CEO must publish the adopted policy on the Shire's official website. Regulation 19A of the Local Government (Administration) Regulations 1996 sets maximum limits for such payments.

ICT Acceptable Use Policy

This policy provides requirements for the responsible, secure and lawful use of Shire ICT systems, including email, internet access, devices, remote access, monitoring, records and personal information. The policy supports compliance with privacy, recordkeeping, cybersecurity, surveillance and communications obligations.

Public Interest Disclosure Policy

This policy provides the Shire's framework for receiving and managing public interest disclosures under the Public Interest Disclosure Act 2003. The Act requires public authorities to designate a position responsible for receiving disclosures, protect employees who make appropriate disclosures, prepare and publish internal procedures, and provide annual information to the Public Sector Commissioner.

Social Media Policy

This policy establishes expectations for official Shire social media and Shire-related personal social media use. It applies to employees, elected members, contractors and volunteers, and addresses reputation, privacy, copyright, records, moderation, election period use, elected member conduct and appropriate online communication.

Privacy and Information Sharing Policy

This policy sets out the Shire's approach to handling personal information and responsible information sharing under the Privacy and Responsible Information Sharing Act 2024. The PRIS Act applies to WA public sector entities, including local governments, with privacy obligations commencing from 1 July 2026 and serious information breach reporting commencing from 1 January 2027.

Discrimination, Harassment and Bullying Policy

This policy sets expectations for preventing and responding to discrimination, harassment, sexual harassment, workplace bullying, victimisation and vilification. It supports compliance with workplace conduct, anti-discrimination, work health and safety, misconduct, privacy and local government conduct obligations.

Workplace Health and Safety Policy

This policy states the Shire's commitment to providing and maintaining safe workplaces and managing risks to physical and psychological health and safety. It supports the Shire's duties as a person conducting a business or undertaking under the Work Health and Safety Act 2020, including the primary duty of care, officer due diligence, worker duties, other person duties, incident notification, risk management and psychosocial hazard management.

FINANCIAL

No financial implications apply to the adoption of these policies.

RISK

Adoption of the policies will reduce governance, compliance and operational risk by providing clear and current policy settings. Failure to adopt or maintain current policies may increase the risk of:

- non-compliance with mandatory policy requirements under the Local Government Act 1995;
- unclear Acting CEO arrangements;

- gratuity payments being made without a compliant adopted policy;
- privacy or information handling failures under PRIS;
- poor management of public interest disclosures;
- unmanaged ICT, cybersecurity or recordkeeping risks;
- inconsistent handling of workplace conduct issues; and
- inadequate WHS governance, including psychosocial hazard management.

The recommendation also manages implementation risk by authorising the CEO to make non-material administrative and consequential updates, while reserving material policy changes for Council consideration.

POLICY

Adoption of the policies will update and strengthen the Shire's policy framework across key areas of governance, workforce management, privacy, integrity, ICT use, public communication, workplace conduct and safety.

STATUTORY

The principal statutory framework relevant to the policies includes:

- Local Government Act 1995;
- Local Government (Administration) Regulations 1996;
- Local Government (Model Code of Conduct) Regulations 2021;
- Local Government (Local Government Inspector) Regulations 2025;
- Work Health and Safety Act 2020;
- Work Health and Safety (General) Regulations 2022;
- Workers Compensation and Injury Management Act 2023;
- Privacy and Responsible Information Sharing Act 2024;
- Information Commissioner Act 2024;
- State Records Act 2000;
- Freedom of Information Act 1992;
- Public Interest Disclosure Act 2003;
- Corruption, Crime and Misconduct Act 2003;
- Sex Discrimination Act 1984;
- Equal Opportunity Act 1984;
- Racial Discrimination Act 1975;
- Disability Discrimination Act 1992;
- Age Discrimination Act 2004;
- Australian Human Rights Commission Act 1986;
- Industrial Relations Act 1979;
- Surveillance Devices Act 1998;
- Telecommunications (Interception and Access) Act 1979;

- Copyright Act 1968; and
- Spam Act 2003.

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 is responsible for setting the Shire's policy direction and strategic priorities. Under section 2.7 of the Local Government Act 1995, Council's governing role includes determining policies, planning strategically for the Shire, deciding the services and facilities to be provided, and giving strategic direction to the CEO. The CEO is then responsible for implementing Council's decisions and policies through administration, procedures and operations.

The policies presented for adoption are important governance and compliance documents. They provide clearer expectations for Council members, employees, contractors, volunteers and other relevant persons, and support compliance with current legislative requirements.

The Acting or Temporary CEO Policy and Employee Gratuity Payments Policy are particularly important because they are specifically required by the Local Government Act 1995 before certain actions can be taken. The Privacy and Information Sharing Policy, ICT Acceptable Use Policy and Social Media Policy also respond to the commencement of the PRIS privacy framework from 1 July 2026.

CONSULTATION

Administration Staff

RESOLUTION OCM/26/089

Moved: Cr Beverley Gangell

Seconded: Cr Darren Pool

That Council by absolute majority:

1. Adopts the following policies, as attached:
    a) Acting or Temporary Chief Executive Officer Policy;
    b) Employee Gratuity Payments Policy;
    c) ICT Acceptable Use Policy;
    d) Public Interest Disclosure Policy;
    e) Social Media Policy;
    f) Privacy and Information Sharing Policy;
    g) Discrimination, Harassment and Bullying Policy, and
    h) Workplace Health and Safety Policy.

2. Authorises the Chief Executive Officer to make minor administrative amendments to the adopted policies, including formatting, numbering, typographical, grammatical, design, layout and cross-referencing changes, provided those amendments do not materially alter the intent, substance, obligations or effect of the policies.

CARRIED 6/0 BY ABSOLUTE MAJORITY

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

12.4.2 Proposed Fees & Charges - 2026-2027

FILE NUMBER:

DATE: 15 July 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. Proposed Fees & Charges - 2026-2027 - Adopted on 27 May 2026 (OCM/26/052) - *Under Separate Cover*
2. 2026-2027- Fees and Charges 14.7.2026 - Final - For Adoption - *Under Separate Cover*

RECOMMENDATION

That Council:

1. Notes the Schedule of Fees and Charges for the 2026/2027 financial year - *Proposed Fees & Charges - 2026-2027* (as attached) adopted under resolution OCM/26/001 at a Special Meeting of Council on 27 May 2026.
2. Approves and adopts the substitution of the Fees and Charges Schedule adopted under Resolution OCM/26/052 (27 May 2026) with the amended *2026-2027- Fees and Charges 14.7.2026 - Final - For Adoption* (as attached), reflecting the updated DAP fees, corrected GST treatment, water charges, the hall hire fee removal, and the new aircraft landing fee.
3. Notes that certain fees and charges are prescribed by legislation and have been applied in accordance with statutory requirements.
4. Authorises the Chief Executive Officer to make administrative amendments to the schedule where required to ensure consistency and compliance with legislative requirements, provided such amendments do not materially alter the adopted non-statutory fees and charges.

SUMMARY

The purpose of this report is to seek Council approval and endorsement of the proposed schedule of Fees & Charges for the 2026-2027 financial year as amended.

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

At a Special Meeting of Council on 27 May 2026, Council adopted the 2026/2027 Fees and Charges Schedule under Resolution OCM/26/052, carried 7/0 by absolute majority and effective from 1 July 2026.

Resolution OCM/26/002

Moved: Cr Bruce Browning

Seconded: Cr Paul Green

That Council:

1. Endorses and adopts the Schedule of Fees and Charges for the 2026/2027 financial year, as attached, effective from 1 July 2026.

2. Notes that certain fees and charges are prescribed by legislation and have been applied in accordance with statutory requirements.

3. Authorises The Chief Executive Officer to amend item *Standpipe Water Charge – Contractors & Commercial (per kilolitre)* from $5.50 to $10.00.

4. Authorises the Chief Executive Officer to make minor administrative amendments to the schedule where required and to ensure consistency and compliance with legislative requirements, provided such amendments do not materially alter the adopted fees and charges.

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

Against: Nil **carried 7/0 by Absolute Majority**

The resolution also gave the CEO two specific delegations: to amend the Standpipe Water Charge – Contractors & Commercial from $5.50 to $10.00 (Item 3), and to make minor administrative amendments for legislative consistency and compliance, provided those amendments did not materially alter the adopted fees and charges (Item 4).

On 29 June 2027, the Shire received the current Development Assessment Panel (DAP) fee schedule, which were released *after* the 27 May meeting.

While the DAP fees required amendment, an additional review of statutory fees was conducted. That review identified a GST classification error affecting both the DAP fees and the statutory Building Act fees. Both of which should be treated as GST Exempt rather than GST-inclusive. It also identified a hall hire line - the Education Department (School Paying Account) rate that was flagged for removal as an unused item. Separately, a new Aircraft Landing Fee is now included.

An amended Final Version of the schedule has been prepared and attached. Concurrently, the previously approved schedule is attached as a comparative measure.

FINANCIAL

The proposed fees and charges contribute to the Shire's operating revenue, reduce the reliance on general rates and lend to the support of financial sustainability.

RISK

Compliance – charging unadopted or incorrect fees, mitigated by Council adoption.

Financial – under-recovery of costs, mitigated by the alignment to cost recovery.

Governance – duplicated or unclear fees and charges – mitigated by the review of the schedule.

POLICY

Nil

STATUTORY

Local Government Act 1995

Local Government (Financial Management) 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

4.2.2 Financial sustainability in achieving community aspirations

COMMENT

The changes are largely compliance corrections with no cost impact, aside from the DAP fee update and the new aircraft landing fee, which need Council's endorsement as they fall outside the CEO's existing delegation. It is recommended that Council adopts and substitutes the schedule accordingly.

CONSULTATION

Shire Administration

WA Ranger Services

RoeRoc Environmental Health Officer

Contracted service providers.

RESOLUTION OCM/26/090

Moved: Cr Murray James

Seconded: Cr Beverley Gangell

That Council:

1. Notes the Schedule of Fees and Charges for the 2026/2027 financial year - *Proposed Fees & Charges - 2026-2027* (as attached) adopted under resolution OCM/26/001 at a Special Meeting of Council on 27 May 2026.
2. Approves and adopts the substitution of the Fees and Charges Schedule adopted under Resolution OCM/26/052 (27 May 2026) with the amended *2026-2027- Fees and Charges 14.7.2026 - Final - For Adoption* (as attached), reflecting the updated DAP fees, corrected GST treatment, water charges, the hall hire fee removal, and the new aircraft landing fee.
3. Notes that certain fees and charges are prescribed by legislation and have been applied in accordance with statutory requirements.
4. Authorises the Chief Executive Officer to make administrative amendments to the schedule where required to ensure consistency and compliance with legislative requirements, provided

such amendments do not materially alter the adopted non-statutory fees and charges.

5. Authorises the Chief Executive Officer to undertake inquiries to determine the most suitable method for the collection of landing fees and associated charges including any necessary commercial agreements with commercial operators from the Kondinin Airfield.
6. Endorses and approves an exemption from landing fees for the Royal Flying Doctor Service and emergency services.

CARRIED 6/0 BY ABSOLUTE MAJORITY

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

The Chief Executive Officer advised the Council that the revised fees and charges also includes a $15 landing fee at Kondinin Airport. This will call for an amended recommendation (as detailed within the resolution) for the Chief Executive Officer to undertake inquiries to determine the most suitable mechanism of operating the collection of landing fees and associated charges including any necessary commercial agreements with commercial operators from the Kondinin Airfield. And further, that the Council endorses an exemption from landing fees for the Royal Flying Doctor Service and emergency services.

12.4.3 Adoption of Meeting Procedures Policy (Interim)

FILE NUMBER:

DATE: 15 July 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Meeting Procedures (Interim) Policy - For Adoption - *Under Separate Cover*

RECOMMENDATION

That Council:

1. Adopts the Meeting Procedures Policy (Interim), as attached, as an interim procedural framework for the conduct of Council and committee meetings.

2. Notes that the Policy is adapted from the WALGA Meetings Procedure Local Law Template but is adopted as a Council policy and not as a local law.

3. Notes that the Policy does not create offences, penalties or statutory enforcement powers, and operates subject to the Local Government Act 1995, the Local Government (Administration) Regulations 1996 and any other written law.

4. Requests the Chief Executive Officer to monitor the State Government's standardised meeting procedures reform under section 5.33A of the *Local Government Act 1995* and present a further report to Council if the Policy requires amendment, revocation or replacement.

SUMMARY

The purpose of this report is to recommend that Council adopt the Meeting Procedures Policy (Interim).

The Shire does not currently have standing orders, a meeting procedures local law, or a formal Council policy dealing comprehensively with the conduct of Council and committee meetings. While the Local Government Act 1995 and Local Government (Administration) Regulations 1996 prescribe a number of mandatory meeting requirements, they do not provide a complete practical framework for all procedural matters that arise during meetings.

The attached Policy has been adapted from the WALGA Meetings Procedure Local Law Template and converted into an interim Council policy. It is intended to provide Council, elected members, staff and the community with a clear and consistent procedural framework for the conduct of meetings while

the State Government progresses standardised meeting procedures for all Western Australian local governments under section 5.33A of the Local Government Act 1995.

The Policy is not a local law. It does not create offences or penalties and cannot override the Act, Regulations or any other written law.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE

Legislative

Includes adopting local laws, town planning schemes and policies.

BACKGROUND

The Shire currently relies on the meeting provisions contained in the Local Government Act 1995 and the Local Government (Administration) Regulations 1996. Those provisions address important matters such as calling meetings, quorum, public question time, voting, minutes, public access to agendas, revoking or changing decisions, electronic attendance, recording of meetings and electors' meetings.

However, the Act and Regulations do not provide a complete operational meeting procedure framework. Meeting procedure local laws have historically been used by local governments to provide that more detailed framework. However, making a local law requires the statutory process under section 3.12 of the Local Government Act 1995, including local public notice, a submission period of not less than six weeks, referral to the Department, consideration of submissions, a further Council decision and publication in the Government Gazette.

The State Government is progressing reforms to introduce standardised meeting procedures for all local governments. Section 5.33A was inserted into the Local Government Act 1995 to allow standardised meeting procedures to be made in the form of Regulations or model provisions. The State Government has indicated that these procedures are intended to apply to council and committee meetings across Western Australia.

Given those reforms, it is not considered efficient at this time to commence a full meeting procedures local law process. Instead, the attached interim Policy provides a practical and immediate framework for meetings, while recognising that it may need to be amended, revoked or replaced once the State Government's standardised meeting procedures commence.

The Policy has been adapted from the WALGA Meetings Procedure Local Law Template by:

- removing offence and penalty provisions;
- removing local law commencement and Gazettal provisions;
- converting local law language into policy language;
- confirming that the Policy is subordinate to the Act, Regulations and other written law;
- clarifying privacy-sensitive public question time arrangements;
- ensuring recording provisions do not conflict with statutory meeting recording obligations; and
- confirming that electors' meetings remain governed by the Act and Regulations

FINANCIAL

No financial implications are associated with the adoption of this interim policy.

RISK

Without an adopted meeting procedures policy or local law, Council meetings are conducted by reference to the Act, Regulations and the discretion of the presiding member in areas not otherwise prescribed. This may lead to inconsistency in how procedural matters are managed.

The proposed Policy reduces this risk by providing a clear procedural framework for debate, motions, points of order, public participation and meeting order.

POLICY

The Shire does not currently have an adopted meeting procedures local law, standing orders or Council policy that provides a comprehensive procedural framework for the conduct of Council and committee meetings.

Adoption of the Meeting Procedures Policy (Interim) will establish a Council policy framework for meeting procedure matters not otherwise prescribed by the Local Government Act 1995 or the Local Government (Administration) Regulations 1996.

The Policy is expressly interim, does not create offences or penalties, and operates subject to the Act, Regulations and any other written law. It will require review once the State Government's standardised meeting procedures reform under section 5.33A of the Local Government Act 1995 commences.

STATUTORY

Local Government Act 1995

The Local Government Act 1995 contains the principal legislative provisions dealing with Council and committee meetings, including the calling and conduct of meetings, committees, public access to meetings, closure of meetings, quorum, voting, minutes and related governance matters. Section 5.23 provides that council and committee meetings are generally open to the public, subject to circumstances where meetings must or may be closed.

Section 3.12 of the Act sets out the process for making a local law, including local public notice, a submission period of not less than six weeks, referral to the Department and subsequent procedural steps. The attached Policy is not a local law and therefore does not require the section 3.12 local law-making process.

Section 5.33A of the Act provides for standardised meeting procedures to be made for local governments. The State Government has indicated that it intends for standardised meeting procedures to apply to local government council and committee meetings across Western Australia.

Local Government (Administration) Regulations 1996

The Local Government (Administration) Regulations 1996 prescribe a range of meeting requirements, including public question time, voting, revoking or changing decisions, minutes, notices of meetings, public inspection of agenda materials, electronic attendance, broadcasting and recording of council meetings, and electors' meetings.

The Shire of Kondinin is a Class 4 local government under Schedule 2 of the Local Government (Constitution) Regulations 1998. Accordingly, the mandatory public broadcasting requirement in regulation 14H of the Local Government (Administration) Regulations 1996, which applies only to Class 1 and Class 2 local governments, does not apply to the Shire. However, regulation 14I requires local governments to record every council meeting, make the recording publicly available within 14 days and retain the recording for at least 5 years.

For that reason, the Policy includes wording to ensure that its recording provisions are subject to any statutory requirement for the Shire to broadcast, record, retain or publish recordings of meetings.

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 proposed Meeting Procedures Policy (Interim) provides a practical framework for the orderly conduct of Council and committee meetings while the State Government progresses standardised meeting procedures for all local governments.

The Policy has been adapted from the WALGA Meetings Procedure Local Law Template but has been converted into a Council policy and amended to confirm that it is subordinate to the Local Government Act 1995, the Local Government (Administration) Regulations 1996 and any other written law.

The Policy will assist the Presiding Member, elected members, officers and the community by providing clearer guidance on debate, motions, public participation, points of order and meeting conduct. It is recommended that Council adopt the Policy as an interim measure, subject to future review once the State Government's standardised meeting procedures commence.

CONSULTATION

Nil

RESOLUTION OCM/26/091

Moved: Cr Bruce Browning

Seconded: Cr Murray James

That Council:

1. Adopts the Meeting Procedures Policy (Interim), as attached, as an interim procedural framework for the conduct of Council and committee meetings.

2. Notes that the Policy is adapted from the WALGA Meetings Procedure Local Law Template but is adopted as a Council policy and not as a local law.

3. Notes that the Policy does not create offences, penalties or statutory enforcement powers, and operates subject to the Local Government Act 1995, the Local Government (Administration) Regulations 1996 and any other written law.

4. Requests the Chief Executive Officer to monitor the State Government's standardised meeting procedures reform under section 5.33A of the *Local Government Act 1995* and present a further report to Council if the Policy requires amendment, revocation or replacement.

CARRIED 6/0

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

L.4 Disbanding of the Shire of Kondinin Infrastructure and Assets Committee and Medical and Community Services Committee

FILE NUMBER:

DATE: 17 July 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS:
1. Terms of Reference - Infrastructure and Assets Committee
2. Terms of Reference - Medical and Community Services Committee

RECOMMENDATION

That Council, by absolute majority:

1. Pursuant to section 5.8 of the *Local Government Act 1995*, disbands the Infrastructure and Assets Committee and the Medical and Community Services Committee; and revokes the Terms of Reference for each of those committees with effect from the conclusion of this meeting.
2. Pursuant to section 5.10(3) of the *Local Government Act 1995* and section 52 of the *Interpretation Act 1984*, revokes the member appointments for those Committees.
3. Transfers all existing Committee work programs, action trackers, reporting frameworks and business arising into the Ordinary Council Meeting process through standing reports and Council briefing arrangements.
4. Requests the Chief Executive Officer to update the Committee Membership Register, meeting schedule, Delegations Register (including revoking any delegations made to those Committees under section 5.16) and internal reporting arrangements accordingly.

SUMMARY

The purpose of this report is for Council to consider disbanding the Infrastructure and Assets Committee and the Medical and Community Services Committee.

The intent is not to discontinue or reduce the work currently being progressed through those Committees. The intent is to transfer that work into the full Council forum through standing reports, action trackers, agenda briefing sessions and Ordinary Council Meeting reports.

The Shire has seven Councillors representing three towns. Councillors also have external committee obligations, statutory obligations, civic responsibilities, business commitments and Ordinary Council Meeting responsibilities. Maintaining additional internal Committees has increased meeting frequency and Councillor workload.

The proposed change will improve efficiency, reduce meeting commitments, and allow all Councillors to participate in discussions on infrastructure, assets, housing, medical services, aged care, community services and community development matters.

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

At the commencement of the 2025-2027 Council term, Council appointed members to a range of internal and external committees and representative groups.

The Committee Membership Register records Councillor representation on a number of external groups and statutory bodies, including: Regional Road Groups, RoeROC, Eastern Wheatbelt Biosecurity Group, WALGA Great Eastern Zone, DFES ROAC, JDAP, LEMC and ARIC. Councillors are also currently appointed to the Infrastructure and Assets Committee and the Medical and Community Services Committee.

The Infrastructure and Assets Committee was established to focus on matters such as housing, buildings, roads, plant, fleet, asset management planning and long-term infrastructure sustainability. The Committee has commenced important work including action tracking, asset reporting, housing framework development, fleet and plant framework development, building framework development and Asset Management Plan / Long-Term Financial Plan alignment.

The Medical and Community Services Committee was established to focus on health, medical services, aged care, community services and community development matters. These matters remain important and will continue to be considered by Council.

It is now considered that the work of both Committees can be more effectively progressed through the full Council forum. This approach will ensure that all Councillors receive the same information, participate in the same discussions and maintain visibility over the full work program.

The Shire has a long-standing practice of holding agenda and briefing sessions prior to Ordinary Council Meetings. The next scheduled Committee meetings on 22 July 2026 are immediately prior to the Ordinary Council Meeting and encroach on that briefing process. Transferring Committee work into standing Council reports will preserve the work already commenced while reducing competing demands on Councillor and officer time.

Disbanding the Committees does not discontinue any current action, project, framework or reporting matter. Existing work plans, action trackers, reporting frameworks and forward agenda matters will transfer to the Ordinary Council Meeting process.

The Community Development Officer will also have a greater role in ensuring community-related matters are communicated, disseminated and consulted on across the Shire. This will support a stronger community outcomes focus and ensure matters affecting Kondinin, Hyden and Karlgarin are appropriately considered.

FINANCIAL

A corresponding reduction in Councillor sitting fees will be achieved.

There may be minor administrative efficiencies through reduced agenda preparation, minute preparation, officer attendance and meeting time. The primary benefit is improved governance efficiency and the better use of Councillor and officer time.

Any financial implications arising from matters previously considered by the Committees will continue to be reported to Council through the Ordinary Council Meeting process.

RISK

The main risk is that existing Committee work could lose visibility once the Committees are disbanded.

This risk is mitigated by transferring all work programs, action trackers, reporting frameworks and business arising into standing Council reports and briefing arrangements.

There is also a risk that matters previously considered in detail by the Committees could receive less focused attention. This is mitigated by ensuring standing reports continue to cover infrastructure, assets, housing, fleet, buildings, medical services, aged care, community services and community development matters.

The proposed approach may reduce governance risk by ensuring all Councillors are involved in strategic discussions, rather than limiting those discussions to smaller Committee memberships.

Overall, the risk is considered low and manageable.

POLICY

The Terms of Reference for the Infrastructure and Assets Committee and the Medical and Community Services Committee will be revoked if Council adopts the recommendation.

The Audit Risk and Improvement Committee is not affected by this report.

The Committee Membership Register, meeting schedule and internal reporting arrangements will need to be updated administratively. The Delegations Register should also be checked to confirm whether any consequential amendment is required.

STATUTORY

Section 5.8 of the Local Government Act 1995 provides that a local government may establish committees of three or more persons to assist Council. Establishment of a committee requires an absolute majority decision. As Council has the power to establish a committee, it may also resolve to discontinue or disband a committee established for that purpose.

Section 5.10 of the Local Government Act 1995 deals with the appointment of committee members. Committee appointments are made by Council by absolute majority.

Section 5.10 also provides that section 52 of the Interpretation Act 1984 applies to appointments of committee members. Section 52 of the Interpretation Act 1984 provides that where a written law confers a power to make an appointment, that power includes the power to remove or suspend a person appointed. This supports Council revoking the member appointments to the Committees.

Section 5.16 of the Local Government Act 1995 allows Council to delegate certain powers and duties to committees by absolute majority. If any delegation or authority is identified as applying to either Committee, it will be reviewed and revoked or amended as required. No decision-making authority is proposed to be transferred to another committee through this report.

Section 2.7 of the Local Government Act 1995 provides that Council governs the local government's affairs and is responsible for the performance of the local government's functions. Council's role includes overseeing finances and resources, determining policies, planning strategically, determining services and facilities, and providing strategic direction to the Chief Executive Officer.

Section 5.41 of the Local Government Act 1995 provides that the Chief Executive Officer is responsible for managing the local government's administration and operations, implementing Council decisions, and determining procedures and systems for administration. The recommendation preserves Council's strategic role while enabling the Chief Executive Officer to manage the revised reporting and administrative arrangements.

Section 5.22 of the Local Government Act 1995 requires minutes of Council and committee meetings to be kept and confirmed. Any outstanding Committee minutes or business arising will be dealt with through the appropriate Council process.

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.2 We are a compliant and resourced Local Government

4.1 Skilled, capable and transparent team

Strategy

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

4.1.2 We are inclusive and our communities feel heard

4.1.5 The capability of our organisation is continually improved

COMMENT

The Infrastructure and Assets Committee and Medical and Community Services Committee have served a useful purpose in establishing work programs and identifying key matters for further consideration.

The next step is to bring that work into the full Council forum.

This will reduce meeting frequency, improve efficiency and ensure all Councillors have visibility of infrastructure, asset, medical, community and aged care matters. It will also allow the Shire's existing agenda briefing process to continue without being compressed by additional Committee meetings immediately before the Ordinary Council Meeting.

No work will be lost. The agreed work plans, action trackers, reporting frameworks and forward agenda items will transfer into the Ordinary Council Meeting process.

The recommendation is supported because it provides a more efficient governance structure while preserving continuity, accountability and Council oversight.

CONSULTATION

Councillors
Executive Management Team
Community Development Officer
(Community consultation is not required to disband the Committees. Consultation on substantive community, infrastructure, medical or service matters will continue where relevant)

RESOLUTION OCM/26/092

Moved: Cr Bruce Browning

Seconded: Cr Darren Pool

That Council, by absolute majority:

1. Pursuant to section 5.8 of the *Local Government Act 1995*, disbands the Infrastructure and Assets Committee and the Medical and Community Services Committee; and revokes the Terms of Reference for each of those committees with effect from the conclusion of this meeting.

2. Pursuant to section 5.10(3) of the *Local Government Act 1995* and section 52 of the *Interpretation Act 1984*, revokes the member appointments for those Committees.
3. Transfers all existing Committee work programs, action trackers, reporting frameworks and business arising into the Ordinary Council Meeting process through standing reports and Council briefing arrangements.
4. Requests the Chief Executive Officer to update the Committee Membership Register, meeting schedule, Delegations Register (including revoking any delegations made to those Committees under section 5.16) and internal reporting arrangements accordingly.

CARRIED 6/0 BY ABSOLUTE MAJORITY

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

Against: Nil

L.5 Community Contribution - Motion by the Ocean Inc. (Cycling Without Age Trishaw Initiative, Hyden)

FILE NUMBER:

DATE: 17 July 2026

AUTHOR: Kent Mouritz, Shire President

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Motion by the Ocean Inc - Newsletter

RECOMMENDATION

That Council:

1. Note the proposal by Motion by the Ocean Inc. to extend its Cycling Without Age Trishaw program to Hyden and the wider Wheatbelt community.
2. Authorises and includes an amount of $1,000 in the 2026-27 annual budget as a contribution towards the establishment of the initiative, conditional on the initiative proceeding *within* the Shire.
3. Endorse the provision of a letter of support to Motion by the Ocean Inc. for its grant applications to the Foundation for Rural and Regional Renewal and GrainCorp.

SUMMARY

This report seeks Council's consideration and approval of a contribution of $1,000 towards establishing the Cycling Without Age Trishaw initiative in Hyden and the wider Wheatbelt community, to be provided for in the 2026-27 annual budget, and to endorse the provision of a letter of support for the proponent's grant applications.

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

Motion by the Ocean Inc. is a registered charity that delivers free Trishaw rides for older people and people with limited mobility through its core program, Cycling Without Age Sorrento - described as Australia's most regular service of its kind. The organisation has demonstrated the model in regional settings, including delivery in Kalgoorlie and Esperance.

Following a proposal raised locally, the organisation has approached the Shire through the Shire President, to explore extending the Trishaw program to Hyden and the surrounding Wheatbelt community. The organisation's Chief Executive Officer is visiting Hyden to discuss the initiative with the community.

The proponent is preparing grant applications to the Foundation for Rural and Regional Renewal (FRRR) and GrainCorp, and has requested a letter of support from the Shire outlining the value it places on strengthening social connection and wellbeing for older residents and people with disability.

A local co-contribution model is emerging. Support has been indicated from a number of local sponsors, including fuel companies and the Hyden Football Club and local business. A modest contribution of $1000 from the Shire of Kondinin would complement this support and strengthen the proponent's grant applications.

This contribution was not part of the Shire's Community Grant funding round and is therefore proposed as a new item in the 2026-27 annual budget.

FINANCIAL

A one-off contribution of $1,000, to be provided for as a new item in the 2026-27 annual budget.

It is not funded from the (already-allocated) Community Grant funding round.

No ongoing or recurrent contribution is sought at this stage.

RISK

Low. The financial exposure is minor and there is clear reputational and community-wellbeing benefit. Making the contribution conditional on the initiative proceeding manages the risk of funds being committed to a project that does not eventuate.

The recommendation creates no ongoing financial commitment.

POLICY

Nil

STATUTORY

Local Government Act 1995 s.3.1 - the general function of the local government to provide for the good government of persons in its district supports a contribution of this nature.

Local Government Act 1995 s.6.2 - the contribution is to be provided for as a new item in the 2026-27 annual budget. As a budgeted allocation, the expenditure is authorised through adoption of the annual budget and does not engage the additional-purpose provisions of s.6.8. (If the 2026-27 annual budget has already been adopted at the time of this decision, the contribution would instead be expenditure for an additional purpose requiring authorisation in advance by absolute majority under s.6.8(1).)

STRATEGIC

Theme

4. CIVIC LEADERSHIP

1. COMMUNITY

Goal

4.2 We are a compliant and resourced Local Government

1.5 Support local volunteer organisations

Strategy

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

1.5.2 Community Grant Scheme is well subscribed

COMMENT

The initiative aligns with the Shire's interest in the wellbeing, social inclusion and continued community engagement of older residents and people with disability. The district has an ageing demographic profile, which increases the relevance of services that help residents remain socially connected as their mobility changes. (The proponent has referred to the district having a higher proportion of residents aged over 65 than the national average; confirm against current ABS / community profile data before finalising.)

A contribution of $1,000 is modest and represents good value. It leverages significant external funding grants and multiple local sponsors and a local government contribution both signals genuine community backing and strengthens the competitiveness of the grant applications. As the contribution supports an external organisation delivering a service to Shire residents, it is recommended that the contribution be made conditional on the initiative proceeding within the district.

Providing a letter of support is low-risk and consistent with the Shire's facilitation role in community wellbeing.

CONSULTATION

Community proponent(s) who raised the initiative locally

Motion by the Ocean Inc.

Shire of Narembeen

Local sponsors (including fuel companies and the Hyden Football Club)

RESOLUTION OCM/26/093

Moved: Cr Beverley Gangell

Seconded: Cr Murray James

That Council:

1. Note the proposal by Motion by the Ocean Inc. to extend its Cycling Without Age Trishaw program to Hyden and the wider Wheatbelt community.
2. Authorises and includes an amount of $1,000 in the 2026-27 annual budget as a contribution towards the establishment of the initiative, conditional on the initiative proceeding *within* the Shire.
3. Endorse the provision of a letter of support to Motion by the Ocean Inc. for its grant applications to the Foundation for Rural and Regional Renewal and GrainCorp.

CARRIED 6/0 BY ABSOLUTE MAJORITY

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

Against: Nil

The Chief Executive Officer noted that a late amendment to the report should be made to delete the reference to the Shire of Narembeen offering support and in addition the reference to in principle support in the consultation should be removed. The rationale for the deletions is that the Shire of

Narembeen Community team was not able to make necessary (short notice) arrangements, however, the Shire is supportive of future events.

13 BUSINESS OF AN URGENT NATURE

Nil

14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 MATTERS FOR WHICH MEETING MAY BE CLOSED / CONFIDENTIAL ITEMS

RESOLUTION OCM/26/094

Moved: Cr Beverley Gangell

Seconded: Cr Murray James

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2012:

12.4.1 Hyden (Wave Rock-Katter Kich) Discovery Centre - Hyden Progress Association Memorandum of Understanding & Section 3.59 Compliance.

This matter is considered to be confidential under Section 5.23 - (4)(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice, or other information, over which the local government holds legal professional privilege.

CARRIED 6/0

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

Against: Nil

The meeting was closed to the public at 4.17pm

The meeting returned to open at 4.36pm

13 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

RESOLUTION OCM/26/095

Moved: Cr Beverley Gangell

Seconded: Cr Murray James

Resume in Open Session and note the President's report on Confidential Resolutions.

That Council defers consideration of item 12.4.1 Hyden (Wave Rock-Katter Kich) Discovery Centre - Hyden Progress Association Memorandum of Understanding & Section 3.59 Compliance, to a Special Meeting of Council at a date and time to be confirmed within the next seven (7) days, to allow Elected Members further opportunity to consider the information provided.

CARRIED 6/0

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

Against: Nil

14 CLOSE OF MEETING

14.1 DATE OF NEXT MEETING

To be held at 4pm at Karlgarin Country Club on 19 August 2026 .

14.2 CLOSURE

The Meeting closed at 4.38pm.