



# AGENDA FOR THE SPECIAL COUNCIL MEETING

15 MARCH 2023



**Special Council Meeting Notice Paper**

**15 March 2023**

A Special Meeting of Council is called for Wednesday, 15 March 2023, in the Council Chambers, Victoria Street, Mingenew, commencing at 5.00 pm. Members of the public are most welcome to attend.

Matt Fanning  
**Chief Executive Officer**  
10 March 2023

**DISCLAIMER**

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Mingenew expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

## PROCEDURE FOR PUBLIC QUESTION TIME, DEPUTATIONS, PRESENTATIONS AND PETITIONS AT COUNCIL MEETINGS

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

<p><b>Petitions</b> A formal process where members of the community present a written request to the Council.</p>	<p><b>Deputations</b> A formal process where members of the community request permission to address Council or Committee on an issue.</p>	<p><b>Presentations</b> An occasion where awards/gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the local</p>
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### PROCEDURE FOR DEPUTATIONS

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business. Any person or group wishing to be received as a deputation by the Council shall send to the CEO an application:

- I. Setting out the agenda item to which the deputation relates;
- II. Whether the deputation is supporting or opposing the officer's or Committee's recommendation; and
- III. Include sufficient detail to enable a general understanding of the purpose of the deputation.

Notice of deputations need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281192 or email [governance@mingenew.wa.gov.au](mailto:governance@mingenew.wa.gov.au) to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- I. is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- II. is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- III. additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

### PROCEDURE FOR PRESENTATION

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281102 or email [governance@mingenew.wa.gov.au](mailto:governance@mingenew.wa.gov.au) to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received / awarded by the Shire President or an appropriate Councillor.

### PROCEDURE FOR PETITIONS

Please note the following protocol for submissions of petitions. Petitions must:

- be addressed to the Shire President.

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- be made by electors of the district.
- state the request on each page of the petition.
- contain the names, addresses and signatures of the elector(s) making the request, and the date each elector signed.
- contain a summary of the reasons for the request.
- state the name and address of the person whom arranged the petition for correspondence to be delivered to, as correspondence is not sent to all the signatures on the petition.

Where a petition does not relate to or conform to the above it may be treated as an 'informal' petition and the Chief Executive Officer may at his discretion forward the petition to Council accompanied by an officer report.

### PROCEDURE FOR PUBLIC QUESTION TIME

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision-making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the Local Government Act 1995) sets aside a period of 'Public Question Time' to enable a member of the public to put up to two (2) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Shire President may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the Shire of Mingenew Standing Orders Local Law 2017:

1. Public Questions Time will be limited to fifteen (15) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to two (2) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by 5pm on the day before the meeting and be signed by the author. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

- **During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.**
- **Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.**
- **Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.**

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AGENDA FOR THE SPECIAL MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON  
15 MARCH 2023 COMMENCING AT 5.00PM

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

3.0 PUBLIC QUESTION TIME/PUBLIC STATEMENT TIME

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.0 DECLARATIONS OF INTEREST

Ms Erin Greaves disclosed an impartiality interest in Item 6.1.2 as the auditor for the Compliance Audit Return and the responsible officer for a number of the work areas audited.

6.0 RECOMMENDATION OF COMMITTEES

6.1 SHIRE OF MINGENEW AUDIT & RISK COMMITTEE

6.1.1 MINUTES OF THE AUDIT & RISK COMMITTEE MEETING HELD 7 MARCH 2023

**AUDIT & RISK COMMITTEE RECOMMENDATION - 6.1.1**

That the Minutes of the Shire of Mingenew Audit & Risk Committee Meeting held on 7 March 2023 be received.

6.1.2 SHIRE OF MINGENEW 2022 COMPLIANCE AUDIT RETURN

**AUDIT & RISK COMMITTEE RECOMMENDATION - 10.1.1**

Council:

1. Adopts the 2022 Compliance Audit Return (CAR) for the period 1 January to 31 December 2022 as presented in the Attachment Booklet; and
2. Authorises the Shire President and Chief Executive Officer to sign the certification of the CAR, and lodge it with the Department of Local Government, Sport and Cultural Industries as required.

6.1.3 INTERNAL AUDIT REPORT – BUSINESS CONTINUITY AND EMERGENCY MANAGEMENT

AUDIT & RISK COMMITTEE RECOMMENDATION - 10.1.1

Council:

1. Receives the Internal Audit Report – Business Continuity and Emergency Management and
2. Notes the officer recommendations to:
  - a) Refer this Internal Audit Report – Business Continuity and Emergency Management to the Working Group responsible for the LEMA Review to ensure:
    - compliance with the LEMC and LEMA requirements under the Emergency management Act 2005 and SEMC directives.
    - key learnings from the TC Seroja and COVID-19 pandemic are considered in the development of suitable recovery planning documentation
  - b) Ensure the Local Operational Recovery Plan is used to form the development of the Strategic Community Plan – Major Review and remains an active, working document.

## 7.0 CHIEF EXECUTIVE OFFICER

### 7.1 PROPOSED REZONING OF 18 (LOT 802) NELSON PEARSE STREET, MINGENEW

Location/Address:	18 (Lot 802) Nelson Pearse Street, Mingenew
Name of Applicant:	Cooperative Bulk Handling Limited
Disclosure of Interest:	Nil
File Reference:	A825
Date:	6 March 2023
Author:	Simon Lancaster, Planning Advisor
Senior Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Majority

#### Summary

Council is in receipt of an application from Cooperative Bulk Handling Limited ('CBH') seeking to rezone 18 (Lot 802) Nelson Pearse Street, Mingenew from 'Rural Residential' to 'Rural' Townsite' to facilitate the future development of workforce accommodation upon the property. This report recommends that Council initiate the Scheme Amendment process.

#### OFFICER RECOMMENDATION – ITEM 7.1

That Council:

- 1 Pursuant to Part 5 of the *Planning and Development Act 2005* amend the Shire of Mingenew Local Planning Scheme No.4 by:
  - (a) Rezoning 18 (Lot 802) Nelson Pearse Street, Mingenew from the 'Rural Residential' zone to the 'Rural Townsite' zone; &
  - (b) Modifying the Scheme Map accordingly.
- 2 Advise the Western Australian Planning Commission that it considers the rezoning application to be a standard Scheme Amendment.
- 3 Advise the applicant that Council will require a geotechnical report to be prepared as part of CBH's ongoing investigations into its proposed workforce accommodation project and the associated management of wastewater, with Council having a preference that an aerated wastewater system be installed on-site that enables irrigation to assist screening landscaping rather than leach drains, and recommends that discussions be held with the Department of Health in this regard.

#### Attachments

Attachment 7.1 – Rezoning application

#### Background

Lot 802 is a 1.1108ha rectangular property at the western end of the Mingenew townsite purchased by CBH on 9 February 2023.

The property has a 77.41m frontage along its northern boundary to Midlands Road, a 148.47m frontage to Nelson Pearse Street along its eastern boundary and a 75.08m frontage to an unnamed gravel road along its southern boundary.

The property slopes downward towards Midlands Road and is largely cleared with a residence and associated sheds clustered in its south-eastern corner.



Figure 7.1(a) – Location Map for 18 (Lot 802) Nelson Pearse Street, Mingenew



Figure 7.1(b) – Aerial Photo of 18 (Lot 802) Nelson Pearse Street, Mingenew



CBH are proposing to demolish the existing buildings upon Lot 802 and develop the site for workforce accommodation to service its Mingenew grain handling and storage facility 1.5km to the east.

Currently Lot 802 is zoned 'Rural Residential' and 'Workforce Accommodation' is listed as an 'X' (i.e. not permitted) land use in this zone. CBH are therefore seeking to rezone the land to 'Rural Townsite' which lists 'Workforce Accommodation' as an 'A' (i.e. a use that must be advertised prior to determination) to enable future consideration of the site for planning approval for a workforce accommodation development.

**Comment**

It is important to note that the matter before Council relates to the proposed rezoning of Lot 802 only and not the planning approval of the development. The applicant has provided a concept plan of how the workforce accommodation might be developed on-ground to accompany their rezoning application. However, this is not the finalised layout and Council may wish to provide some preliminary feedback to CBH on the scale, design and servicing to inform their ongoing project planning.

Figure 7.1(c) – Workforce Accommodation Concept Plan

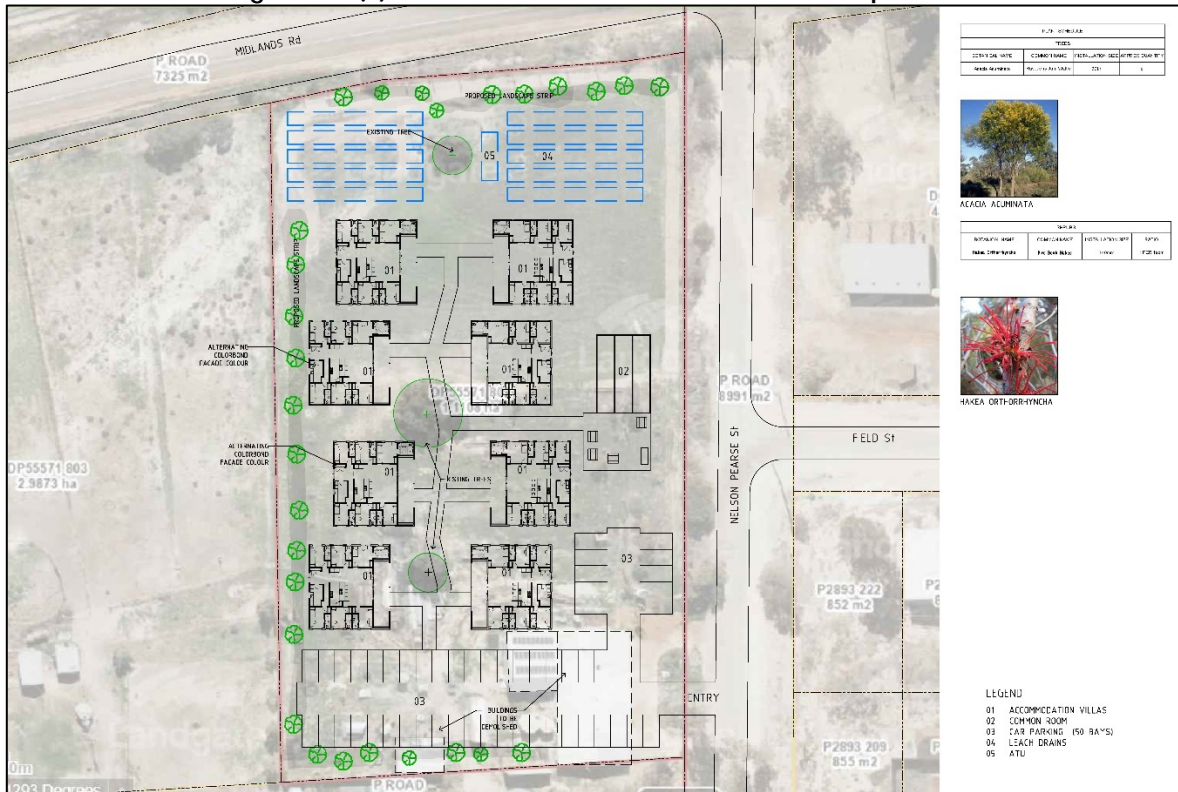
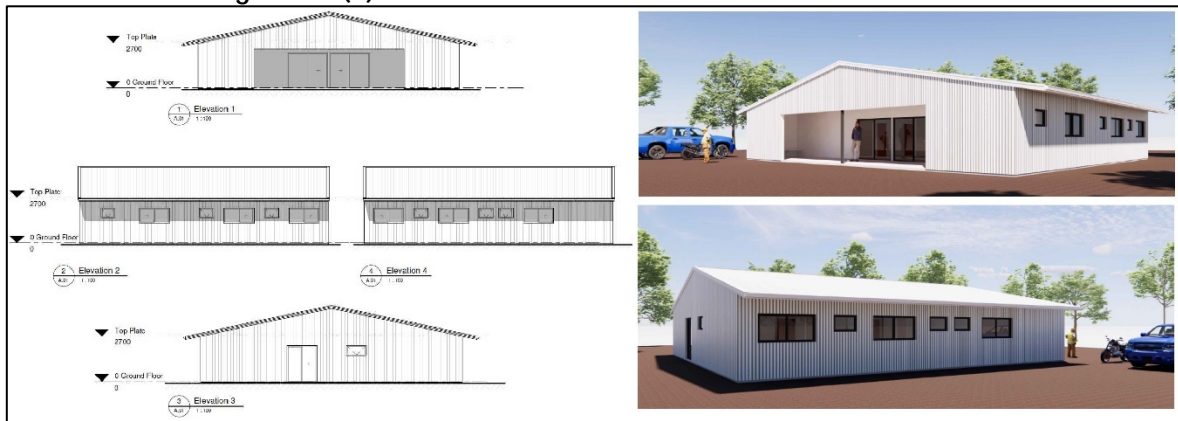


Figure 7.1(d) – Workforce Accommodation Elevation Plans



It is also important to note that the matter before Council is the initiation stage of the rezoning process, and in the event that Council adopts the staff recommendation the applicant must then prepare the formal Scheme Amendment documentation. The documentation must then be forwarded by the Shire to the Environmental Protection Authority ('EPA') for its consideration and subsequent to that the Western Australian Planning Commission (WAPC) seeking its consent to advertise the rezoning application as a standard scheme amendment. Should both of these agencies requirements be met the Shire must then advertise the application for a minimum period of 42 days to surrounding landowners and relevant government agencies. The outcomes of the advertising period are then returned to a future meeting of Council for consideration, and the Council determination in relation to the rezoning (support/support subject to modification/refuse) must then be forwarded to the Minister for Planning for final determination.

Were the rezoning application to be approved by the Minister and Lot 802 rezoned to 'Rural Townsite' CBH could then lodge a planning application with the Shire for workforce accommodation. Given that this land use

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must be advertised, the application (inclusive of a finalised layout) would then be made available for surrounding landowners and relevant government agencies for comment prior to being presented to Council.

It should therefore be noted that initiation of the rezoning of Lot 802 at the March meeting would not mean Council would be making determination on the workforce accommodation development layout as presented but would be commencing the rezoning process, and this overall matter will be required to be returned to Council for consideration on, at minimum, two further occasions (post-rezoning application-advertising and post-planning application-advertising) at which time Council can still make further comment and set conditions pertaining to the specifics of the development layout and design (e.g. visual appearance, landscaping, access standards, contribution or upgrade to road network, servicing, bushfire and stormwater management etc.).

Equally, however, it should be understood that the initiation of a Scheme Amendment does commence a process in which the Minister for Planning has the final determination on the land's rezoning and not Council. Therefore if Council has an issue with the overall direction of the proposal (i.e. to enable consideration of Lot 802 for future workforce accommodation) rather than more specific issues relating to the future design and layout of workforce accommodation then it should not proceed with the rezoning initiation.

The submitted supporting correspondence from CBH's appointed consultant, including concept plans, Transport Impact Statement and Engineering Servicing Report has been provided as **separate Attachment 7.1.1**.

The concept plan illustrates a future potential development of 48 accommodation units, clustered into 8 blocks (consisting of 6 accommodation units) with a single common room area across the central portion of Lot 802 connected by a walking path. A car parking bay would be provided for each unit at the southern end of Lot 802 and vehicle access would be onto Nelson Pearse Street and not Midlands Road.

Wastewater from the facility is proposed to be serviced by an aerobic treatment unit with leach drains at the northern end/lowest point of Lot 802.

It is considered that a geotechnical report should be prepared as part of CBH's ongoing investigations into its project and the associated management of wastewater to demonstrate site capability. Initial advice from the Shire's Environmental Health Officer is that leach drains are unlikely to be suitable and the Shire may wish to state up-front its preference that an aerated wastewater system be installed that enables irrigation to assist screening landscaping rather than leach drains. However, it is not considered that the geotechnical report (or a bushfire management plan or stormwater management report or landscaping plan) should be required to be produced at this rezoning initiation stage. Instead it would be more appropriate for these to be prepared and submitted to Council for consideration as part of the later planning application stage when the workforce accommodation scale, design, layout and servicing is more certain and these supporting reports can be suitably detailed.

The workforce accommodation would generally be expected to have peak capacity during the October-January harvest period. At such times the traffic movements might be estimated at 48 outward bound vehicle trips between 5:30am-6:00am and 48 inward bound trip between 5:30pm-6:00pm although it would be more likely this figure would be less as workers car-pool.

### Consultation

Should Council support this rezoning application then it is required to forward a copy of the Scheme Amendment documentation to the EPA for its assessment as per Section 81 of the *Planning & Development Act 2005*. Should the EPA advise that the proposed rezoning does not warrant assessment under Part IV Division 3 of the *Environmental Protection Act 1986* then the Shire would forward a copy of the Scheme Amendment documentation to the WAPC seeking its consent to advertise the rezoning application as a standard scheme amendment.

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Were Council to initiate the rezoning, and the WAPC to grant consent to advertise the application as a standard scheme amendment, then the Shire would undertake the following actions of consultation, inviting comments and responses within a 42 day advertising period:

- erect a public notification sign upon the site;
- place a notice within a locally circulating newspaper;
- place a copy of the Scheme Amendment documentation on the Shire website;
- place a copy of the Scheme Amendment documentation in the Shire office/library for public viewing;
- write directly to all surrounding landowners &
- write directly to all relevant government agencies and service authorities.

At the completion of the advertising period all received submissions must be presented for Council's consideration, and should the Scheme Amendment be given final approval at this point by Council then the rezoning documents would be forwarded to the WAPC seeking final assessment and approval of the Minister for Planning.

### Statutory Environment

Part 5 of the *Planning & Development Act 2005* provides for the amendment of a Scheme.

Lot 802 is zoned 'Rural Residential' under the Shire of Mingenew Local Planning Scheme No 4 ('the Scheme') the objectives for this zone are identified under Scheme Clause 16 as:

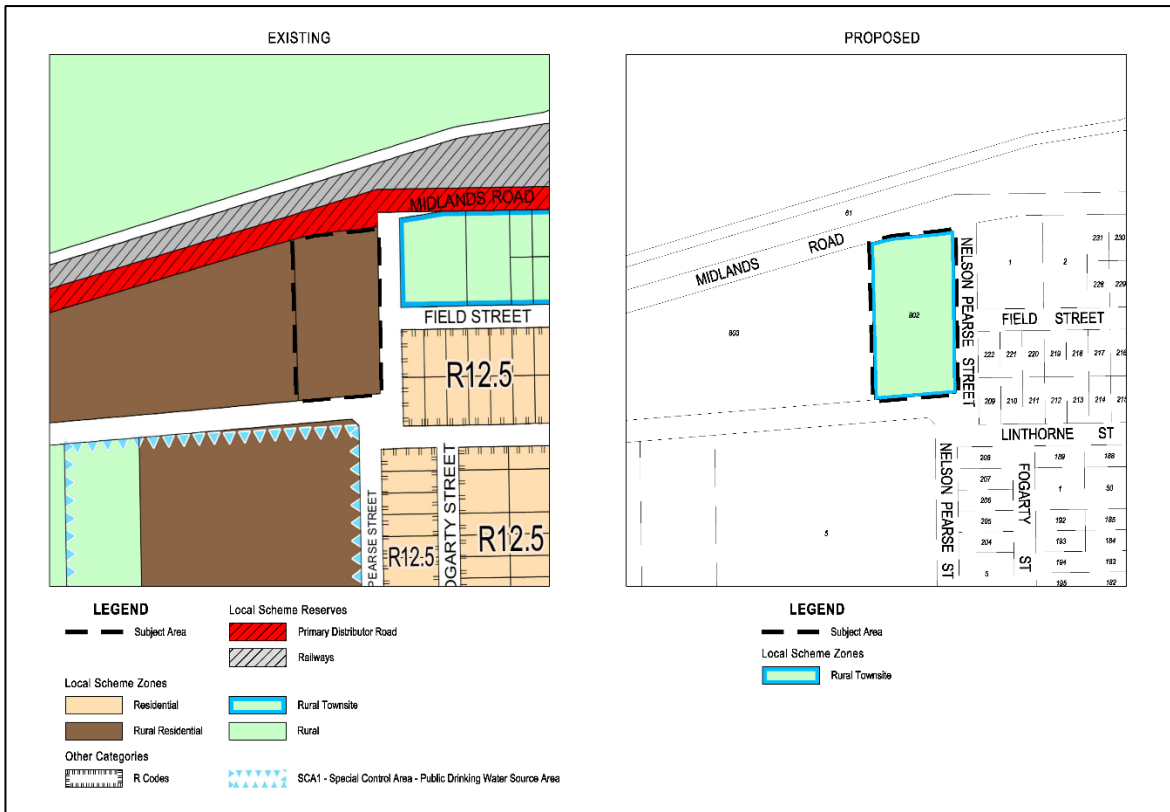
- “● *To provide for appropriately developed lots within proximity to the Mingenew Townsite for rural residential lifestyle purposes.*
- *To provide for lot sizes in the range of 1 ha to 4 ha.*
- *To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.*
- *To set aside areas for the retention of vegetation and landform or other features which distinguish the land.”*

The application proposes to rezone Lot 802 to 'Rural Townsite' and the objectives for this zone are identified under Scheme Clause 16 as:

- “● *To provide for a range of land uses that would typically be found in a small country town.*
- *To provide for the variety of predominantly commercial, service, social and administrative uses required to service the needs of local residents and visitors alike.”*

**Figure 7.1(e) – Proposed Rezoning Map for 18 (Lot 802) Nelson Pearse Street, Mingenew**

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The future proposed development of the site would meet the definition of 'Workforce Accommodation' which is classified as an 'X' use (i.e. not permitted) within the 'Rural Residential' zone and an 'A' use in the 'Rural Townsite' zone which is a use that must be advertised for comment prior to consideration.

'Workforce Accommodation' is defined under the Scheme and Schedule 1 Part 6 Clause 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as follows:

- "workforce accommodation means premises, which may include modular or relocatable buildings, used —*
- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
  - (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors."*

Section 9 – Aims of the Scheme notes the following:

- "The aims of this Scheme are...*
- (a) to preserve, protect and enhance the amenity and character of Mingenew Townsite, and areas of cultural, heritage and natural and biodiversity significance across the Shire;...*
  - ...(c) to provide for a range of accommodation and lifestyle choices that meet the needs and aspirations of the community;...*
  - ...(g) ensuring that mining-related land uses and developments such as workforce accommodation are developed within existing townsites where appropriate."*

Schedule 1 Clause 1 of the Scheme notes the following in relation to the 'Rural Townsite':

- "1 All development within the Rural Townsite zone shall be designed and constructed from materials that complement the existing character and amenity of the townsite as determined by the local government or as outlined in any local government policy.*

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- 2 *All residential development within the Rural Townsite zone shall comply with the relevant provisions of the R-Codes to a maximum density of R12.5.*
- 3 *Where non-residential development is proposed in the Rural Townsite zone on or adjacent to land with an existing residential development, the local government shall have regard to the following when assessing an application for development approval:*
  - (a) *the bulk, scale and height of the proposed building in relation to adjacent buildings;*
  - (b) *the location of access ways, car parking, storage areas and waste disposal facilities;*
  - (c) *the location of services including power, water and effluent disposal systems; and*
  - (d) *the interface between non-residential and residential uses in accordance with State policy and other guidelines."*

Schedule 1 Clause 11 of the Scheme notes the following in relation to the issue of 'Workforce Accommodation':

- "The local government may only grant development approval for Workforce Accommodation where –*
- (a) *it is satisfied that the Workforce Accommodation can be adequately serviced with water, power and effluent disposal;*
  - (b) *an operation is proposed and not yet operational, it can be adequately demonstrated that the operation will proceed prior to the approval for permanent Workforce Accommodation being issued;*
  - (c) *a management plan is prepared and submitted with the development application that outlines how the Workforce accommodation will be decommissioned should it no longer be required; and*
  - (d) *proposed within the Residential and Rural Townsite zones it is to be setback from boundaries in accordance with Part 5 of the R-Codes Volume 1 to the satisfaction of the local government."*

Schedule 2 Part 9 Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters to be considered by local government in considering a development application (noting this matter is at the rezoning application stage and not the development application stage, however, the below does provide some guiding principles in regards to assessment of this matter):

- "(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;...*
- (e) any policy of the Commission;...*
- (fa) any local planning strategy for this Scheme endorsed by the Commission;...*
- ...(m) the compatibility of the development with its setting, including –*
  - (i) the compatibility of the development with the desired future character of its setting; and*
  - (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
  - (i) environmental impacts of the development;*
  - (ii) the character of the locality;*
  - (iii) social impacts of the development;*
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*

- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslide, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) *the adequacy of —*
  - (i) *the proposed means of access to and egress from the site; and*
  - (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;...*
- ... (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate."*

### **Policy Implications**

The WAPC's 'Workforce Accommodation Position Statement' provides guidance in relation to the assessment of this application and notes that under the *Planning and Development Act 2005* planning decision-makers can:

Control	Not control
1) Where a planning application is required, the terms of an approval related to: <ul style="list-style-type: none"> <li>(a) timeframe</li> <li>(b) setbacks</li> <li>(c) landscaping</li> <li>(d) parking and access</li> <li>(e) location &amp; appearance of buildings</li> <li>(f) integration with surrounding areas</li> <li>(g) any other land use planning matters relevant to the site.</li> </ul> 2) Where a planning application is required, the ability to approve/refuse a proposal considering local planning scheme requirements.	1) Any matters specified by a State Agreement Act. 2) The issuing of a mining tenement made under the <i>Mining Act 1978</i> – which can include a general purpose lease for 'any other purpose directly connected with mining operations' (may be located in a townsite). 3) That workforce accommodation needs to be met by permanent accommodation rather than 'camps'. 4) That workforce accommodation be located in a town rather than a mine- site. 5) Whether the land for workforce accommodation is owned by the Crown or held in fee simple. 6) Requirements for 'community contributions' by workforce accommodation proponents. 7) Requirements for workforce accommodation to achieve 'legacy benefits'.

A copy of the WAPC Position Statement can be viewed at the following link:

[https://www.wa.gov.au/system/files/2021-07/POS-Position-Statement\\_Workforce\\_Accommodation.pdf](https://www.wa.gov.au/system/files/2021-07/POS-Position-Statement_Workforce_Accommodation.pdf)

### **Financial Implications**

At a later planning application stage should Council consider that the applicant's operations will have an impact on the condition of the local road network, it would be reasonable that an upgrade, or contribution to upgrade, be required of the applicant to avoid financial burden on the Shire, and ensure the applicant provides contribution commensurate with additional wear imposed by traffic movements associated with their operations.

### **Strategic Implications**

Section 6.12.2 of the Shire of Mingenew Townsite Local Planning Strategy notes the following:

*"6.12.2 Key Workers Accommodation*

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*The existing housing stock does not cater for key workers in the town, as large houses on large blocks are not always desirable for singles or couples. A lack of diversity in housing could also be a factor if a mining or other major project develops. Recent funding opportunities have provided four new Key Worker accommodation units however, the Shire will need to investigate additional funding to increase Key Worker housing options.*

*Much like for aged persons, it is difficult to provide smaller, higher density accommodation options given the lack of reticulated sewerage, however this could also be achieved with innovative methods of effluent disposal to be developed in consultation with the Department of Health."*

The Shire of Mingenew Strategic Community Plan lists the following of relevance:

*"What our regional community said*

*Mingenew has comparative advantage in Agriculture, and is not necessarily utilising all its assets:*

- *Mingenew has the onshore largest grain receival facility in the southern hemisphere and hasn't been able to leverage this asset (noting that a strong relationship with CBH is critical to achieving this). Identify value adding opportunities for agriculture, particularly in relation to this asset."*  
(page 11)



## 7.2 RFT 2 2022/23 – YANDANOOKA NORTH EAST RD INTERSECTION CONSTRUCTION

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** FM.TEN.21.22  
**Date:** 3 March 2023  
**Author:** Matt Fanning, CEO  
**Voting Requirement:** Absolute Majority

### Summary

Following the withdrawal of the Dean Contracting from RFT1 2021/22 for the construction of the Yandanooka North East Road Intersection and Road Realignment, Council went back to the market and re-sought tenders for these works. This resulted in the Council resolving not to accept any tenders as they were considered not to represent value for money.

Council has sought tender exempt offers and has secured an offer from Doongurra Civil Mining which fits within the current budget and is considered value for money. It is recommended that the Council proceed with this offer to complete the project.

### Key Points

- Council in February resolved not to accept any tenders
- Other market responses were sought in an attempt to receive value for money
- Preferred contractors offer is within the current approved budget.

### **OFFICER RECOMMENDATION – ITEM 7.2**

#### **Council:**

- a) In accordance with the *Local Government (Functions and General) Regulations 1996* Regulation 18, accepts the tender exempt offer from Doongurra Civil Mining as the preferred tenderer and authorises the Chief Executive Officer to successfully negotiate a contract for the delivery of the Yandanooka North East Road Intersection and Road Realignment project; and**
- b) Delegates to the CEO, in accordance with s.5.42(1) of the *Local Government Act 1995*, by Absolute Majority, authority to negotiate minor variations to the contract for RFT 2 2021/22 Yandanooka North East Road Intersection Construction before and/or after its execution in accordance Regulations 20 and 21A of the *Local Government (Functions and General) Regulations 1996*.**

### Attachment

7.2.1 Request for Tender Documentation

7.2.2 *Confidential – Evaluation Report and Pricing Schedule circulated as a separate confidential attachment as per s.5.23(2)(e)(ii)(iii)*

### Background

The Shire has been working with Main Roads WA to progress funding and design for the Yandanooka North East Road Intersection for several years. This tender will see the construction works take place and the overall project completed.

Council at its February 2023 Ordinary Council Meeting resolved as below to not accept any of the received tenders.

**ALTERNATIVE MOTION AND COUNCIL DECISION – ITEM 11.3 – RESOLUTION# 05150223**

**MOVED: Cr JD Bagley**

**SECONDED: Cr HR McTaggart**

**Council**

- 1. Notes the Evaluation Matrix, as included in Confidential Attachment 11.3.1,**
- 2. In accordance with the *Local Government (Functions and General) Regulations 1996 Regulation 18, resolves to not accept any tenders as they are in excess of the project budget.***

**VOTING REQUIREMENTS:**

**CARRIED BY ABSOLUTE MAJORITY 6/0**

An offer was then sought from First Nation company Doongurra Civil Mining which resulted in an offer which meets the current budget.

Doongurra Civil Mining have significant experience in road construction and I am confident with their capability to perform these works on time and budget.

**Comment**

The Qualitative Criteria was approved prior to the advertisement of the RFT. Each Criterion was given the following weightings and included within the RFT document.

Criteria		Weighting
(a)	Relevant Company Experience and Performance	15%
(b)	Technical Skills and Key Personnel	5%
(c)	Resources / Plant / Equipment	5%
(d)	Demonstrated Understanding	5%
(e)	Price	70%

**Consultation**

- Main Roads WA
- GHD

**Statutory Environment**

The Local Government Act 1995 at S3.57(1) (tenders for providing goods or services) requires that in certain circumstances, a local government is to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

The Local Government (Functions and General) Regulations 1996 at Regulation 11A (when tenders have to be publicly invited) clarifies that tenders are to be publicly invited if the consideration under the contract is, or is expected to be, more, or worth more, than \$250,000.

**Regulation 18 – Rejecting and accepting tenders**

***18. Rejecting and accepting tenders***

- (4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.*

**Policy Implications**

Council has proceeded with a tender exempt process following the unsuccessful open tender process as reported to the February Ordinary Council meeting which permits the council to obtain offers without public notification.

**Financial Implications**

A total of \$991,500 was included in the FY22/23 budget for this work following an increase from Main Roads WA to meet the previous preferred tender amount. The current budget comprises the following allocations:

MRWA (Blackspot) - \$562,320 of an original \$642,320 of which \$80,000 has been claimed and spent.  
Roads 2 Recovery (R2R) - \$204,556  
Shire Municipal Funds - \$200,881 of an original \$224,624

**Total Project Budget Remaining \$967,757**

The estimate project expenditure to deliver the works is as follows:

RFT2 2022/23 exempt offer – Preferred Tender sum	~ \$786,252.65
Project management fees	~ \$ 40,000.00
Legals and land (road) registration	~ \$ 5,000.00
Contingency	~\$ 50,000.00
<b>Total estimated project costs</b>	<b>~ \$881,252.65</b>

As can be seen there is an **\$86,504.35** funding additional contingency in accepting the preferred offer.

**Strategic Implications**

Strategic Community Plan 2019-2029:

1.1.1 Provide and support cost effective transport networks

### 7.3 METHOD FOR CONDUCTING THE LOCAL GOVERNMENT ORDINARY ELECTIONS 2023

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	GV.ELE.1
Date:	3 March 2023
Author:	Erin Greaves, Governance & Community Manager
Authorising Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Majority

#### Summary

To consider whether the WA Electoral Commissioner is to conduct the 2023 Local Government Ordinary Election in light of reform changes around the introduction of optional preferential voting.

#### Key Points

- Local governments have been requested to give early notice (in March) as to whether Council is to declare the WA Electoral Commissioner responsible for conducting the local government election in 2023
- The WA Electoral Commissioner has given pre-emptive agreement to conduct the election on the Shire's behalf and submitted a cost estimate
- The Minister for Local Government and WALGA are encouraging local governments to consider appointing the WA Electoral Commissioner to conduct the election due to anticipated additional responsibilities and the complexity of the reform changes, with the introduction of optional preferential voting
- A postal election must be conducted by the Electoral Commissioner
- Typically, the Shire of Mingenew has conducted the elections as in-person elections, with the CEO the appointed Returning Officer

#### OFFICER RECOMMENDATION – ITEM 7.3

##### OPTION 1

Council resolves that the method for conducting the 2023 Local Government Election will be a voting in-person election, in accordance with section 4.61(2) of the *Local Government Act 1995*.

##### OPTION2

Council:

1. Declares, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls which may be required.
2. Decides, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

#### Attachment

- 6.2.1 Memorandum from the Minister –October 2023 ordinary elections
- 6.2.2 WAEC Cost estimate to conduct 2023 Elections

#### Background

The Minister for Local Government is progressing a range of Local Government Act legislative reform initiatives related to the conduct of elections, notably the introduction of optional preferential voting to replace the first past the post system. Legislation will be in place for the conduct of the 2023 elections, with optional preferential voting likely to significantly increase the complexity of the election count.

This report is provided to assist Council in its consideration of the method of conducting the October 2023 election and includes the proposal that the Local Government adopt the postal voting method.

## MINGENEW SHIRE COUNCIL SPECIAL MEETING AGENDA – 15 March 2023

In accordance with section 4.7 of the *Local Government Act 1995* (Act), the next ordinary Local Government election is scheduled for Saturday, 21 October 2023.

### Comment

One of the benefits of the WAEC conducting the elections is that the process and the Returning Officer are largely independent of the Shire. This separation may improve the community's perception and confidence in the election process. In addition, postal voting is more convenient for Electors and typically achieves a higher rate of voter participation. If the Shire was to conduct the Local Government Elections themselves without engaging the services of the WAEC, it may have a considerable impact on the Shire's financial and staff resources, and adversely affect service delivery given officer time and other workload commitments.

Postal elections encourage greater voter participation and are generally considered to be more representative of the community. Conducting voting in-person elections presents a number of challenges, particularly on account of the role of the Chief Executive Officer who is also the Returning Officer. The requirements and expectations placed on the Chief Executive Officer when taking on this dual role can be both contentious and time consuming. In addition to dealing with complaints received during the election period, the dual role can lead to an unwelcome perception of conflict of interest and bias from the community. It is the prerogative of Council to decide whether to conduct elections by postal vote and to make a declaration that the elections are to be conducted by the WAEC.

The benefit of the Shire conducting the Election in-person is that financial costs are reduced. Given the Shire has not run an Election past the nomination process since the ordinary election in 2019 due to lack of nominees, it is possible that the burden of the new preferential voting system will not occur. Since the 2019 ordinary election, there has been one other ordinary election (in 2021) and three extraordinary elections, plus a direct Council nomination.

The Western Australian Electoral Commissioner (WAEC) has responded to a written request for a cost estimate to conduct the October 2023 election as a postal election. The WAEC estimates the cost of \$12,000, including GST, based on the following assumptions:

- a) 305 electors
- b) A response rate of approximately 50%
- c) 4 vacancies
- d) The count to be conducted at the offices of the Shire of Mingenew
- e) Appointment of a local Returning Officer
- f) Regular Australia Post deliver service to apply for the lodgement of the election packages.

An additional amount of \$75 will be incurred if Council decides to opt for the Australia Post Priority Service for the lodgement of election packages.

It should be noted that the Commission is required to conduct the elections on a full cost recovery basis and that this is an estimate only and actual costs may vary depending on a range of factors.

Following the close of nominations, should there be the same amount of nominees than positions vacant, and nominees are elected unopposed, the cost estimate will reduce to around \$6,000. This information was obtained through a specific enquiry to the WAEC.

If insufficient nominations are received for positions vacant, the Shire will need to conduct an Extraordinary Election to fill the remaining positions which will incur further costs.

The cost estimates do not include expenses for election functions that remain the responsibility of the Local Government, including the appointment of Deputy Returning Officer and an appropriate number of additional Local Government election officers to assist with the election process.

## MINGENEW SHIRE COUNCIL SPECIAL MEETING AGENDA – 15 March 2023

Council has historically elected to conduct the Local Government Elections (both ordinary and extraordinary) as voting in-person elections (run internally by the local government with the CEO as the Returning Officer).

To gain an understanding of resourcing requirements throughout the Election process, responsibilities for conducting the election (in-house as an in-person election) include:

- Handling general enquiries
- Reviewing role eligibility / assessing applications and managing registers
- Preparing declarations and delegations
- Preparing and publishing statutory notices
- Preparing nomination packages and handling nominations
- Preparation of and reviewing accuracy of electoral rolls
- Managing the electoral gift register
- Ordering supplies for use on election day i.e. forms, seals and other materials
- Training of staff on CountWA program
- Preparing ballot papers
- Managing voting prior to election day (absent and early voting)
- Setup and managing voting on election day
- Conducting the count
- Establishing a complaints system
- Reporting of election outcomes
- Managing and storing records

### Consultation

Western Australian Electoral Commission (WAEC)

Western Australian Local Government Association (WALGA)

### Statutory Environment

Local Government Act 1995

#### **4.20. CEO to be returning officer unless other arrangements made**

- (1) *Subject to this section the CEO is the returning officer of a local government for each election.*
- (2) *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint\* a person other than the CEO to be the returning officer of the local government for —*
  - (a) *an election; or*
  - (b) *all elections held while the appointment of the person subsists.*

*\* Absolute majority required.*

- (3) *An appointment under subsection (2) —*
  - (a) *is to specify the term of the person's appointment; and*
  - (b) *has no effect if it is made after the 80th day before an election day.*
- (4) *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare\* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

*\* Absolute majority required.*

- (5) *A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (6) *A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.*

#### **4.61. Choice of methods of conducting election**

- (1) *The election can be conducted as a —*

## MINGENEW SHIRE COUNCIL SPECIAL MEETING AGENDA – 15 March 2023

**postal election** which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

**voting in person election** which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

(2) The local government may decide\* to conduct the election as a postal election.

\* Absolute majority required.

### Policy Implications

Nil.

### Financial Implications

Council will be required to make a budget provision for 2023/24. An estimate of costs is outlined below, based on the two options proposed for conducting the Election:

#### Option 1 – in-person election conducted by the Shire

<b>Election Activity / Expense</b>	<b>Cost Estimate</b>
Staff Wages (if proceeding to Election)*	\$4,500
Staff Wages (if nominees elected unopposed)*	\$2,500
CountWA software and training	**awaiting advice
Statutory Advertising	\$1,500
Electoral supplies	\$100
<b>TOTAL COST ESTIMATE</b>	<b>\$4,100 – \$6,100</b>

\*does not factor in cost to organisation for diversion of duties or CEO time as Returning Officer

#### Option 2 – postal election conducted by the WA Electoral Commission

<b>Election Activity / Expense</b>	<b>Cost Estimate</b>
WA Electoral Commission (if proceeding to Election)	\$12,000
WA Electoral Commission (if nominees elected unopposed)	\$6,000
Statutory Advertising	\$1,500
Additional staff for Election Day (if applicable)	\$600
<b>TOTAL COST ESTIMATE</b>	<b>\$7,500 – \$14,100</b>

### Strategic Implications

Strategic Community Plan 2019-2029:

1.2.2 Enhance open and trusting communication between Council and the community, and deliver high quality services in partnership with external stakeholders.

1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner.

## 7.4 ALGA NATIONAL GENERAL ASSEMBLY – CALL FOR MOTIONS

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	GR.FED.1
Date:	9 March 2023
Author:	Erin Greaves, Governance & Community Manager
Authorising Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Majority

### Summary

To consider any motions for submission to the Australian Local Government Association (ALGA) National General Assembly of Local Government (NGA) that outline ideas for new Federal programs and policies that support Councils to build stronger communities.

### Key Points

- The NGA is to be held in Canberra 13-15 June 2023 and the theme is “Our Communities, Our Future”
- Local governments are being encouraged to put forward motions that:
  1. Focus on practical and deliverable programs and policies that the Australia Government can support and work directly with the Local Government sector to build our communities; or
  2. New program ideas that would help the Local Government sector to deliver national objectives
- Motions are to be submitted by Friday, 24 March 2023
- A council representative is expected to attend to present and speak for the motion/s

### OFFICER RECOMMENDATION – ITEM 7.4

Council resolves to submit no motions to the ALGA National Assembly.

### Attachment

7.4.1 2023 NGA Discussion Paper and Call for Motions

### Background

*“ALGA was established in 1947, and its structure is a federation of member state and territory local government associations.*

*Its mission is to champion and strengthen Australian councils by representing the agreed position of ALGA members, the seven local government associations from around Australia, who represent 537 Australian councils.*

*In 1994, the ALGA Board, in consultation with its member associations, established the NGA as a unique forum to engage with councils directly at the national level.*

*The purpose of the NGA was to build the profile of local government on the national stage and demonstrate to the Australian Government the strength and value of working with local government nationally.*

*As part of the NGA, debate on motions was introduced as a vehicle for councils from across the nation to canvas ideas, and solutions to the challenges facing Australia’s councils and communities.*

*Outcomes of debate on motions (NGA Resolutions) could then be used by participating councils to inform their own policies and priorities, as well as their own advocacy to the Federal Government and Federal MPs.*



*At the same time, they assist ALGA, and its member state and territory associations to gain valuable insight into council priorities, emerging national issues, and gauge the level of need and support for emerging policy and program initiatives and advocacy."*

### Comment

Full details of the National General Assembly meeting and Regional Forum can be found at <https://conferenceco.eventsair.com/nga23/>.

Whilst no motions have been posed in the recommendation, it is open to Councillors to submit any proposed motions for discussion at the meeting.

A notice of motion to this year's NGA should either:

- Focus on practical and deliverable programs and policies that the Australia Government can support and work directly with the Local Government sector to build our communities; or
- New program ideas that would help the Local Government sector to deliver national objectives

There are also eight priority areas identified that motions should focus on:

- Productivity;
- Local Government Infrastructure;
- Community Wellbeing;
- Local Government Workforce;
- Data, Digital Technology and Cyber Security;
- Climate Change and Renewable Energy;
- Natural Disasters; and
- Housing.

Further detail is provided within the Discussion Paper on these focus areas.

The Shire and community have identified that resourcing capacity to respond effectively to challenges around housing, employment and skills shortages, road and community infrastructure improvement and natural disaster recovery therefore, this may be an opportunity for Council to advocate for support and change at a federal level.

Motions need to be concise, practical and able to be implemented and meet the set criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome i.e. call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally

## MINGENEW SHIRE COUNCIL SPECIAL MEETING AGENDA – 15 March 2023

Any motions need to be lodged by Friday, 24 March 2023.

WALGA have also requested they receive a copy of any motions submitted.

There is an expectation that a council representative is present at the NGA to move and speak to the motion if required. Therefore, if any motions are submitted, Council should nominate a representative to attend.

The Council representative will be entitled to reimbursement of reasonable travel, accommodation and meal expenses that are incurred.

Should Council elect to submit any motions and have a representative attend the Council motion should outline:

That Council:

1. Submits the following motion/s to the Australian Local Government Association (ALGA) National General Assembly:
2. Nominates \_\_\_\_\_ to attend the ALGA National General Assembly and Regional Forum as Council's representative.
3. Provides a copy of the motions to WALGA.

### **Statutory Environment**

Local Government Act 1995

### **Policy Implications**

Council Policy 1.1.1 Elected Member Entitlements

#### *Attendance at Conferences and Training within Australia*

- a) Council will determine, as part of the annual budgetary process, the Annual Conference and Training budget, which is to be in addition to costs associated with attendance at the annual West Australian Local Government Convention.*
- b) All fees associated with a training event or conference, including travel, meals and accommodation expenses and course fees etc will be covered by the Shire, to the extent listed in clause 2.3. Supporting evidence must be provided.*
- c) Travel for any prescribed meeting (as prescribed in 30(3A) of the LG Regulations) or community consultation will be reimbursed by the Shire providing sufficient evidence is submitted.*

The Policy also outlines that the circumstances for reimbursement are to be in accordance with the relevant gazetted Salaries and Allowances Tribunal – Local Government Chief Executive Officers and Elected Members Determination.

### **Financial Implications**

Should a Council representative attend the NGA, the Shire will make arrangements for attendance at the costs and the necessary travel, meal and accommodation costs or reimbursement may be sought from the representative.

It is estimated the cost of one person to attend will be around \$3,500 for attendance at the Assembly, flights, accommodation and meals (dependent on length of stay).

The cost will need to be reflected in the 2023/24 Budget.

### **Strategic Implications**

Strategic Community Plan 2019-2029:

MINGENEW SHIRE COUNCIL SPECIAL MEETING AGENDA – 15 March 2023

- 1.2.2 Enhance open and trusting communication between Council and the community, and deliver high quality services in partnership with external stakeholders.

**8.0 FINANCE**

**8.1 BUDGET REVIEW – 2022/23**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** FM.BUD.22.23  
**Attachment/s:** Budget Review  
**Disclosure of Interest:** Nil  
**Date:** 9 March 2023  
**Author:** Jeremy Clapham, Finance & Administration Manager  
**Approved by:** Matt Fanning, CEO  
**Voting Requirement:** Absolute Majority

**Summary**

Council is requested to review and adopt the documentation tabled for the 2022/23 Budget Review.

**OFFICER RECOMMENDATION – ITEM 8.1**

**Council, by Absolute Majority:**

- 1. Adopts the 2022/23 Budget Review as tabled; and**
- 2. Authorises administration staff make the required budget amendments within the Chart of Accounts to reflect those changes proposed in 'Note 4' within the 2022/23 Budget Review document.**

**Attachment**

8.1.1 2022/23 Budget Review

**Background**

Regulation 33A of the Local Government (Financial Management) Regulation 1996 requires Council to conduct a review of its budget between 1 January and 31 March in each financial year. The Regulation requires that the results be submitted to Council to determine whether to adopt the review and recommendations made. Within 30 days of the review a copy of the review and determination is to be provided to the Department of Local Government, Sport and Cultural Industries.

**Comment**

The attached budget review is to comply with the Shire's statutory obligations.

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

This report provides information by Nature and Type, and is based on the eight month period from 1 July 2022 to 28 February 2023.

The budget review reflects a view of the position of the Shire of Mingenew, projected full year revenue and expenditure against full year original budget.

The initial budget for 2022/23 was prepared as a balanced budget, with \$0 as the closing funding surplus. During the period 1 July 2022 to 31 January 2023 there have been approved budget amendments totalling \$57,546, resulting in the estimated closing funding surplus of \$57,546 as at 30 June 2023 before the budget review.

## MINGENEW SHIRE COUNCIL SPECIAL MEETING AGENDA – 15 March 2023

There are a number of capital projects (together with the associated external funding) that are either not proceeding or are being carried forward to future years. The budget review has taken these adjustments into account, together with any other material adjustments that are required to be made.

The following material adjustments have been taken into account:

- The child care centre project has been carried forward to 2023/24.
- The tennis clubhouse project has been carried forward to 2023/24.
- The Yarragadee Bridge upgrade has been carried forward to 2023/24 (although some work may begin before the end of June 2023, it is not expected that any funds will need to be paid this financial year).
- The purchase of the new small fire truck was more than budgeted for (there is a nil cash effect as it is fully funded by DFES).
- The upgrade of the Shire's computer software systems from SynergySoft to Altus needs to be shown as capital and not as operating expenditure.
- There were additional interim rates raised in February 2023.
- The interest received on investments is higher than budgeted.
- A new capital project for the restoration of "Big Ears" has been created (combined with related funding).

### Consultation

Matt Fanning; Chief Executive Officer

Peter Wood; Works Manager

Erin Greaves; Governance and Community Manager

Helen Sternick; Senior Finance Officer

### Statutory Environment

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Australian Accounting Standards

### Policy Implications

Nil

### Financial Implications

After approval of the budget review, there is an estimated closing funding surplus of \$60,296 as at 30 June 2023.

### Strategic Implications

Strategic Community Plan 2019-2029 Strategies

1.2.1 Manage organisation in a financially sustainable manner

1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner

MINGENEW SHIRE COUNCIL SPECIAL MEETING AGENDA – 15 March 2023

**9.0 CONFIDENTIAL ITEMS**

Nil.

**10.0 TIME AND DATE OF NEXT MEETING**

Next Ordinary Council Meeting to be held on Wednesday 19 April 2023 commencing at 5.00pm.

**11.0 CLOSURE**

The meeting was closed at \_\_\_\_pm.

These minutes were confirmed at an Ordinary Council meeting on 19 April 2023.

Signed \_\_\_\_\_  
Presiding Officer

Date: \_\_\_\_\_