



SHIRE OF KONDININ

NOTICE OF MEETING

Councillors: Please be advised that the next meeting of the

Kondinin Shire Council

Will be held at the Shire of Kondinin - Kondinin Chambers on 25th March 2026

4:00 PM Ordinary Council Meeting

Bruce Wright

Wednesday, 25 March 2026

Chief Executive Officer

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

All communications are to be addressed to the Chief Executive Officer
ceo@kondinin.wa.gov.au

Members of the Public Attending a Council Meeting

Welcome to this meeting of Council and thank you for your interest in local government decision-making. The following information is provided to assist members of the public attending today's meeting.

Public Question Time

Public Question Time is provided in accordance with the Local Government Act 1995 and the Local Government (Administration) Regulations 1996. Members of the public are invited to ask questions relating to the business of the Shire.

- Questions must be clear and concise and may be submitted in writing prior to the meeting at the Shire offices or by email csso@kondinin.wa.gov.au or asked during Public Question Time.
- The Presiding Member may respond at the meeting, refer the question to a Councillor or officer or take the question on notice for a later response.
- Public questions must relate to the business of the Shire and should not be a statement or personal opinion.
- The Presiding Member may reject public questions that are defamatory, abusive, irrelevant to the business of the Shire or personal opinion as being out of order and no answer will be provided.
- Public questions will not be debated.

Members of the public are also advised that they are regarded as being legally liable and personally responsible for any comments made by them that might be construed as being offensive or defamatory.

Public Statement Time

Public Statement Time allows members of the public to make a brief statement on any matter of community interest. Statements must be respectful, limited to a reasonable duration as determined by the Presiding Member, and not include defamatory or offensive remarks. The Council will not comment or provide a response to public statements.

Meeting Formalities

Council meetings are formal proceedings governed by the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996*, and the Shire's Meeting Procedures Local Law. All attendees are requested to maintain decorum and not interrupt the proceedings. Only persons who have been invited by the Presiding Member may address the meeting.

Recording and Privacy Notice

Please note that this meeting is being recorded for minute-taking purposes. By attending, you acknowledge that your voice, and any personal information disclosed may be captured and published as part of the official record. The Shire collects and uses this information in accordance with its privacy obligations.

Copyright Disclaimer

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Notes for Elected Members

Report Definitions

Advocacy:	When Council advocates on its own behalf or on behalf of its community to another level of government, external body or agency.
Executive/Strategic:	The substantial direction setting and oversight role of the Council, including, but not limited to: accepting tenders, grants, setting and amending budgets, adopting plans and reports.
Legislative:	Includes adopting town planning schemes, policies and local laws
Administrative:	Council administering legislation and applying legislation to factual circumstances and situations that affect the rights of people.
Information:	Items that are provided to Council for informational purposes only. These do not require a decision of Council.

Alternative Motions

Elected Members seeking to make alternate motions to officer recommendations are requested to provide notice of said alternative motions in written form to the Chief Executive Officer prior to the Council meeting.

Declarations of Interest

Elected Members should complete a Disclosure of Financial/Impartiality & Proximity Interest for agenda items that they hold a financial, impartiality or proximity interest. The form should be provided to the Presiding Member prior to the commencement of the meeting.

In accordance with Part 5, Division 6 of the Local Government Act 1995, Elected Members must disclose the nature of their interest in matters to be discussed at the meeting.

In accordance with Sections 5.70 & 5.71 of the Local Government Act 1995, Shire Officers must disclose the nature of their interest in reports or advice when they are giving the report or advice to the meeting.

Applications for a Leave of Absence

In accordance with Section 2.25 of the Local Government Act 1995, a Councillor application for leave of absence requires a Council resolution granting the leave requested. The Council may grant approval for a leave of absence for an Elected member for ordinary meetings of council for up to, but no greater than, six consecutive meetings. Ministerial approval is required for leave of absence greater than six ordinary meetings of council.

A failure to observe the requirements of the Local Government Act may lead to an Elected Member being disqualified should they be absent without leave for three consecutive meetings. It should be noted that Leave of Absence is approved by Council resolution and is different to circumstances whereby an Elected Member records their apologies for the meeting.

Shire of Kondinin - Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Kondinin for any act, omission, statement, or intimation occurring during Council Meetings. The Shire of Kondinin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Shire of Kondinin advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

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1 OPENING OF MEETING

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND DIGNITARIES

3 RECORDING OF ATTENDANCE

3.1 ATTENDANCE

3.2 ATTENDANCE BY TELEPHONE OR INSTANTANEOUS COMMUNICATION

3.3 APOLOGIES

3.4 APPROVED LEAVE OF ABSENCE

3.5 DECLARATIONS OF DISCLOSURES OF INTEREST

4 APPLICATION FOR LEAVE OF ABSENCE

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

6.2 PUBLIC STATEMENT TIME

6.3 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

7 QUESTIONS FROM MEMBERS WITHOUT NOTICE

8 ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

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

10 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Ordinary Council Meeting - 11 February 2026

Extraordinary Council Meeting - 18 February 2026

Extraordinary Council Meeting - 23 February 2026



SHIRE OF KONDININ

MINUTES OF MEETING

Kondinin Shire Council

Ordinary Council Meeting

Held at the Hyden Community Resource Centre on 11 February 2026

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 Nil

5.2 Questions taken on Notice from Public 5
 Nil

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 Nil

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1 OPENING OF MEETING

The Shire President declared the meeting open at 4.17pm.

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND DIGNITARIES

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

3 RECORDING OF ATTENDANCE

3.1 ATTENDANCE

Shire President K Mouritz (Presiding Member), B Gangell (Deputy Presiding Member), Councillor B Browning, Councillor M James, Councillor D Pool, Councillor P Green, Councillor T Smeed
Chief Executive Officer B Wright, Mrs T Young Manager Planning & Assets, Mr V Bugna Manager Corporate Services, Ms Debra Wright Acting Manager Works, Mrs Amanda Kemp Community Development Officer.

3.2 ATTENDANCE BY TELEPHONE OR INSTANTANEOUS COMMUNICATION

Nil

3.3 APOLOGIES

Nil

3.4 APPROVED LEAVE OF ABSENCE

Nil

3.5 DECLARATIONS OF DISCLOSURES OF INTEREST

Nil

4 APPLICATION FOR LEAVE OF ABSENCE

Nil

5 RESPONSE TO PREVIOUS QUESTIONS

5.1 QUESTIONS FROM ELECTED MEMBERS TAKEN ON NOTICE

Nil

5.2 QUESTIONS TAKEN ON NOTICE FROM PUBLIC

Nil

6 PUBLIC TIME

6.1 PUBLIC QUESTION TIME

Nil

6.2 PUBLIC STATEMENT TIME

Nil

6.3 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

7 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Councillor Smeed: *EFT 21623, 20496, and EFT 21744 - Kulin Shire rent for the practice manager. I was under the impression that the Shire wasn't paying for this rent anymore since Livingstone took over.*

CEO Response: Yes, you are correct. This is the final tranche of rental payments under the term of the former lease

Councillor Smeed: *EFT 21627 - Hyden CRC \$330.00 for Better Beginnings. Do they have a MOU for the delivery of Better Beginnings. The Kondinin CRC run Better Beginnings, with a qualified teacher, the facilitator. The CRC have a MOU. Their last payment EFT 21591 was \$260.69. This includes payment of 3 hours at \$70.00/hour, fruit, activity materials if required, and photocopying costs for the booklet. Although I have a conflict of interest, both sessions should receive the same monthly payment.*

CEO Response: I note the conflict of interest on the record and confirm that the management of the COI is by way of the transparency in which the question was asked and framed. I provide the answer in the spirit of Councillor and community awareness as it demonstrates that there is a noted disparity between the two programs that requires clarification.

The program negotiations have been conducted completely separately to one another and while this was put in place before my time, I understand that the terms applied to each program are also distinctly different – this is to be somewhat expected as program approaches, attendees and the organisation of both may have succinct differences. The Hyden program is operating under Council Resolution #4563 passed unanimously at the OCM on 21 May 2026. I have made a note of this for 2026-2027 budget preparations and submissions from both CRC's.

Councillor Smeed: *EFT 217727 DCCM Pty Ltd - reimbursement of \$280.36. What is this for?*

CEO Response: The reimbursement relates to the mobilisation of personnel and accommodation for 16-17 December 2026. The mobilisation of this contract continues to evolve, and we are working to get it to a point of stability.

We will be meeting with DCCM shortly as part of their contract obligations, but I can confirm that they are getting through the work orders well – we will be reporting this through the Infrastructure Committee.

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

All members confirmed consideration of the agenda.

10 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RESOLUTION OCM/26/001

Moved: Cr Paul Green

Seconded: Cr Bruce Browning

That the minutes of the Ordinary Council Meeting of 17 December 2025 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

CARRIED 7/0

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

Against: Nil

11 REPORTS OF COMMITTEES

11.1 AUDIT & RISK

Nil

11.2 OTHER COMMITTEES

Nil

12 REPORTS OF OFFICERS

12.1 CORPORATE SERVICES

12.1.1 List Of Accounts Paid - December 2025

FILE NUMBER:

DATE: 2 February 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 Paid, December 2025 - *Under Separate Cover*

RECOMMENDATION

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

• Municipal Fund payment cheque numbers 19537 to 19541	= \$ 11,254.82
• Municipal EFT21541-21577, 21579-21607, 21615-21658	= \$ 849,729.74
• Direct Debits – Transport – Hyden Office	= \$ 5,728.90
• Direct Debits – Transport – Kondinin Office	= \$ 4,774.10
• Direct Debits – Credit Cards DD23412.1	= \$ 2,125.51
• Direct Debits – Other	= \$ 120,415.23
• EFTPOS, AKF, Bank Fees	= \$ 743.63
• Payroll EFTs	= \$ 207,674.46
• Trust EFT21578, 21608-21614	= \$ 25,120.00
TOTAL	= \$1,227,566.39

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.

Review

When the Council operates as a review authority on decisions made by Officers for appeal purposes.

BACKGROUND

The Chief Executive Officer of a local government has delegated authority to make payments from Municipal and Trust Fund accounts pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

As required by sub regulation (1), a list of accounts paid by the CEO each month should show –

- (a) *the payee's name;*
- (b) *the amount of the payment;*
- (c) *the date of the payment;*
- (d) *sufficient information to identify the transaction*

Sub regulation (3), a list prepared under sub regulation (1) and (2) is to be –

- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- (b) *recorded in the minutes of that meeting.*

FINANCIAL

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

RISK

Non compliance

POLICY

NIL

STATUTORY

Local Government (Financial Management) Regulations 1996

STRATEGIC**Theme**

4. CIVIC LEADERSHIP

Goal

4.2 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

NIL

CONSULTATION

NIL

RESOLUTION OCM/26/002

Moved: Cr Toni Smeed

Seconded: Cr Beverley Gangell

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

• Municipal Fund payment cheque numbers 19537 to 19541	= \$ 11,254.82
• Municipal EFT21541-21577, 21579-21607, 21615-21658	= \$ 849,729.74
• Direct Debits – Transport – Hyden Office	= \$ 5,728.90
• Direct Debits – Transport – Kondinin Office	= \$ 4,774.10
• Direct Debits – Credit Cards DD23412.1	= \$ 2,125.51
• Direct Debits – Other	= \$ 120,415.23
• EFTPOS, AKF, Bank Fees	= \$ 743.63
• Payroll EFTs	= \$ 207,674.46
• <u>Trust EFT21578, 21608-21614</u>	= \$ 25,120.00
TOTAL	= \$1,227,566.39

CARRIED 7/0 BY ABSOLUTE MAJORITY

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

Against: Nil

12.1.2 Financial Report - December 2025

FILE NUMBER:**DATE:** 2 February 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 - December 2025 - *Under Separate Cover***RECOMMENDATION**

That Council receive the attached reports entitled Monthly Financial Report (Containing the required Statement of Financial Activity and Statement of Financial Position) for the period ended 31 December 2025.

SUMMARY

To present to Council the Monthly Financial Report for the period ended 31 December 2025.

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.

Review

When the Council operates as a review authority on decisions made by Officers for appeal purposes.

BACKGROUND

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

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

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

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

FINANCIAL

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

RISK

Nil

POLICY

Nil

STATUTORY

Local Government Act 1995

Local Government (Financial Management) Regulation 1996

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

4.2 We are a compliant and resourced Local Government

Strategy

4.1.5 The capability of our organisation is continually improved

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

4.2.3 Strategic Resource Plan - ratios

4.2.2 Financial sustainability in achieving community aspirations

COMMENT

Highlights of the December 2025 financial reports are as follows:

Item	Reference
<ul style="list-style-type: none"> • Cash at Bank The Shire’s total cash as of 31 December 2025 was \$8,526,989 – composed of \$4,087,425 reserve accounts (restricted), \$54,193 LCDC fund, \$2,254,423 term deposit investments and \$2,130,948 general fund (Muni, OCDF & Petty cash). 	<p>Page 9 – Note 6 Cash and Financial Assets</p> <p>Page 10 – Note 7 Reserve Accounts</p>
<ul style="list-style-type: none"> • Receivables Rates and Rubbish = \$701,605 net collectible – equivalent to 17% as of 31 December 2025. Other receivables of \$397,448 – composed of \$265,720 Sundry Debtors, \$75,796 Gst receivable and \$55,932 ESL and pensioner related receivables. 	<p>Page 16 – Note 10 Receivables</p>
<ul style="list-style-type: none"> • Current Liabilities YTD balance is \$1,211,549 which includes \$485,162 of employees’ annual and long service leave provision, \$137,146 Current portion of borrowings (payable within 12 months), \$278,765 unearned Capital Grants/Contributions and \$310,475 creditors invoices. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>

<ul style="list-style-type: none"> • Closing Funding Surplus (Deficit) YTD actual is \$4,358,793 – composed of \$9,575,393 Current Assets <i>less</i> \$1,211,549 Current Liabilities and \$(,005,051) Adjustments to Net Current Assets. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>
<ul style="list-style-type: none"> • Significant Capital Projects: <ul style="list-style-type: none"> ✓ Roadworks budgeted for \$4.3m this financial year is 70% completed composed of: Safer Local Road and Infrastructure Program (SLRIP) funded Hyden Norseman Road and RTR funded Bushfire Rock Road, Nth Lake Grace-Karlgarin Road, RRG funded Lovering Road and Hyden Mt Walker Road, and Council funded Forbes Road. ✓ Plant and equipment budgeted for \$847,000 – one (1) vehicle purchased to date. ✓ Land and buildings have a total budget of \$3.6m for two (2) Shire housing for Hyden and Kondinin, Karlgarin Bowling Club & Country Club Building and Kondinin Pavilion upgrade are 44% completed. 	<p>Page 7 – Key Information Page 11 to 14 – Note 8 Capital Acquisitions</p>
<ul style="list-style-type: none"> • Grants, Subsidies and Contributions <ul style="list-style-type: none"> ✓ Operating grants total received to date = \$1,114,135 from MRWA Direct grant, FAGS, Diesel Fuel Rebate and DFES 2 quarters. ✓ Capital grants total received to date = \$3,223,475 from RRG progress claims, RTR Bushfire Rock Road, RRSP East Hyden Bin Road, SLRIP Hyden Norseman Road, WSFN for Kondinin Narembeen Road line marking, DWER’s Water infrastructure & CBH Dam upgrade and initial DOT grants for Shared pathway. 	<p>Pages 21 – Note 15 Grants, Subsidies and Contributions Page 22 – Note 16 Capital Grants, Subsidies and Contributions.</p>

In relation to material variances, “timing difference are due to the monthly spread of the budget not matching in comparison to the actual spread of revenue or expenditure.

Timing difference will not result in a forecast adjustment. Where the material variance is flagged as “permanent”, this indicates that a forecast adjustment to the annual budget is required. – Refer to page 6, Note 3 – Explanation of Material Variances.

CONSULTATION

Nil

<p>RESOLUTION OCM/26/003</p>	
<p>Moved:</p>	<p>Cr Paul Green</p>
<p>Seconded:</p>	<p>Cr Murray James</p>
<p>That Council receive the attached reports entitled Monthly Financial Report (Containing the required Statement of Financial Activity and Statement of Financial Position) for the period ended 31 December 2025.</p>	
<p>CARRIED 7/0 BY ABSOLUTE MAJORITY</p>	
<p>For:</p>	<p>Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool, Toni Smeed and Paul Green</p>
<p>Against:</p>	<p>Nil</p>

12.1.3 Budget Review Report

FILE NUMBER:**DATE:** 2 February 2026**AUTHOR:** Vince Bugna, Manager Corporate Services**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Budget Review Report - 31 December 2025 - *Under Separate Cover***RECOMMENDATION**

That Council:

1. Adopt the 2025/26 Budget Review Report conducted for the six (6) months period ended 31st December 2025 for submission to the Department of Local Government.
2. Authorises the CEO to amend the 2025/26 budget in accordance with the attached “Budget Review Report” for the period ended 31st December 2025.

SUMMARY

To present to Council the Mid-Year 2025/26 Budget Review Report for the period ended 31st December 2025.

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

Under the *Local Government (Financial Management) Regulations 1996*, each local government has to carry out a budget review of its current year budget mid financial year and make the necessary adjustments in the interest of achieving a surplus or balanced budget at the end of its financial year.

The Shire’s Manager of Corporate Services conducted the review together with the CEO and Acting Manager of Works discussed the budget review amendments contained in note 4 of the 2025/26 Budget Review Report.

The amounts included are as follows:

Note	Description	Amount
4.1	Decrease in rates revenue due to property valuation update after the 2025/26 budget was adopted by Council.	(\$30,986)
4.2	Decrease in fees and charges due to Medical Centre management changeover in November 2025.	(\$148,949)
4.3	Decrease in interest revenue (net of cash reserves and investment term deposits). Budget estimates higher than the actual bank interest rates.	(\$7,585)
4.4	Increase in other revenue from insurance reimbursements/claimed not originally included in the 2025/26 budget estimates.	\$35,572
4.5	Adjustment of projected employee costs (medical centre staff) due to management changeover in November 2025.	\$95,190
4.6	Adjustment in materials and contracts from GP Locum costs due to management changeover.	\$108,444
4.7	Decrease in cash due to insurance coverage (added) for risk management program and workers compensation adjustment.	(\$25,115)
4.8	Additional capital grants provided for roads construction at the nearby mining and windfarm projects.	\$1,944,242
4.9	Increase in cash from Land and Buildings (staff house construction, Kondinin) due to progress payment made at the end of last financial year not included in the adopted 2025/26 budget.	\$46,290
4.10	Decrease in cash for the purchase of plant and equipment per fleet replacement amendment, item 9.3.1 December 2025 OCM.	(\$145,000)
4.11	Decrease in cash for additional roads construction (grant funded) per note 4.8 above.	(\$1,937,224)
4.12	Budget amendment per Council resolution 4651 plus grant funded water tanks for community standpipes .	(\$34,276)
4.13	Transfer from plant replacement cash reserve to cover purchase/replacement of plant per note 4.10 above.	\$145,000
4.14	Transfer to reserves interest earned on cash reserves term deposits (restricted).	(\$16,639)
4.15	Overall change – projected surplus due to variances described above.	\$28,965

FINANCIAL

Regulatory requirements

RISK

Financial & compliance

POLICY

There are no direct policy implications in relation to this report.

STATUTORY

Regulation 33A of the Local Government (Financial Management) Regulation 1996 requires:

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government’s financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
 - (d) include the following –
 - (i) the annual budget adopted by the local government;
 - (ii) an update of each of the estimates included in the budget;

- (iii) the actual amounts of expenditure, revenue and income as at the date of the review;
 - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end of year amount for the item.
- (2) The review of an annual budget for the financial year must be submitted to the council on or before 31 March in the financial year.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
*Absolute majority required.
- (4) Within 14 days after a council has made the determination, a copy of the review and determination is to be provided to the Department.
Section 6.8(1) (b) of the *Local Government Act 1995* provides that expenditure can be incurred when not included in the annual budget provided it is authorised in advance by resolution (absolute majority required).

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

Strategy

4.1.5 The capability of our organisation is continually improved

COMMENT

The half yearly budget review is a statutory requirement.

CONSULTATION

CEO, Managers

RESOLUTION OCM/26/004

Moved: Cr Bruce Browning

Seconded: Cr Darren Pool

That Council:

1. Adopt the 2025/26 Budget Review Report conducted for the six (6) months period ended 31st December 2025 for submission to the Department of Local Government.
2. Authorises the CEO to amend the 2025/26 budget in accordance with the attached “Budget Review Report” for the period ended 31st December 2025.

CARRIED 7/0 BY ABSOLUTE MAJORITY

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

Against: Nil

12.1.4 List of Accounts Paid, January 2026

FILE NUMBER: 9.2.4
DATE: 3 February 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 - January 2026 - *Under Separate Cover*

RECOMMENDATION

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

• Municipal Fund payment cheque numbers 19542 to 19544	=\$ 3,121.08
• Municipal EFT21659 – 21778	=\$675,883.22
• Direct Debits – Transport – Hyden Office	=\$ 20,600.15
• Direct Debits – Transport – Kondinin Office	=\$ 16,465.80
• Direct Debits – Credit Cards DD23543.1	=\$ 2,088.64
• Direct Debits – Other	=\$ 69,057.36
• EFTPOS, AKF, Bank Fees	=\$ 739.39
• Payroll EFTs	=\$162,175.18
TOTAL	=\$950,130.82

SUMMARY

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

VOTING REQUIREMENT

Absolute Majority

COUNCIL’S ROLE

Executive

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

BACKGROUND

The Chief Executive Officer of a local government has delegated authority to make payments from Municipal and Trust Fund accounts pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

As required by sub regulation (1), a list of accounts paid by the CEO each month should show –

- (a) the payee’s name;
- (b) the amount of the payment;
- (c) the date of the payment;

(d) sufficient information to identify the transaction

Sub regulation (3), a list prepared under sub regulation (1) and (2) is to be –

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- (b) recorded in the minutes of that meeting.*

FINANCIAL

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

RISK

Non-compliant

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

COMMENT

NIL

CONSULTATION

NIL

RESOLUTION OCM/26/005		
Moved: Cr Toni Smeed		
Seconded: Cr Paul Green		
That Council receive the attached report – List of Accounts Due & Submitted to Council for the month of January 2026:		
•	Municipal Fund payment cheque numbers 19542 to 19544	= \$ 3,121.08
•	Municipal EFT21659 – 21778	= \$ 675,883.22
•	Direct Debits – Transport – Hyden Office	= \$ 20,600.15
•	Direct Debits – Transport – Kondinin Office	= \$ 16,465.80
•	Direct Debits – Credit Cards DD23543.1	= \$ 2,088.64
•	Direct Debits – Other	= \$ 69,057.36
•	EFTPOS, AKF, Bank Fees	= \$ 739.39

• Payroll EFTs	= <u>\$162,175.18</u>
TOTAL	=<u>\$950,130.82</u>
CARRIED 7/0 BY ABSOLUTE MAJORITY	
For:	Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Darren Pool, Toni Smeed and Paul Green
Against:	Nil

12.1.5 Financial Report, January 2026

FILE NUMBER:**DATE:** 5 February 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 - January 2026 - *Under Separate Cover***RECOMMENDATION**

That Council receive the attached reports entitled Monthly Financial Report (Containing the required Statement of Financial Activity and Statement of Financial Position) for the period ended 31 January 2026.

SUMMARY

To present to Council the Monthly Financial Report for the period ended 31 January 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-compliant

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

Strategy

4.1.5 The capability of our organisation is continually improved

COMMENT

Highlights of the January 2026 financial reports are as follows:

Item	Reference
<ul style="list-style-type: none"> • Cash at Bank The Shire’s total cash as of 31 January 2026 was \$8,157,709 – composed of \$4,087,425 reserve accounts (restricted), \$54,193 LCDC fund, \$2,254,423 term deposit investments and \$1,761,668 general fund (Muni, OCDF & Petty cash). 	<p>Page 9 – Note 6 Cash and Financial Assets</p> <p>Page 10 – Note 7 Reserve Accounts</p>
<ul style="list-style-type: none"> • Receivables Rates and Rubbish = \$618,393 net collectible – equivalent to 15% as of 31 January 2026. Other receivables of \$680,211 – composed of \$561,197 Sundry Debtors (\$480,000 of which are grants contribution for Karlgarin Bowling Club Building construction), \$67,966 Gst receivable and \$51,048 ESL and pensioner related receivables. 	<p>Page 16 – Note 10 Receivables</p>
<ul style="list-style-type: none"> • Current Liabilities YTD balance is \$1,273,171 which includes \$456,313 of employees’ annual and long service leave provision, \$123,492 Current portion of borrowings (payable within 12 months), \$278,765 unearned Capital Grants/Contributions and \$414,600 creditors invoices. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>

<ul style="list-style-type: none"> • Closing Funding Surplus (Deficit) YTD actual is \$4,117,156 – composed of \$9,409,032 Current Assets less \$1,273,171 Current Liabilities and \$(4,018,705) Adjustments to Net Current Assets. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>
<ul style="list-style-type: none"> • Significant Capital Projects: <ul style="list-style-type: none"> ✓ Roadworks budgeted for \$4.3m this financial year is 77% completed composed of: Safer Local Road and Infrastructure Program (SLRIP) funded Hyden Norseman Road and RTR funded Bushfire Rock Road, Nth Lake Grace-Karlgarin Road, RRG funded Lovering Road and Hyden Mt Walker Road, and Council funded Forbes Road. ✓ Plant and equipment budgeted for \$847,000 – one (1) vehicle purchased to date. ✓ Land and buildings have a total budget of \$3.6m for two (2) Shire housing for Hyden and Kondinin, Karlgarin Bowling Club & Country Club Building and Kondinin Pavilion upgrade are 44% completed. 	<p>Page 7 – Key Information</p> <p>Page 11 to 14 – Note 8 Capital Acquisitions</p>
<ul style="list-style-type: none"> • Grants, Subsidies and Contributions <ul style="list-style-type: none"> ✓ Operating grants total received to date = \$1,123,888 from MRWA Direct grant, FAGS, Diesel Fuel Rebate and DFES 2 quarters. ✓ Capital grants total received to date = \$3,913,235 from RRG progress claims, RTR Bushfire Rock Road, RRSP East Hyden Bin Road, SLRIP Hyden Norseman Road, WSN for Kondinin Narembeen Road line marking, DWER’s Water infrastructure & CBH Dam upgrade, DSR Grant and Sports Groups Contributions for Sports Pavilion and Karlgarin Bowling Club new building. 	<p>Pages 21 – Note 15 Grants, Subsidies and Contributions</p> <p>Page 22 – Note 16 Capital Grants, Subsidies and Contributions.</p>

In relation to material variances, “timing difference are due to the monthly spread of the budget not matching

in comparison to the actual spread of revenue or expenditure.

Timing difference will not result in a forecast adjustment. Where the material variance is flagged as “permanent”, this indicates that a forecast adjustment to the annual budget is required. – Refer to page 6, Note 3 – Explanation of Material Variances.

CONSULTATION

NIL

<p>RESOLUTION OCM/26/006</p> <p>Moved: Cr Toni Smeed</p> <p>Seconded: Cr Bruce Browning</p> <p>That Council receive the attached reports entitled Monthly Financial Report (Containing the required Statement of Financial Activity and Statement of Financial Position) for the period ended 31 January</p>

2026.

CARRIED 7/0 BY ABSOLUTE MAJORITY

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

Against: Nil

12.2 PLANNING & ASSETS

12.2.1 Seniors Week Lunch November 2026

FILE NUMBER:**DATE:** 30 January 2026**AUTHOR:** Amanda Kemp, Community Development Officer**AUTHORISED OFFICER:** Tory Young, Manager Planning & Assets**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Seniors Week 2026 Promotional Expo Agreement - *Under Separate Cover***RECOMMENDATION****That Council:**

1. Supports the delivery of the 2026 Seniors Week event in Hyden for seniors from Hyden and Kondinin.
2. Endorses and approves the submission of applications for grant funding of up to \$3000 against the *Department of Communities – Seniors Week Funding Program* to support the event.
3. Endorses the allocation of Council funds to cover any funding shortfall, to be considered within the 2026/27 budget up to an amount of \$4950.00 (inc GST).
4. Approves the payment of a 50% deposit to secure the *Celebrating The Seekers – 60 Years Show*, provided by Promotional Expo Productions.

SUMMARY

This report seeks the support of Councillors for the delivery of the 2026 Seniors Week event to be held in Hyden, with the inclusion of seniors from Kondinin.

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 2025 Seniors Week event was held in Hyden at the Hyden Hotel and featured the John Wood and Dave Allen show. The event was highly successful, attracting more than 60 Hyden seniors and providing a valued community occasion that brought together seniors and carers for an uplifting and entertaining performance, followed by a well-received lunch.

The Hyden Hotel is a suitable venue for the event, offering easy access to disability-friendly, wheelchair-accessible bathrooms and facilities, and the capacity to host up to 120 people.

Feedback from attendees was overwhelmingly positive, with many highlighting the strong sense of social connection, enjoyment, and community spirit generated by the event.

Building on this success, it is proposed that the 2026 Seniors Week event be expanded to include seniors from Kondinin. Subject to sufficient interest, bus transport would be provided. This expansion would further strengthen regional connections and increase participation in Seniors Week activities.

The event strongly aligns with the Shires current strategic plan's objective of fostering an active, engaged, and connected community.

FINANCIAL

The proposed entertainment for the 2026 event is the Keith Potger of The Seekers Show, presented by Promotional Expo Productions.

Total Cost:

- Performance fee: \$4,950 (GST inclusive) Plus one night's accommodation (two rooms), Plus two meals.
- Individual 2 course buffet style meals \$38 (As quoted by Hyden Hotel) to be paid by attendees (seeking funding to subsidise this amount, potential ticket sales to the general public to make it cheaper for the seniors attending)
- Potential fee to secure bus driver return trip from Kondinin

A grant application will be submitted to the Department of Communities – Seniors Week Funding Program, with funding of up to \$3,000 available. Applications open in March 2026. This report seeks funding of \$1,950.00 contingent on the successful award of the grant. If the grant is unsuccessful, Council endorsement and approval to fund the entire event up to an amount of \$4.950 (inc GST) is sought.

The Shire is also seeking additional corporate sponsorship from BBB, Lucas Group and IGO to further reduce costs.

RISK

Not delivering a Seniors Week event in 2026 may reduce opportunities for social connection and community engagement for seniors, particularly those at risk of isolation. Given the success of the 2025 event, failure to proceed may lead to negative community perception and unmet expectations. It would also represent a missed opportunity to strengthen regional connections between Hyden and Kondinin and to access available external grant funding, and may impact alignment with the Shire's strategic objective of fostering an active, engaged, and connected community.

POLICY

Nil

STATUTORY

Local Government Act 1995

STRATEGIC

Theme

1. COMMUNITY

Goal

- 1.1 Community members have the opportunity to be active, engaged and connected
- 1.2 Facilitate and advocate for quality health services, health facilities and programs in the Shire

Strategy

- 1.1.1 We hold well attended local events and activities
- 1.1.2 We collaborate with CRCs and local organisations to deliver community programs and activities
- 1.2.2 Seniors have access to local support services and social programs

COMMENT

The Shire has supported several successful seniors' events that have been well attended and very well received by all attendees. This event is intended to continue and to promote the social interaction of seniors and at the same time provides an entertainment outlet of their respective generation.

CONSULTATION

Hyden & Kondinin Seniors Coordinators

RESOLUTION OCM/26/007

Moved: Cr Toni Smeed

Seconded: Cr Bruce Browning

That Council:

1. Supports the delivery of the 2026 Seniors Week event in Hyden for seniors from Hyden and Kondinin.
2. Endorses and approves the submission of applications for grant funding of up to \$3000 against the *Department of Communities – Seniors Week Funding Program* to support the event.
3. Endorses the allocation of Council funds to cover any funding shortfall, to be considered within the 2026/27 budget up to an amount of \$4950.00 (inc GST).
4. Approves the payment of a 50% deposit to secure the *Celebrating The Seekers – 60 Years Show*, provided by Promotional Expo Productions.

CARRIED 7/0

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

Against: Nil

Cr Browning queried accessibility to transport for wheelchair users from Kondinin.
Cr Smeed confirmed that wheelchair users are transported by vehicle and no impediment exists.

12.2.2 CDO Update

FILE NUMBER:

DATE: 3 February 2026
AUTHOR: Amanda Kemp, Community Development Officer
AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST: Author - Nil
Authoriser - Nil
ATTACHMENTS: Nil

UPDATE**1. Events Completed in the Reporting Period****Hyden Library Kids Area Revamp**

- **Type:** Community facility improvement
- **Description:** Minor refurbishment of the children's area at the Hyden Library to improve functionality and appeal for families and young users.
- **Attendance / Usage:** Ongoing community use (library patrons).
- **Cost:** \$1,000 (Shire of Kondinin).
- **Status:** Completed January 2026.

Australia Day BBQs – Hyden & Kondinin Pools

- **Type:** Community celebration
- **Description:** Australia Day barbeques held at both the Hyden and Kondinin Swimming Pools to provide a free, family-friendly community activity.
- **Attendance:** Lower than usual turnout, attributed to colder weather conditions on the day.
- **Cost:** Delivered within existing operational budgets.
- **Status:** Completed.

2. Events Under Planning**International Women's Day Events**

- **Type:** Community celebration
- **Description:** Planning underway for International Women's Day events in Hyden and Kondinin, to be delivered in conjunction with local CRCs.
- **Funding:** Delivered collaboratively; minimal direct cost to the Shire.
- **Status:** In planning.

Gourmet in the Garden

- **Type:** Community and tourism event
- **Description:** Ticketed gourmet dining event showcasing local produce and hospitality.
- **Funding:**
 - IGO – \$2,000 (confirmed)
 - Bendigo Bank Kulin – \$2,000 (confirmed)

- Kondinin KCRC – In-kind support covering live music (\$1,300)
- **Shire Contribution:** TBC
- **Status:** Planning and preparation underway.

Seniors Week Event – November 2026

- **Type:** Seniors community event
- **Description:** Planned luncheon and live performance as part of Seniors Week celebrations.
- **Funding:** Department of Communities Seniors Week Grant – \$3,000 (TBC; applications open March 2026).
- **Status:** Early planning underway.

Men’s Mental Health Evening

- **Type:** Community wellbeing initiative
- **Description:** Proposed evening event focused on men’s mental health, planned to be held following winter sports training.
- **Funding:** Grant opportunities being explored.
- **Status:** Concept development stage.

3. Upcoming Events

Kondinin Triathlon

- **Type:** Sporting community event
- **Date:** 14 March 2026
- **Description:** Annual triathlon event.
- **Status:** Advertising commenced; planning meeting scheduled.

Gourmet in the Garden

- **Type:** Community and tourism event
- **Date:** 20 March 2026
- **Status:** Planning underway. Tickets went on sale 2nd February more than half tickets sold within the first day.

ANZAC Day

- **Type:** Commemorative event
- **Date:** 25 April 2026
- **Description:** Gunfire Breakfasts and commemorative services in Kondinin and Hyden.
- **Funding:** RSLWA ANZAC Day Grant – \$1,800 (applied).
- **Status:** Coordination underway, including accommodation in Kondinin.

4. Issues

- Reliance on external grant funding that is not yet confirmed for several events.
- Competing priorities and staff capacity pressures during peak event periods.
- Coordination across multiple towns, venues, and partners.

5. Risks

- Grant funding not approved, requiring changes to event scope or delivery.
- Event delivery impacted by weather, supplier availability, or volunteer capacity.
- Reputational risk if planned events are delayed or cancelled due to funding or resourcing constraints.

12.2.3 Amalgamation of No. 1 (Lot 17) [CWA Building] and No. 3 (Lot 16) [Hyden Town Hall] Lynch Street, Hyden

FILE NUMBER:	DT 4.1
DATE:	6 February 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	1. Aerial Map - No. 1 (Lot 17) Lynch Street, Hyden - <i>Under Separate Cover</i> 2. Aerial Map - No.3 (Lot 16) Lynch Street, Hyden - <i>Under Separate Cover</i>

RECOMMENDATION

That Council

1. Endorses and supports the amalgamation of Lots 16 & 17 Lynch Street, Hyden
2. Authorises the Chief Executive Officer to engage the services of a qualified practitioner to undertake the required statutory processes to amalgamate Lots 16 & 17 Lynch Street, Hyden

SUMMARY

This report is for Council to approve the amalgamation of Lots 16 & 17 Lynch Street, Hyden to address compliancy and enable future development.

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

Council at its Ordinary Meeting on 19 March 2025 considered an item relating to the transfer of the Hyden CWA property located at No. 1 (Lot 17) Lynch Street, Hyden to the Shire of Kondinin and resolved as follows:

RESOLUTION: #4513

That Council AGREES to the transfer of the CWA Property in Hyden to the Shire of Kondinin, with the building to be leased back to the Hyden CWA on a 'Peppercorn Lease' arrangement.

RESOLUTION: #4514

The Council, by Absolute Majority, AUTHORISE the Shire President and Chief Executive Officer to sign the transfer documents for the Hyden CWA and affix the Shire of Kondinin Common Seal.

FINANCIAL

Estimated up to \$30,000 to cover all surveying and subdivision administrative fees. Awaiting on formal quotations to be received.

RISK

Low

POLICY

Nil

STATUTORY

Planning and Development Act 2005

STRATEGIC

Theme

1. COMMUNITY
4. CIVIC LEADERSHIP

Goal

- 1.3 Celebrate our pioneers, community members and protect our heritage
- 4.2 We are a compliant and resourced Local Government

Strategy

- 1.3.2 Shire owned heritage buildings and places of interest are maintained and managed appropriately
- 4.2.1 External audits and reviews confirm compliance with relevant Local Government legislation

COMMENT

No. 1 (Lot 17) Lynch Street, Hyden was transferred and executed to the Shire of Kondinin on 7 July 2025, resulting in the Shire of Kondinin now owning the two adjacent freehold properties at No. 1 (Lot 17) Lynch Street, (CWA Building property) and No. 3 (Lot 16) Lynch Street, Hyden (Town Hall).

As illustrated on the aerial plans attached to this Agenda Report, the existing buildings on the two properties already straddle the shared lot boundary. The amalgamation of the two lots is a logical solution to ensuring compliance with the National Building Construction Codes and enabling future development of the site

CONSULTATION

Nil at this stage

RESOLUTION OCM/26/008

Moved: Cr Darren Pool

Seconded: Cr Paul Green

That Council

1. Endorses and supports the amalgamation of Lots 16 & 17 Lynch Street, Hyden
2. Authorises the Chief Executive Officer to engage the services of a qualified practitioner to undertake the required statutory processes to amalgamate Lots 16 & 17 Lynch Street, Hyden

CARRIED 7/0

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

Against: Nil

12.2.4 Western Australian Planning Commission - Renewable Energy Planning Code and Guidelines

FILE NUMBER:	DT. 4
DATE:	6 February 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	Nil

RECOMMENDATION

That Council

1. **RECEIVES** the Western Australian Planning Commission's Renewable Energy Planning Code and Guidelines
2. **ENDORSES** the general intent of the Western Australian Planning Commission's Renewable Energy Planning Code and Guidelines
3. **ENDORSES** a submission in response to the Code and Guidelines prepared by the Chief Executive Officer to be provided to the Western Australian Planning Commission and the Western Australia Local Government Association

SUMMARY

The purpose of this report is to seek endorsement from Council to provide comment to the Western Australian Planning Commission (WAPC) and the Western Australia Local Government Association (WALGA) on the Renewable Energy Planning Code and Guidelines currently open for public comment.

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 Western Australian Planning Commission (WAPC) has released the draft Renewable Energy Planning Code and Guidelines for public comment. The draft Code aims to establish a consistent framework for assessing renewable energy infrastructure to support the generation, storage and transmission of renewable energy.

The draft Code proposes consistent development standards and application requirements for renewable energy projects, supported by Guidelines that explain how applicants and decision-makers can meet these requirements. Together, they aim to improve transparency, provide industry with

investment certainty and help communities understand how proposals will be assessed – particularly in relation to noise, landscape and other potential impacts.

Proposed regulatory changes accompany the draft Code to support consistent application across local planning schemes. These include amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* to introduce consistent land-use definitions, support incorporation of the Code into local planning schemes, and guide assessment of new noise-sensitive development near existing or approved wind farms.

Changes are also proposed to the *Planning and Development (Significant Development) Regulations 2024* to introduce a mandatory assessment pathway for significant renewable energy proposals valued at \$20 million or more. Under this pathway, the WAPC will be the determining authority for these projects, ensuring a consistent process for developments of State significance.

WALGA is asking Local Governments to provide feedback on the Guidelines by the 27 February 2026 to inform a joint submission to the Western Australian Planning Commission. Submissions to the Western Australian Planning Commission close on the 10 April 2026.

FINANCIAL

Nil

RISK

Low

POLICY

Nil

STATUTORY

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

Based on experience with the Kondinin Wind Farm and the King Rocks Wind Farm and the limitations of the planning assessment tools and processes available when the projects were issued development approval through the Joint Development Assessment Panel large-scale process in 2018 and 2022 respectively, it is considered that the Shire of Kondinin is in a good position to provide constructive feedback on the Codes and Guidelines to improve the assessment process of renewable energy projects with due regard to the impact of these large scale developments on rural communities.

CONSULTATION

Feedback on the Renewable Energy Planning Code and Guidelines is to be submitted to WALGA by the 27 February 2026 and the WAPC by the 10 April 2026

RESOLUTION OCM/26/009

Moved: Cr Darren Pool

Seconded: Cr Paul Green

That Council

1. **RECEIVES** the Western Australian Planning Commission's Renewable Energy Planning Code and Guidelines
2. **ENDORSES** the general intent of the Western Australian Planning Commission's Renewable Energy Planning Code and Guidelines
3. **ENDORSES** a submission in response to the Code and Guidelines prepared by the Chief Executive Officer to be provided to the Western Australian Planning Commission and the Western Australia Local Government Association

CARRIED 7/0

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

Against: Nil

12.2.5 Regional Development Assistance Program - Land Release Opportunities

FILE NUMBER:	DT.4
DATE:	6 February 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	<ol style="list-style-type: none">1. Regional Development Assistance Program - Submission Guide - <i>Under Separate Cover</i>2. Regional Development Assistance Program - Application Form - <i>Under Separate Cover</i>3. Hyden Town Site Base Map - <i>Under Separate Cover</i>4. Karlgarin Base Map - <i>Under Separate Cover</i>5. Kondinin Base Map_1 - <i>Under Separate Cover</i>6. Kondinin Baes Map_2 - <i>Under Separate Cover</i>

RECOMMENDATION

That Council:

1. **AUTHORISES** the Chief Executive Officer to prepare a proposal and association supporting documentation to apply to Development WA's Local Regional Development Assistance Program for the development of land held by the Crown and/or the Local Government Authority within the Shire of Kondinin;
2. **REQUESTS** the Chief Executive Officer present the proposal and supporting documentation to the Council's Assets and Infrastructure Committee for discussion prior to formal endorsement by Council

SUMMARY

The purpose of this report is to seek approval from Council for the Shire's Chief Executive Officer to commence the preparation of the necessary documentation required to apply to Development WA's Local Regional Development Program for the development of land held by the Crown and/or Local Government Authority within the Shire of Kondinin.

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

It has been almost 20 years since the Shire of Kondinin last facilitated a land release program with Development WA (then trading as LandCorp) for the development of land for residential and industrial purposes in the town sites of Kondinin and Hyden. Many of these lots remained vacant and unsold for many years, with over the last 12 months all these lots now sold or under offer. The Shire's Administration have been working closely with the Wheatbelt Development Commission and the Department of Planning, Lands and Heritage in the preparation of a Local Planning Strategy and other documentation to provide the strategic framework for the Shire to present a submission to Development WA's Regional Development Assistance Program seeking new areas of land to release for development.

A copy of the Regional Development Assistance Program Guidelines is available for viewing as an attachment to this Agenda Report, with the following extracts from the Guidelines provided as a summary.

What is the Regional Development Assistance Program?

- develops land to support projects that expand the social and economic vitality of regional communities;
- undertakes small land development projects (usually less than 20 lots) in regional Western Australia;
- is available for projects in towns where there are either limited or no active private developers releasing land;
- is undertaken on land held by the Crown or the Local Authority
- requires future landowners to build within a specified period to prevent land speculation, to encourage new building activity and build strong and diverse communities;
- is active in towns where land supply needs are not currently being met, primarily due to the high servicing costs and low market prices for lots;
- seeks to rationalise the land bank of lots available throughout regional areas so housing and employment opportunities can co-exist; and
- eligibility extends to residential, commercial, tourism and light industrial developments, with Local Authorities permitted to lodge applications for multiple towns within their district or for multiple land uses within a town (priorities will be attached to those applications encouraging economic development and employment opportunities).

What are the key considerations in the assessment process?

- social and economic significance to supporting sustainable regional cities/ centres and sub-regional centres;
- absence of other land supply options and/ or the proposal site is the best option to pursue;
- no competing private sector land supplies;
- site availability, appropriate land use zoning and no apparent delays/hurdles to impact delivery;
- availability of utility services and/or benefit of new services to development potential of adjacent landholdings;
- demonstrated demand for the development evidenced by securing pre-sales commitments from buyers; and
- level of external contribution to the development

What makes a comprehensive Regional Development Assistance Program?

- maps;
- copy of your Council's resolution inviting Development WA to progress project
- any advice from servicing agencies – capacity and required upgrades, approval requirements;

- land tenure details (including any details of land ownership, access agreements, etc);
- documentation on demand for the project or advice (supported by your Regional Development Commission) on likely drivers of future demand (mining, tourism etc) with the possible investment timeframes for the driver.

FINANCIAL

To be confirmed once proposal further developed.

RISK

Medium

POLICY

Nil

STATUTORY

- Land Administration Act 1997
- Land Administration Regulations 1998
- Western Australian Land Authority Act 1992
- Planning and Development Act 2005

STRATEGIC

Theme

2. ECONOMY

Goal

2.1 Support the diverse industry across the Shire

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

Strategy

2.1.5 Business activity increases in industrial areas

2.4.1 Shire housing stock is well maintained and expanded upon

2.4.2 We advocate for improved State Government and Public Housing stock

COMMENT

The maps attached to this Agenda Report prepared by the Wheatbelt Development Commission in 2024 provide a snapshot for land release options in each of the Shire's town centres. It is to be acknowledged that the maps require updating with several of the lots identified as vacant now occupied. In addition to this, some zoning changes have been made to the Hyden industrial land west of the Hyden town site.

As a starting points, areas for land release identified as eligible in the town sites based on existing land tenures and zonings, include as follows:

HYDEN - the large area of crown land west of the Hyden town site which is zoned urban development for residential and potentially some further industrial development.

KONDININ - the crown and local government land to the south of the Kondinin town site adjacent to the Shire Town Dam zoned industrial for industrial development and some infill residential crown and

local government lots zoned residential which will require negotiation in relation to native title requirements. The land zoned Urban Development to the west of Repacholi Parade.

KARLGARIN – infill residential crown land zoned rural townsite.

In summary, it is considered that the Shire of Kondinin can provide a comprehensive proposal to address the Regional Development Assistance Program’s assessment criteria to facilitate the opportunity for targeted growth in our town centres. It is recommended that this be progressed as a matter of priority alongside the preparation of the Shire’s Local Planning Scheme and review of its Local Planning Scheme No.1.

CONSULTATION

Department Planning Lands and Heritage

Development WA

RESOLUTION OCM/26/010

Moved: Cr Paul Green

Seconded: Cr Bruce Browning

That Council:

1. **AUTHORISES** the Chief Executive Officer to prepare a proposal and association supporting documentation to apply to Development WA’s Local Regional Development Assistance Program for the development of land held by the Crown and/or the Local Government Authority within the Shire of Kondinin;
2. **REQUESTS** the Chief Executive Officer present the proposal and supporting documentation to the Council’s Assets and Infrastructure Committee for discussion prior to formal endorsement by Council

CARRIED 7/0

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

Against: Nil

12.2.6 King Rocks Wind Farm - (JDAP 22/02288) - Supporting Documentation to Address Condition of Development Approval

FILE NUMBER:	HRT R.8
DATE:	11 February 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Authoriser -
APPLICANT:	Synergy Renewable Energy Developments Pty Ltd
OWNER:	TM Hughes; Hyden Faraway Pty Ltd
PROPOSAL:	Use Not Listed – Wind Farm
LOCATION:	Lot 2845 & Lot 2640 King Rocks Road North, Hyden
ATTACHMENTS:	Nil

RECOMMENDATION

That Council

1. **RECEIVES** the Civil Construction Plans as attached in support of 80 percent completion to addressing Condition 3 / Advice Note 2 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’
2. **NOTES** that further detailed plans will be presented to Council in support of addressing Condition 3 / Advice Note 2 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’ once submitted by the Applicant.

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.

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

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. The approval was granted with a series of conditions requiring local government approval to be addressed by the Applicant. This Agenda Report relates to Condition 3 / Advice Note 2 (Detailed Plans).

Detailed Design

Condition 3

Pursuant to Schedule 2, clause 74 of the Planning and Development (Local Planning Schemes) Regulations 2015, further detailed plans for the proposed development shall be submitted to the Local Government.

Advice Note 2

In relation to addressing Schedule 2, clause 74 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as conditioned above, the following detailed plans are required and shall include the following information:

- a) A site development plan, drawn to scale, showing contours, natural environmental features, including all vegetation, revegetation, waterways/creek lines, and the final layout, orientation and siting arrangements of all wind turbines and hardstand infrastructure, including setback distances between wind turbines and vegetation, setback distances between wind turbines and all sensitive uses on the subject land and immediately adjoining properties, temporary and permanent wind monitoring towers, all buildings and amenities, site access and egress points to public roads, internal access roads, vehicle parking areas, underground and above ground power and transmission cables, overhead power lines, fencing, laydown and stockpile areas, construction compounds, temporary concrete batching plant and storage facilities, energy storage structures, sub-stations, power conversion stations, and any public access opportunities;
- b) Small-scale plans and cross-sections, drawn to scale, showing the dimensions, height, building materials, elevations and colours of the proposed wind turbines, permanent wind monitoring towers, permanent buildings and amenities;
- c) Demonstrated suitable setbacks between the wind turbines and remnant vegetation to mitigate any potential risks to known fauna within the locality.
- d) Specify the final location and specifications of the wind turbines, to a maximum of 30 turbines and turbines setback no less than 1.8 kilometres to the nearest sensitive receptor.

Officer Comment

The proponent advised in writing dated 15th July 2025 the approach proposed to address this condition as follows:

1. *30% design prior to mobilisation: the package to include the overall site layout plan outlining the access tracks, contours, hardstands, siting arrangement of the WTG, temporary structures, environmental features i.e. proposed vegetation clearing etc) and small-scale plans outlining typical drawings.*
Officer Comment – COMPLETED (Received by Council Ordinary Meeting held on 21 August 2025)
2. *80% designs (i.e. detailed designs) post mobilisation: The 80% will provide greater detail and include elevations, cross-sections and outline drainage design.*

Officer Comment – COMPLETED (Received by Council at Ordinary Meeting held on 11 February 2026)

3. *100% designs (i.e. IFC): Following 80% designs, final layout, building materials etc will be provided.*

Officer Comment – TO BE SUBMITTED

FINANCIAL

Nil

RISK

Low

POLICY

Nil

STATUTORY

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 plans submitted as attached to this Agenda Report address dot point 2 above by supply 80 percent of the design detail. Final detailed plans are to be submitted by the Applicant to satisfy the Advice Note 2, including confirmation on addressing the required distance from the wind turbines to the nearest sensitive receptors, both on the host lots and adjacent non-host lots.

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.

RESOLUTION OCM/26/011

Moved: Cr Toni Smeed

Seconded: Cr Beverley Gangell

That Council

1. **RECEIVES** the Civil Construction Plans as attached in support of 80 percent completion to addressing Condition 3 / Advice Note 2 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’

2. **NOTES** that further detailed plans will be presented to Council in support of addressing Condition 3 / Advice Note 2 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' once submitted by the Applicant.

CARRIED 7/0

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

Against: Nil

12.3 WORKS

Nil

12.4 CHIEF EXECUTIVE OFFICER

12.4.1 Chief Executive Officer Motion - Australian Local Government Association (ALGA) - Telecommunication

FILE NUMBER:

DATE: 29 January 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Shire of Kondinin CEO Motion to ALGA - Telecommunications - *Under Separate Cover*

RECOMMENDATION

That Council:

1. Acknowledges the blackspot and intermittent outages of telecommunications throughout the region and the corresponding high level of risk to Shire communities caused by outages and black spot interruptions.
2. Endorses and approves the attached motion to the 2026 National General Assembly of the Australian Local Government Association (ALGA), to support ALGA advocacy to the Federal Government.
3. Authorises the Chief Executive Officer to submit the attached motion to ALGA on behalf of the Shire of Kondinin.
4. Endorses and authorises the following Councillors as Shire representatives at the ALGA National General Assembly from 22 June 2026 – 26 June 2026 to formally present the motion and to meet with key Government officers:
 - a) Councillor: _____
 - b) Councillor: _____

SUMMARY

On 31 December 2025, Hyden, Karlgarin and surrounding areas were the subject of a critical telecommunications service outage for a period of three (3) days.

This report seeks Council endorsement for the submission of a motion (attached) to the Australian Local Government Association (ALGA) 2026 National General Assembly; to support advocacy to the Federal Government to influence telecommunications policy.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE

Advocacy

When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

BACKGROUND

On 31 December 2025, Hyden, Karlgarin and surrounding areas were the subject of a critical communications outage. During the outage, 4G telecommunications services were rendered completely unserviceable. The outage was resolved approximately three (3) days later but was followed by intermittent outages throughout the ensuing seven (7) days.

This outage is one of many telecommunications concerns that the Shire continues to experience. Black spots in areas that are a short distance from town centres, throughout the length of the Brookton Highway and into the eastern sector of Hyden are well known and reported.

The December outage in Hyden and Karlgarin prompted a specific investigation into the impacts of the outage to the Hyden town and surrounding farming areas. The investigation concluded that, among other things:

- At least four (4) Hyden businesses were unable to accept electronic transactions that were reliant on EFTPOS 4G connectivity. The impacts included financial loss and an inability to reach or to be contacted by customers, staff and other business contacts.
- Multiple elderly residents lost all forms of communication.
- Farmers were unable to make or receive telephone contact.
- Visitors spoken to at various locations identified that they had lost telephone services.

The latent risks associated with telecommunications outages are widely known, however, when considered central to the Shire an untenable risk was presented to:

- The safety and wellbeing of Shire communities.
- The safety and wellbeing of our vulnerable community members - elderly, incapacitated, people with a disability and frail among others.
- Local businesses and consequential business interruption.
- Agricultural operations, transport and essential services.
- Community connection.
- Shire operations.
- Emergency services and emergency management.

The 2026 ALGA National General Assembly provides the Shire with a strong, high-level opportunity to advocate to the Federal Government on behalf of our communities. Should the proposed motion be selected for presentation at the Assembly, a Shire representative will be required to read the motion onto the meeting agenda.

Shire representation at the Assembly will also provide an opportunity to meet with relevant Federal Ministries and decision makers with a pronounced focus on key worker housing and other federal grant opportunities.

FINANCIAL

The submission of the motion that is the subject of this report does not represent any financial implication to the Shire.

The estimated cost of attendance by two (2) Councillors at the ALGA National General Assembly is estimated at:

Travel: \$4,000.

Accommodation: \$2,400.

Incidentals: \$800

Total: \$7,200

RISK

No latent risk is associated with the submission of the motion.

POLICY

GOV006 – Attendance at Events

STATUTORY

Local Government Act 1995

STRATEGIC

Theme

1. COMMUNITY

Goal

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

Strategy

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

The Shire of Kondinin Strategic Community Plan identifies that the Council will participate in advocacy efforts on behalf of our communities. Telecommunications are considered as being critical infrastructure throughout regional Western Australia and service interruption heightens the risk of business interruption, mitigating emergent risk and the ability to respond to critical incidents.

COMMENT

Telecommunication is a critical service delivered by critical infrastructure throughout the Shire. The 4G telecommunications outage of 31 December 2025 highlights the high level of vulnerability and risk to the residents of the Shire during outage periods and through inconsistent service delivery (black spots).

The opportunity of presenting a motion to ALGA to advocate to the federal government on behalf of the Shire and more widely, regional Australia is very limited; and this now represents a strong, strategically aligned opportunity.

CONSULTATION

- Hyden business
- Hyden agricultural sector
- Visitors to Hyden

The Shire Community Survey (although open) has identified that eighty (80) percent of respondents thus far rate telecommunications throughout the Shire as being inadequate.

RESOLUTION OCM/26/012

Moved: Cr Paul Green

Seconded: Cr Darren Pool

That Council:

1. Acknowledges the blackspot and intermittent outages of telecommunications throughout the region and the corresponding high level of risk to Shire communities caused by outages and black spot interruptions.
2. Endorses and approves the attached motion to the 2026 National General Assembly of the Australian Local Government Association (ALGA), to support ALGA advocacy to the Federal Government.
3. Authorises the Chief Executive Officer to submit the attached motion to ALGA on behalf of the Shire of Kondinin.
4. Endorses and authorises the following Councillors as Shire representatives at the ALGA National General Assembly from 22 June 2026 – 26 June 2026 to formally present the motion and to meet with key Government officers:
 - a) Councillor: Cr Mouritz
 - b) Councillor: Cr Pool

CARRIED 7/0

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

Against: Nil

12.4.2 Shire President Advocacy - Powering WA - Draft Guideline on Community Benefits for Renewable Energy Projects

FILE NUMBER:

DATE: 30 January 2026
AUTHOR: Bruce Wright, Chief Executive Officer
AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil
Authoriser - Nil

ATTACHMENTS:

1. PoweringWA Community Benefits Guideline - Joint Submission - *Under Separate Cover*
2. Media Release - PoweringWA Community Benefits Advocacy - *Under Separate Cover*

RECOMMENDATION

That Council:

1. Supports and endorses mandatory, locally administered community benefit arrangements for renewable energy projects (wind, solar and battery storage) in the Shire of Kondinin.
2. Supports and endorses Shire participation in advocacy efforts lead by the Shire of Narrogin for community inclusion and mandatory, locally administered community benefit arrangements for renewable energy projects in the State Government PoweringWA Draft Guideline on Community Benefits for Renewable Energy Projects.

SUMMARY

More than forty (40) regional local governments in Western Australia are hosts of renewable energy projects (wind, solar and battery storage). As an alliance, the local governments have made joint submissions to the State Government PoweringWA Draft Guideline on Community Benefits for Renewable Energy Projects.

The Shire of Kondinin contributed to the development of the submission that calls for a clear, enforceable framework that:

- Mandates community benefit contributions,
- Secures them for the life of the project through binding mechanisms,
- Is administered locally by Community or local government, not centrally, and
- Aligns benefit allocations to the nameplate capacity located within each host local government.

This Council has and continues to advocate locally for Community Fund contributions from operators engaged in windfarm construction and future operation throughout the Shire. This report seeks continued endorsement for advocacy efforts and support of the alliance of local governments petitioning the State Government. Further and retrospectively, endorses the co-signing of a joint media release seeking advancement of guideline outcomes in favour of local communities.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE

Advocacy

When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

BACKGROUND

The emergence of renewable energy projects across wind, solar and battery technologies is well reported by mainstream media and social media outlets. Western Australian local governments are playing host to renewable projects of various scales and complexities. The common thread across each local government area is the concerns relative to the absence of reciprocal benefits and consultation afforded to local communities impacted by these projects (among many other things).

The alliance of forty (40) local government areas impacted by renewable projects is actively engaged in advocating for greater community input and benefit. The Shire of Kondinin has actively contributed to submissions for advocacy, and the Council has continued to press current project owners to progress promised community funding.

FINANCIAL

There are no financial implications attached to this advocacy.

RISK

If logical, meaningful and consistent advocacy efforts are not maintained, the approach to Community Benefit may be significantly diluted resulting in diminished community benefit.

POLICY

Nil

STATUTORY

Nil

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

Strategy

4.1.1 RoeROC and regional groupings deliver local benefit

The Shire is demonstrating strong civic leadership on behalf of its constituents.

COMMENT

The Shire of Kondinin is taking appropriate and measured steps to advocate on behalf of our communities to achieve greater participation in activities and decisions that directly impact the Shire. Large scale renewable energy projects have consistently demonstrated to have a significant impact on communities and test the capacity of local governments.

The endorsement and participation in advocacy efforts are critical to having our collective voice heard and to the delivery of heightened community benefit.

CONSULTATION

Nil

RESOLUTION OCM/26/013

Moved: Cr Bruce Browning

Seconded: Cr Paul Green

That Council:

1. Supports and endorses mandatory, locally administered community benefit arrangements for renewable energy projects (wind, solar and battery storage) in the Shire of Kondinin.
2. Supports and endorses Shire participation in advocacy efforts lead by the Shire of Narrogin for community inclusion and mandatory, locally administered community benefit arrangements for renewable energy projects in the State Government PoweringWA Draft Guideline on Community Benefits for Renewable Energy Projects.

CARRIED 7/0

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

Against: Nil

Councillors Browning, Mouritz & Green acknowledged and commended Tory Young on her involvement and input into this program.

12.4.3 Street Signage - Brookton Highway (Marshall Street) - Hyden

FILE NUMBER:

DATE: 2 February 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Development Plan - Public Transport Authority areas - Hyden -
Under Separate Cover

RECOMMENDATION

That Council:

1. Notes that Main Roads Western Australia (MRWA) approves the erection of heavy and light vehicle directional parking signage by the Shire of Kondinin along the southern verge of the Brookton Highway / Marshall Street, Hyden.
2. Approves the installation of heavy and light vehicle directional parking signage in previously determined locations along the Brookton Highway / Marshall Street, Hyden; including the areas of the Tourist Information Bay, Railway Barracks and the vacant land to the eastern side of the BP fuel station

SUMMARY

This report details an approval by Main Roads Western Australia (MRWA) to erect directional travel signs in MRWA Reserves situated along the southern verge of Marshall Street, Hyden.

In addition, the report seeks Council endorsement and approval to erect signs in accordance with MRWA Guidelines to direct heavy and light vehicle traffic in and out of vehicle parking bays within the Shire leased areas.

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

At the Ordinary Meeting of Council, April 2022, Council unanimously endorsed (resolution #3909) a Development Plan for lease areas 3553 and 7363C on the Western Australian Public Transport Authority reserve situated at Lot 45 Marshall Street, Hyden. The resolution and attachments are included for reference.

The Development Plan incorporated the relocation of buildings and access restrictions to heavy vehicles. The restrictions were detailed in Building Permit 06/23 issued in favour of the development.

The areas intended for directional signage for heavy vehicles sit within MRWA reserves and accordingly are the subject of approval for placement.

The Network Operations Manager for MRWA Wheatbelt Region has approved the placement of signage within the MRWA. At this time, the Shire does not have a current Parking Local Law in place and therefore cannot enforce violations.

FINANCIAL

Sign procurement & installation - \$2000

RISK

Nil

POLICY

Nil

STATUTORY

Road Traffic Code 2000 (WA), Regulation 297 – authority to erect, establish, alter or remove any road sign or traffic-control signal.

MRWA Sign Standards & Traffic Control Manuals – standards for the design, placement and materials for road signs.

STRATEGIC

Theme

- 1. COMMUNITY

Goal

- 1.4 Recreational and social spaces encourage active and healthy lifestyles

Strategy

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

COMMENT

The development of Shire held leases on Marshall Street, Hyden has been a priority of the Council from 2023. With significant investment of time and resources (cash and non-cash) into the development by the Shire and the Hyden Progress Association, the development has added significant aesthetic value to the precinct and provides comfortable vehicle parking for tourists and community members to access the retail area of Hyden.

Permitting truck parking in areas frequented by tourists and the public presents an unacceptable risk to public safety, degrades amenity, undermines the visitor experience, and is inconsistent with the intended land use and asset capacity of the precincts.

CONSULTATION

Main Roads Western Australia – Network Operations Manager, Wheatbelt

Hyden Progress Association

RESOLUTION OCM/26/014

Moved: Cr Toni Smeed

Seconded: Cr Murray James

That Council:

1. Notes that Main Roads Western Australia (MRWA) approves the erection of heavy and light vehicle directional parking signage by the Shire of Kondinin along the southern verge of the Brookton Highway / Marshall Street, Hyden.
2. Approves the installation of heavy and light vehicle directional parking signage in previously determined locations along the Brookton Highway / Marshall Street, Hyden; including the areas of the Tourist Information Bay, Railway Barracks and the vacant land to the eastern side of the BP fuel station

CARRIED 7/0

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

Against: Nil

13 BUSINESS OF AN URGENT NATURE

Nil

14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

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

17 CLOSE OF MEETING

17.1 DATE OF NEXT MEETING

To be held at Kondinin Chambers at 4pm, Wednesday 18 February 2026.

17.2 CLOSURE

The Meeting closed at 4.41pm.



SHIRE OF KONDININ
MINUTES OF MEETING
Kondinin Shire Council
Extraordinary Council Meeting

Held at the Kondinin Chambers on 18 February 2026

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1 OPENING OF MEETING

MOTION

RESOLUTION OCM/26/021

Moved: Cr Kent Mouritz

Seconded: Cr Paul Green

That the Deputy Shire President, Cr Gangell preside over the meeting as the Shire President is in attendance by telephone.

CARRIED 6/0

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

Against: Nil

The meeting was opened by the Deputy Shire President at 4.10pm

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND DIGNITARIES

The Deputy Shire President acknowledged the traditional owners of the land upon which we meet and paid respects to elders past, present and emerging.

3 RECORDING OF ATTENDANCE

3.1 ATTENDANCE

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

3.2 ATTENDANCE BY TELEPHONE OR INSTANTANEOUS COMMUNICATION

The Shire President is in attendance by telephone.

3.3 APOLOGIES

Cr Pool

3.4 APPROVED LEAVE OF ABSENCE

Nil

3.5 DECLARATIONS OF DISCLOSURES OF INTEREST

Cr Smeed – Impartiality – 9.1.1 Lease of Shop at No. 34 (Lot 16) Rankin Street, Kondinin – Lions Club Officer.

4 APPLICATION FOR LEAVE OF ABSENCE

Nil

5 PUBLIC TIME

5.1 PUBLIC QUESTION TIME

Nil

5.2 PUBLIC STATEMENT TIME

Nil

6 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

7 ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

Nil

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

Agreed

MOTION

RESOLUTION OCM/26/022

Moved: Cr Murray James

Seconded: Cr Paul Green

That in accordance with section 5.23(2) of the *Local Government Act 1995 (WA)*, the meeting be closed to members of the public to consider the following items:

11.1 Conflict of Interest Declaration – Management Plan

11.2 Organisational Enhancement Program

That Council notes that item 11.1 is directly related to item 9.1.2

CARRIED 6/0

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

Against: Nil

The meeting entered a closed session at 4.15pm.

(The minutes of the meeting are reflected at the foot of these general meeting minutes)

MOTION

RESOLUTION OCM/26/023

Moved: Cr Toni Smeed

Seconded: Cr Kent Mouritz

That the Confidential session of the meeting be concluded and returned to the Ordinary Meeting, open to members of the public.

CARRIED 6/0

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

Against: Nil

The Ordinary Meeting of Council was resumed at 4.38pm.

9 REPORTS OF OFFICERS

9.1 PLANNING & ASSETS

9.1.1 Expression of Interest - Lease of Shop at No. 34 (Lot 16) Rankin Street, Kondinin

FILE NUMBER:	AA 3.5
DATE:	13 February 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Expression of Interest Form - <i>Under Separate Cover</i> 2. Structural Engineering Assessment - <i>Under Separate Cover</i> 3. Kondinin Lions Club Response - <i>Confidential Under Separate Cover</i> 4. Dynamic Cleaning Response - <i>Confidential Under Separate Cover</i> 5. Evaluation Summary - <i>Confidential Under Separate Cover</i>

RECOMMENDATION

That Council:

1. APPROVES the award of “Expression of Interest – Lease of Shop at No. 34 (Lot 16) Rankin Street, Kondinin” to Kondinin Lions Club for a period of five (5) years with one five (5) year option (5+5).
2. AUTHORISES the Chief Executive Officer to execute the necessary administrative instruments to enter at community lease with Kondinin Lions Club for shop at No. 34 (Lot 16) Rankin Street, Kondinin subject to the completion of any urgent maintenance works being carried out on the property.
3. RECEIVES the Structural Engineering Services Assessment prepared for the row of shops at No. 34 (Lot 16) Rankin Street, Kondinin dated January 2023 (attached); and
4. NOTES that a Scope of Works is currently being prepared to guide maintenance works to be carried out as a matter of priority to the property.

SUMMARY

This report seeks Council endorsement and approval to award Expression of Interest – Lease of Shop at No. 34 (Lot 16) Rankin Street, Kondinin to the Kondinin Lions Club under the requirements of the Expression of Interest and the Request for Quotation response received.

The basis of the recommended award is made following the assessment of the two (2) submissions received against the Evaluation Criteria.

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

On 24 November 2025 Expression of Interest for Lease of Shop at No. 34 (Lot 16) Rankin Street, Kondinin was released. The scope of the Expression of Interest is considered as being comprehensive and accordingly, a copy of the Expression of Interest is attached for reference.

The Expression of Interest included the following Evaluation Criteria.

Evaluation Criteria	Weighting
Proposal's Alignment with Shire Community Strategic Plan	50%
Capacity to Manage Lease	25%
Offer	25%
TOTAL	100%

Submissions closed at 4.00PM, Wednesday 10 October 2025 and two (2) responses were received from the following:

- Kondinin Lions Club (Harvest Place)
- Dynamic Cleaning Service (GW & LA Gleeson)

On 11 February 2026, an evaluation panel was convened to undertake the evaluation of proposals. The panel included:

Chief Executive Officer – Shire of Kondinin

Community Development Officer – Shire of Kondinin

Manager Planning and Assets – Shire of Kondinin

The evaluation panel determined that Kondinin Lions Club presented the best proposal against the evaluation criteria for the following reasons:

- Strong demonstrated experience in undertaking a community lease
- Strong alignment with the key elements of the Shire's Community Strategic Plan 2121 – 2031
- A suitable -resourced and compliant regulatory and procedural operating entity
- A long-term commitment to the lease

FINANCIAL

Subject to finalisation of community lease agreement between the Shire of Kondinin and the lessee.

RISK

Low

POLICY

Community Leasing

STATUTORY

Local Government Act 1995 Section 3.58

STRATEGIC**Theme**

1. COMMUNITY
2. ECONOMY
4. CIVIC LEADERSHIP

Goal

- 1.1 Community members have the opportunity to be active, engaged and connected
- 2.3 Coordinated planning and promotion of the visitor and tourist experience
- 2.1 Support the diverse industry across the Shire
- 4.2 We are a compliant and resourced Local Government

Strategy

- 1.1.1 We hold well attended local events and activities
- 1.1.2 We collaborate with CRCs and local organisations to deliver community programs and activities
- 1.1.3 Positive engagement and co-design of projects with young people occurs
- 1.1.4 We are showcasing local artists and attracting cultural events to our communities
- 2.3.2 Visitors receive timely and up to date information on experiences, attractions and amenities
- 2.1.3 Coordinated communication and promotion of business, employment and lifestyle opportunities occurs
- 4.2.1 External audits and reviews confirm compliance with relevant Local Government legislation

COMMENT

The Shire of Kondinin were gifted 'The West Shops' in 2017 comprising Nos. 34 (Lot 16) and 36 (Lot 15) Rankin Street, Kondinin. The shops have primary frontage to Gordon Street, with the Lions Shop located on the western end and the Harvest Place located on the eastern end, both administered by the Kondinin Lions Club and run by local volunteers as Opportunity Shops and informally a location for social interaction for over 20 years. Since 2017 the middle two shops have been utilised by several private businesses including, a hairdresser, a beauty salon, yoga retreat and two gift shops, the latter two of which have lasted the shortest period, being less than two (2) years.

Whilst these row of shops have strong historic value and aesthetic appeal to the streetscape, the buildings require significant maintenance, largely attributed to issues associated with water ingress, which in turn has limited the appeal for long term leases, particularly for private businesses.

An Engineering Assessment was prepared for the row of shops dated January 2023 and is now with the Shire's building maintenance contractors who are using the Assessment as a basis to prepare a scope of works to remediate and address issues to improve the condition, appearance and functionality of the shops.

As a point of reference and for general information, the Shire is currently conducting a community survey scheduled to be closed end of February 2026. While the survey remains open, it should not be relied upon until further responses are received and compiled, however current trends are identifying that over 50 percent of respondents do not believe the history of the region is adequately displayed throughout the Shire.

Considering the above, it is recommended that the Council offer the lease to Kondinin Lions Club that will ensure a long-term use for the property bringing strong community benefit.

CONSULTATION

Advertising of the Expression of Interest commenced on 24 November 2025 and closed on 10 December 2025.

RESOLUTION OCM/26/024

Moved: Cr Bruce Browning

Seconded: Cr Paul Green

That Council:

1. APPROVES the award of “Expression of Interest – Lease of Shop at No. 34 (Lot 16) Rankin Street, Kondinin” to Kondinin Lions Club for a period of five (5) years with one five (5) year option (5+5).
2. AUTHORISES the Chief Executive Officer to execute the necessary administrative instruments to enter a community lease with Kondinin Lions Club for the shop at No. 34 (Lot 16) Rankin Street, Kondinin subject to the completion of any urgent maintenance works being carried out on the property.
3. RECEIVES the Structural Engineering Services Assessment prepared for the row of shops at No. 34 (Lot 16) Rankin Street, Kondinin dated January 2023 (attached); and
4. NOTES that a Scope of Works is currently being prepared to guide maintenance works to be carried out as a matter of priority to the property.

CARRIED 5/0

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

Against: Nil

Abstained: Cr Toni Smeed

9.1.2 Tender 03/2025 - 2026: Sealing of the Kondinin Airstrip and Associated Asphalt of Taxiway and Apron

FILE NUMBER:	ET 1.2
DATE:	13 February 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Yes Authoriser - Yes
ATTACHMENTS:	1. Tender Documentation 03/2025 - 2026 - <i>Confidential Under Separate Cover</i>

RECOMMENDATION

That Council:

ACCEPTS and awards the tender received from XXXXX for RFT 03/2025-2026 - Sealing of the Kondinin Airstrip and Associated Asphalt of Taxiway and Apron in the amount of \$XXXX

AUTHORISES the Chief Executive Officer to prepare the necessary documentation to engage in contractual arrangements with Key Civil to complete the project.

SUSPENSION OF STANDING ORDERS

RESOLUTION OCM/26/025

Moved: Cr Bruce Browning

Seconded: Cr Paul Green

A motion was moved that Council suspend standing orders.

CARRIED 6/0

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

Against: Nil

Discussions focused on the existing budget for the Kondinin Airstrip works, the contribution of the Shire and the supply of aggregate and gravel products. A decision was taken to set aside the award pending the submission of additional budget information from the Administration.

RESUMPTION OF STANDING ORDERS

RESOLUTION OCM/26/026

Moved: Cr Paul Green

Seconded: Cr Bruce Browning

A motion was moved that Council resume standing orders.

CARRIED 6/0

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

Against: Nil

SUMMARY

This report is for Council to accept XXXXXX as the preferred tenderer for 03/2025-2026 relating to the Sealing of the Kondinin Airstrip and Associated Asphalt of Taxiway and Apron.

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

Council at its Ordinary Meeting held on the 21 August 2025 considered Item 9.1.2 relating to the Sealing of the Kondinin Airstrip and Associated Asphalt of Taxiway and Apron and resolved as follows:

- 1 *AUTHORISES the Chief Executive Officer to apply for funding through the Department of Transport's 2025 – 2027 Regional Airports Development Scheme (RADS) for the sealing of the Kondinin Airstrip.*
- 2 *SUPPORTS the allocation of \$225,000 towards the project in the 2025/2026 financial year budget*
- 3 *AUHTHORISES the Chief Executive Officer to seek a financial contribution from the Shire of Kulin for the project.*

Following the above decision of Council, the Shire's Administration applied and received the full funding requested of \$234,340 through the Department of Transport's 2025 – 2027 Regional Airports Development Scheme (RADS). A letter of commitment was received from the Shire of Kulin dated 4 November 2024 endorsing a \$50,000 cash contribution and \$25,000 in-kind contribution towards the project in the 25/26 financial year.

On 20 December 2025, Request for Quotation (RFT 03/25-26) for the Sealing of the Kondinin Airstrip and Associated Asphalt of Taxiway and Apron was released. The scope of the Request for Tender is considered as being comprehensive and accordingly, a copy of the Request for Tender is attached for reference.

Two site visits were facilitated by the Shire's Administration on the 7 January 2026 and 29 January 2026 respectively. Attendance at a site visit was compulsory to be eligible to tender.

The Request for Tender criteria included a series of compliance and qualitative criteria including:

Compliance

Respondents were required to meet 100% of the compliance criteria to qualify for evaluation.

Description of Compliance Criteria

a) Compliance with the condition of submitting this request
b) Compliance with relevant licences, registrations and insurances
c) Compliance with Specification contained in the request
d) Compliance with attendance at mandatory site visit
e) Compliance with Quality Assurance contained in this request
f) Compliance with Delivery Date

Qualitative Criteria

Qualitative criteria had an overall total score weighting of 100%.

Description of Qualitative Criteria	Weighting
Relevant Experience	20%
Skills and Experience of Key Personnel	20%
Tender's Resources	10%
Demonstrated Understanding of Project	30%
Price	20%

Tenders closed at 4.00PM, Wednesday 4 February 2026 and ten (10) responses were received:

1. Fulcher Contractors
2. Jackson Asphaltting
3. Key Civil
4. Bitutek
5. Industrial Road Pavers
6. Comiskey's
7. WPC Civil
8. Colas
9. Sterra
10. Raubex

On 11 February 2025, an evaluation panel was convened to undertake the evaluation of the proposals. The panel included:

- Manager Planning and Assets – Shire of Kondinin
- A/Manager of Works – Shire of Kondinin
- Chief Executive Officer – Shire of Kondinin

The evaluation panel determined that XXXX presented the Shire of Kondinin with the best value for money considered against cost and non-cost considerations. These included:

- A strong demonstration of past and current experience in the provision of similar services in the regions
- A strong demonstration of competency and proven past and current performance in achieving outcomes

- A well-resourced and compliant regulatory and procedural operating model
- A strong demonstration in the utilization of locally based contractors and plant and equipment to improve efficiency and reduce mobilisation and operating costs.

The panel evaluation is attached for reference. Subsequent reference checks identified that XXXX is well regarded by existing clients as competent organisation that meets expectations.

FINANCIAL

Suitable funds have been allocated in the 25/26 budget to cover the cost of the project.

Regional Airports Development Scheme \$224,340

Shire of Kulin \$50,000

Shire of Kondinin \$225,000

**Shire of Kulin \$25,000 in-kind contribution*

RISK

Medium. The project must be completed 15 May 2026 to ensure compliance with the RADS grant funding.

POLICY

Shire of Kondinin Policy - FIN 005 – Purchasing

STATUTORY

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

STRATEGIC

Theme

1. COMMUNITY
2. ECONOMY

Goal

- 1.2 Facilitate and advocate for quality health services, health facilities and programs in the Shire
- 1.5 Support local volunteer organisations
- 2.1 Support the diverse industry across the Shire

Strategy

- 1.2.2 Seniors have access to local support services and social programs
 - 1.2.1 Local health facilities, visiting allied health and volunteer health services are retained
- 1.5.1 Clubs and service organisations feel supported
- 2.1.2 We support and advocate for the agricultural industry in our Shire

COMMENT

On assessment of all ten (10) tenders received, the Evaluation Panel considered that best met the criteria and provided the best value for money was XXXXXX.

CONSULTATION

Invitation for public tender opened on 20 December 2025 and closed on the 4 February 2026, meeting the requirements of the Local Government Act 1995.

RESOLUTION OCM/26/027

Moved: Cr Kent Mouritz

Seconded: Cr Murray James

That Council:

1. Set aside report 9.1.2 *RFT 03-2025-2026 - Sealing of the Kondinin Airstrip and Associated Asphalt of Taxiway and Apron* to obtain further budget commentary from the Administration.
2. Schedule a Special Meeting of Council at 4pm on Monday 23 February 2026 by electronic communication (Teams) to receive additional information and to award the tender.

CARRIED 6/0

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

Against: Nil

9.2 CHIEF EXECUTIVE OFFICER

9.2.1 Shire of Kondinin - Community Leasing Policy

FILE NUMBER:**DATE:** 12 February 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Draft Shire of Kondinin Community Leasing Policy - *Under Separate Cover***RECOMMENDATION**

That Council:

1. Pursuant to section 2.7(2)(b) of the Local Government Act 1995, adopts the Community Leasing Policy as attached to this report.
2. Notes that the granting of leases and licences constitutes a disposal of property and will be undertaken in accordance with section 3.58 of the Act and any applicable provisions of the Local Government (Functions and General) Regulations 1996; and
3. Authorises the Chief Executive Officer to implement the Policy and make minor administrative amendments that do not alter the intent or substance of the Policy.

SUMMARY

The Shire of Kondinin manages land and buildings for community benefit. From time to time the Shire grants leases (exclusive possession) or licences (non-exclusive use) to community organisations and not for profits to support sport, recreation, wellbeing, arts and other community centric outcomes.

This report seeks Council endorsement and adoption of a draft Community Leasing Policy to articulate a consistent and transparent framework for the:

- Eligibility criteria and assessment of community leases and licences.
- Minimum terms and renewal processes.
- Rent setting.
- Maintenance, insurance and compliance responsibilities.
- Statutory compliance when disposing of property by lease.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE**Legislative**

Includes adopting local laws, town planning schemes and policies.

BACKGROUND

The Shire currently provides tenure arrangements to a range of community organisations. In the absence of a guiding policy, leasing decisions can be perceived as being inconsistent and can expose the Shire to:

- Non-compliance with disposal requirements for leasing.
- Inequitable terms and conditions and subsidies.
- Blurred maintenance & asset responsibilities.
- Inconsistent insurance and risk controls.

A formal policy supports good governance and ensures that Council decisions are defensible and aligned with the best possible community outcomes.

FINANCIAL

Nil

RISK

In the absence of a formal policy, latent risk includes, but is not limited to:

- Noncompliance against legislated land disposal rules and regulation.
- Inconsistent tenure arrangements.
- Maintenance and asset management responsibilities are not clearly defined.
- Risk controls, governance and insurance requirements are inconsistent.

POLICY

This policy supports:

- strong governance and transparent decision-making,
- community participation and access to facilities,
- sustainable asset management and financial stewardship.

This policy will be accompanied by a series of Business Operating Procedures.

STATUTORY

Local Government Act 1995 – Section 3.58

Local Government (Functions and General) Regulations 1996 – Regulation 30

STRATEGIC**Theme**

1. COMMUNITY
4. CIVIC LEADERSHIP

Goal

- 1.1 Community members have the opportunity to be active, engaged and connected
- 1.3 Celebrate our pioneers, community members and protect our heritage
- 1.5 Support local volunteer organisations
- 4.2 We are a compliant and resourced Local Government

Strategy

- 1.1.2 We collaborate with CRCs and local organisations to deliver community programs and activities
- 1.3.2 Shire owned heritage buildings and places of interest are maintained and managed appropriately
- 1.5.1 Clubs and service organisations feel supported
- 4.2.1 External audits and reviews confirm compliance with relevant Local Government legislation

COMMENT

The proposed Community Leasing Policy establishes a consistent and transparent framework for the granting and management of leases and licences over Shire owned or controlled property to community organisations.

CONSULTATION

Manager Planning & Assets

Community Projects Officer

Community Development Officer

RESOLUTION OCM/26/028

Moved: Cr Toni Smeed

Seconded: Cr Murray James

That Council:

1. Pursuant to section 2.7(2)(b) of the Local Government Act 1995, adopts the Community Leasing Policy as attached to this report.
2. Notes that the granting of leases and licences constitutes a disposal of property and will be undertaken in accordance with section 3.58 of the Act and any applicable provisions of the Local Government (Functions and General) Regulations 1996; and
3. Authorises the Chief Executive Officer to implement the Policy and make minor administrative amendments that do not alter the intent or substance of the Policy.

CARRIED 6/0

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

Against: Nil

9.2.2 Shire of Kondinin - Policy Framework

FILE NUMBER:**DATE:** 13 February 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Shire of Kondinin Policy Framework Policy - Draft - *Under Separate Cover***RECOMMENDATION**

That Council:

1. Pursuant to section 2.7(2)(b) of the Local Government Act 1995, adopts the Policy Framework Policy as attached to this report.
2. Authorises the Chief Executive Officer to implement the Policy and make minor administrative amendments that do not alter the intent or substance of the Policy.

SUMMARY

The purpose of this report is to seek Council's adoption of a formal Policy Framework to provide a structured and consistent approach to the development, approval, review and management of all Shire policies and related governance documents.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE**Legislative**

Includes adopting local laws, town planning schemes and policies.

BACKGROUND

A formal policy framework is required to:

- Clarify the hierarchy of governing documents, including legislation, regulations, Council policies and operational procedures.
- Define the respective roles of Council and the Chief Executive Officer in policy development and implementation.
- Establish clear processes for drafting, reviewing and amending policies; and
- Promote transparency, consistency and sound governance practices.

The introduction of a Policy Framework supports improved governance maturity and ensures that policy instruments are developed and maintained in a lawful, risk-informed and strategic manner.

FINANCIAL

Nil

RISK

The absence of a structured policy framework presents governance risks including:

- Inconsistent policy development and application.
- Policies that are outdated or inconsistent with current legislation.
- Encroachment into CEO operational functions; and
- Increased exposure to audit findings or regulatory scrutiny.

Adoption of the Framework mitigates these risks by establishing clear accountability, review mechanisms and legislative alignment.

POLICY

Nil.

STATUTORY

Local Government Act 1995 – Section 2.7(2)(b)

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 adoption of a formal Policy Framework will strengthen governance practices, ensure legislative compliance, and provide clarity regarding the development and management of policies across the organisation.

For these reasons, adoption of the Policy Framework is recommended.

CONSULTATION

Manager Planning & Assets

Manager Corporate Services

RESOLUTION OCM/26/029

Moved: Cr Paul Green

Seconded: Cr Toni Smeed

That Council:

1. Pursuant to section 2.7(2)(b) of the Local Government Act 1995, adopts the Policy Framework Policy as attached to this report.
2. Authorises the Chief Executive Officer to implement the Policy and make minor administrative amendments that do not alter the intent or substance of the Policy.

CARRIED 6/0

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

Against: Nil

9.2.3 No.6 (Lot 276) Cottle Way, Kondinin - Proposed Disposal of Property

FILE NUMBER:**DATE:** 13 February 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. OCM 19 November - Report & Attachments - *Confidential Under Separate Cover*
2. OCM 17 December - Report - *Under Separate Cover*
3. OCM Minutes - 11 February 2015 - *Under Separate Cover*
4. GSF Offer to Transfer Land - 24.2.2015 - *Under Separate Cover*
5. Land Transfer Documents - 19.2.2015 - *Under Separate Cover*
6. Certificate of Title - *Under Separate Cover*
7. Kondinin Men's Shed Lease Renewal - *Under Separate Cover*
8. Property Valuation - Land - *Under Separate Cover*
9. Offer to Purchase Land - 11.11.25 - *Confidential Under Separate Cover*
10. Legal Advising - McLeods Lawyers - *Confidential Under Separate Cover*
11. Kondinin Men's Shed Submission - *Under Separate Cover*

RECOMMENDATION

That Council:

1. Receives and notes Council Resolution #4671 from the Ordinary Meeting of Council on 19 November 2025 and Council Resolution #4677 from the Ordinary Meeting of Council on 17 December 2025, together with the associated Officer reports and attachments as presented in the attachments to this report; and
2. Endorses those documents as forming the background, basis and historical record relevant to the matter currently before Council.
3. Notes that the report adopted by Council at its Ordinary Meeting held on 19 November 2025 contained a typographical error in reference to a relevant section of the Local Government Act 1995; and
4. Endorses and authorises the change to read "section 3.58(3)" correcting the initial reference of "section 3.8.3"; and
5. Confirms that this correction is administrative in nature only and does not alter the intent, substance or effect of the original Council resolution #4671 and supporting Officer report and attachments.
6. Receives, notes and endorses a legal advising from McLeods Lawyers dated 7 January 2026 (attached).
7. Authorises the Chief Executive Officer to provide a written response to Mr Greg Gleeson acting on behalf of the Kondinin Men's Shed submission titled "*Letter Requesting Deferral or Revocation of Council Resolution – Proposed Sale of Lot 6, Cottle Way*" dated 10 December 2025.

8. Receives and notes this updated Officer Report; and
9. Defers consideration of this matter to the March Ordinary Meeting of Council Meeting, subject to the receipt of further correspondence from Great Southern Fuels.

SUMMARY

On 10 December 2025, Mr. Greg Gleeson acting on behalf of the Kondinin Men's Shed made a formal submission to the Shire in relation to the proposed sale of Lot 6 Cottle Way Kondinin.

The purpose of this report is to provide further clarity in relation to the proposed sale and specifically, the report identifies the key issues pertaining to this matter as raised in the Men's Shed submission to include:

- On 24 February 2015, the Proprietor of Great Southern Fuels conditionally gifted Lot 276, 6 Cottle Way to the Shire on the basis that consideration be given to the Kondinin Men's Shed to lease the land.
- At the Ordinary Meeting of Council on 11 February 2015, Council resolved to enter a ten (10) year lease over Lot 276 with the Kondinin Men's Shed.
- The absence of a documented agreement of parties to execute the lease.
- Consideration of the Benefactors intent at the time of gifting the land to the Shire.

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

On 11 November 2025, the Shire Administration received an offer to purchase a vacant block of land at 6 Cottle Way Kondinin from a local business operator. The land sits immediately adjacent to the Kondinin Men's Shed at Lot 7 Cottle Way.

The offer was presented to the ordinary Meeting of Council on 19 November 2025, and resolution number 4671 was passed accepting the offer *in principle* and pending a period of public consultation in accordance with the provisions of Section 3.58 of the Local Government Act 1995.

A public notice was subsequently issued for public consultation and acceptance of submissions in relation to the *proposed* sale. The submission period that was the subject of the notice was from 24 November 2025 to 10 December 2025 – a total of seventeen (17) days inclusively.

On 10 December 2025, Mr. Greg Gleeson made a written submission to the Shire on behalf of the Kondinin Men's Shed. The submission included information that was considered as being material to the outcome of the offer of sale currently being considered by the Council. Accordingly, under the provisions of Section 3.58(3)(b) of the Local Government Act 1995 the Chief Executive Officer discontinued the public notice period to obtain further information and to return the matter to Council at the first available opportunity.

Concurrent to the Men's Shed submission, the Shire received several additional submissions relating to the Men's Shed. The additional submissions are not considered as being relevant to this matter before the Council and will not be referenced in this report.

Mr Gleeson provided information to the Shire that identified that the land that is the subject of the proposed sale was gifted to the Shire contingent on consideration being given to the Kondinin Men's Shed to enter a lease over the property to support the Men's Shed in revenue raising activities akin to the sale of firewood.

It is not the author's intent to address the full content of the Men's Shed submission of 10 December 2025 nor a deputation made to the Ordinary Meeting of Council on 17 December 2025 in the body of this report, rather, Council endorsement and authorization for the Chief Executive Officer to provide a written response is sought. Notwithstanding, the previously referenced points of the submission are contained within this report.

As a matter of record, a typographical error was identified in the report that references section 3.5.8 of the Local Government Act 1995. This is an administrative error that does not alter the intent, substance or effect of the original Council resolution 4671 and the supporting Officer report and attachments. This report seeks to correct the error as noted in the Men's Shed submission.

The historical context of the acquisition of Lot 6 Cottle Way Kondinin was unbeknown to this author prior to the Men's Shed submission being received and during correspondence with Mr Gleeson. A search of past and current Shire leases did not identify any form of tenure arrangement between the Shire and the Men's Shed over Lot 6 Cottle Way Kondinin. The content of the Men's Shed submission relating to the history of the acquisition of the land and the subsequent Council resolution to enter tenure with the Men's Shed is *not* disputed and it is accurately reflected within the attachments to this report.

As a matter of record, it is noted that during all correspondence and within the submission received from the Men's Shed, that no lease agreement or other form of tenure arrangement over Lot 276 was presented. Inquiries with former staff of the Shire employed at the time of the transfer of the land in 2015 have failed to confirm or dispel if a tenure arrangement was entered. Former Office Bearers of the Men's Shed at the time of the land transfer have now sadly passed and surviving members can neither independently confirm nor dispel the existence of a tenure arrangement. The Shire holds no electronic or physical record of a lease arrangement being entered.

Within an annexure to the submission of the Men's Shed, in an email dated Wednesday 26 November 2025 from Mr Gleeson to officers and employees of Great Southern Fuels (the original Benefactor), Mr Gleeson states "*I believe the transfer was done in 2015, but at that time, we had been operating out of the block under what we gather was a Gentlemen's Agreement handshake for at least a couple of years, according to our records*". Additional records supplied from 2011 also confirm that the site was used by the Men's Shed "*...at no cost – no contract – just a handshake*". These references infer that a form of arrangement was in place between the Men's Shed and the Benefactor for the Men's Shed to use the land *prior* to the land being transferred to the Shire.

The Men's Shed have also presented a cheque butt 099 dated 20 October 2015, in the amount of \$10 in favour of the Shire with written reference "*Kon Shire Woodyard Lease*". It is understood that this relates to the period of the proposed tenure (10 years) over the land. In the minutes of the Men's Shed Annual General Meeting convened on 28 October 2025, reference is made to "*Have signed lease for wood yard with Shire*"

All reasonable efforts to identify a formal tenure arrangement have now been exhausted and have failed to identify a lease or other form of tenure over the land. Should the meeting minutes from 28 October 2025 be accepted as being an accurate record, any form of agreement that may have been in existence expired during October 2025. No lease exists.

Throughout correspondence with Mr Gleeson and as identified in the Men's Shed submission, the land that is the subject of the proposed sale was gifted by Mr Allan McWhirter, the Principal of Great Southern Fuels to the Shire with consideration to be given to the Men's Shed to lease the property.

Unfortunately, this was not known by the Administration prior to the November 2025 Ordinary Meeting of Council and unfortunately, Mr McWhirter was not consulted about the proposed sale. In legal advice from McLeods Lawyers it is noted that equitable estoppel may apply to the Benefactor (Mr McWhirter) and for this reason, the sale of Lot 276 should not proceed at this time.

Communication with the office of Great Southern Fuels commenced during early January 2025 but was impeded by the seasonal break. Upon resumption, the Benefactor was briefed on the circumstances giving rise to this matter and their advice was sought. It is not prudent to provide further commentary, save to say, that pending written communication from the Benefactor it is recommended that this matter be held in abeyance and deferred to the Ordinary Meeting of Council in March 2026.

Advice from McLeods Lawyers suggests that in the absence of any documented agreement of the parties to exercise a lease over the land, the Kondinin Men's Shed current tenure would most likely be a "tenancy at will" – this constitutes a tenancy agreement that may be terminated by either party by notice to the other. It is not recommended that a termination action is taken until such time as the Administration receives written communication from the Benefactor.

FINANCIAL

Nil pending further inquiry.

RISK

As identified by McLeods Legal Advising (under confidential cover).

POLICY

Nil

STATUTORY

Local Government Act 1995

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.2 We are a compliant and resourced Local Government

Strategy

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

COMMENT

This report provides an overview of the key issues relating to this matter in consideration of the submissions of the Kondinin Men's Shed.

CONSULTATION

Kondinin Men's Shed – email correspondence

McLeods Lawyers

Great Southern Fuels

Manager Planning & Assets

Shire Records Officer

RESOLUTION OCM/26/030

Moved: Cr Paul Green

Seconded: Cr Toni Smeed

That Council:

1. Receives and notes Council Resolution #4671 from the Ordinary Meeting of Council on 19 November 2025 and Council Resolution #4677 from the Ordinary Meeting of Council on 17 December 2025, together with the associated Officer reports and attachments as presented in the attachments to this report; and
2. Endorses those documents as forming the background, basis and historical record relevant to the matter currently before Council.
3. Notes that the report adopted by Council at its Ordinary Meeting held on 19 November 2025 contained a typographical error in reference to a relevant section of the Local Government Act 1995; and
4. Endorses and authorises the change to read “section 3.58(3)” correcting the initial reference of “section 3.8.3”; and
5. Confirms that this correction is administrative in nature only and does not alter the intent, substance or effect of the original Council resolution #4671 and supporting Officer report and attachments.
6. Receives, notes and endorses a legal advising from McLeods Lawyers dated 7 January 2026 (attached).
7. Authorises the Chief Executive Officer to provide a written response to Mr Greg Gleeson acting on behalf of the Kondinin Men’s Shed submission titled “*Letter Requesting Deferral or Revocation of Council Resolution – Proposed Sale of Lot 6, Cottle Way*” dated 10 December 2025.
8. Receives and notes this updated Officer Report; and
9. Defers consideration of this matter to the March Ordinary Meeting of Council Meeting, subject to the receipt of further correspondence from Great Southern Fuels.

CARRIED 6/0

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

Against: Nil

At 4.57pm, Cr Bruce Browning left the meeting.

At 5.00pm, Cr Bruce Browning returned to the meeting.

9.2.4 Award of RFT 05-2025-2026 - Panel of Pre-Qualified Suppliers - Unsealed Road Maintenance

FILE NUMBER:**DATE:** 13 February 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. RFT 05-2025-2026 - Tender Documentation - *Under Separate Cover*
2. RFT 05-2025-2026 - Tender Compliance Matrix - *Confidential Under Separate Cover*
3. RFT 05-2025-2026 - Tender Evaluation - Bruce Wright - *Confidential Under Separate Cover*
4. RFT 05-2025-2026 - Tender Evaluation - Deb Wright - *Confidential Under Separate Cover*
5. RFT 05-2025-2026 - Tender Evaluation - Tory Young - *Confidential Under Separate Cover*

RECOMMENDATION

That Council:

1. Acknowledges and accepts the compliant tender submissions against RFT 05-2025-2026 *Panel of Pre-Qualified Suppliers – Unsealed Road Maintenance* as identified in the attached evaluation report in accordance with the provisions of Section 3.57 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996.
2. Authorises the Chief Executive Officer to enter negotiations with the compliant tenderers, strictly within the original scope, specifications and evaluation criteria of the Request for Tender for the purpose of incorporating additional plant, equipment and materials categories where such inclusions do not materially alter the scope of works or compromise the integrity and fairness of the tender process.
3. Authorises the Chief Executive Officer to execute contracts with the successful tenderers in accordance with the adopted tender outcomes and the provisions of the Local Government Act 1995 for three (3), one (1) year terms.

SUMMARY

This report seeks Council endorsement and approval to accept compliant tenders received against RFT 05-2025-2026.

The intent of the tender is to develop a panel of pre-qualified suppliers of wet hire plant and equipment used in the construction and maintenance of unsealed roads and to supply materials used for road maintenance activities. Further, the panel will be utilised to support emergencies within the Shire including bush fires.

This report seeks Council endorsement and approval to enter pre-contract negotiations with **compliant** tenderers to include additional plant types and materials that are strictly within the original

scope of works, specifications and evaluation criteria of the RFT. Such inclusions will not materially alter the scope of works or compromise the integrity and fairness of the tender process.

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

On 7 January 2025, RFT 05-2025-2026 was released and advertised in accordance with the provisions of the Local Government Act 1995 and informing regulations.

The scope of works of the tender clearly identified that the Shire sought wet hire of plant and equipment, and road making materials to be positioned within a fifty (50) kilometre radius of Hyden and a twenty (20) kilometre radius of Kondinin. The physical location of plant, equipment and materials is considered as a critical point of compliance to facilitate emergency responses and to assist in the management of emergency situations.

The RFT incorporated a series of compulsory compliance and qualitative criteria including:

Compliance

Respondents were required to meet 100% of the compliance criteria to qualify for evaluation.

Description of Compliance Criteria
a) Operator Licenses & Tickets
b) Plant & Equipment Certificates of Registration
c) Compliance with the Specifications contained in the tender
d) Risk Assessment
e) Compliance with Quality Assurance principles
f) Compliance with Delivery Date

Qualitative Criteria

Qualitative criteria had an overall total score weighting of 100%.

Description of Qualitative Criteria	Weighting
Relevant Experience	40%
Skills and Experience of Key Personnel	20%
Tenderers resources	20%
Demonstrated understanding	10%

The tender closed at 4pm on 21 January 2026 and thirteen (13) proposals were received:

1. Brooks Hire Service Pty Ltd
2. Cardinal Contractors Pty Ltd

3. Deon Lovering Hyden Transport
4. Gardners Complete Earthmoving
5. Key Civil Pty Ltd
6. McCubbing Transport
7. Yonga Ma Group
8. Nexgen Crushing & Screening
9. Proquip Rental & Sales operations Pty Ltd
10. Tamaluna Contracting
11. WM & CL Gardner
12. Sterra
13. Lees Earthmoving

On 11 February 2025, an evaluation panel was convened to undertake the evaluation of the proposals.

The panel consisted of:

- Manager Planning and Assets – Shire of Kondinin
- A/Manager of Works – Shire of Kondinin
- Chief Executive Officer – Shire of Kondinin

The evaluation panel determined that of the thirteen (13) submissions, six (6) were compliant against the mandatory criteria. These included:

1. Deon Lovering Hyden Transport
2. Gardners Complete Earthmoving
3. McCubbing Transport
4. Tamaluna Contracting
5. WM & CL Gardner
6. Lees Earthmoving

Panel evaluations and the compliance matrix are attached for reference.

The panel determined that not all items of plant, equipment and materials were covered in the submissions of the compliant tenderers. Accordingly, this report seeks the endorsement and approval of Council to enter negotiations with each compliant tenderer to augment equipment and materials schedules in accordance with the scope of works and specification of the tender.

These negotiations will in no way materially affect the scope of works, specifications, evaluation criteria of the tender and will not compromise the integrity or fairness of the tender process.

FINANCIAL

This panel arrangement is formed to undertake various planned and reactive road works primarily within the eastern sector of the Shire and in areas of high road use by industrial operators. Works will be undertaken on a work order basis in consultation with commercial operators. All works will be undertaken on a full cost recovery basis.

RISK

Asset deterioration – this panel arrangement will provide for regular planned and unplanned road maintenance in areas of high road use.

POLICY

Shire of Kondinin Policy - FIN 005 – Purchasing

STATUTORY

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

STRATEGIC**Theme**

4. CIVIC LEADERSHIP

Goal

4.2 We are a compliant and resourced Local Government

Strategy

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

COMMENT

The development of a panel of service providers will provide the Shire with a strong response to planned, unplanned and emergent road works and emergency response services. Concurrently, it will provide an opportunity to re-deploy Shire Works teams to other areas of the Shire road network.

CONSULTATION

Manager Works

Manager Planning & Assets

Regional Commercial Operators – resources and energy sectors.

RESOLUTION OCM/26/031

Moved: Cr Murray James

Seconded: Cr Bruce Browning

That Council:

1. Acknowledges and accepts the compliant tender submissions against RFT 05-2025-2026 *Panel of Pre-Qualified Suppliers – Unsealed Road Maintenance* as identified in the attached evaluation report in accordance with the provisions of Section 3.57 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996.
2. Authorises the Chief Executive Officer to enter negotiations with the compliant tenderers, strictly within the original scope, specifications and evaluation criteria of the Request for Tender for the purpose of incorporating additional plant, equipment and materials categories where such inclusions do not materially alter the scope of works or compromise the integrity and fairness of the tender process. Compliant tenderers include:

Deon Lovering Hyden Transport

Gardners Complete Earthmoving

McCubbing Transport
Tamaluna Contracting
WM & CL Gardner
Lees Earthmoving

3. Authorises the Chief Executive Officer to execute contracts with the successful tenderers in accordance with the adopted tender outcomes and the provisions of the Local Government Act 1995 for three (3), one (1) year terms.
4. Authorises the Chief Executive Officer to prepare, execute and administer the necessary legal and administrative instruments to enter into Road User Agreements with Synergy and Mega Resources.

CARRIED 6/0

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

Against: Nil

9.2.5 RFT 04-2025-2026 - Rejection of Tenders

FILE NUMBER:**DATE:** 13 February 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. RFT 04-2025-2026 - Evaluation - Bruce Wright - *Confidential Under Separate Cover*
2. RFT 04-2025-2026 - Evaluation - Deb Wright - *Confidential Under Separate Cover*
3. RFT 04-2025-2026 - Evaluation - Tory Young - *Confidential Under Separate Cover*
4. RFT 04-2025-2026 - Tender Documents - *Under Separate Cover*

RECOMMENDATION

That Council:

1. That Council declines to accept any tender received for RFT 04-2025-2026 *East Hyden Bin Road - Widening & Audible Edge & Centre Lines* in accordance with regulation 18(5) of the Local Government (Functions and General) Regulations 1996.
2. Notes that tenderers will be advised in writing that no tender was accepted in accordance with regulation 19 of the Local Government (Functions and General) Regulations 1996.
3. Notes that tenders were publicly invited within the preceding six (6) months for the relevant works in accordance with regulation 11(1) of the Local Government (Functions and General) Regulations 1996.
4. Determines that no tender submitted was considered satisfactory due to a revised scope to include works relevant and complimentary to the tender and operational requirements.
5. Pursuant to regulation 11(2)(c) of the Local Government (Functions and General) Regulations 1996, authorises the Chief Executive Officer to undertake a further procurement process without public invitation of tenders, including issuing a Request for Quotation to respondents to the original tender.

SUMMARY

The Shire is the recipient of grant funding under the Regional Road Safety Program – Local Roads (RRSP LR) Project 30004674 East Hyden Bin Road Works. The grant funding proposal submitted by the Shire included road widening and the installation of audible road markings and centre lines. The submission also included additional works akin to shoulder formation, grading and rolling (not including a gravel top up).

Tender reference RFT 04-2025-2026 was released by the Shire in support of the project and incorporated road widening works and the installation of audible road markings and centre lines. The original intent for the shoulder formation works was to self-perform a portion of the roadway approximately 26 kilometres in total.

This report seeks to reject all tenders in response to RFT 04-2025-2026 and to issue a closed Request for Quotation to respondents to incorporate the shoulder formation works.

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 was awarded an RRSP-LP grant from Main Roads Western Australia to undertake road widening and audible marking installation on the East Hyden Bin Road. The approved project also included shoulder formation works along a further stretch of approximately 26 kilometres.

On 7 January 2026, RFT 04-2025-2026 was released and scoped to support road widening and the installation of audible road markings and centre lines.

At 4pm, 2 February 2026, the tender was closed and seven (7) responses were received from:

1. Fulcher Contractors
2. MC Civil
3. Riverhill WA
4. Safe Roads WA
5. Industrial Roadpavers
6. Comiskey's Contracting
7. Raubex

Under regulation 18(5) of the Local Government (Functions and general) Regulations 1996, Council endorsement and approval is now sought to reject these tender submissions as a change of scope means the tenders are no longer satisfactory for the Shire's needs.

The scope change is intended to incorporate the shoulder widenings into the original scope of works and in so doing, fulfil the Mainroads Grant project in its entirety.

The decision to incorporate the additional works is made in consideration of the Shire's capacity to undertake the works at this time, and the change is considered as being minor against the substantive tender requirement and provides consistency in the completeness of the project.

Mainroads are supportive of the Shire in taking this approach and have confirmed that the shoulder formation works are included within the grant funding package and project scope.

Further Council endorsement and approval is sought to release a closed request for quotation process and inviting the prior tenderers to submit a proposal against the modified scope of works. This approval is sought under the provisions of Regulation 11(2) of the Local Government (Functions and General) Regulations 1996 wherein the Shire has undertaken a tender process within the last six months.

FINANCIAL

Nil.

RISK

Nil

POLICY

Nil

STATUTORY

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

STRATEGIC**Theme**

4. CIVIC LEADERSHIP

Goal

4.2 We are a compliant and resourced Local Government

Strategy

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

COMMENT

Tenders were publicly invited in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996. Following assessment, it has been determined that due to changes in the scope of works and operational requirements, no tender received is considered satisfactory for the Shire's revised needs.

In accordance with regulation 18(5), Council may decline to accept any tender. Tenderers will be formally notified that no tender has been accepted in accordance with regulation 19.

As tenders were publicly invited within the preceding six (6) months and no submission was considered satisfactory, the Shire may rely on regulation 11(2)(c) to undertake a further procurement process without publicly inviting tenders. Accordingly, it is proposed that a closed Request for Quotation (RFQ) be issued to suitably qualified contractors, including those who previously submitted tenders, to address the revised scope of works.

This approach ensures compliance with the Regulations while enabling the Shire to efficiently procure the amended works within required timeframes.

CONSULTATION

Acting Manager Works

Manager Planning & Assets

Main Roads Western Australia – Grants Officer.

RESOLUTION OCM/26/032

Moved: Cr Paul Green

Seconded: Cr Bruce Browning

That Council:

1. That Council declines to accept any tender received for RFT 04-2025-2026 *East Hyden Bin Road - Widenings & Audible Edge & Centre Lines* in accordance with regulation 18(5) of the Local Government (Functions and General) Regulations 1996.
2. Notes that tenderers will be advised in writing that no tender was accepted in accordance with regulation 19 of the Local Government (Functions and General) Regulations 1996.
3. Notes that tenders were publicly invited within the preceding six (6) months for the relevant works in accordance with regulation 11(1) of the Local Government (Functions and General) Regulations 1996.
4. Determines that no tender submitted was considered satisfactory due to a revised scope to include works relevant and complimentary to the tender and operational requirements.
5. Pursuant to regulation 11(2)(c) of the Local Government (Functions and General) Regulations 1996, authorises the Chief Executive Officer to undertake a further procurement process without public invitation of tenders, including issuing a Request for Quotation to respondents to the original tender.

CARRIED 6/0

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

Against: Nil

10 BUSINESS OF AN URGENT NATURE

Nil

11 MATTERS FOR WHICH MEETING MAY BE CLOSED / CONFIDENTIAL ITEMS

RECOMMENDATION

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:

11.1 Conflict of Interest Declaration - Management Plan

This matter is considered to be confidential under Section 5.23(2) - ((b)), ((c)) and ((e)) 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 the personal affairs of any person, a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal –

- (i) a trade secret; or
- (ii) information that has a commercial value; or
- (iii) information about the business, professional, commercial or financial affairs of a person.

11.2 Organisational Enhancement program

This matter is considered to be confidential under Section 5.23(2) - ((a)) and ((e)) 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 a matter affecting an employee or employees and a matter that if disclosed, would reveal –

- (i) a trade secret; or
- (ii) information that has a commercial value; or
- (iii) information about the business, professional, commercial or financial affairs of a person.

12 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

11.1 Conflict of Interest Declaration - Management Plan

FILE NUMBER:

DATE: 13 February 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

The Council is satisfied that, pursuant to Section 5.23(2) of the *Local Government Act 2012*, the information to be received, discussed or considered in relation to this agenda item is:

- (b) the personal affairs of any person
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting
- (e) a matter that if disclosed, would reveal –
 - (i) a trade secret; or
 - (ii) information that has a commercial value; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

RESOLUTION OCM/26/001

Moved: Cr Bruce Browning

Seconded: Cr Toni Smeed

That Council:

1. Notes the declared conflict of interest involving three tender submissions received from Key Civil that employs a former Shire employee who was involved or had knowledge of the preparation of two of the three tender documents.
2. Endorses the Conflict-of-Interest Management Plan as attached.
3. Notes and endorses that the risk to the procurement processes as a consequence of the declaration is classified as being low, with no individual being capable of influencing the outcome of the tender.
4. Endorses and approves Key Civil proposals to remain under consideration pending any award by Council; and
5. Authorises the Chief Executive Officer to implement the management and probity measures outlined in the Plan to maintain the integrity of the procurement process and the award of the subject tenders.

CARRIED 6/0

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

Against: Nil

11.2 Organisational Enhancement program

FILE NUMBER:**DATE:** 13 February 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

The Council is satisfied that, pursuant to Section 5.23(2) of the *Local Government Act 2012*, the information to be received, discussed or considered in relation to this agenda item is:

- (a) a matter affecting an employee or employees
- (e) a matter that if disclosed, would reveal –
 - (i) a trade secret; or
 - (ii) information that has a commercial value; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

RESOLUTION OCM/26/002

Moved: Cr Toni Smeed

Seconded: Cr Kent Mouritz

That Council:

1. Endorses the Organisational Enhancement program (OEP) as presented.
2. Notes the statutory basis of the program under Section 5.41 of the Local Government Act 1995.
3. Requests quarterly progress reports to Council via the Audit, Risk & Improvement Committee.
4. Authorises the Chief Executive officer to implement the Program within approved budget allocations.

CARRIED 6/0**For:** Crs Kent Mouritz, Beverley Gangell, Bruce Browning, Murray James, Toni Smeed and Paul Green**Against:** Nil

13 CLOSE OF MEETING

13.1 DATE OF NEXT MEETING

To be held via Teams at 4pm Monday 23 February 2026

13.2 CLOSURE

The Meeting closed at 5.04pm.



SHIRE OF KONDININ
MINUTES OF MEETING
Kondinin Shire Council
Extraordinary Council Meeting

Held electronically on 23 February 2026

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13	Close of Meeting	15
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13.2	Closure	15

1 OPENING OF MEETING

The Shire President opened the meeting at 4.05pm

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND DIGNITARIES

The Shire President acknowledged the traditional owners of the land on which we meet and paid respects to elders past, present and emerging.

3 RECORDING OF ATTENDANCE

3.1 ATTENDANCE

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

3.2 ATTENDANCE BY TELEPHONE OR INSTANTANEOUS COMMUNICATION

This meeting is authorised by the Shire President and endorsed by Councillors as an instantaneous communication (Teams) meeting.

3.3 APOLOGIES

Cr D Pool

Acting Manager Works Ms D Wright

3.4 APPROVED LEAVE OF ABSENCE

Nil

3.5 DECLARATIONS OF DISCLOSURES OF INTEREST

Cr Gangell – impartiality disclosure (Club Member/Secretary) – 9.1.1 – Karlgarin Bowling Club Building

4 APPLICATION FOR LEAVE OF ABSENCE

Nil

5 PUBLIC TIME

5.1 PUBLIC QUESTION TIME

Nil

5.2 PUBLIC STATEMENT TIME

Nil

6 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

7 ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

Nil

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

Nil

9 REPORTS OF OFFICERS

9.1 PLANNING & ASSETS

9.1.1 Karlgarin Bowling Club Building - Reallocation of Funds

FILE NUMBER:	HRT/Ka.2
DATE:	20 February 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	Nil

RECOMMENDATION

That Council

1. Endorses and approves the cancellation of 2025-2026 Project *Medical Centre Car Park (Extend Seal / 90-degree parking)* (\$15,846).
2. Endorses and approves the deferral of 2025-2026 Project *Medical Centre Car Park (Extend Seal / 90-degree parking)* to the 2026-2027 Capital Works program.
3. Endorses and approves the transfer of the existing budget of \$15,846 allocated to 2025-2026 Project *Medical Centre Car Park (Extend Seal / 90-degree parking)* to 2025-2026 Project *Karlgarin Bowling Club Building*.
4. Authorises the Chief Executive Officer to prepare and execute the necessary administrative and contractual instruments with suitably qualified contractors to complete the Karlgarin Bowling Club project.

SUMMARY

This report is for Council to support the reallocation of funds within the 2025 / 2026 budget to enable the completion of the Karlgarin Bowling Club Building.

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

16 June 2021 – Council at its Ordinary Meeting endorsed the Sport and Recreation Plan 2021 – 2031 comprising the construction and installation of a new Bowling Club building at Karlgarin

20 October 2021 – Council at its Ordinary Meeting approved the offer from the Karlgarin Bowling Club for the purchase of freehold lots 19 and 21 Federal Street, Karlgarin at \$200 per lot.

6 November 2023 – Written confirmation received confirming financial contributions from the Karlgarin Progress Association (\$150,000) and the Karlgarin Bowling Club (\$80,000) towards a new Karlgarin Bowling Club Building

14 February 2024 – Council at its Ordinary Meeting approved an application for funding through the Community Sports Recreation Facilities Fund be submitted and a commitment of funding to the project in collaboration with financial contributions from the Karlgarin Progress Association and the Karlgarin Bowling Club.

28 March 2024 - Community Sports Recreation Facilities Fund (CSRFF) submitted

5 August 2024 – Notification that CSRFF grant application was unsuccessful

21 August 2024 – Council at its Ordinary Meeting endorsed the appointment of WA Modular as the preferred contractor as a WALGA Preferred Supplier to construct and install the new Karlgarin Bowling Club building and allocated the required funds to complete the project

28 August 2024 - Crown Reserve 31640 amended to comprise Lots 19 and 21 Federal Street, Karlgarin to create one Reserve over Lots 19, 20 and 21 Federal Street for the purpose of Recreation Bowling Green.

25 September 2024 – WA Modular engaged to undertake project.

9 December 2025 – Practical Completion Certificate issued for works undertaken by WA Modular

Since Practical Completion has been issued, several matters have been raised to address the functionality of the building as summarised below.

Acoustics – during pennant bowls it has become apparent that the acoustics in the building are less than satisfactory for a public building. The matter was raised with the WA Modular, who confirmed this was outside of the remit of compliance under the National Construction Codes recommending measures such as carpet, blinds, screening and wall hanging be considered. Accordingly, the Shire's Administration in liaison with the Karlgarin Bowling Club have organised quotations for the installation of blinds and carpet in the function area as documented in the financial section below.

Lighting – during pennant bowls it has become apparent that the position of the westerly sun in the afternoons is coming directly into the building via the high windows, making it uncomfortable for patrons. Accordingly, the Shire's Administration and Karlgarin Bowling Club have arranged quotations for the installation of blinds on these high windows.

Privacy – the adjacent landowners have voiced concern over privacy into the residential dwelling to the east of the new bowling club building. Measures recommended to address have been discussed with the adjacent lands owners and the Shire's Administration have received quotations for the removal of the existing eastern boundary asbestos fence and a replacement 1.8m Colourbond fence to be tapered to 1.2 in the front setback area. A blind over the rear eastern glass door is also proposed to be installed. The Shire's Administration has provided the fencing scope and quotation to the Karlgarin Country Club for endorsement and consideration towards a financial contribution towards the purchase and installation of the new boundary fence.

Utilisation of Water Tanks – the two (2) water tanks were installed at the Karlgarin Bowling Club through a separate project via funding through the Department of Water and Environmental Regulation Community Water Supply Program with the view of being used to water the bowling rink and garden bed surrounds. Connections to the reticulation have not been completed. The Karlgarin Bowling Club have asked for consideration for the tanks to be connected into the new building. The scope to achieve the latter is estimated at \$7,000 as the roof of the building will need to be removed and a filtration system installed. The Shire's Administration are in discussions with the landscaper to explore options to use the tanks for watering the bowling green and garden beds as an alternative solution. The connection of the tanks to the building is a material change to the approved Scope of

Works and will not be considered at this time. Notwithstanding, an allocation to support the connection of the tanks to the reticulation is now sought.

FINANCIAL

2025 / 2026 Financial Year Karlgarin Bowling Club Capital Item

Approved Budget - Current Expenditure and Committed Funds

Items	Cost
WA Modular Contract	\$498,069
Additional works not included in Contract Works. (Removal of asbestos garden shed, site works, landscaping)	\$39,383
Works Total	\$537,452
Approved Budget	\$545,343
Balance	\$7,548

Proposed Additional Works

Item	Cost
Purchase and installation of carpet tiles to the function area	\$8,259.09
Purchase of blinds for high windows and east facing door	\$2,204
Blinds installation	\$1,000
Removal and disposal of eastern boundary asbestos fence	\$1,928.10
Purchase and installation of new Colourbond 1.8 and tapered to 1.2m boundary fence, including all retaining and backfill works.	\$5,700
Supply and installation of plumbing materials to integrate existing tanks into the reticulation system (Noting a +/- 10% consideration)	\$4,303
Total Additional Works	\$23,394
Remaining Approved Budget Balance	\$7,548
Additional Budget Sought	(\$15,846)
Revised Project Budget (Total)	\$561,189.00

RISK

Medium. It is important that the Shire provides accessible and functional public buildings for all user groups.

POLICY

Shire of Kondinin Policy – FIN 005 – Purchasing

STATUTORY

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

STRATEGIC

Theme

1. COMMUNITY

Goal

- 1.4 Recreational and social spaces encourage active and healthy lifestyles

Strategy

- 1.4.1 Achievement of the Sport and Recreation Facilities Plan
- 1.4.2 Parks, nature reserves and community spaces are green, tidy, accessible and activated

COMMENT

As documented within this report, the installation and construction of the new Karlgarin Bowling Club commenced almost five (5) years ago with the incorporation of the project in the Shire's Recreation Facilities Plan 2021 – 2031, followed by changes in land tenure to make the development possible. The actual construction of the new build has largely been completed on time and within budget with just a few minor items needing addressing to complete the project, that were omitted from the original scope.

A summary and associated justification of these items is outlined in the Background section of this report. This budget adjustment will bring the Bowling Club project to completion.

To enable all items addressed this financial year, additional funds are now sought. The Medical Centre Carpark (\$15,846) is recommended as a suitable source of funding to cover the shortfall to complete the project. With the current capital and roadworks program already at capacity, it is unlikely that this project can be completed this financial year and the completion of the Karlgarin Bowling Club building is considered a higher priority and greater necessity over the Medical Centre Carpark upgrade – endorsement of the deferral of this project to 2026-2027 is sought.

CONSULTATION

Discussions and correspondence undertaken between the Shire's Administration and the Karlgarin Country Club (land tenure and liquor licence), Karlgarin Bowling Club (design and funding) and Karlgarin Progress Association (funding)

Stakeholder meeting held onsite on 13 December 2023 with representatives from the Karlgarin Country Club, the Karlgarin Bowling Club, the Karlgarin Progress Association and Council Meeting prior to the formal meeting of the Shire's Sports Committee Meeting.

Community engagement in preparation of the Recreation and Facilities Plan 2021 – 2031 undertaken in 2021.

Regular on-going liaison between the Shire of Kondinin Administration and the Karlgarin Bowling Club

Liaison between the Shire of Kondinin Administration and the Karlgarin Country Club

RESOLUTION OCM/26/017

Moved: Cr Murray James

Seconded: Cr Paul Green

That Council

1. Endorses and approves the cancellation of 2025-2026 Project *Medical Centre Car Park (Extend Seal / 90-degree parking)* (\$15,846).
2. Endorses and approves the deferral of 2025-2026 Project *Medical Centre Car Park (Extend*

Seal / 90-degree parking) to the 2026-2027 Capital Works program.

3. Endorses and approves the transfer of the existing budget of \$15,846 allocated to 2025-2026 Project *Medical Centre Car Park (Extend Seal / 90-degree parking)* to 2025-2026 Project *Karlgarin Bowling Club Building*.
4. Authorises the Chief Executive Officer to prepare and execute the necessary administrative and contractual instruments with suitably qualified contractors to complete the *Karlgarin Bowling Club* project.

CARRIED 5/0

For: Crs Kent Mouritz, Bruce Browning, Murray James, Toni Smeed and Paul Green

Against: Nil

Abstained: Cr Beverley Gangell

Cr Browning stated that the Medical Carpark works must be included on the 2026-2027 Capital Works budget as it has been the subject of deferral over previous financial years. Cr Gangell concurred and supported Cr Browning's statement.

10 BUSINESS OF AN URGENT NATURE

Nil

11 MATTERS FOR WHICH MEETING MAY BE CLOSED / CONFIDENTIAL ITEMS

RECOMMENDATION

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:

11.1 Request for Tender - 03/2025 - 2026: Sealing of Kondinin Airstrip and Associated Asphalt and Taxiway

This matter is considered to be confidential under Section 5.23(2) - ((c)) and ((e)) 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 a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal –

- (i) a trade secret; or
- (ii) information that has a commercial value; or
- (iii) information about the business, professional, commercial or financial affairs of a person.

RESOLUTION OCM/26/020

Moved: Cr Beverley Gangell

Seconded: Cr Paul Green

That the confidential session of the meeting be concluded and the meeting reopened to the public.

CARRIED 6/0

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

Against: Nil

The meeting resumed in open session at 4.21pm

12 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

11.1 Request for Tender - 03/2025 - 2026: Sealing of Kondinin Airstrip and Associated Asphalt and Taxiway

FILE NUMBER:

DATE: Error! No document variable supplied.

AUTHOR: Tory Young, Manager Planning & Assets

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Yes

Authoriser - Yes

The Council is satisfied that, pursuant to Section 5.23(2) of the *Local Government Act 2012*, the information to be received, discussed or considered in relation to this agenda item is:

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting
- (e) a matter that if disclosed, would reveal –
 - (i) a trade secret; or
 - (ii) information that has a commercial value; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

RESOLUTION OCM/26/001

Moved: Cr Beverley Gangell

Seconded: Cr Bruce Browning

That Council:

1. ACCEPTS and awards the tender received from Key Civil for RFT 03/2025-2026 – Sealing of Kondinin Airstrip and Associated Asphalt for Taxiway and Apron in the amount of \$461,280.

2. APPROVES the re-allocation of \$41,261 from the Road Reserve and the \$26,249 savings in the 25/26 Budget Review into the 25/26 Capital Budget Item Kondinin Airstrip
3. AUTHORISES the Chief Executive Officer to prepare the necessary documentation to engage the contractual arrangements with Key Civil to complete the project.

CARRIED 6/0

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

Against: Nil

13 CLOSE OF MEETING

13.1 DATE OF NEXT MEETING

To be held on Wednesday 18 March 2026

13.2 CLOSURE

The Meeting closed at 4.22pm.

11 REPORTS OF COMMITTEES

11.1 AUDIT & RISK

11.1.1 Minutes of the Audit Risk and Improvement Committee Meeting held on 10 February 2026

FILE NUMBER:

DATE: 20 March 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Minutes of the Audit Risk and Improvement Committee Meeting held on 10 February 2026

RECOMMENDATION

1. That the Minutes of the Audit Risk and Improvement Committee Meeting held on 10 February 2026 be received and the recommendations therein be adopted.

VOTING REQUIREMENT

Simple Majority



SHIRE OF KONDININ
MINUTES OF MEETING
an Audit Risk and Improvement
Committee Meeting
Audit Risk and Improvement Committee
Meeting

Held at the Hyden Community Resource Centre on 10 February 2026

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1 OPENING OF MEETING

The Presiding Member opened the meeting at 9.01am

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND DIGNITARIES

The CEO acknowledged the traditional owners of the land upon which we meet and acknowledged elders past, present and emerging.

3 RECORDING OF ATTENDANCE

3.1 ATTENDANCE

C Mayfield (Presiding Member), T Utley (Deputy Presiding Member), Cr B Gangell
Cr D Pool Councillor, Cr M James Councillor, Staff B Wright, Staff V Bugna Manager Corporate Services

3.2 ATTENDANCE BY TELEPHONE OR INSTANTANEOUS COMMUNICATION

MOTION

COMMITTEE RESOLUTION ARIC/26/001

Moved: Cr Darren Pool

Seconded: Mrs Tracey Utley

That the Committee approves Councillor Gangell attending this meeting by electronic means (phone).

CARRIED 5/0

For: Crs Catherine Mayfield, Tracey Utley, Darren Pool, Beverley Gangell and Murray James

Against: Nil

3.3 APOLOGIES

Nil

3.4 APPROVED LEAVE OF ABSENCE

Nil

3.5 DECLARATIONS OF DISCLOSURES OF INTEREST

Nil

4 APPLICATION FOR LEAVE OF ABSENCE

Nil

5 PUBLIC TIME**5.1 PUBLIC QUESTION TIME**

Nil

5.2 PUBLIC STATEMENT TIME

Nil

6 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

7 ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

Nil

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

Committee members declare same

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**COMMITTEE RESOLUTION ARIC/26/002**

Moved: Cr Beverley Gangell

Seconded: Mrs Catherine Mayfield

That the minutes of the Audit Risk and Improvement Committee Meeting of 10 December 2025 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

CARRIED 5/0

For: Crs Catherine Mayfield, Tracey Utley, Darren Pool, Beverley Gangell and Murray James

Against: Nil

10 REPORTS OF OFFICERS

10.1 CORPORATE SERVICES

10.1.1 Budget Review Report

FILE NUMBER:**DATE:** 6 February 2026**AUTHOR:** Vince Bugna, Manager Corporate Services**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. 2025-2026 - Q2 Budget Review Report - *Under Separate Cover***RECOMMENDATION**

That the Audit Risk and Improvement Committee:

1. Endorses the 2025/26 Budget Review Report conducted for the six (6) months period ended 31st December 2025 for submission to the Department of Local Government.
2. Endorses the CEO to amend the 2025/26 budget in accordance with the attached "Budget Review Report" for the period ended 31st December 2025.

SUMMARY

To present to the Audit, Risk & Improvement Committee the Mid-Year 2025/26 Budget Review Report for the period ended 31st December 2025.

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

Under the *Local Government (Financial Management) Regulations 1996*, each local government has to carry out a budget review of its current year budget mid financial year and make the necessary adjustments in the interest of achieving a surplus or balanced budget at the end of its financial year.

The Shire's Manager of Corporate Services conducted the review together with the CEO and Acting Manager of Works discussed the budget review amendments contained in note 4 of the 2025/26 Budget Review Report.

The amounts included are as follows:

Note	Description	Amount
4.1	Decrease in rates revenue due to property valuation update after the 2025/26 budget was adopted by Council.	(\$30,986)
4.2	Decrease in fees and charges due to Medical Centre management changeover in November 2025.	(\$148,949)
4.3	Decrease in interest revenue (net of cash reserves and investment term deposits). Budget estimates higher than the actual bank interest rates.	(\$7,585)
4.4	Increase in other revenue from insurance reimbursements/claimed not originally included in the 2025/26 budget estimates.	\$35,572
4.5	Adjustment of projected employee costs (medical centre staff) due to management changeover in November 2025.	\$95,190
4.6	Adjustment in materials and contracts from GP Locum costs due to management changeover.	\$108,444
4.7	Decrease in cash due to insurance coverage (added) for risk management program and workers compensation adjustment.	(\$25,115)
4.8	Additional capital grants provided for roads construction at the nearby mining and windfarm projects.	\$1,944,242
4.9	Increase in cash from Land and Buildings (staff house construction, Kondinin) due to progress payment made at the end of last financial year not included in the adopted 2025/26 budget.	\$46,290
4.10	Decrease in cash for the purchase of plant and equipment per fleet replacement amendment, item 9.3.1 December 2025 OCM.	(\$145,000)
4.11	Decrease in cash for additional roads construction (grant funded) per note 4.8 above.	(\$1,937,224)
4.12	Budget amendment per Council resolution 4651 plus grant funded water tanks for community standpipes .	(\$34,276)
4.13	Transfer from plant replacement cash reserve to cover purchase/replacement of plant per note 4.10 above.	\$145,000
4.14	Transfer to reserves interest earned on cash reserves term deposits (restricted).	(\$16,639)
4.15	Overall change – projected surplus due to variances described above.	\$28,965

FINANCIAL

Regulatory requirements

RISK

Financial & compliance

POLICY

There are no direct policy implications in relation to this report.

STATUTORY

Regulation 33A of the Local Government (Financial Management) Regulation 1996 requires:

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.

- (d) include the following –
 - (i) the annual budget adopted by the local government;
 - (ii) an update of each of the estimates included in the budget;
 - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;
 - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end of year amount for the item.
- (2) The review of an annual budget for the financial year must be submitted to the council on or before 31 March in the financial year.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
*Absolute majority required.
- (4) Within 14 days after a council has made the determination, a copy of the review and determination is to be provided to the Department.
Section 6.8(1) (b) of the *Local Government Act 1995* provides that expenditure can be incurred when not included in the annual budget provided it is authorised in advance by resolution (absolute majority required).

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

Strategy

4.1.5 The capability of our organisation is continually improved

COMMENT

The half yearly budget review is a statutory requirement.

CONSULTATION

CEO, Managers

COMMITTEE RESOLUTION ARIC/26/003

Moved: Cr Darren Pool

Seconded: Cr Murray James

That the Audit Risk and Improvement Committee:

1. Endorses the 2025/26 Budget Review Report conducted for the six (6) months period ended 31st December 2025 for submission to the Department of Local Government.
2. Endorses the CEO to amend the 2025/26 budget in accordance with the attached “Budget Review Report” for the period ended 31st December 2025.

CARRIED 5/0 BY ABSOLUTE MAJORITY

For:	Crs Catherine Mayfield, Tracey Utley, Darren Pool, Beverley Gangell and Murray James
Against:	Nil

The Committee discussed the Medical Centre and Medical Practitioner costs. Original allocations were made in the operating budget for the former provider. Under the current arrangements a management fee of \$250k is paid by the Shire along with a vehicle, housing and office space. Previous arrangements saw the medical centre revenues credited to the Shire and these have now ceased.

Further discussion focussed on the road adjustments, this is in part due to grant allocations and subsequent adjustments being made.

Kondinin house construction and \$500k allocated to Hyden for the construction of housing.

Insurance claims relate to various works to vehicles and is considered as a consequence of operating a large fleet in regional areas.

Rates decreases following a Landgate revaluation and adjustment.

10.2 CHIEF EXECUTIVE OFFICER

10.2.1 Audit, Risk & Improvement Committee - Workplan Update

FILE NUMBER:**DATE:** 7 February 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. Draft Organisational Enhancement Program - *Confidential Under Separate Cover*
2. LGIS - Cyber Security Review - *Confidential Under Separate Cover*
3. Shire of Kondinin - Risk Management Plan 2019 - *Confidential Under Separate Cover*

RECOMMENDATION

That Audit Risk and Improvement Committee:

1. Receives and endorses the Audit, Risk & Improvement Committee workplan update, and
2. Recommends Council endorsement of the Audit, Risk & Improvement Committee workplan update.

SUMMARY

The purpose of this report is to provide the Audit, Risk & Improvement Committee (ARIC) with an update of progress against the agreed ARIC Workplan.

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

At its inaugural meeting on 10 December 2025, the Shire of Kondinin ARIC endorsed a proposed workplan as a quarterly measure of Shire performance in five (5) key areas. This report details progress and activities against the workplan.

Financial Reporting and Audit

- **Mid-Year (Q2) Budget Review**
The Mid-Year (Q2) Budget Review is included under separate cover within this meeting agenda.

The 2025–2026 financial position is tracking well, with the review indicating a modest operating surplus.

- **Financial Forecast and Strategic Planning**

In accordance with the provisions of the Local Government Amendment Act 2024, the Shire will undertake a review of key financial and strategic documents, including the Long-Term Financial Plan, as part of preparation for the upcoming financial year and the development of the Council Plan. The Shire has commenced a Community Survey, which will inform planned community consultation activities scheduled for March 2026. Feedback gathered through this process will be collated and used to support forward planning for both capital works and operational budgets.

Risk Management

- **Business Continuity Plan (BCP)**

The development of the Shire’s Business Continuity Plan is currently underway, with a first draft scheduled to be presented at the next Audit, Risk and Improvement Committee meeting.

- **Risk Controls – Fraud and Corruption Prevention**

A review and redevelopment of procedures, with a specific focus on procurement, has commenced. It is anticipated that a revised policy and supporting documentation will be presented to the Committee at the next meeting. Existing operating protocols are currently being tested and refined to ensure they remain fit for purpose.

- **Cyber Risk and Information Security**

In late December 2025, the Shire received a LGIS Cyber Security Assessment, which is attached under confidential cover for reference. Consultation has occurred with the Shire’s ICT service provider regarding the development of an updated IT Strategy, with a draft also attached under confidential cover. The strategy has been informed by the LGIS assessment findings, with anticipated system improvements to be considered as part of the 2026–2027 budget process.

- **Internal Audit**

High-risk audit areas, including Procurement and Contract Management and IT Security, remain a priority. To strengthen governance, transparency and system security, the Shire has subscribed to VendorPanel, enabling improved management of requests for quotations, tenders and expressions of interest. The procurement module is supported by an integrated contract management module, improving oversight and consistency in contract administration.

Governance and Legislative Compliance

- **Compliance Audit Return (CAR)**

The submission deadline for the 2025 Annual Compliance Audit Return (CAR) has been extended to September 2026, following the implementation of the Local Government Amendment Act 2024.

- **Central Records Management**

A draft Records Management Policy has been submitted to State Records for review. While the policy broadly meets prescribed standards in principle, further refinement and amendments are required prior to presentation to the Committee at the next meeting.

- **Policy Framework**

The Shire’s Policy Manual was previously tabled before Council and set aside for further review.

A comprehensive review is underway, with the intent to update or replace existing policies, reclassify certain policies as Business Operating Procedures, and remove those no longer required. Priority has been given to key statutory policies, while ad hoc updates continue to ensure ongoing compliance with legislative requirements.

- **Continuous Improvement**

A functional review of the Administration has been completed and will be reported to Council at the March Ordinary Meeting. While this does not align with the ARIC meeting schedule, the Committee will be separately briefed on the outcomes. In addition, a draft Operational Enhancement Program has been developed and is attached under confidential cover for the Committee's information.

FINANCIAL

Nil.

RISK

Risk is under management in accordance with sectional headings.

POLICY

Nil

STATUTORY

Local Government Act 1995

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

4.2.3 Strategic Resource Plan - ratios

4.2.2 Financial sustainability in achieving community aspirations

COMMENT

This report is designed to provide the Audit, Risk & Improvement Committee an update of current activities that relate to the agreed ARIC workplan.

CONSULTATION

Nil

COMMITTEE RESOLUTION ARIC/26/004

Moved: Mrs Tracey Utley

Seconded: Cr Beverley Gangell

That Audit Risk and Improvement Committee:

1. Receives and endorses the Audit, Risk & Improvement Committee workplan update, and
2. Recommends Council endorsement of the Audit, Risk & Improvement Committee workplan update.

CARRIED 5/0

For: Crs Catherine Mayfield, Tracey Utley, Darren Pool, Beverley Gangell and Murray James

Against: Nil

Discussions relating to IT Security and the confidential report.

The Committee agreed that the workplan should be transferred into a spreadsheet to track and monitor updates.

Risk Strategy query on the plan being signed in 2019 – the risk assessment posture requires updating

Meeting schedule: 22 April, 9 June and 2 September.

11 BUSINESS OF AN URGENT NATURE

Nil

12 CLOSE OF MEETING

12.1 DATE OF NEXT MEETING

To be held at Hyden CRC at 9am on 22 April, 2026 .

12.2 CLOSURE

The Meeting closed at 9.45am.

11.2 ADD THE OTHERS

11.2.1 Minutes of the Local Emergency Management Committee Meeting held on 5 March 2026

FILE NUMBER:

DATE: 20 March 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Minutes of the Local Emergency Management Committee Meeting held on 5 March 2026

RECOMMENDATION

1. That the Minutes of the Local Emergency Management Committee Meeting held on 5 March 2026 be received and the recommendations therein be adopted.

VOTING REQUIREMENT

Simple Majority



SHIRE OF KONDININ
MINUTES OF MEETING
a Local Emergency Management
Committee Meeting
Local Emergency Management
Committee Meeting

Held at the Bill SMoker Room, Kondinin Aquatic Centre on 5 March 2026

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1 OPENING OF MEETING

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2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND DIGNITARIES

[Type here](#)

3 RECORDING OF ATTENDANCE

3.1 ATTENDANCE

LEC E Braithwaite

3.2 ATTENDANCE BY TELEPHONE OR INSTANTANEOUS COMMUNICATION

[Type here](#)

3.3 APOLOGIES

Nil

3.4 APPROVED LEAVE OF ABSENCE

Nil

3.5 DECLARATIONS OF DISCLOSURES OF INTEREST

[Type here](#)

4 APPLICATION FOR LEAVE OF ABSENCE

[Type here](#)

5 PUBLIC TIME

5.1 PUBLIC QUESTION TIME

[Type here](#)

5.2 PUBLIC STATEMENT TIME

[Type here](#)

6 QUESTIONS FROM MEMBERS WITHOUT NOTICE

[Type here](#)

7 ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

Type here

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

Type here

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

10 REPORTS OF OFFICERS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 Shire of Kondinin - Local Emergency Management Committee - Committee Appointment

FILE NUMBER:

DATE: 3 March 2026

AUTHOR: Bruce Wright, Chief Executive Officer

AUTHORISED OFFICER: Bruce Wright, Chief Executive Officer

DISCLOSURE OF INTEREST: Author - Nil

Authoriser - Nil

ATTACHMENTS: Nil

RECOMMENDATION

That the Local Emergency Management Committee

1. Notes the Council appointment of the following Officers to the Shire of Kondinin Local Emergency Management Committee:
 - (i) Chairperson: Cr James
 - (ii) Alternate Chairperson: Cr Browning
 - (iii) Local Emergency Coordinator: Sgt Braithwaite, WA Police
 - (iv) Executive Officer: Tory Young, Shire of Kondinin
 - (v) Member: Chief Executive Officer, Shire of Kondinin
 - (vi) Member: Manager of Works, Shire of Kondinin
 - (vii) Member: Manager Planning & Assets, Shire of Kondinin
2. Endorses and approves of the appointment of the following individuals to the Shire of Kondinin Local Emergency Management Committee.
3. Endorses and approves the tenure of the Committee to expire at the time of the next General Election of the Shire of Kondinin Council in October 2027.

SUMMARY

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

In accordance with Section 38(3) of the Emergency Management Act 2025, the Council has appointed the Chair, Alternate Chair, Local Emergency Coordinator and Executive Officer of the LEMC. In addition, select Officers from the Shire have been appointed as members.

The Chair now seeks to include representatives of the following organisations as members of the Committee:

- Representatives from relevant Hazard Management Agencies (HMAs).
- Representatives from Combat and Support Agencies (e.g. DFES, St John Ambulance, WA Country Health Service, Main Roads WA, Department of Communities, etc.).
- Representatives from essential service providers (e.g. Horizon Power, Water Corporation, Telstra, etc.); and
- Other community or industry representatives as determined appropriate by the Committee.

FINANCIAL

Nil

RISK

Non-Compliance

POLICY

Nil

STATUTORY

Emergency Management Act 2005

STRATEGIC

Theme

1. COMMUNITY

Goal

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

Strategy

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

RECOMMENDATION

That the Local Emergency Management Committee

1. Notes the Council appointment of the following Officers to the Shire of Kondinin Local Emergency Management Committee:
 - (i) Chairperson: Cr James
 - (ii) Alternate Chairperson: Cr Browning
 - (iii) Local Emergency Coordinator: Sgt Braithwaite, WA Police
 - (iv) Executive Officer: Tory Young, Shire of Kondinin

(v) Member: Chief Executive Officer, Shire of Kondinin

(vi) Member: Manager of Works, Shire of Kondinin

(vii) Member: Manager Planning & Assets, Shire of Kondinin

2. Endorses and approves of the appointment of the following individuals to the Shire of Kondinin Local Emergency Management Committee.
3. Endorses and approves the tenure of the Committee to expire at the time of the next General Election of the Shire of Kondinin Council in October 2027.

10.1.2 Shire of Kondinin - Local Emergency Management Committee - Terms of Reference

FILE NUMBER:**DATE:** 3 March 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil
Authoriser - Nil**ATTACHMENTS:** 1. Shire of Kondinin - LEMC - Draft Terms of Reference**RECOMMENDATION**

That the Local Emergency Management Committee

1. Endorses and approves the Shire of Kondinin Local Emergency Management Committee (LEMC) Terms of Reference

SUMMARY

The purpose of this report is to seek the Committee's endorsement of a formal Terms of Reference (ToR) for the Local Emergency Management Committee (LEMC).

While the LEMC is established under the *Emergency Management Act 2005 (WA)*, a formally adopted Terms of Reference provides clarity regarding the Committee's role, membership, meeting procedures, governance responsibilities, and reporting arrangements.

Adoption of the Terms of Reference will strengthen governance, ensure legislative compliance, and provide a clear operational framework for the Committee moving forward.

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

Under the *Emergency Management Act 2005*, local governments are required to establish and maintain a Local Emergency Management Committee (LEMC) to assist in the development and maintenance of Local Emergency Management Arrangements (LEMA).

The LEMC plays a critical coordination role in:

- Reviewing and maintaining emergency management arrangements
- Identifying and assessing local emergency risks
- Facilitating inter-agency cooperation
- Supporting preparedness, response, and recovery planning

- Conducting exercises and post-incident reviews

While legislation establishes the requirement for the LEMC, best practice governance recommends that each Committee adopt a formal Terms of Reference that clearly outlines:

- Purpose and objectives
- Membership and representation
- Roles and responsibilities (Chair, Deputy Chair, Executive Officer, members)
- Meeting frequency and quorum
- Reporting requirements to Council
- Record-keeping and compliance obligations

The proposed Terms of Reference reflect current legislative requirements and align with State Emergency Management guidance. They also establish clear governance and administrative processes to ensure continuity, transparency, and accountability.

Endorsing the Terms of Reference will:

- Provide clarity to all member agencies
- Formalise operating procedures
- Support compliance with emergency management obligations
- Strengthen audit readiness
- Enhance continuity of governance

FINANCIAL

Nil

RISK

Non-Compliance

POLICY

Nil

STATUTORY

Emergency Management Act 2005

STRATEGIC

Theme

1. COMMUNITY

Goal

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

Strategy

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

RECOMMENDATION

That the Local Emergency Management Committee

1. Endorses and approves the Shire of Kondinin Local Emergency Management Committee (LEMC) Terms of Reference



SHIRE OF KONDININ

LOCAL EMERGENCY MANAGEMENT COMMITTEE

Terms of Reference

Local Emergency Management Committee Terms of Reference

1. Purpose

The Local Emergency Management Committee (LEMC) is established by the Shire of Kondinin pursuant to section 38(1) of the Emergency Management Act 2005 (WA).

The Committee is to assist the local government in ensuring that effective local emergency management arrangements are prepared for, maintained, and tested within the district.

2. Legislative Basis

The Committee is established under the provisions of the:

- Emergency Management Act 2005 (WA) — sections 38 to 41;
- Emergency Management Regulations 2006;
- State Emergency Management Policy 2.5 – Local Arrangements;
- State Emergency Management Procedure 7 – Local Emergency Management Committee; and
- State Emergency Management Plan.

3. Objectives

The key objectives of the Committee are to:

1. Develop, maintain, and review the Local Emergency Management Arrangements (LEMAs) for the district in accordance with section 41 of the *Emergency Management Act 2005*;
2. Coordinate the testing and exercising of the LEMA;
3. Facilitate the preparation and maintenance of Local Recovery Plans and support the establishment of the Local Recovery Coordinating Group when required;
4. Support the Local Emergency Coordinator (LEC) and Hazard Management Agencies in emergency management activities within the district;
5. Liaise with other local governments and the District Emergency Management Committee (DEMC) on emergency management issues;
6. Report annually to the SEMC through the DEMC in accordance with State Emergency Management Policy and Procedure requirements; and
7. Promote community awareness and preparedness for emergencies.

4. Membership

Membership shall be appointed by the local government and, in accordance with section 38(3) of the *Emergency Management Act 2005*, an will include:

- Chairperson – nominated by the Shire of Kondinin;
- Alternate Chairperson – nominated by the Shire of Kondinin
- Local Emergency Coordinator (LEC) – appointed by the State Emergency Coordinator (WA Police);
- Local Government Chief Executive Officer (or nominee);
- The Shire Managers of Works, Planning & Assets;
- Representatives from relevant Hazard Management Agencies (HMAs);
- Representatives from Combat and Support Agencies (e.g. DFES, St John Ambulance, WA Country Health Service, Main Roads WA, Department of Communities, etc.);
- Representatives from essential service providers (e.g. Horizon Power, Water Corporation, Telstra, etc.); and
- Other community or industry representatives as determined appropriate by the Committee.

Special guests may be invited to attend committee meetings as determined by the LEMC Executive Officer, in consultation with the LEMC Chair.

Each voting member should nominate a proxy to the Executive Officer within their agency or organisation to attend if the appointed member is absent.

Non-attendance at meetings of voting members without a justifiable apology, or that have not been represented by their proxy will be asked to provide an explanation to the Chairperson. Repeated non-attendance may result in the Chairperson notifying the District Emergency Management Committee.

Members representing agencies and organisations that can no longer participate in the committee should advise the Executive Officer of their resignation and nominate an alternative representative for membership.

Committee membership will be reviewed at each meeting by the LEMC Executive to ensure that it is representative of the community and the potential risks and scenarios.

New members may join the LEMC via resolution of the committee.

A list of current members and alternates must be maintained as an appendix to the Local Emergency Management Arrangements.

5. Roles and Responsibilities

5.1 LEMC Chair

The LEMC Chair provides leadership and support to the LEMC by:

- Ensuring the appointment of an Executive Officer

- Chairing the LEMC meetings and ensuring that the Terms of Reference and meeting procedures of the LEMC are adhered to
- Ensuring that the local councils are kept fully informed of EM within the local government district and significant outcomes from LEMC meetings
- Ensuring the LEMA is prepared and up to date
- Providing leadership in emergency management within the local government district.

5.2 LEMC Deputy Chair

The Local Emergency Coordinator (LEC) should be appointed as the Deputy Chair. Where there is more than one LEC, the role may be shared after discussion with the Chair. The Deputy Chair provides advice and support to the LEMC by:

- Acting as a Chair in the absence of the LEMC Chair
- Providing assistance, and advice as requested by the LEMC Chair
- Chairing any subcommittees or working groups
- Providing support and direction to the Executive Officer as required.

5.3 LEMC Executive Officer

The LEMC Executive Officer provides support to the LEMC by:

- Coordinating the development and submissions of LEMC documents in accordance with legislative and policy requirements including the:
 - Annual report
 - Annual business Plan
 - LEMA, including maintaining the EM contacts register.
- Ensuring the provision of professional and timely secretariat support including:
- Development and distribution of the meeting agenda, minutes, and action lists
- Maintaining a register of correspondence
- Maintenance of the LEMC membership contact list
- Facilitating the provision of relevant EM advice to the Chair and LEMC as required
- Participating as a member of LEMC sub committees and working groups as required
- Facilitating two-way communication between the LEMC and Executive Officer of the relevant DEMC to undertake day-to-day EM business as required from both a local and district level.

5.4 Local Emergency Coordinator

In addition to the role as a Deputy Chair, which may be shared between LECs, the LEC for a local government district has the following functions (section 37(4) of the EM Act):

- To provide advice and support to the LEMC for the district in the development and maintenance of emergency management arrangements
- To assist hazard management agencies in the provision of a coordinated response during an emergency
- To carry out other EM activities in accordance with the directions of the State Emergency Coordinator.

5.5 Local Recovery Coordinator

The Local Recovery Coordinator provides support to the LEMC by:

- Ensuring the preparation, maintenance and exercising of the Local Recovery Plan, as part of the LEMA
- Providing advice and generating awareness of recovery
- Advising the LEMC of Local Recovery Coordination Group (LRCG) local recovery activities, and evaluation findings.

5.6 LEMC Admin Support Officer

A LEMC Administration Support Officer, *may* be appointed to provide administrative support to the Chair, Deputy Chair and Executive Officer as required, to ensure the timely preparation of all documentation.

5.7 LEMC Members

LEMC committee members can provide support to the LEMC by:

- Attending and actively participating in meetings
- Advising the Executive Officer of non-attendance and arranging for a proxy
- Contributing to the agenda and reviewing all meeting papers prior to the meeting.
- Completing meeting actions as required
- Bringing copies of relevant documents
- Reading and being familiar with the Terms of Reference
- Representing their organisation by providing input/advice into the meeting and sharing outcomes of the meeting with their organisation
- Participating in EM activities.

5.8 District Emergency Management Advisors

District Emergency Management Advisors (DEMAs) support the work of the SEMC by providing services to the EM sector throughout WA and are based in metropolitan and regional locations. The DEMA can provide support to the LEMC by:

- Providing advice and interpretation of legislation, policy, plans, procedures, and guidelines
- Providing support and advice on exercise management
- Providing support and advice on risk management
- Working with local government EM personnel to assist with the following:
 - development and maintenance of an effective LEMC
 - development and review of LEMA that is contemporary, and useful for the local district
 - development of Local Recovery Plans that nominate the local recovery coordinator/s
 - encourage local recovery coordinators and other staff likely to work in recovery to undertake recovery training
 - provision of presentations and informal EM training as required to local governments and LEMCs

- using their multi agency networks to act as a conduit between organisations, and between local, district and state levels to encourage collaboration, before during and after emergency events.

In addition to the LEMC support above, during the response phase of an emergency, the DEMA can ensure that local government is represented at the Incident Support Group (ISG), and sometimes the Incident Management Team and Operations Area Support Group (OASG) as appropriate.

During the recovery phase of an emergency, the DEMA can provide mentoring and advice to local government personnel, including local recovery coordinators and membership of the LRCG and any additional recovery committees, and sub committees.

6. Authority

The Committee is authorised by the Council to:

- Access relevant information and documents required for decision-making.
- Make recommendations to the Council.

The Committee does not have a delegated authority to make final decisions, nor to commit the Shire or any association, organisation, group or individual to expenditure without the Shire's endorsement.

The LEMC is required to gain Council approval if the Committee wishes to alter these Terms of Reference.

7. Meetings

- The Committee will meet at least quarterly, or more frequently if required.
- A quorum consists of a *half* of it's voting membership
- Minutes will be recorded and presented to Council at the next ordinary meeting of Council after the committee meeting and circulated to the membership.
- Additional meetings will be convened if and as required at the discretion of the Chairperson.

8. Reporting

- The Committee will submit a written report to the Council after each meeting summarising key discussions, decisions, and recommendations.
- Annually, the Committee shall provide a summary report outlining the state of assets, infrastructure performance, and key initiatives.

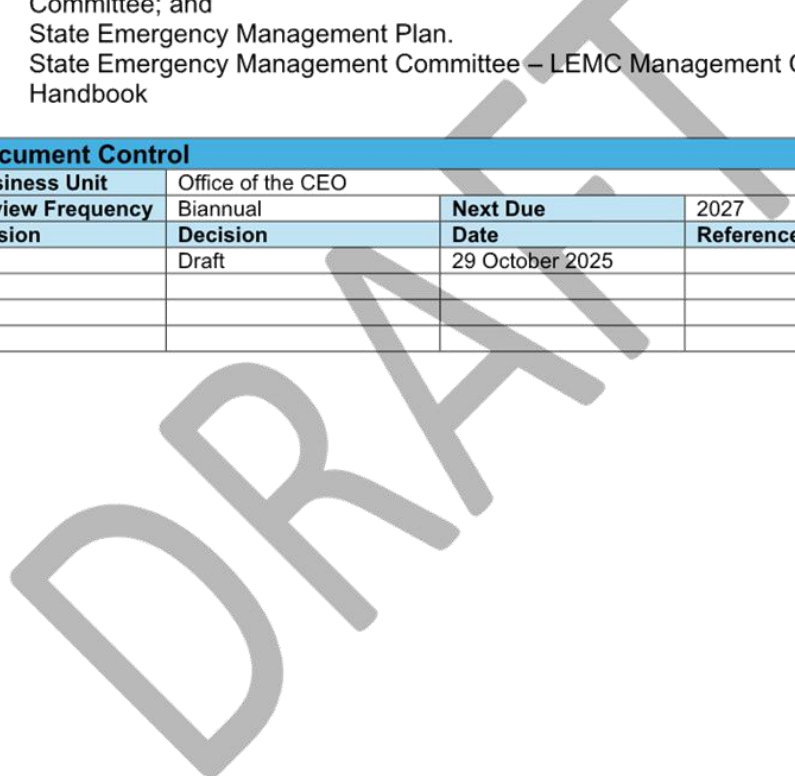
9. Review

- These Terms of Reference will be reviewed annually by the Committee and Council to ensure they remain relevant and aligned with legislation, community needs, and best practice.

10. References

- Emergency Management Act 2005 (WA) — sections 38 to 41;
- Emergency Management Regulations 2006;
- State Emergency Management Policy 2.5 – Local Arrangements;
- State Emergency Management Procedure 7 – Local Emergency Management Committee; and
- State Emergency Management Plan.
- State Emergency Management Committee – LEMC Management Committee Handbook

Document Control			
Business Unit	Office of the CEO		
Review Frequency	Biannual	Next Due	2027
Version	Decision	Date	Reference
1	Draft	29 October 2025	



11 BUSINESS OF AN URGENT NATURE

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12 CLOSE OF MEETING

12.1 DATE OF NEXT MEETING

To be held at at on .

12.2 CLOSURE

The Meeting closed at [enter time](#).

12 REPORTS OF OFFICERS

12.1 CORPORATE SERVICES

12.1.1 Financial Reports - February 2026

FILE NUMBER:**DATE:** 13 March 2026**AUTHOR:** Vince Bugna, Manager Corporate Services**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Financial Reports - February 026 - *Under Separate Cover***RECOMMENDATION**

That Council:

1. Receive the attached reports entitled Monthly Financial Report (Containing the required Statement of Financial Activity and Statement of Financial Position) for the period ended 28 February 2026.

SUMMARY

To present to Council the Monthly Financial Report for the period ended 28 February 2026.

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 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

Strategy

4.1.5 The capability of our organisation is continually improved

COMMENT

Highlights of the February 2026 financial reports are as follows:

Item	Reference
<ul style="list-style-type: none"> • Cash at Bank The Shire’s total cash as of 28 February 2026 was \$8,282,838 – composed of \$4,087,425 reserve accounts (restricted), \$54,193 LCDC fund, \$2,254,423 term deposit investments and \$1,886,797 general fund (Muni, OCDF & Petty cash). 	<p>Page 9 – Note 6 Cash and Financial Assets</p> <p>Page 10 – Note 7 Reserve Accounts</p>
<ul style="list-style-type: none"> • Receivables Rates and Rubbish = \$527,489 net collectible – equivalent to 13% as of 28 February 2026. Other receivables of \$555,841 – composed of \$475,493 Sundry Debtors (\$152,306 of which was private works for Synergy for the Lovering Road works, \$200,000 Capital Contribution of KCRC for Kondinin Pavilion renovation, \$80,000 Capital Contribution of Karlgarin Bowling Club for the construction of sports facility building in Kargarin), \$32,622 GST receivable and \$47,726 ESL and pensioner related receivables. 	<p>Page 16 – Note 10 Receivables</p>

<ul style="list-style-type: none"> • Current Liabilities YTD balance is \$1,100,565 which includes \$456,313 of employees' annual and long service leave provision, \$123,492 Current portion of borrowings (payable within 12 months), \$278,765 unearned Capital Grants/Contributions and \$241,995 creditors invoices. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>
<ul style="list-style-type: none"> • Closing Funding Surplus (Deficit) YTD actual is \$4,179,943 – composed of \$9,299,214 Current Assets less \$1,100,565 Current Liabilities and \$(4,018,705) Adjustments to Net Current Assets. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>
<ul style="list-style-type: none"> • Significant Capital Projects: <ul style="list-style-type: none"> ✓ Roadworks amended budgeted of \$6.17m (from \$4.3m original) is 54% completed composed of: Safer Local Road and Infrastructure Program (SLRIP) funded Hyden Norseman Road and RTRs funded Bushfire Rock Road, Nth Lake Grace-Karlgarin Road, Pederah West Road and Whyte Road, RRG funded Lovering Road and Hyden Mt Walker Road, and Council funded Forbes Road, King Rocks East Road and Reservoir East Road. ✓ Plant and equipment with amended budget of \$992,000 have two (2) vehicles purchased to date. ✓ Land and buildings with amended total budget of \$3m for two (2) Shire housing for Hyden and Kondinin, Karlgarin Bowling Club & Country Club Building and Kondinin Pavilion upgrade have 55% completion. 	<p>Page 7 – Key Information</p> <p>Page 11 to 14 – Note 8 Capital Acquisitions</p>
<ul style="list-style-type: none"> • Grants, Subsidies and Contributions <ul style="list-style-type: none"> ✓ Operating grants total received to date = \$1,506,202 from MRWA Direct grant, FAGS, Diesel Fuel Rebate and DFES 2 quarters. ✓ Capital grants total received to date = \$3,948,086 from RRG progress claims, RTR Bushfire Rock Road, RRSP East Hyden Bin Road, SLRIP Hyden Norseman Road, WSNF for Kondinin Narembeen Road line marking , DWER's Water infrastructure & CBH Dam upgrade, DSR Grant and Sports Groups Contributions for Sports Pavilion and Karlgarin Bowling Club new building. 	<p>Pages 21 – Note 15 Grants, Subsidies and Contributions</p> <p>Page 22 – Note 16 Capital Grants, Subsidies and Contributions.</p>

In relation to material variances, “timing difference are due to the monthly spread of the budget not matching

in comparison to the actual spread of revenue or expenditure.

Timing difference will not result in a forecast adjustment. Where the material variance is flagged as “permanent”, this indicates that a forecast adjustment to the annual budget is required. – Refer to page 6, Note 3 – Explanation of Material Variances.

CONSULTATION

NIL

12.1.2 List of Accounts Paid - February 2026

FILE NUMBER:

DATE: 13 March 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 - February 2026 - *Under Separate Cover*

RECOMMENDATION

That Council:

1. receive the attached report – List of Accounts Due & Submitted to Council for the month of February 2026:

• Municipal Fund payment cheque numbers 19546 to 19551	=\$ 31,831.41
• Municipal EFT21779 – 21818; 21820 - 21911	=\$552,995.05
• Direct Debits – Transport – Hyden Office	=\$ 24,437.40
• Direct Debits – Transport – Kondinin Office	=\$ 5,464.15
• Direct Debits – Credit Cards DD23603.1	=\$ 2,675.43
• Direct Debits – Other	=\$ 25,404.72
• EFTPOS, AKF, Bank Fees	=\$ 1,109.03
• Payroll EFTs	=\$130,751.31
• Trust EFT21819	=\$ 500.00
TOTAL	<u>=\$775,168.50</u>

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

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 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

Non-compliance

RISK

Nil

POLICY

NIL

STATUTORY

Local Government (Financial Management) Regulations 1996

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

Strategy

4.1.5 The capability of our organisation is continually improved

COMMENT

NIL

CONSULTATION

N/A

12.2 PLANNING & ASSETS

12.2.1 CDO Report

FILE NUMBER:**DATE:** 13 March 2026**AUTHOR:** Amanda Kemp, Community Development Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: Nil

CDO Update

- Hyden CWA gardens have now been completed and are looking fantastic, thanks to Reality Landscaping. Completion of this has been well timed with some upcoming community events and commemorations which will utilise this space.
- ANZAC day dawn service planning is well underway for Kondinin and Hyden with guest speakers confirmed. Advertising for this will commence soon.
- International Women's Day Events were held in Kondinin and Hyden, an evening event in Kondinin in conjunction with the Kondinin CRC. Morning tea in Hyden in conjunction with the Hyden CRC, both events were very well received a great chance to connect with other women and celebrate the occasion.
- The Kondinin Triathlon will be held on the 14th March, with a fantastic day of weather currently forecast. The event continues to attract strong community support and is shaping to another fantastic day.
- Gourmet In the Garden will be held on the 20th March and has once again sold out. Ticket numbers this year have increased by 36 bringing the total number to 156 attending for the evening, looking forward to seeing if the increased numbers will be sustainable for future events.
- A Citizenship Ceremony is scheduled to be held on the 28th March at the Hyden CWA Gardens the ceremony will welcome new Australian Citizens to the community and will be followed by morning tea catered by the Hyden CWA.
- Men's Mental Health Awareness – Initial planning has begun to explore the possibility of holding 2 men's mental health sessions after football training in Kondinin and Hyden in conjunction with the football clubs.
- Astro Tourism – An online meeting was held with Carol Redford from Astrotourism WA, one potential opportunity discussed was applying for Dark Sky Accreditation, which recognises areas with exceptional night sky viewing and minimal light pollution. This could further promote tourism in the area and will be explored further.

12.2.2 ROE Tourism - Shire of Wickepin Membership

FILE NUMBER:**DATE:** 13 March 2026**AUTHOR:** Amanda Kemp, Community Development Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Pathways to Wave Rock Wickepin Presentation - *Under Separate Cover***RECOMMENDATION**

That Council:

1. Receives and endorses for consideration the Shire of Wickepin's attached presentation request to join the Roe Tourism Association (Pathways to Wave Rock)
2. Endorses and approves of the Shire of Wickepin's request to join the ROE Tourism Association.

SUMMARY

At the November 2025 ROE Tourism meeting the Shire of Wickepin made a presentation to the ROE Tourism Association requesting to join as a full member and link into the Pathways to Wave Rock. This report seeks Council endorsement of the admission of the Shire of Wickepin to ROE Tourism.

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

At the November 2025 Roe Tourism Association meeting, the Shire of Wickepin presented a proposal to join the Roe Tourism Association as a full member and to connect with the Pathways to Wave Rock Trail initiative.

Discussion was held regarding the potential benefits and opportunities of Wickepin joining the Association. Member Shires were asked to take the proposal back to their respective Councils for consideration, with further discussion to take place at a future Roe Tourism meeting.

The Shire of Kondinin was not represented at this meeting, as Council Committees had not yet been finalised at that time.

Should the proposal proceed and the Shire of Wickepin be admitted as a member of the Roe Tourism Association, any costs associated with rebranding and updates to promotional material would be the responsibility of the Shire of Wickepin. This follows the precedent set when the Shire of Beverley joined Roe Tourism, where the joining Shire covered the one-off costs associated with updating branding and materials.

FINANCIAL

Membership for ROE Tourism to Remain the same at \$6000 for the 26/27 financial year

RISK

There is potential that visitor traffic could be redirected away from existing tourism routes and attractions within the Shire, including those connected with the Pathways to Wave Rock Trail.

Council may wish to consider whether membership expansion aligns with tourism interests of the Shire and whether adjustments to the proposed route or marketing approach would be required to ensure Kondinin benefits from the initiative.

POLICY

Strategic Community Plan

STATUTORY

Nil

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

Strategy

4.1.1 RoeROC and regional groupings deliver local benefit

COMMENT

Regional tourism associations play an important role in strengthening collaboration between local governments and tourism operators across a region. The Roe Tourism Association provides a platform for member councils to collectively promote the region, coordinate marketing initiatives, share industry insights and advocate for tourism development opportunities that benefit the wider area. Participation in a regional tourism body helps to leverage resources, increase the visibility of local attractions and support economic development through increased visitation. The inclusion of a new member further strengthens the Association by broadening regional representation, enhancing collaborative opportunities and contributing additional perspectives and resources that support the growth and sustainability of tourism across the Roe region.

CONSULTATION

Roe Tourism Membership

12.2.3 Disposal of Shire owned assets and Infrastructure - Lot 25921 Kondinin-Hyden Road, Kondinin

FILE NUMBER:**DATE:** 13 March 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 Offer - *Confidential Under Separate Cover*
2. Agreement Dated May 2011 - *Confidential Under Separate Cover*
3. Agreement Dated October 2022 - *Confidential Under Separate Cover*

RECOMMENDATION

That Council:

1. Accepts an offer of \$2,200 (inclusive of GST) from Willachy Pty Ltd for the purchase of a Shire-owned bore pump, water pipes, water tanks, and associated infrastructure located on Lot 25921 on Deposited Plan 160038, Kondinin-Hyden Road, Kondinin.
2. Approves the disposal of Shire of Kondinin asset No. 12013, comprising the bore pump, water pipes, water tanks, and associated infrastructure.
3. Notes that the disposal is exempt from public tender requirements under Regulation 30(2) of the *Local Government (Functions and General) Regulations 1996 (WA)*, as the value of the asset is less than \$20,000.
4. Approves and authorises the Chief Executive Officer to terminate the Agreement dated 25 October 2022 between the Shire of Kondinin and Willachy Pty Ltd for the use of the bore pump and associated infrastructure by the Shire.
5. Approves and authorises the Chief Executive Officer to enter into a Deed of Agreement between the Shire of Kondinin and Willachy Pty Ltd to permit the Shire ongoing access to, and use of, the bore for the purpose of supplying water to support Shire operations.

SUMMARY

The purpose of this report is for Council to consider the disposal of Shire Asset 12013 by sale to Willachy Pty Ltd for \$2,200. The asset consists of a bore pump, water pipes, water tanks and other associated infrastructure situated on Lot 25921 on DP 160038 Kondinin-Hyden Road, Kondinin (owned by Willachy Pty Ltd).

The report also seeks Council approval to terminate an asset usage agreement between the Shire and Willachy Pty Ltd dated 25 October 2022.

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

During early 2011, the Shire installed a water bore and supporting infrastructure at Lot 25921 Kondinin – Hyden Road, Kondinin at a total cost of \$26,683. At the Ordinary Meeting of Council in May 2011, Council resolved and endorsed the original agreement (as attached) between the Shire of Kondinin and the landowners of Lot 25921 Kondinin-Hyden Road, Kondinin for the management and control of the bore and associated infrastructure.

The property was later sold to Willachy Pty Ltd and the existing agreement was amended by Council at its Ordinary Meeting in September 2022 (as attached) to align with the change of ownership of the property and to better reflect the management and use of the infrastructure. Included in the agreement was a commitment by the Shire to cost share operating expenses including: electricity, maintenance and servicing.

From the time of entering into the agreement in 2022, the Shire has not used the water at the property for emergency purposes. Notwithstanding, the Shire has continued to meet its obligations under the cost sharing agreement.

Willachy Pty Ltd is now offering to purchase the bore pump and supporting infrastructure from the Shire for \$2,200 (GST inc). The offer is considered as being fair value as the end of useful life of the pump is estimated to be reached towards the end of 2026 – the pump is aged and will require intervention, if not replacement.

The Shire will continue to maintain access to the asset and draw water pending consultation with the owner.

FINANCIAL

The asset lifecycle costs are articulated within the following table. Please note that a conservative estimate of \$5000 per annum for Shire contributions to operating costs has been applied to the calculations:

Date	Item	Value
2011	Supply and installation of the bore pump and supporting infrastructure. Estimated asset life 15 years,	\$26,683
2011-2026	Conservative estimated whole of life costs – utilities, servicing and maintenance (\$5,000 per annum).	\$75,000
Total Lifecycle Cost – 2011 to 2026		\$101,683

The estimated saving to the Shire is articulated within the following table. The current operating costs (as the asset nears the end of its useful life) are included as a guide, noting that this figure also incorporates a part time staff member inspecting the site on a weekly basis.

Asset Disposal Savings Estimate – 10 Year Cycle (Deed of Agreement)		
2026-2036	Operating costs – (\$10,698 per annum based on FY 25-26 expenditure)	\$106,980
2026	Renewal cost (estimated \$40-60,000) – midpoint estimate	\$50,000

Total Estimated Savings – 2026-2036	\$156,980
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In 2023, an independent asset valuation of the asset was undertaken. It is noted that the valuation consisted of a desktop valuation that did not include a site visit. The valuer determined fair value to be \$20,000.

During the 25/26 financial year the Shire expended \$10,698.45 towards the power, service and maintenance of the bore and associated infrastructure at Lot 25921 Kondinin-Hyden Road, Kondinin.

RISK

The risks of retaining the asset include, but are not limited to:

Financial Risk

Ongoing maintenance, repair, and potential replacement costs

Continued depreciation of an underutilised asset

Operational Risk

Responsibility remains with the Shire for upkeep and compliance

The asset may not be efficiently utilised by the Shire

Liability Risk

Exposure to risk associated with asset failure, including safety or environmental impacts.

No easement exists and will not be consented to by the landowner.

POLICY

Nil

STATUTORY

Local Government (Functions and General) Regulations 1996

STRATEGIC

Theme

1. COMMUNITY
4. CIVIC LEADERSHIP

Goal

- 1.6 Support emergency services planning, risk mitigation, response and recovery
- 4.2 We are a compliant and resourced Local Government

Strategy

- 1.6.1 We collaboratively plan service delivery and respond to emergency situations (LEMC)
- 4.2.2 Financial sustainability in achieving community aspirations

COMMENT

The Shire of Kondinin has received an offer from Willachy Pty Ltd to purchase a bore pump, water pipes, water tanks, and associated infrastructure located on Lot 25921, Kondinin–Hyden Road, Kondinin. The infrastructure is currently utilised under an existing agreement with Willachy Pty Ltd and is considered non-strategic to the Shire’s core operations.

The proposed sale represents an opportunity for the Shire to divest a low-value asset, eliminate ongoing maintenance and liability responsibilities, and to formalise a more appropriate arrangement for continued access to the bore. The disposal value of \$2,200 (inclusive of GST) is below the threshold requiring public tender and is therefore compliant with Regulation 30(2) of the *Local Government (Functions and General) Regulations 1996 (WA)*.

To ensure the Shire's operational needs continue to be met, it is proposed that the existing agreement be terminated and replaced with a Deed of Agreement, which will secure ongoing access to the bore for water supply purposes.

The proposed transaction is considered to be of low risk and provides both financial and operational benefits to the Shire while maintaining access to a critical water source. The offer is considered to be good value as the asset nears the end of its useful life and will shortly require renewal.

CONSULTATION

Discussions and written correspondence with the landowners of Lot 25921 Kondinin-Hyden Road, Kondinin representing Willachy Pty Ltd.

12.2.4 Adoption of Community Chest Policy

FILE NUMBER:	AP.1
DATE:	16 March 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Nil Authoriser - Nil
ATTACHMENTS:	1. Community Chest Policy - Draft - <i>Under Separate Cover</i>

RECOMMENDATION

That Council:

1. Repeals Council Policy COM-003 – Community Chest Policy.
2. Endorses and adopts the attached Community Chest Policy.
3. Authorises the allocation of \$14,000 in the 2026-2027 Annual Budget to meet Community Chest grant applications over two (2) annual application rounds in March-April & November-December.
4. Authorises the Chief Executive Officer to assess and approve applications for Community Chest funding of up to \$500 (cash and in-kind) per application, in accordance with the Community Chest Policy and within the approved annual budget allocation.
5. Authorises the Chief Executive Officer to make minor administrative amendments to the policy, limited to formatting, style, and presentation, provided such amendments do not alter the intent or substantive content of the policy.

SUMMARY

This report seeks Council’s approval to repeal Community Chest Policy COM-003 and to endorse and adopt the attached Community Chest Policy, which provides a clear, consistent, and transparent framework for the assessment and administration of small community funding requests.

VOTING REQUIREMENT

Simple Majority

COUNCIL’S ROLE

Legislative

Includes adopting local laws, town planning schemes and policies.

BACKGROUND

The Shire of Kondinin currently operates a Community Grants Program (CGP), providing up to \$7,500 per project, with an annual allocation determined through the budget process.

While the CGP supports larger, planned initiatives, the Shire also receives numerous informal or ad-hoc requests throughout the year for small-scale financial contributions, sponsorship, fee waivers, and in-kind assistance. Without a clearly defined framework, such requests can create inconsistencies in decision-making, inequity between applicants, and unplanned financial commitments.

To address this, the proposed Community Chest Fund Policy has been developed to provide a transparent and consistent mechanism for assessing smaller funding requests. This approach ensures community initiatives can be supported in a fair and timely manner, while also safeguarding public funds, maintaining budget discipline, and protecting the Shire from unstructured or discretionary funding commitments outside the adopted budget framework.

It is recommended that two (2) rounds of the Community Chest Grant are opened, the first in March-April and the second November-December.

No applications for Community Chest small grants will be accepted outside of the two (2) rounds.

FINANCIAL

Subject to submissions received under the Policy, it is recommended that based on the number of active and eligible community groups operating throughout the Shire, the maximum total annual budget allocation is \$14,000.

It is recommended that funding limits are:

- Up to \$500 cash contribution per application
- Up to \$500 in-kind or fee waiver support per application
- A maximum combined total of \$500 (cash and/or in-kind) per organisation per financial year.

RISK

A Community Chest Policy provides a structured framework for the allocation of cash and in-kind support to community groups throughout the Shire. This Policy provides for:

- Clear eligibility and assessment criteria
- Defined application and approval processes
- Budget allocation and caps
- Transparent decision-making and reporting
- Acquittal and monitoring requirements

POLICY

Nil

STATUTORY

Local Government Act 1995

Local Government (Financial Management) Regulation 1996

Local Government (Rules of Conduct) Regulations 2021

STRATEGIC

Theme

1. COMMUNITY

4. CIVIC LEADERSHIP

Goal

- 1.1 Community members have the opportunity to be active, engaged and connected
- 1.5 Support local volunteer organisations
- 4.2 We are a compliant and resourced Local Government

Strategy

- 1.1.1 We hold well attended local events and activities
- 1.1.2 We collaborate with CRCs and local organisations to deliver community programs and activities
- 1.1.3 Positive engagement and co-design of projects with young people occurs
- 1.1.4 We are showcasing local artists and attracting cultural events to our communities
- 1.5.1 Clubs and service organisations feel supported
- 4.2.2 Financial sustainability in achieving community aspirations

COMMENT

The proposed Community Chest Policy compliments the existing Community Grants Program Policy (COM-002) by:

- Supporting grassroots and smaller-scale community initiatives and events
- Providing a consistent process for assessing ad-hoc funding requests
- Reducing administrative burden for both applicants and the Shire
- Ensuring funding decisions align with adopted budgets and governance requirements.

It is recommended that Council adopts the Shire of Kondinin Community Chest Policy as presented, with funding to be allocated annually through the budget process.

CONSULTATION

The policy has been developed internally to address operational issues identified through the administration of community funding requests. It is designed to be clear and accessible to community organisations.

12.2.5 Consideration of Supporting Documentation - Proposed King Rocks Wind Farm (DAP 22/02288) - Detailed Development Design

FILE NUMBER:	HRT R.8
DATE:	25 March 2026
AUTHOR:	Tory Young, Manager Planning & Assets
AUTHORISED OFFICER:	Bruce Wright, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author - Authoriser -
APPLICANT:	Synergy Renewable Energy Developments Pty Ltd
OWNER:	T Hughes; Hyden Faraway Pty Ltd
PROPOSAL:	Wind Farm
LOCATION:	Lot 2845 & 2640 King Rocks Road, Hyden
ATTACHMENTS:	<ol style="list-style-type: none">1. KRWF Wind Turbine Generator Layout - Setback Distances to Sensitive Receptors - <i>Under Separate Cover</i>2. KRWF_Wind Turbine Generator Layout Plans - Setbacks to Native Vegetation - <i>Under Separate Cover</i>3. KRWF_Detailed Design Plans for Onsite Layout of Substation Area - <i>Under Separate Cover</i>4. KRWF_Proposed Plans for O&M Facility - <i>Under Separate Cover</i>

RECOMMENDATION

That Council:

1. **RECEIVES** the Civil Construction Plans as attached in support of addressing Condition 3 / Advice Note 2 of development approval issued by the Mid-West/Wheatbelt DJAP at its meeting on 15 November 2022 for use not listed described as 'Wind Farm':
2. **NOTES** that further detailed plans will be presented to Council in support of addressing Condition 3 / Advice Note 2 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' once submitted by the Applicant.

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

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. This Agenda Report relates to Condition 3 / Advice Note 2 (Detailed Plans).

Detailed Design

Condition 3

Pursuant to Schedule 2, clause 74 of the Planning and Development (Local Planning Schemes) Regulations 2015, further detailed plans for the proposed development shall be submitted to the Local Government.

Advice Note 2

In relation to addressing Schedule 2, clause 74 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as conditioned above, the following detailed plans are required and shall include the following information:

- a) A site development plan, drawn to scale, showing contours, natural environmental features, including all vegetation, revegetation, waterways/creek lines, and the final layout, orientation and siting arrangements of all wind turbines and hardstand infrastructure, including setback distances between wind turbines and vegetation, setback distances between wind turbines and all sensitive uses on the subject land and immediately adjoining properties, temporary and permanent wind monitoring towers, all buildings and amenities, site access and egress points to public roads, internal access roads, vehicle parking areas, underground and above ground power and transmission cables, overhead power lines, fencing, laydown and stockpile areas, construction compounds, temporary concrete batching plant and storage facilities, energy storage structures, sub-stations, power conversion stations, and any public access opportunities;
- b) Small-scale plans and cross-sections, drawn to scale, showing the dimensions, height, building materials, elevations and colours of the proposed wind turbines, permanent wind monitoring towers, permanent buildings and amenities;
- c) Demonstrated suitable setbacks between the wind turbines and remnant vegetation to mitigate any potential risks to known fauna within the locality.
- d) Specify the final location and specifications of the wind turbines, to a maximum of 30 turbines and turbines setback no less than 1.8 kilometres to the nearest sensitive receptor.

Officer Comment

The proponent advised in writing dated 15th July 2025 the approach proposed to address this condition as follows:

1. *30% design prior to mobilisation: the package to include the overall site layout plan outlining the access tracks, contours, hardstands, siting arrangement of the WTG, temporary structures, environmental features i.e. proposed vegetation clearing etc) and small-scale plans outlining typical drawings.*

Officer Comment – COMPLETED (Received by Council Ordinary Meeting held on 21 August 2025)

2. *80% designs (i.e. detailed designs) post mobilisation: The 80% will provide greater detail and include elevations, cross-sections and outline drainage design.*

Officer Comment – COMPLETED (Received by Council at Ordinary Meeting held on 11 February 2026)

3. *100% designs (i.e. IFC): Following 80% designs, final layout, building materials etc will be provided.*

Officer Comment – COMPLETED IN PART (Received in part by Council at its Ordinary Meeting held on the 25 March 2026).

FINANCIAL

Nil

RISK

Low

POLICY

Nil

STATUTORY

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) 2015

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 plans submitted as attached to this Agenda Report contribute towards addressing dot point 3 above. Further final detailed plans / issued for construction (IFC) drawings are still to be submitted by the Applicant to satisfy the Advice Note 2, including further detail on ancillary structures proposed on site.

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

12.3 WORKS

Nil

12.4 CHIEF EXECUTIVE OFFICER

12.4.1 Shire of Kondinin - Community Survey 2025-2026

FILE NUMBER:**DATE:** 13 March 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. 2025-2026 Community Survey - Dashboard - *Under Separate Cover*
2. 2025-2026 Community Survey - Response By Question - *Under Separate Cover*
3. 2025-2026 - Community Survey - Free Form Comments - *Under Separate Cover*

RECOMMENDATION

That Council

1. Receives the 2025–2026 Community Survey Results Report, noting the key findings relating to community priorities, satisfaction with local services and community wellbeing.
2. Acknowledges the valuable feedback provided by residents and thanks community members who participated in the survey.
3. Notes the key priority themes identified through the survey, including infrastructure maintenance, community facilities, safety and wellbeing, local services and community development.
4. Endorses the survey findings to be used to inform Council’s strategic planning and decision-making, including future reviews of the Council Plan, Corporate Business Plan and Long-Term Financial Plan.
5. Supports further engagement with the community to explore the survey findings in more detail, including workshops and consultation activities with residents and community groups.

SUMMARY

The Shire of Kondinin commissioned a community survey to better understand resident perspectives on local services, facilities and future priorities. The survey forms part of Council’s ongoing commitment to community engagement and evidence-based decision-making.

While level 4 local governments are not currently required to conduct community satisfaction surveys, Council recognises the value of regularly seeking community feedback to inform planning, service delivery and future priorities.

Overall, results indicate generally positive sentiment toward core services, particularly community wellbeing and aquatic facilities. However, residents highlighted several key concerns, particularly around recreational facilities, playgrounds, roads, and perceived inequalities between towns.

Key themes emerging from the survey include the importance of maintaining local infrastructure, particularly roads and community assets, as well as continued investment in community facilities and initiatives that support community connection and wellbeing.

The survey also highlighted the positive role that community groups, events and recreational facilities play in maintaining social cohesion across the Shire.

Council will use the survey results to help inform future strategic planning processes, including reviews of the Council Plan and Corporate Business Plan, and to guide discussion on future priorities for service delivery and infrastructure investment in the Long-Term Financial Plan.

The results will also be considered as part of upcoming Council workshops and future community engagement activities to ensure that community priorities continue to inform Council decision-making.

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 2025-2026 Community Survey was conducted internally by the Shire. To caveat the survey results, it is important to recognise that the survey was undertaken as a community engagement initiative. While the responses provide valuable insights into community perspectives, the methodology does not constitute a statistically representative sample of the Shire’s population and the results have not been subject to external analysis or expert review. Accordingly, the findings should be interpreted as indicative feedback to inform Council discussion and planning considerations.

Methodology

Survey responses were measured using a five-point Likert scale ranging from Strongly Disagree (1) to Strongly Agree (5). Each response was assigned a numerical value and a weighted average score (index) was calculated for each question based on the total responses received. The index provides an overall indication of community sentiment toward a particular statement, with scores closer to 5 indicating strong agreement or positive sentiment, scores around 3 indicating neutral sentiment, and scores closer to 1 indicating strong disagreement or negative sentiment. This approach allows the results to be compared consistently across questions and provides a clear indication of areas where the Shire is performing well and areas where improvements may be required.

Index scores represent the overall sentiment of respondents toward a particular issue or service area. For ease of interpretation, the following scoring guide is applied:

Index Score	Interpretation
4.0-5.0	Strong Community Support
3.5-3.9	Generally Positive

3.0-3.4	Neutral / Mixed Views
Below 3.0	Area of Concern / Review Required

For the purposes of this survey, scores above 3.4 are considered to indicate services or issues where the community perceives the Shire to be performing well. Scores below 3 highlight areas where community expectations may not currently be met.

Overall sentiment toward the Shire is generally positive, with many respondents recognising the importance of local services, facilities, and community activities. However, some service areas show mixed sentiment and identify opportunities for improvement.

Overall Community Sentiment

Overall sentiment across the survey was moderately positive, with most responses indicating agreement that the Shire provides reasonable services.

Strongest positive sentiment:

- Community wellbeing priority
- Swimming pool facilities
- Maintenance of community buildings

Areas with weaker sentiment:

- Roads and transport infrastructure
- Parks and playgrounds
- Sports and recreation facilities
- Footpaths and connectivity

Several written responses indicated concerns about perceived inequity between towns, particularly Hyden and Kondinin.

Key Survey Takeaways

1. The community broadly supports the Shire’s work but expects continued improvement.
2. Recreation facilities and youth infrastructure are the most requested improvements.
3. Pools and some community facilities are strong community assets.
4. Roads and town infrastructure remain ongoing concerns.
5. Perceived investment imbalance between towns should be acknowledged and addressed through transparent, need based planning.

Significantly greater detail is included in the attached survey results and free text commentary.

FINANCIAL

The survey itself has no immediate financial impact on the Shire.

However, the results provide valuable information to guide Council’s future planning, budgeting and prioritisation of projects. Community feedback has identified several areas where residents would like to see improvements, including recreational facilities, playgrounds, road maintenance and pedestrian infrastructure.

These priorities may influence future capital works programs, asset management planning and operational budgets, subject to Council consideration and available funding. The survey outcomes will therefore assist Council in making informed financial decisions that align with community expectations and strategic objectives.

RISK

The survey presents minimal direct risk to the Shire; however, it identifies areas of community concern that may present reputational or service delivery risks if not acknowledged or addressed through future planning. The results highlight community expectations regarding infrastructure, recreational facilities, road maintenance and equitable service delivery across the Shire.

Consideration of these issues through strategic planning, asset management and budgeting processes will assist in mitigating potential risks and ensuring Council decisions align with community priorities.

POLICY

There are no direct policy implications arising from this survey. Notwithstanding, the survey results and subsequent consultations will lend to informing strategic plans, long term financial planning and policy refinement.

STATUTORY

There are no direct statutory implications arising from this survey. Notwithstanding, the survey results and subsequent consultations will lend to informing strategic plans, long term financial planning and policy refinement.

STRATEGIC**Theme**

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

Strategy

4.1.2 We are inclusive and our communities feel heard

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

4.1.5 The capability of our organisation is continually improved

COMMENT

The Shire of Kondinin Community Survey 2026 received a total of 109 responses and provides valuable insight into community views regarding Shire services, infrastructure and future priorities.

Overall results indicate generally positive sentiment toward several core services, particularly community wellbeing initiatives and aquatic facilities, while identifying opportunities for improvement in areas such as recreational infrastructure, playgrounds, roads, footpaths and public spaces.

The survey results will assist Council in understanding community priorities and will inform future strategic planning, asset management and budgeting processes to ensure resources are directed toward areas of greatest community value.

CONSULTATION

Internal Departments

12.4.2 WALGA Sector Consultation - Local Government Electoral Reform

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

Authoriser - Nil

ATTACHMENTS: 1. WALGA - Sector Consultation - Electoral Reform Discussion Paper - *Under Separate Cover***RECOMMENDATION**

That Council:

1. Supports a local government electoral model whereby Elected Members serve four (4) year terms, with ordinary elections held every two (2) years, and approximately half of Council positions being contested at each election, to ensure continuity of representation, retention of corporate knowledge, and effective governance.
2. Supports the retention of non-compulsory voting in local government elections, recognising the principle of voluntary participation and the distinct nature of local government engagement within the community.
3. Supports the continued ability for local governments to determine their preferred electoral service delivery model, including the option to conduct self-managed elections, recognising that this provides flexibility, cost efficiency, and responsiveness to local circumstances.
4. Authorises the Chief Executive Officer to submit Council's position to the Western Australian Local Government Association as part of the sector consultation process.

SUMMARY

The Western Australian Local Government Association (WALGA) is undertaking sector-wide consultation to inform its advocacy position on potential reforms to local government elections. Key matters under consideration include:

- Whether voting in local government elections should be compulsory; and
- The preferred structure of election cycles, including term lengths and frequency of elections.

WALGA has sought feedback from local governments to ensure its advocacy reflects the collective views of the sector and supports effective, sustainable governance arrangements.

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

Election Frequency and Term Length

The current model of staggered elections, whereby Elected Members serve four-year terms with elections held every two years for approximately half of Council positions, is considered to provide an appropriate balance between continuity and accountability.

This model supports:

- retention of corporate knowledge and experience;
- stability in governance and decision-making; and
- continuity in delivering long-term strategic and infrastructure projects.

Significant turnover of Council at a single election event may adversely impact governance effectiveness, delay strategic initiatives, and reduce organisational capacity during transition periods. A staggered model mitigates these risks and is consistent with WALGA's advocacy for strong and sustainable local government governance frameworks.

Compulsory versus Voluntary Voting

Local government operates at a community level, where participation is often driven by a direct interest in local issues and outcomes. Retaining non-compulsory voting recognises the principle of voluntary civic participation and reflects the distinct nature of local government compared to State and Federal elections.

While compulsory voting may increase turnout, it does not necessarily enhance the quality of engagement or understanding of local issues. Low voter turnout may also be interpreted as reflecting that those who are most engaged with, and directly impacted by, local issues are the individuals who choose to participate in the electoral process. Further, the introduction of compulsory voting would likely result in increased administrative and compliance costs for local governments.

Maintaining voluntary voting aligns with WALGA's previous advocacy positions, which emphasise:

- meaningful and informed community participation;
- proportional regulatory burden; and
- the autonomy of local governments within the State's democratic framework.

FINANCIAL

There are no immediate financial implications arising from this report. However, the introduction of compulsory voting may result in increased administrative costs for local governments.

RISK

There are minimal risks associated with this report. Participation in the consultation process ensures Council's views are represented and contributes to sector-wide advocacy.

POLICY

There are no direct policy implications arising from this report.

STATUTORY

There are no direct statutory implications arising from this report. Any changes to local government electoral arrangements would require amendments to the Local Government Act 1995 (WA).

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

Strategy

4.1.5 The capability of our organisation is continually improved

COMMENT

The purpose of this report is for Council to consider its position in response to the WALGA Sector Consultation – Electoral Reform Discussion Paper, and to endorse a submission reflecting Council’s preferred approach to local government electoral arrangements.

CONSULTATION

Nil

12.4.3 Lot 276 Cottle Way - Disposal By Lease

FILE NUMBER:**DATE:** 18 March 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Correspondence to Kondinin Men's Shed - 4 March 2026 -
*Confidential Under Separate Cover***RECOMMENDATION**

That Council:

1. Notes Council Resolution #4671 from the Ordinary Meeting of Council on 19 November 2025 and Council Resolution #4677 from the Special Meeting of Council on 17 December 2025, and Council Resolution #OCM/26/001 from the together with the associated Officer reports and attachments; and
2. Endorses those documents as forming the background, basis and historical record relevant to the matter currently before Council.
3. Declines the offer submitted by Mr Joseph Collard on 11 November 2025 to purchase Lot 276 (No. 6 Cottle Way), Kondinin, and resolves not to proceed with the sale of the property.
4. Authorises the disposal of No. 6 (Lot 276) Cottle Way, Kondinin, by way of a community lease (peppercorn) to the Kondinin Men's Shed Incorporated, in accordance with the provisions of Section 3.58 of the *Local Government Act 1995 (WA)*, and subject to the conditions outlined in Recommendation 2.
5. Approves the entering into of a community lease with Kondinin Men's Shed Incorporated, subject to the organisation satisfying the eligibility criteria set out in the Shire of Kondinin Community Leasing Policy within a period of fourteen (14) days from the date of commencement of negotiations.
6. Approves a lease term of five (5) years, with a further option period of five (5) years. Should the option be exercised, the lease will expire concurrently with the existing lease over No. 7 (Lot 277) Cottle Way, Kondinin, on 31 May 2031.
7. Approves that Kondinin Men's Shed Incorporated be responsible for the payment of all utilities associated with the use and occupation of the leased land, including but not limited to water, electricity, and any other service charges.
8. Approves the waiver of Shire rates applicable to the leased land for the duration of the lease.
9. Authorises the Chief Executive Officer to execute the necessary administrative and legal instruments on behalf of the Shire of Kondinin to enter into a Community Lease with the Kondinin Men's Shed Incorporated.

SUMMARY

On 10 December 2025, Mr. Greg Gleeson acting on behalf of the Kondinin Men's Shed made a formal submission to the Shire in relation to the proposed sale of Lot 6 Cottle Way Kondinin.

Following receipt of the submission, Council has considered the proposed disposal of Lot 276, No. 6 Cottle Way, Kondinin in its entirety. This report seeks to conclude Council's consideration of the potential disposal of the asset and to approve the conditional offer of a community lease to Kondinin Men's Shed Incorporated.

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

An offer to purchase Lot 276, 6 Cottle Way, Kondinin was initially presented to the Council at its Ordinary Meeting on 19 November 2025. Thereafter, the matter has been before Council on several occasions, the last at a Special Meeting of Council on 17 February 2026.

On 17 February 2026, Council resolved to hold this matter in abeyance pending the outcome of inquiries with the original benefactor of Lot 276. It is noted that, based on legal advice provided by McLeods Lawyers, the benefactor may hold an estoppel interest in respect of the land, and that such interest must be extinguished prior to the sale of the property proceeding.

The benefactor has indicated a clear intention that the land be leased to Kondinin Men's Shed Incorporated, with the lease to continue until such time as the Kondinin Men's Shed Incorporated notifies the benefactor in writing to the contrary. Accordingly, the offer to purchase must not proceed and a Community Lease offered to the Kondinin Men's Shed in accordance with the Shire's Community Leasing Policy.

This report seeks Council's approval to commence negotiations with the Kondinin Men's Shed with a view to entering into a Community Lease. The execution of the lease will be the subject of the Men's Shed complying with the provisions of the Community Leasing Policy.

In bringing this matter to finality, the Chief Executive Officer has communicated with the Kondinin Men's Shed (attached under confidential cover) to address the submissions made on behalf of the Men's Shed by Mr Greg Gleeson. No response or further commentary has been received.

FINANCIAL

Nil.

RISK

The proposal presents legal, governance, and strategic risks, primarily relating to the potential estoppel interest held by the Benefactor.

POLICY

Community Leasing Policy

STATUTORY

Section 3.58 *Local Government Act 1995*

STRATEGIC**Theme**

1. COMMUNITY

Goal

1.5 Support local volunteer organisations

Strategy

1.5.1 Clubs and service organisations feel supported

COMMENT

An offer to purchase Lot 276, No. 6 Cottle Way, Kondinin has been considered by Council on several occasions. Following legal advice indicating that the original benefactor may hold an estoppel interest over the land, Council resolved to defer consideration of the sale pending further inquiries, noting that any such interest must be extinguished prior to the disposal of the property.

The benefactor has expressed a preference that the land be retained for community use and leased to Kondinin Men's Shed Incorporated. In light of this, it is proposed that the sale does not proceed and that negotiations commence with the Kondinin Men's Shed Incorporated for a community lease, subject to compliance with the Shire's Community Leasing Policy.

CONSULTATION

Great Southern Fuels – Benefactor

Kondinin Men's Shed

McLeods Lawyers

12.4.4 Shire of Kondinin Employee Code of Conduct

FILE NUMBER:**DATE:** 19 March 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS: 1. Shire of Kondinin Employee Code of Conduct - Updated -
*Under Separate Cover***RECOMMENDATION**

That Council:

1. Notes the updated Shire of Kondinin Employee Code of Conduct (attached)
2. Endorses the updated Shire of Kondinin Employee Code of Conduct as reviewed and updated by the Chief Executive Officer.

SUMMARY

This report seeks Council endorsement of the revised and updated Shire of Kondinin Employee Code of Conduct.

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

Section 5.51A of the *Local Government Act 1995 (WA)* requires the Chief Executive Officer to prepare and implement a Code of Conduct to be observed by employees of the local government.

The Code of Conduct establishes the standards of behaviour expected of employees and provides a framework for ethical decision-making, accountability, and professional conduct.

The Shire's current Code has been reviewed to ensure alignment with recent legislative amendments and contemporary governance practices.

The review of the Employee Code of Conduct has been undertaken to ensure compliance with the *Local Government (Administration) Regulations 1996 (WA)*, including the requirements prescribed under Part 4A.

Key amendments include:

- Inclusion of provisions relating to secondary employment, in accordance with Regulation 19ADA, including disclosure requirements and approval processes
- Strengthening of conflict of interest provisions, including explicit requirements relating to employee involvement in community groups and the management of actual, potential, and perceived conflicts
- Minor updates to improve clarity, consistency, and alignment with current legislative terminology

The updated Code ensures that employees are provided with clear guidance regarding expected standards of conduct and supports the Shire's commitment to transparency, accountability, and ethical behaviour.

FINANCIAL

Nil.

RISK

The review and update of the Employee Code of Conduct reduces governance, compliance, and reputational risks by ensuring alignment with current legislative requirements and best practice.

Failure to maintain a compliant Code may expose the Shire to audit findings, regulatory scrutiny, and increased risk of misconduct or conflicts of interest.

POLICY

The updated Code replaces the existing Employee Code of Conduct

STATUTORY

Section 5.51A of the *Local Government Act 1995 (WA)*

Part 4A of the *Local Government (Administration) Regulations 1996 (WA)*, including regulations 19AA, 19AF and 19ADA

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

Strategy

4.1.5 The capability of our organisation is continually improved

COMMENT

The updated Employee Code of Conduct reflects current legislative requirements and strengthens governance practices within the Shire. Council endorsement is sought to support transparency and demonstrate organisational commitment to high standards of conduct.

CONSULTATION

Internal staff

12.4.5 Representations Received From Mr Greg Henderson - Walton Road

FILE NUMBER:**DATE:** 21 March 2026**AUTHOR:** Bruce Wright, Chief Executive Officer**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - Nil

ATTACHMENTS:

1. Chronology - Walton Road Karlgarin - Council Reports - *Under Separate Cover*
2. Walton Road Closure - Additional Submission - Mr Greg Henderson - *Under Separate Cover*

RECOMMENDATION

That Council

1. Notes a submission received from Mr Greg Henderson seeking reconsideration of Resolution 4607 from the Ordinary Meeting of Council on 20 August 2025 and takes the information on notice for further consideration.
2. Requests the Chief Executive Officer to prepare a further report examining the implications of reconsidering Resolution 4607 in response to the submission and information provided by Mr Greg Henderson.

OR

3. Resolves that the submission requesting reconsideration is not supported and that Resolution 4607 stands as recorded and remains in effect.

SUMMARY

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

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

This report seeks to introduce the additional submission to Council for consideration and to determine whether the Council seeks further examination of the information to understand the implications of reconsidering resolution 4607.

VOTING REQUIREMENT

Simple Majority

COUNCIL'S ROLE

Legislative

Includes adopting local laws, town planning schemes and policies.

BACKGROUND

The background of this matter has previously been accepted and considered by the Council. A chronology of information is now attached for reference.

The basis of the additional information suggests, also attached, suggests:

- Reconstruction of the subject portion of road is not economical and may not fall within the long-term planning of the Shire. Therefore, an amalgamation into his property is logical and of low impact to other residents and the Shire.
- Mr Henderson will give an undertaking for light vehicles to utilise a fire track on his property to access Aylmore Road (east to west) to Medcalf Rock Road and in so doing, create better access for road users.

The additional information is considered as being material, however, does not provide clarity on additional statutory requirements that may apply. Approval to undertake vegetation clearing cannot be assumed, as the land subject to this report is located within road reserve and any clearing would be subject to the relevant statutory approval processes.

It is noted that a consultation period included an objection from a neighbouring party. The objection is incorporated within the chronology for reference.

FINANCIAL

Nil

RISK

Nil

POLICY

Nil

STATUTORY

- Land Administration Act 1997
- Land Administration Regulations 1998

STRATEGIC

Theme

4. CIVIC LEADERSHIP

Goal

4.1 Skilled, capable and transparent team

Strategy

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

COMMENT

A submission has been received from Mr Greg Henderson seeking reconsideration of Resolution 4607 from the Ordinary Meeting of Council held on 20 August 2025. The submission provides additional information for Council's consideration.

This report seeks Council's determination on whether to take the submission on notice and request a further report examining the implications of reconsidering Resolution 4607 or alternatively resolve not to support the request for reconsideration and confirm that Resolution 4607 remains in effect.

CONSULTATION

Nil

13 BUSINESS OF AN URGENT NATURE

14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15 MATTERS FOR WHICH MEETING MAY BE CLOSED CONFIDENTIAL ITEMS

RECOMMENDATION

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:

15.1 Award of RFQ 02-2025-2026 - East Hyden Bin Road - Widenings & Audible Edge & Centre Lines

This matter is considered to be confidential under Section 5.23 - ((4)(c)) and ((4)(d)) 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 information contained in a tender received by the local government for a contract to the extent that:

- (i) the information is a tendered price; or
- (ii) a tendered methodology for calculating a price. and information contained in a tender received by the local government for a contract to the extent that:
 - (i) the information discloses any technology, or any manufacturing, industrial or trade process, that the tenderer proposes to use in performing the contract; and
 - (ii) the information has not previously been made public; and
 - (iii) the making public of the information would be likely to have an adverse effect on the tenderer's business interests..

15.2 CEO Probation Period Review and Confirmation of Appointment

This matter is considered to be confidential under Section 5.23 - ((2)(b)) 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 a matter relating to the recruitment or employment of the CEO or a senior employee, including the following:

- (i) the termination of employment;
- (ii) a review of performance under section 5.38..

16 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

17 CLOSE OF MEETING

17.1 DATE OF NEXT MEETING

17.2 CLOSURE