



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

Held at the Shire of Kondinin - Kondinin Chambers on 25 March 2026

***This page is intentionally left blank.***

**Order of Business**

<b>1</b>	<b>Opening of Meeting .....</b>	<b>5</b>
<b>2</b>	<b>Acknowledgement of Traditional Owners and Dignitaries.....</b>	<b>5</b>
<b>3</b>	<b>Recording of Attendance .....</b>	<b>5</b>
<b>3.1</b>	<b>Attendance .....</b>	<b>5</b>
<b>3.2</b>	<b>Attendance by Telephone or Instantaneous Communication.....</b>	<b>5</b>
<b>3.3</b>	<b>Apologies .....</b>	<b>5</b>
<b>3.4</b>	<b>Approved Leave of Absence .....</b>	<b>5</b>
<b>3.5</b>	<b>Declarations of Disclosures of Interest.....</b>	<b>5</b>
<b>4</b>	<b>Application for Leave of Absence.....</b>	<b>5</b>
<b>5</b>	<b>Response to Previous Questions .....</b>	<b>5</b>
<b>5.1</b>	<b>Questions from Elected Members taken on Notice .....</b>	<b>5</b>
	Nil	
<b>5.2</b>	<b>Questions taken on Notice from Public .....</b>	<b>5</b>
	Nil	
<b>6</b>	<b>Public Time.....</b>	<b>6</b>
<b>6.1</b>	<b>Public Question Time.....</b>	<b>6</b>
<b>6.2</b>	<b>Public Statement Time .....</b>	<b>6</b>
<b>6.3</b>	<b>Petitions/Deputations/Presentations/Submissions .....</b>	<b>6</b>
	Nil	
<b>7</b>	<b>Questions from Members without Notice .....</b>	<b>6</b>
<b>8</b>	<b>Announcements by Presiding Members without Discussion.....</b>	<b>6</b>
<b>9</b>	<b>Declaration of Members to have Given due Consideration to all Matters Contained in the Agenda Before the Meeting.....</b>	<b>6</b>
<b>10</b>	<b>Confirmation of Minutes of Previous Meetings.....</b>	<b>6</b>
<b>11</b>	<b>Reports of Committees.....</b>	<b>8</b>
<b>11.1</b>	<b>Audit &amp; Risk .....</b>	<b>8</b>
	11.1.1 Minutes of the Audit Risk and Improvement Committee Meeting held on 10 February 2026 .....	8
<b>11.2</b>	<b>Add the others .....</b>	<b>9</b>
	11.2.1 Minutes of the Local Emergency Management Committee Meeting held on 5 March 2026 .....	9
<b>12</b>	<b>Reports of Officers .....</b>	<b>10</b>
<b>12.1</b>	<b>Corporate Services.....</b>	<b>10</b>
	12.1.1 Financial Reports - February 2026.....	10
	12.1.2 List of Accounts Paid - February 2026 .....	14
<b>12.2</b>	<b>Planning &amp; Assets.....</b>	<b>17</b>
	12.2.1 CDO Report .....	17

12.2.2	ROE Tourism - Shire of Wickepin Membership .....	19
12.2.3	Disposal of Shire owned assets and Infrastructure - Lot 25921 Kondinin-Hyden Road, Kondinin .....	22
12.2.4	Adoption of Community Chest Policy .....	26
12.2.5	Consideration of Supporting Documentation - Proposed King Rocks Wind Farm (DAP 22/02288) - Detailed Development Design.....	30
<b>12.3</b>	<b>Works.....</b>	<b>34</b>
	Nil	
<b>12.4</b>	<b>Chief Executive Officer .....</b>	<b>35</b>
12.4.1	Shire of Kondinin - Community Survey 2025-2026.....	35
12.4.2	WALGA Sector Consultation - Local Government Electoral Reform .....	40
12.4.3	Lot 276 Cottle Way - Disposal By Lease.....	44
12.4.4	Shire of Kondinin Employee Code of Conduct .....	48
12.4.5	Representations Received From Mr Greg Henderson - Walton Road.....	51
<b>13</b>	<b>Business of an Urgent Nature .....</b>	<b>54</b>
<b>14</b>	<b>Motions of which Previous Notice has been Given .....</b>	<b>54</b>
	Nil	
<b>15</b>	<b>Matters for which Meeting may be Closed / Confidential Items.....</b>	<b>55</b>
15.1	Award of RFQ 02-2025-2026 - East Hyden Bin Road - Widenings & Audible Edge & Centre Lines .....	56
15.2	CEO Probation Period Review and Confirmation of Appointment .....	57
<b>16</b>	<b>Decisions Made while Meeting was Closed to the Public .....</b>	<b>Error! Bookmark not defined.</b>
<b>17</b>	<b>Close of Meeting .....</b>	<b>59</b>
<b>17.1</b>	<b>Date of Next Meeting .....</b>	<b>59</b>
<b>17.2</b>	<b>Closure .....</b>	<b>59</b>

## **1 OPENING OF MEETING**

The meeting was opened by the Shire President at 5.00pm

## **2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND DIGNITARIES**

The Shire President acknowledged the Traditional Owners of the land on which we meet and paid his 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 D Pool, Chief Executive Officer B Wright, Manager Corporate Services Mr V Bugna, Cr T Smeed, Cr P Green, Acting Manager Works Ms D Wright

### **3.2 ATTENDANCE BY TELEPHONE OR INSTANTANEOUS COMMUNICATION**

Nil

### **3.3 APOLOGIES**

Mrs Tory Young, Manager Planning & Assets

### **3.4 APPROVED LEAVE OF ABSENCE**

Nil

### **3.5 DECLARATIONS OF DISCLOSURES OF INTEREST**

CEO Impartiality Declaration – Report 15.2 – CEO Probation. The report and information are compiled by the Shire President to remove any perceived conflict.

## **4 APPLICATION FOR LEAVE OF ABSENCE**

Nil

## **5 RESPONSE TO PREVIOUS QUESTIONS**

### **5.1 QUESTIONS FROM ELECTED MEMBERS TAKEN ON NOTICE**

Nil

### **5.2 QUESTIONS TAKEN ON NOTICE FROM PUBLIC**

Nil

**6 PUBLIC TIME**

**6.1 PUBLIC QUESTION TIME**

Nil

**6.2 PUBLIC STATEMENT TIME**

Nil

**6.3 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

**7 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

Nil

**8 ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION**

Nil

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

Members confirm.

**10 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**RESOLUTION OCM/26/002**

Moved: Cr Toni Smeed

Seconded: Cr Murray James

That the minutes of the Ordinary Council Meeting of 11 February 2026 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

**CARRIED 7/0**

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

Against: Nil

**RESOLUTION OCM/26/003**

Moved: Cr Toni Smeed

Seconded: Cr Murray James

That the minutes of the Extraordinary Council Meeting of 18 February 2026 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that

meeting.

**CARRIED 7/0**

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

Against: Nil

**RESOLUTION OCM/26/004**

Moved: Cr Toni Smeed

Seconded: Cr Murray James

That the minutes of the Extraordinary Council Meeting of 23 February 2026 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

**CARRIED 7/0**

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

Against: Nil

## 11 REPORTS OF COMMITTEES

### 11.1 AUDIT & RISK

#### 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

#### RESOLUTION OCM/26/005

Moved: Cr Murray James

Seconded: Cr Paul Green

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.

**CARRIED 7/0**

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

**Against:** Nil

## 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

**RESOLUTION OCM/26/006**

Moved: Cr Beverley Gangell

Seconded: Cr Murray James

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

**CARRIED 7/0**

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

Against: Nil

## 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"> <li>• <b>Cash at Bank</b> The Shire’s total cash as of 28 February 2026 was <b>\$8,282,838</b> – 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 &amp; Petty cash).</li> </ul>	<p>Page 9 – Note 6 Cash and Financial Assets</p> <p>Page 10 – Note 7 Reserve Accounts</p>
<ul style="list-style-type: none"> <li>• <b>Receivables</b> <b>Rates and Rubbish = \$527,489</b> net collectible – equivalent to 13% as of 28 February 2026. <b>Other receivables of \$555,841</b> – 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.</li> </ul>	<p>Page 16 – Note 10 Receivables</p>

<ul style="list-style-type: none"> <li>• <b>Current Liabilities</b> YTD balance is <b>\$1,100,565</b> 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.</li> </ul>	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>
<ul style="list-style-type: none"> <li>• <b>Closing Funding Surplus (Deficit)</b> YTD actual is <b>\$4,179,943</b> – composed of \$9,299,214 Current Assets less \$1,100,565 Current Liabilities and \$(4,018,705) Adjustments to Net Current Assets.</li> </ul>	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity</p>
<ul style="list-style-type: none"> <li>• <b>Significant Capital Projects:</b> <ul style="list-style-type: none"> <li>✓ 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.</li> <li>✓ Plant and equipment with amended budget of \$992,000 have two (2) vehicles purchased to date.</li> <li>✓ Land and buildings with amended total budget of \$3m for two (2) Shire housing for Hyden and Kondinin, Karlgarin Bowling Club &amp; Country Club Building and Kondinin Pavilion upgrade have 55% completion.</li> </ul> </li> </ul>	<p>Page 7 – Key Information</p> <p>Page 11 to 14 – Note 8 Capital Acquisitions</p>
<ul style="list-style-type: none"> <li>• <b>Grants, Subsidies and Contributions</b> <ul style="list-style-type: none"> <li>✓ Operating grants total received to date = \$1,506,202 from MRWA Direct grant, FAGS, Diesel Fuel Rebate and DFES 2 quarters.</li> <li>✓ 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 &amp; CBH Dam upgrade, DSR Grant and Sports Groups Contributions for Sports Pavilion and Karlgarin Bowling Club new building.</li> </ul> </li> </ul>	<p>Pages 21 – Note 15 Grants, Subsidies and Contributions</p> <p>Page 22 – Note 16 Capital Grants, Subsidies and Contributions.</p>

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

in comparison to the actual spread of revenue or expenditure.

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

**CONSULTATION**

NIL

**RESOLUTION OCM/26/007**

Moved: Cr Paul Green

Seconded: Cr Beverley Gangell

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.

**CARRIED 7/0**

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

Against: 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
<b>TOTAL</b>	<b><u>=\$775,168.50</u></b>

**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

**RESOLUTION OCM/26/008**

Moved: Cr Toni Smeed

Seconded: Cr Paul Green

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
<b>TOTAL</b>	<b><u>=\$775,168.50</u></b>

**CARRIED 7/0**

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 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 14<sup>th</sup> 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 20<sup>th</sup> 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 28<sup>th</sup> 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.

The Information Report was noted by Members.

## 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

**RESOLUTION OCM/26/009**

Moved: Cr Darren Pool

Seconded: Cr Murray James

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.

**LOST 0/7**

For: Nil

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

### 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
<b>Total Lifecycle Cost – 2011 to 2026</b>		<b>\$101,683</b>

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.

<b>Asset Disposal Savings Estimate – 10 Year Cycle (Deed of Agreement)</b>		
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
<b>Total Estimated Savings – 2026-2036</b>		<b>\$156,980</b>

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.

### RESOLUTION OCM/26/010

Moved: Cr Bruce Browning

Seconded: Cr Murray James

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.

**LOST 0/7**

For: Nil

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

Councillor Browning noted that the offer did not, in his opinion, represent fair value given that the original costs of supply and installation was circa \$26,000. Councillor James supported the observation of Councillor Browning.

### 12.2.4 Adoption of Community Chest Policy

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

##### **RESOLUTION OCM/26/011**

Moved: Cr Beverley Gangell

Seconded: Cr Toni Smeed

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.

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

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

#### 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 15<sup>th</sup> 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

### **RESOLUTION OCM/26/012**

Moved: Cr Beverley Gangell

Seconded: Cr Darren Pool

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.

**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 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

**RESOLUTION OCM/26/013**

Moved: Cr Darren Pool

Seconded: Cr Paul Green

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.

**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 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

**RESOLUTION OCM/26/014**

Moved: Cr Paul Green

Seconded: Cr Bruce Browning

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.

**LOST 0/7**

For: Nil

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

Councillor Browning sought the inclusion of first past the post method for counting votes in local government elections and seeks an alternate motion.

**AMENDMENT**

**RESOLUTION OCM/26/015**

Moved: Cr Toni Smeed

Seconded: Cr Bruce Browning

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. Supports the introduction of the first-past-the-post method for counting votes in local government elections in place of the current preferential voting model
5. Authorises the Chief Executive Officer to submit Council's position to the Western Australian Local Government Association as part of the sector consultation process.

**CARRIED 7/0**

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

Against: Nil

### 12.4.3 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

**RESOLUTION OCM/26/016**

Moved: Cr Paul Green

Seconded: Cr Bruce Browning

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.

**CARRIED 7/0**

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

Against: Nil

## 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

**RESOLUTION OCM/26/017**

Moved: Cr Toni Smeed

Seconded: Cr Paul Green

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.

**CARRIED 7/0**

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

Against: Nil

## 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.

**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

**RESOLUTION OCM/26/018**

Moved: Cr Bruce Browning

Seconded: Cr Paul Green

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.

**CARRIED 7/0**

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

Against: Nil

**SUSPENSION OF STANDING ORDERS**

Moved: Cr Beverley Gangell

Seconded: Cr Paul Green

A motion was moved that Council suspend standing orders at 5.14pm.

**Carried**

**RESUMPTION OF STANDING ORDERS**

Moved: Cr Beverley Gangell

Seconded: Cr Paul Green

A motion was moved that Council resume standing orders at 5.20pm.

**Carried**

**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

### 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.

At 5.22 pm, Mr Vince Bugna & Ms Debra Wright left the meeting.

### MOTION

#### RESOLUTION OCM/26/019

Moved: Cr Bruce Browning

Seconded: Cr Toni Smeed

That Council:

1. Closes the meeting to members of the public in accordance with section Section 5.23 - ((4)(c)) and ((4)(d)) of the Local Government Act to consider confidential item(s) relating to the award of

a tender; and;

2. Under Section 5.23 - ((2)(b)) of the Local Government Act to consider confidential items relating to the employment of the CEO.

**CARRIED**

## **15.1 Award of RFQ 02-2025-2026 - East Hyden Bin Road - Widenings & Audible Edge & Centre Lines**

**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. Tender Evaluation Form - Bruce Wright - *Confidential*
2. Tender Evaluation Form - Tory Young - *Confidential*
3. Tender Evaluation Form - Debra Wright - *Confidential*

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

(4)(c) 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.

(4)(d) 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..

**RESOLUTION OCM/26/020**

Moved: Cr Murray James

Seconded: Cr Paul Green

That Council:

1. Endorses and approves the award of *RFQ 02-2025-2026 – East Hyden Bin Road - Widenings & Audible Edge & Centre Lines* to Fulcher Contractors for the amount of \$1,750,560.

2. Authorises the Shire to procure and deliver project materials to a total value of up to \$200,000 in support of the approved RRSP-funded project.
3. Authorises the Chief Executive Officer to prepare the necessary administrative and legal instruments to enter into a contract with Fulcher Contractors.

**CARRIED 7/0**

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

Against: Nil

## 15.2 CEO Probation Period Review and Confirmation of Appointment

### FILE NUMBER:

**DATE:** 21 March 2026

**AUTHOR:** Kent Mouritz, Shire President

**AUTHORISED OFFICER:** Bruce Wright, Chief Executive Officer

**DISCLOSURE OF INTEREST:** Author - Nil

Authoriser - The Chief Executive Officer declares an impartiality interest under the Local Government Act 1995 as the report relates to the Chief Executive Officer's probation period and confirmation of appointment. The report has been prepared by the Shire President to ensure appropriate governance separation.

**ATTACHMENTS:** 1. CEO Evaluation Panel Review Summary - *Confidential*

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

- (2)(b) 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.

### RECOMMENDATION

That Council

1. Notes the completion of the probation period for Bruce Wright, Chief Executive Officer; and
2. Confirms the appointment of Bruce Wright as the Chief Executive Officer in accordance with the terms of the employment contract.

**RESOLUTION OCM/26/021**

Moved: Cr Murray James

Seconded: Cr Paul Green

That Council

1. Notes the completion of the probation period for Bruce Wright, Chief Executive Officer; and
2. Confirms the appointment of Bruce Wright as the Chief Executive Officer in accordance with the terms of the employment contract.

**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

**MOTION**

**RESOLUTION OCM/26/022**

Moved: Cr Beverley Gangell

Seconded: Cr Toni Smeed

That Council reopens the meeting to the public.

**CARRIED**

## **16 CLOSE OF MEETING**

### **16.1 DATE OF NEXT MEETING**

To be held at 4pm at the Hyden CRC on Wednesday 22 April 2026 .

### **16.2 CLOSURE**

The Meeting closed at 5.28pm.