



## ATTACHMENT BOOKLET FOR ORDINARY COUNCIL MEETING

18 June 2025 at 5:00pm

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# MINUTES OF THE ORDINARY COUNCIL MEETING

30 APRIL 2025

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS  
ON 30 APRIL 2025 COMMENCING AT 5:00PM.**

**1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member, Cr GJ Cosgrove, opened the meeting at 5:00pm.

**2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

**Councillors**

Cr GJ Cosgrove	Shire President
Cr HR McTaggart	Deputy President
Cr JD Bagley	Councillor
Cr JR Holmes	Councillor
Cr AT Pearse	Councillor
Cr AR Smyth	Councillor
Cr RA Starick	Councillor

**Staff**

Mr Matt Fanning	Chief Executive Officer
Mrs Helen Sternick	Manager Corporate Services
Ms Erin Greaves	Manager Governance and Community
Mr Shane Noon	Manager Works

**Gallery**

Mr Damian Lesque, Terra Mining

**3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4.0 PUBLIC QUESTION TIME/PUBLIC STATEMENT TIME**

Nil.

**5.0 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

**7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES**

**7.1 ORDINARY COUNCIL MEETING HELD 19 FEBRUARY 2025**

**OFFICER RECOMMENDATION - ITEM 7.1**

That the Minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 19 February 2025 be confirmed as a true and accurate record of proceedings.

**7.2 SPECIAL COUNCIL MEETING HELD 19 MARCH 2025**

**OFFICER RECOMMENDATION - ITEM 7.2**

That the Minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on 19 March 2025 be confirmed as a true and accurate record of proceedings.

**OFFICER RECOMMENDATION AND COUNCIL DECISION ENBLOC - ITEM 7.1 & 7.2 – RESOLUTION#01300425**

**MOVED:** Cr HR McTaggart

**SECONDED:** Cr JR Holmes

That the Minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 19 February 2025 be confirmed as a true and accurate record of proceedings.

That the Minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on 19 March 2025 be confirmed as a true and accurate record of proceedings.

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

**8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**  
Nil.

**9.0 DECLARATIONS OF INTEREST**

Mr M Fanning, Chief Executive Officer disclosed a financial interest in Item 10.2.2 as the matter relates to his employment contract.

Cr AT Pearce disclosed a financial interest in Item 14.1.1 as a previous recipient of funds under the Voluntary Contributions to Roadworks Policy.

## 10.0 RECOMMENDATIONS OF COMMITTEES

## 10.1 SHIRE OF MINGENEW BUSH FIRE ADVISORY COMMITTEE

### 10.1.1 MINUTES OF THE BUSH FIRE ADVISORY COMMITTEE MEETING HELD 10 MARCH 2025

COMMITTEE RECOMMENDATION AND COUNCIL DECISION - ITEM 10.1.1 – RESOLUTION#02300425  
MOVED: Cr AR Smyth              SECONDED: Cr HR McTaggart

Council receives the Minutes of the Shire of Mingenew Bush Fire Advisory Committee Meeting held on 10 March 2025.

**VOTING REQUIREMENTS:** **CARRIED BY SIMPLE MAJORITY 7/0**  
(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearse, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)

## 10.1.2 BUSH FIRE MINIMUM TRAINING AND COMPETENCY STANDARDS POLICY

COMMITTEE RECOMMENDATION AND COUNCIL DECISION - ITEM 10.1.2 – RESOLUTION#03300425  
MOVED: Cr AR Smyth      SECONDED: Cr AT Pearse

Council endorses the Bush Fire Minimum Training and Competency Standards Policy, as presented.

**VOTING REQUIREMENTS:** **CARRIED BY SIMPLE MAJORITY 7/0**  
(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearse, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)

### 10.1.3 ELECTION OF CAPTAINS AND DEPUTY CAPTAINS FOR MINGENEW BRIGADES

COMMITTEE RECOMMENDATION AND COUNCIL DECISION - ITEM 10.1.3 – RESOLUTION#04300425  
MOVED: Cr JR Holmes      SECONDED: Cr HR McTaggart

Council appoints the following persons to the position of Captain and Deputy Captain for the Shire of Mingenew Bush Fire Brigades and Farm Response Units:

# YANDANOOKA

- a) Captain: Justin Bagley  
b) Deputy Captain: Jarrad Spencer

## LOCKIER

- a) Captain: Daniel Michael  
b) Deputy Captain: Paul Flanders

## GURANU

- a) Captain: Ben McTaggart  
b) Deputy Captain: Robert Holmes

## MINGENEW NORTH

- a) Captain: Alex Pearse  
b) Deputy Captain: Andrew Green

**MINGENEW TOWN**

- a) Captain: Anthony Smyth  
b) Deputy Captain: Jarrad Kupsch

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

**10.1.4 NOMINATIONS FOR SHIRE OF MINGENEW BUSHFIRE CONTROL OFFICERS**

**BUSH FIRE ADVISORY COMMITTEE RECOMMENDATION - 10.1.4**

Council appoints the following persons to be Bushfire Control Officers for the Shire of Mingenew:  
Murray Thomas (CBFCO) and Paul Flanders (DBFCO).

**COMMITTEE RECOMMENDATION AND COUNCIL DECISION - ITEM 10.1.4 – RESOLUTION#05300425**  
**MOVED: Cr RA Starick                      SECONDED: Cr AT Pearce**

Council appoints the following persons to be Bushfire Control Officers for the Shire of Mingenew:  
Murray Thomas (CBFCO) and Paul Flanders (DBFCO).

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

**10.2 SHIRE OF MINGENEW EXECUTIVE MANAGEMENT COMMITTEE**

**10.2.1 MINUTES OF THE EXECUTIVE MANAGEMENT COMMITTEE MEETING HELD 4 APRIL 2025**

**COMMITTEE RECOMMENDATION AND COUNCIL DECISION - ITEM 10.2.1– RESOLUTION#06300425**  
**MOVED: Cr HR McTaggart                      SECONDED: Cr JD Bagley**

Council receives the Minutes of the Shire of Mingenew Executive Management Committee Meeting held on 4 April 2025.

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

**10.2.2 CEO CONTRACT RENEWAL**

**COMMITTEE RECOMMENDATION AND COUNCIL DECISION - ITEM 10.2.2– RESOLUTION#07300425**  
**MOVED: Cr RA Starick                      SECONDED: Cr JR Holmes**

Council renews the CEO Contract for a further 5 year term.

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*



10.2.3 CEO PERFORMANCE REVIEW 2025

COMMITTEE RECOMMENDATION AND COUNCIL DECISION - ITEM 10.2.3- RESOLUTION#08300425

MOVED: Cr AR Smyth                      SECONDED: Cr HR McTaggart

Council conducts the CEO Performance Review internally in July 2025 to inform contract negotiations.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearse, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

## 11.0 CHIEF EXECUTIVE OFFICER

### 11.1 OUTBUILDINGS LOCAL PLANNING POLICY

Location/Address: Shire of Mingenew  
Name of Applicant: Shire of Mingenew  
Disclosure of Interest: Nil  
File Reference: CM.POL.1  
Date: 15 April 2025  
Author: Simon Lancaster, Planning Advisor  
Authorising Officer: Matt Fanning, CEO  
Voting Requirements: Simple Majority

#### Summary

The Shire of Mingenew Outbuildings Local Planning Policy requires updating to have regard for recent planning legislation changes. A copy of the policy, with the modifications considered necessary to give regard for the updated Regulations, is provided as Attachment 11.1.1.

#### Key Points

- The Shire is required to update its Outbuildings Local Planning Policy in regards to the decision making process to ensure it is contemporary with legislative changes.
- This also provides an opportunity for Council to review whether other aspects of the policy might also be updated to better serve its community and improve efficiencies.
- Recommended that minor increase be made to the maximum outbuilding size permitted in the Mingenew townsite.

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 11.1 – RESOLUTION#09300425**

**MOVED: Cr HR McTaggart**

**SECONDED: Cr JD Bagley**

Council resolves, pursuant to Schedule 2 Part 2 Division 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* to amend its 'Outbuildings Local Planning Policy' subject to the modifications as contained in Attachment 11.3 and proceed to give notice to this effect.

#### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)

#### Attachment

11.1.1 Draft Shire of Mingenew 'Outbuildings' Local Planning Policy (with suggested modifications).

#### Background

As part of its ongoing planning reforms the State Government has implemented changes to local government decision making roles relating to development applications for single houses and associated development.

This reform has introduced Part 4 of the *Planning and Development Amendment Act 2023* supported by amendments to *Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations* that:

- introduce a new section 257C into the Act which provides the ability for Regulations to specify that certain types of development applications must be determined by the officers of the local government; &
- amend Schedule 2 of the Regulations to specify that a single house development or any development associated with a single house, where not otherwise exempt, are to be determined by the local government CEO (or other local government officers authorised by the CEO).

In summary this means that the *Planning and Development (Local Planning Schemes) Regulations 2015* have been amended so that development applications for single houses or any development associated with a single house, and this includes outbuildings/sheds and ancillary dwellings/granny flats (excluding development associated with a heritage place), can now only be determined by the local government CEO or authorised employees of the local government i.e. they explicitly cannot be determined by Council.

The new Clause 84 of the Regulations is provided below:

*“Division 2A — Performance of development approval functions in relation to single houses*

*84A Terms used*

*In this Division –*

**authorised employee** means an employee of the local government authorised by the local government CEO under clause 84D;

**prescribed development approval function** means any of the following -

- (a) a function of the local government under clause 61A(2) or (4) or Part 8 or 9;
- (b) a function of approving further details of any works or use under a condition of a kind referred to in clause 74(1) imposed on a development approval;
- (c) a function of the local government under this Scheme that is ancillary or incidental to a function referred to in paragraph (a) or (b);

**prescribed single house development** has the meaning given in clause 84B.

*84B. Prescribed single house development*

- (1) *In this Division, **prescribed single house development** means development that consists of -*

- (a) *the erection of, or alterations or additions to, a single house; or*
- (b) *the erection or installation of, or alterations or additions to, any of the following that is ancillary or incidental to a single house*
  - (i) *an ancillary dwelling;*
  - (ii) *an outbuilding;*
  - (iii) *an external fixture;*
  - (iv) *a boundary wall or fence;*
  - (v) *a patio;*
  - (vi) *a pergola;*
  - (vii) *a verandah;*
  - (viii) *a deck;*
  - (ix) *a garage;*
  - (x) *a carport.*

- (2) *Despite subclause (1), development in a heritage-protected place is not **prescribed single house development**.*

*84C. Performance of prescribed development approval functions in relation to prescribed single house development*

- (1) *When a prescribed development approval function is performed in relation to prescribed single house development, the function must be performed for and on behalf of the local government by –*
  - (a) *the local government CEO; or*
  - (b) *an authorised employee.*
- (2) *A prescribed development approval function cannot be performed by the local government in relation to prescribed single house development otherwise than in accordance with subclause (1) (for example, the function cannot be performed by the council of the local government or a committee of that council).*
- (3) *In performing a prescribed development approval function for and on behalf of the local government in relation to prescribed single house development, the local government CEO or an authorised employee –*

- (a) *is not subject to the direction of the council of the local government or a committee of that council; and*
- (b) *may, if the performance of the function is dependent on the opinion, belief or state of mind of the local government, perform the function on the opinion, belief or state of mind of the CEO or authorised employee (as the case requires).*

84D. *Authorisation of employees*

- (1) *The local government CEO may authorise any employee of the local government to perform prescribed development approval functions for and on behalf of the local government in relation to prescribed single house development.*
- (2) *An authorisation under this clause must be in writing and may be general or limited to prescribed development approval functions of a specified class."*

Further information on this (and other previous) planning reforms can be viewed at the below link:  
[Planning and Development Amendment Act 2023 and Associated Regulations.](#)

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, projects, budgeting, strategic planning and community leadership, with the organisation focusing on the day-to-day operations of the Shire. The use of delegated authority means the large volume of routine work can be effectively managed and acted on promptly, to provide efficient service delivery to the community.

However, in the past Shire staff have referred development applications that were considered to have potential for impact on the amenity of an area to Council for determination and the Shire's Local Planning Policies provide guidance on what type of developments should be referred to Council. Shire staff have also not refused applications in the past considering instead that it is reasonable for applicants to be given the opportunity to make a presentation to Council on the merits of their application in the interest of fairness. Also this practice has ensured Councillors are aware of applications that may have a higher level of interest and are fully aware of them and involved in their determination and not 'blindsided' by a community member who wishes to discuss a Shire determination on such an application.

With the recent Regulations amendments, however, Shire staff are now unable to present applications involving single houses and associated development, such as sheds and granny flats, to Council and must determine them at a staff level.

This might be viewed as an improvement in efficiency particularly with larger metropolitan Councils but also could be viewed as removing a democratic process whereby elected parties with a public mandate are making decisions, and is a less appropriate change in a rural and regional context.

Shire staff intend to take the view that as 'Repurposed Dwelling' and 'Second Hand Dwelling' are listed as specific land use definitions in the Shire's Local Planning Scheme that they are separate to 'Single House' and these types of applications will continue to be presented to Council for determination as necessary.

The updating of the Regulations requires the Shire to amend its Outbuildings Local Planning Policy to remove reference to applications being placed before Council.

It is also suggested that the Outbuildings Local Planning Policy be expanded to include further text outlining that applications seeking to vary requirements of the policy must be accompanied by supporting reasoning, and must be advertised for comment prior to determination, and that they are unlikely to be supported without displaying significant merit, and the basis for this approach. The insertion of this additional text may provide some further assistance to Shire staff in the event they are required to refuse an application and defend this at the State Administrative Tribunal.

A copy of the Shire of Mingenew Outbuildings Local Planning Policy, with the modifications considered necessary to give regard for the updated Regulations included as tracked changes, is provided as Attachment 11.1.1.

### Comment

It is always good practice for Council to review its policies be they procedural, financial or planning on a regular basis to ensure they are current, address changing circumstances and meet Council's expectations.

Council last gave specific consideration to its Outbuildings Local Planning Policy at its 17 April 2019 meeting with preceding discussion given to the size and area requirements of the policy and exempting rural sheds from any limitations.

The following maximum standards apply to outbuildings under the current policy:

**Table 1 – Current Outbuilding Policy Requirements**

Zone / Lot Size	Maximum area (m <sup>2</sup> )	Maximum wall length (m)	Maximum wall height* (m)	Maximum roof height* (m)
Rural & Rural Residential	Exempt from the area and height requirements of this policy			
All other zones - on lots <b>under</b> 1,500m <sup>2</sup>	80	10	4	5
All other zones - on lots <b>over</b> 1,500m <sup>2</sup>	200	N/A	4	5

*\*all height measurements taken from natural ground level*

As a basis for comparison the below **Table 2** provides the outbuilding sizes permitted in the neighbouring local governments. In previous discussions a more conservative stance was adopted than the City of Greater Geraldton requirements over concern that permitting larger outbuildings in residential areas may encourage landowners to operate businesses or park large vehicles and haulage trailers that can give rise to complaint.

**Table 2 – Neighbouring Local Government Outbuilding Policy Requirements**

Maximum standards	Shire of Mingenew	Shire of Three Springs	Shire of Irwin	City of Greater Geraldton
<b>Residential &amp; Townsite (R10 and higher density) (i.e. lots generally less than 1,500m<sup>2</sup>)</b>				
Area (total aggregate)	80m <sup>2</sup>	80m <sup>2</sup>	120m <sup>2</sup> (90m <sup>2</sup> enclosed/ 30m <sup>2</sup> open)	150m <sup>2</sup> (120m <sup>2</sup> enclosed/ 30m <sup>2</sup> open)
Wall Height	4m	4m	3.6m	3.6m
Overall Height	5m	5m	4.5m	4.5m (with 5m permitted subject to conditions e.g. not being higher than dwelling)
<b>Residential (R5 and lower density) (i.e. lots generally greater than 2,000m<sup>2</sup>)</b>				
Area (total aggregate)	200m <sup>2</sup>	80m <sup>2</sup>	240m <sup>2</sup> (180m <sup>2</sup> enclosed/ 60m <sup>2</sup> open)	270m <sup>2</sup> (210m <sup>2</sup> enclosed/ 60m <sup>2</sup> open)
Wall Height	4m	4m	4.2	4.2m
Overall Height	5m	5m	5m	5m

				(5.5m permitted subject to conditions e.g. not being higher than dwelling)
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*\*all height measurements taken from natural ground level*

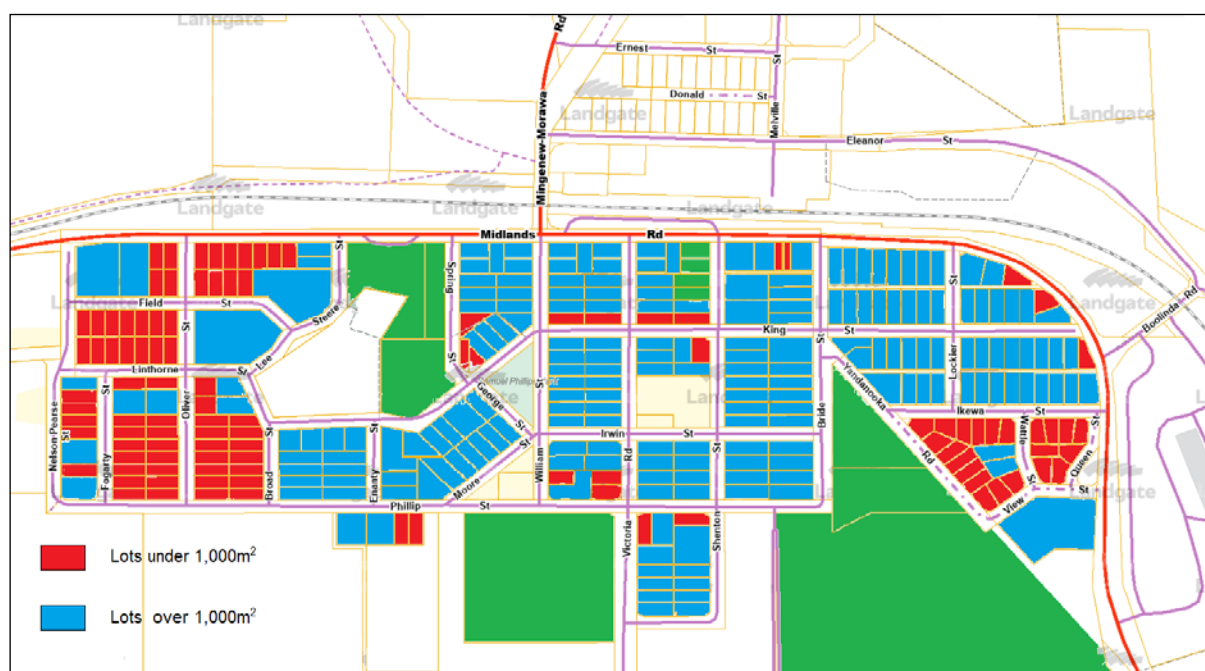
Since the policy was last reviewed Council has approved the following applications in excess of the policy requirements.

- 108m<sup>2</sup> outbuilding (comprising 54m<sup>2</sup> enclosed garage & 54m<sup>2</sup> open bay carport floor area) upon 1,396m<sup>2</sup> property at 13 (Lot 18) Bride Street, Mingenew at 21/8/19 Council meeting.
- 144m<sup>2</sup> outbuilding upon 1,133m<sup>2</sup> property at 10 (Lot 137) Enanty Street, Mingenew at 18/11/20 Council meeting.
- 128m<sup>2</sup> outbuilding (comprising 64m<sup>2</sup> enclosed garage & 64m<sup>2</sup> open bay carport floor area) upon 1,025m<sup>2</sup> property at 46 (Lot 111) Victoria Road, Mingenew at 20/4/22 Council meeting.
- 247m<sup>2</sup> outbuilding upon 850m<sup>2</sup> property at 10 (Lot 87) Ikewa Street, Mingenew (with neighbouring 847m<sup>2</sup> Lot 88 also owned by applicant and presenting as one larger lot) at 17/8/22 Council meeting.
- 128m<sup>2</sup> outbuilding (comprising 64m<sup>2</sup> enclosed garage & 64m<sup>2</sup> open bay carport floor area) upon 1,214m<sup>2</sup> property at 25 (Lot 14) Bride Street, Mingenew at 12/12/24 Council meeting.

Council may wish to discuss increasing its shed policy floor area requirements to give regard for what it has found acceptable in the past few years and to match the neighbouring Shire of Irwin's policy requirements to provide cross-boundary consistency i.e. increased from 80m<sup>2</sup> to 120m<sup>2</sup> (90m<sup>2</sup> enclosed/30m<sup>2</sup> open) on lots less than 1,000m<sup>2</sup>, and amend from 200m<sup>2</sup> to 240m<sup>2</sup> (180m<sup>2</sup> enclosed/60m<sup>2</sup> open) on lots greater than 1,000m<sup>2</sup>.

It is also proposed that the maximum wall length aspect of the Mingenew Outbuildings Policy be removed to bring consistency with neighbouring local governments' policies and that the cutoff for larger sheds in the townsite to be reduced from a lot of 1,500m<sup>2</sup> to 1,000m<sup>2</sup>.

As a guide the below townsite map illustrates the lots below 1,000m<sup>2</sup> in red where sheds of 120m<sup>2</sup> (90m<sup>2</sup> enclosed/30m<sup>2</sup> open) would be permitted, and the lots above 1,000m<sup>2</sup> in blue where sheds of 240m<sup>2</sup> (180m<sup>2</sup> enclosed/60m<sup>2</sup> open) would be permitted.



These suggested changes as outlined in the below **Table 3** would mean that a 'line in the sand' is drawn more clearly, in that an application that complies with the policy requirements would be approved without

advertising. It would also make clear that any application seeking to undertake development of greater, or higher, dimensions, or closer to neighbouring or street boundaries must be accompanied by supporting information outlining the reasons for seeking variation, and any application that proposes variation to the policy would be advertised for comment with a likelihood that it may be refused.

**Table 3 – Proposed Outbuilding Policy Requirements**

Zone / Lot Size	Maximum area (m <sup>2</sup> )	Maximum wall height* (m)	Maximum roof height* (m)
Rural & Rural Residential	Exempt from the area and height requirements of this policy		
All other zones – on lots under 1,000m <sup>2</sup>	120m <sup>2</sup> (90m <sup>2</sup> enclosed/ 30m <sup>2</sup> open)	4	5
All other zones – on lots over 1,000m <sup>2</sup>	240m <sup>2</sup> (180m <sup>2</sup> enclosed/ 60m <sup>2</sup> open)	4	5

*\*all height measurements taken from natural ground level*

In practice, it is considered the policy could still provide some flexibility, where an application is considered to offer very minor variation, for example where a block may be sloping and the use of cut and fill earthworks may necessitate the outbuilding is slightly higher than the policy requirement by a few centimetres at one end, and when it is advertised for comment it is supported by neighbours. However, where applications propose more significant variation the updated policy makes clear that the requirements have been established through good planning practice and regard for amenity and provide a solid basis for refusing applications.

### **Consultation**

Schedule 2 Part 2 Division 2 Clauses 4 & 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires that Council generally advertise the amendment of a Local Planning Policy for a minimum period of 21 days with a notice being placed on the Shire website. At the conclusion of the advertising period Council can review any submission received and proceed with the policy with/without modification, or not proceed with the policy.

Council may therefore wish to advertise the proposed modification to its Outbuildings Policy and consider this matter again at a future meeting.

However, the Officer Recommendation does not suggest that consultation be undertaken in this instance, as the proposed modifications are considered minor. Given that they reference the determination changes already introduced by overriding legislation, and increase the maximum enclosed shed floor area by 12.5% on lots less than 1,000m<sup>2</sup> and the total shed area by 20% on larger townsite lots. It is also noted the policy changes would achieve greater regional consistency by aligning with the shed sizes permitted in the neighbouring Shire of Irwin.

### **Statutory Environment**

Schedule 2 Part 2 Division 2 Clauses 4 & 5 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* establishes the procedure for amending Local Planning Policies.

- "3 Local planning policies
- (1) The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.
  - (2) A local planning policy —
    - (a) may apply generally or in respect of a particular class or classes of matters specified in the policy; and

- (b) may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.

(3) A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.

(4) The local government may amend or repeal a local planning policy.

(5) In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

#### 4 Procedure for making local planning policy

(1) If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —

- (a) publish in accordance with clause 87 the proposed policy and a notice giving details of —
  - (i) the subject and nature of the proposed policy; and
  - (ii) the objectives of the proposed policy; and
  - (iii) how the proposed policy is made available to the public in accordance with clause 87; and
  - (iv) the manner and form in which submissions may be made; and
  - (v) the period for making submissions and the last day of that period.
- (b) if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;
- (c) give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.

(2) The period for making submissions specified in a notice under subclause (1)(a)(v) must not be less than a period of 21 days after the day on which the notice is first published under subclause (1)(a).

(3) After the expiry of the period within which submissions may be made, the local government must —

- (a) review the proposed policy in the light of any submissions made; and
- (b) resolve to —
  - (i) proceed with the policy without modification; or
  - (ii) proceed with the policy with modification; or
  - (iii) not to proceed with the policy.

(3A) The local government must not resolve under subclause (3) to proceed with the policy if —

- (a) the proposed policy amends or replaces a deemed-to-comply provision of the R-Codes; and
- (b) under the R-Codes, the Commission's approval is required for the policy; and
- (c) the Commission has not approved the policy.

(4) If the local government resolves to proceed with the policy, the local government must publish notice of the policy in accordance with clause 87.

(5) A policy has effect on publication of a notice under subclause (4).

(6) The local government must ensure that an up-to-date copy of each local planning policy made under this Scheme that is in effect is published in accordance with clause 87.

(7) Subclause (6) is an ongoing publication requirement for the purposes of clause 87(5)(a).

#### 5 Procedure for amending local planning policy

(1) Clause 4, with any necessary changes, applies to the amendment to a local planning policy.

(2) Despite subclause (1), the local government may make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment.

#### 6 Revocation of local planning policy



A local planning policy may be revoked —

- (a) by a subsequent local planning policy that —
  - (i) is prepared in accordance with this Part; and
  - (ii) expressly revokes the local planning policy; or
- (b) by a notice of revocation —
  - (i) prepared by the local government; and
  - (ii) published by the local government in accordance with clause 87."

Given that the determination aspects of the policy amendments are required by overriding legislative changes it considered they should be made under Schedule 2 Part 2 Clause 5(2) (i.e. without further advertising). Similarly it is suggested that the proposed adjustments in policy delegation relevant to advertising process are minor in nature. However, should Council wish to advertise the draft amended Outbuildings Policy for comment as it is proposing to increase the maximum shed floor areas.

### **Policy Implications**

The Shire of Mingenew 'Outbuildings' Local Planning Policy was adopted by Council at its 17 April 2019 meeting and reviewed at its 21 August 2019 meeting.

Where Council wishes to establish its own development guidelines and assessment criteria a Local Planning Policy can be more suited than Local Planning Scheme provisions and allow for more local planning considerations than the state-wide Residential Design Codes. A Policy is still considered as reasonable basis for a local government to make determinations, and is an instrument that must be given due regard in instances where a development decision is appealed to the State Administrative Tribunal, but a Policy also has an improved, more responsive ability to be modified by Council where it considers that a Policy is no longer in-line with its planning, or the local government considers that an individual application should be supported based upon its displayed merits.

For the most part Local Planning Policies are formulated and aligned with a strategic planning direction as set by Council. The establishment of Local Planning Policies aid in guiding the type and standard of development the Council views as appropriate within particular areas of the Shire and provide a consistent approach to approving land use and development.

In most circumstances the local government will adhere to the standards prescribed in a Local Planning Policy, however, the local government is not bound by the policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

### **Financial Implications**

This matter would not have a budgetary impact to Council.

### **Strategic Implications**

The Mingenew Townsite Local Planning Strategy notes in Section 4.26 'Architectural Style' that:

*"In keeping with the rural nature of the community many homes have open style fencing, larger sheds and outbuildings, rain water tanks and other modern improvements."*

Council adopted its Outbuildings Policy at its 17 April 2019 meeting as part of the Local Planning Scheme Review process (that created Scheme No.4) that recognised that the Outbuilding provisions as contained within the now superseded Scheme No.3 were too onerous, as was recommended by the Local Planning Strategy in Section 6.6:

*“Urban Design P5.8*

*The development standards for outbuildings in Clause 5.17 of TPS3 should be relaxed to accommodate larger outbuildings.”*

## 12.0 CORPORATE SERVICES

### 12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2025 AND 31 MARCH 2025

Location/Address: Shire of Mingenew  
Name of Applicant: Shire of Mingenew  
Disclosure of Interest: Nil  
File Reference: FM.FRP  
Date: 6 May 2025  
Author: Jack Smith, Senior Finance Officer  
Authorising Officer: Helen Sternick, Manager Corporate Services  
Voting Requirements: Simple Majority

#### Summary

Council is required by legislation to consider and adopt the Monthly Financial Report, including Statement of Financial Activity for the periods ended 28 February 2025 and 31 March 2025, as required by Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996*.

**OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.1 – RESOLUTION#10300425**  
**MOVED: Cr AR Smyth                      SECONDED: Cr RA Starick**

Council receives:

- 1) the Monthly Financial Report, including the Statement of Financial Activity, for the period 28 February 2025, as included at Attachment 12.1.1;
- 2) the Monthly Financial Report, including the Statement of Financial Activity, for the period 31 March 2025, as included at Attachment 12.1.2.

**VOTING REQUIREMENTS:** **CARRIED BY SIMPLE MAJORITY 7/0**  
(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)

#### Attachments

12.1.1 Monthly Financial Report for the period ending 28 February 2025

12.1.2 Monthly Financial Report for the period ending 31 March 2025

#### Background

Council is provided with the Monthly Financial Report which has been developed in line with statutory reporting standards and provides Council with a holistic overview of the operations of the Shire of Mingenew.

The Monthly Financial Report for the period ended 28 February 2025 and 31 March 2025 includes the following:

- Statement of Financial Activity
- Statement of Financial Position
- Statement of Financial Activity Information
- Explanation of Material Variances
- Cash and Financial Assets
- Reserve Accounts
- Capital Acquisitions
- Disposal of Assets
- Receivables
- Other Current Assets
- Payables
- Rate Revenue
- Borrowings

# MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 30 APRIL 2025

- Lease Liabilities
- Other Current Liabilities
- Grants, Subsidies and Contributions
- Capital Grants, Subsidies and Contributions
- Budget Amendments

## Comment

A summary of the financial position as the end of February 2025:

	YTD Budget	YTD Actual	Variance
<b>OPERATING ACTIVITIES</b>			
Revenue from operating activities	3,381,356	3,407,339	0.77%
Expenditure from operating activities	(3,804,689)	(3,511,167)	7.71%
Non-cash amounts excluded from operating activities	1,582,009	1,540,968	(2.59%)
	1,158,676	1,437,140	24.03%
<b>INVESTING ACTIVITIES</b>			
Inflows from investing activities	1,724,238	1,230,728	(28.62%)
Outflows from investing activities	(2,561,282)	(1,374,948)	46.32%
	(837,044)	(144,220)	82.77%
<b>FINANCING ACTIVITIES</b>			
Inflows from financing activities	0	0	0.00%
Outflows from financing activities	(38,150)	(37,406)	1.95%
	(38,150)	(37,406)	1.95%
Surplus/(deficit) at the start of the financial year	1,670,242	1,600,242	0.00%
Surplus/(deficit) at 31 December 2024	1,883,724	2,855,756	51.60%
Cash at Bank Municipal – unrestricted		2,059,526	
Cash at Bank Municipal – restricted		1,028,786	
Cash at Bank Trust		50,001	
Reserve Term Deposit		1,107,459	
<b>Total</b>		<b>4,245,772</b>	

## MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 30 APRIL 2025

A summary of the financial position as the end of March 2025:

	YTD Budget	YTD Actual	Variance
<b>OPERATING ACTIVITIES</b>			
Revenue from operating activities	3,462,676	3,442,300	(0.59%)
Expenditure from operating activities	(4,308,746)	(3,932,942)	8.72%
Non-cash amounts excluded from operating activities	1,768,229	1,743,591	(1.39%)
	922,159	1,252,949	35.87%
<b>INVESTING ACTIVITIES</b>			
Inflows from investing activities	1,952,950	1,359,080	(30.41%)
Outflows from investing activities	(2,919,727)	(1,728,055)	40.81%
	(966,777)	(368,975)	61.83%
<b>FINANCING ACTIVITIES</b>			
Inflows from financing activities	0	0	0.00%
Outflows from financing activities	(66,523)	(65,843)	1.02%
	(66,523)	(65,843)	1.02%
Surplus/(deficit) at the start of the financial year	1,670,242	1,600,242	0.00%
Surplus/(deficit) at 31 January 2025	1,489,101	2,418,373	62.40%
Cash at Bank Municipal – unrestricted		1,876,965	
Cash at Bank Municipal – restricted		1,051,818	
Cash at Bank Trust		50,001	
Reserve Term Deposit		1,107,459	
<b>Total</b>		<b>4,086,243</b>	

An explanation of the variances can be found at Note 3 in the attached Monthly Financial Reports, this commentary provides Council with an overall understanding of how the financial position is compared in relation to the amended budget.

As required by 1.3.3 Investment of Surplus Funds Procedures, details of Council's investment portfolio are provided within the supplementary information of the attachments on page 10.

The road agreement with Terra Mining, as at 31 March 2025, has contributed \$110,056 towards the Community Infrastructure Fund, of which \$9,074 remains outstanding.

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered.

### Consultation

Nil.

### Statutory Environment

*Local Government Act 1995 Section 6.4*

*Local Government (Financial Management) Regulations 1996*

#### **34. Financial activity statement required each month (Act s. 6.4)**

(1A) In this regulation —

**committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for the previous month (the **relevant month**) in the following detail —

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and

- (b) budget estimates to the end of the relevant month; and*
- (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.*
- (1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).*
- (1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.*
- (2) Each statement of financial activity is to be accompanied by documents containing —*
  - [(a) deleted]*
  - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) such other supporting information as is considered relevant by the local government.*
- (3) The information in a statement of financial activity must be shown according to nature classification.*
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
  - (a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and*
  - (b) recorded in the minutes of the meeting at which it is presented.*
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

#### **Policy Implications**

Nil.

#### **Financial Implications**

No financial implications are indicated in this report.

#### **Strategic Implications**

Strategic Community Plan 2023-2033

14 Operating with a high standard of good governance and transparency

15 Financial practices are responsive to compliance requirements and revenue needs

## 12.2 LIST OF PAYMENTS FOR THE PERIOD 1 FEBRUARY TO 31 MARCH 2025

Location/Address: Shire of Mingenew  
 Name of Applicant: Shire of Mingenew  
 Disclosure of Interest: Nil  
 File Reference: FM.CRD  
 Date: 6 May 2025  
 Author: Maria Snowden-Giles, Payroll/Finance Officer  
 Authorising Officer: Helen Sternick, Manager Corporate Services  
 Voting Requirements: Simple Majority

### Summary

This report recommends that Council receives the list of payments (including purchasing cards), made under delegated authority, for period 1 February to 31 March 2025.

<b>OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.2 – RESOLUTION#11300425</b>	
<b>MOVED: Cr JR Holmes</b>	<b>SECONDED: Cr AT Pearse</b>
Council, in accordance with <i>Local Government (Financial Management) Regulations 1996</i> section 13 and 13A, receives the list of payments for the period of 1 February to 31 March, as included at Attachment 12.2.1. represented by:	
\$652,458.97	Municipal EFTs
\$28,877.17	Municipal EFT Purchasing Cards (Fuel Cards)
\$113,918.70	Municipal Direct Debit Department of Transport (Licencing) Payments
\$102,664.67	Municipal Direct Debit Other
\$11,003.21	Municipal Direct Debit Purchasing Cards (Credit and Fuel Cards)
\$178,287.84	Net Salaries
\$1,087,210.56	Total Payments
<b>VOTING REQUIREMENTS:</b>	
<b>CARRIED BY SIMPLE MAJORITY 7/0</b>	
<i>(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearse, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)</i>	

### Attachments

12.2.1 List of Payments – 1 February to 31 March 2025

### Background

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire's Municipal and Trust funds. In accordance with section 13 of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

In accordance with section 13A of the *Local Government (Financial Management) Regulations 1996* a list of payments made by authorised employees via purchasing cards is to be provided to Council.

The list is to include details for each account paid, incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

### Comment

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings, and that the amounts shown were due for payment.

### **Consultation**

Nil.

### **Statutory Environment**

*Local Government Act 1996, Section 6.4*

*Local Government (Financial Management) Regulations 1996*

#### **12. Payments from municipal fund or trust fund, restrictions on making**

- (1) A payment may only be made from the municipal fund or the trust fund —*
  - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
  - (b) otherwise, if the payment is authorised in advance by a resolution of the council.*

#### **13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
  - (a) the payee's name; and*
  - (b) the amount of the payment; and*
  - (c) the date of the payment; and*
  - (d) sufficient information to identify the transaction.*
- (2) A list of accounts for approval to be paid is to be prepared each month showing —*
  - (a) for each account which requires council authorisation in that month —*
    - (i) the payee's name; and*
    - (ii) the amount of the payment; and*
    - (iii) sufficient information to identify the transaction,*
  - and*
  - (b) the date of the meeting of the council to which the list is to be presented.*
- (3) A list prepared under sub-regulation (1) or (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.*

#### **13A. Payments by employees via purchasing cards**

- (1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —*
  - (a) the payee's name.*
  - (b) the amount of the payment.*
  - (c) the date of the payment.*
  - (d) sufficient information to identify the payment.*
- (2) A list prepared under sub-regulation (1) must 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.*

### **Policy Implications**

Payments have been made under delegation.

### **Financial Implications**

The list of payments made in accordance with budget and delegated authority.

### **Strategic Implications**

Strategic Community Plan 2023-2033

14 Operating with a high standard of governance and transparency

15 Financial practices are responsive to compliance requirements and revenue needs



## 13.0 GOVERNANCE AND COMMUNITY

### 13.1 COUNCIL MEMBER SUPERANNUATION

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** GV.CLR  
**Date:** 6 May 2025  
**Author:** Erin Greaves, Manager Governance and Community  
**Authorising Officer:** Matt Fanning, Chief Executive Officer  
**Voting Requirements:** Absolute Majority

#### Summary

In response to recent reform changes making provision for council members to elect to receive superannuation payments, Council is provided an opportunity to consider whether to make payments of superannuation (super) available to council members.

#### Key Points

- Section 5.99B-5.99E of the Local Government Act 1995 now provides for local governments to resolve, by Absolute Majority, to make superannuation contributions to council members
- For Class 3 and 4 local governments the payment is optional
- If Council resolve to pay super, individual council members may choose to 'opt out' of receiving super

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 13.1 – RESOLUTION#12300425**

**MOVED:** Cr HR McTaggart

**SECONDED:** Cr AR Smyth

#### **Council resolves:**

- 1) By Absolute Majority, to make superannuation payments to council members effective from 1 July 2025, in accordance with s.5.99 of the *Local Government Act 1995*, and makes provision for individual council members to opt in and opt out [s.5.99C].
- 2) To incorporate provision for superannuation payments in the Council Policy 1.1.1 Elected Member Entitlements which is to be amended and presented for consideration at the next Ordinary Council meeting.

#### **VOTING REQUIREMENTS:**

**CARRIED BY ABSOLUTE MAJORITY 6/1**

(FOR: Cr GJ Cosgrove, Cr HR McTaggart,, Cr JR Holmes, Cr AT Pearse, Cr AR Smyth and Cr RA Starick. AGAINST: Cr JD Bagley)

#### Background

Amendments to the *Local Government Act 1995* now provide for local governments to elect by absolute majority, to pay super to council members from 1 February 2025, noting it will become mandatory for class 1 and 2 local governments from 19 October 2025 (Shire of Mingenew is Class 4). These changes have been partly in response to broader industry and WALGA advocacy for recognition of the work that elected members undertake and paid work they may otherwise forego in performing their official duties. It aims to encourage greater diversity across the sector, as well as assisting to attract and retain council members. Superannuation payments for council members also acknowledges the significant dedication and investment of time a council member commits to their role.

Where a Council resolves to make superannuation contribution payments for its council members, the amount of the payment is to be the amount Council would have been required to contribute under the *Superannuation Guarantee (Administration) Act 1992* as superannuation if the council members were employees of the local government.

Under current super legislation employers must pay a minimum amount of super (currently 11.5% and moving to 12% from 1 July 2025) to employees. Super is calculated based on ordinary time earnings (OTE) but OTE for the purposes of super is not defined.

Council member remuneration includes fees, allowances and expenses. Based on advice from Moore Australia and WALGA, the following payments are considered in determining super payments:

Allowances subject to super:

- President's allowance
- Deputy President's allowance
- Council meeting attendance fees
- Extra meeting allowance

Expenses typically excluded:

- Travel expenses
- Vehicle expenses
- Conference expenses
- Childcare expenses

### **Comment**

A recommendation has been made in the positive to offer the benefit to elected members and allow for opting in and out to provide for any varying views by individual elected members.

Whilst the recommendation is to be make superannuation payments effective 1 July 2025; to allow appropriate budget provision in the new financial year, Council may wish to commence payments immediately.

Alternatively, Council may resolve to not make super contributions. It should be noted that Council has the right to review their position at any time and suggest introducing discussion following each election to ensure the decision reflects current views of Council. The mechanism for this would be to include specific provision in the Council Policy 1.1.1 Elected Member Entitlements, which is currently scheduled for review following each ordinary local government election (next review in November 2025).

A note regarding voluntary contributions:

*"It appears that a Council Member could make voluntary contributions to their superannuation fund. However, Council Members are not typically subject to Pay-As-You-Go withholding of taxation liabilities on their income from the Local Government (because they are not common law employees), which poses significant uncertainty about whether income sacrificing arrangements of pre-tax earnings could be valid and workable, and whether they would provide any material benefit. Professional advice should be sought on any proposed sacrificing arrangements to ascertain whether they would be workable and appropriate in the circumstances.*

*Subject to certain requirements and limits, a Council Member could make a voluntary contribution of funds into their superannuation account themselves once they have received those funds from their Local Government. Council Members should be mindful of any taxation obligations on that income and should seek their own advice on any tax implications of making those voluntary contributions into their superannuation account."*

It should be further noted that this report does not consider individual council member circumstances, and each member may wish to seek further independent advice. WALGA's Tax service is available to provide assistance to local governments and members <https://walga.asn.au/our-services/subscription-services/tax-service>.

### **Consultation**

WALGA

Moore Australia  
Local Government Professionals WA

### **Statutory Environment**

Local Government (Administration) Regulations Local Government Act 1995  
Superannuation Guarantee (Administration) Act 1992  
Taxation Administration Act 1953

#### **5.99B. Superannuation for council members: main provisions**

- (1) *In this section and sections 5.99C to 5.99E —  
remuneration has the same meaning that it has in the Superannuation Guarantee (Administration) Act 1992 (Commonwealth) section 11(1)(e);  
superannuation contribution payment, in relation to a council member, means —*
  - (a) *a payment of a prescribed type that is towards, or otherwise relates to, superannuation or retirement benefits for the council member; or*
  - (b) *in the absence of regulations made for the purposes of paragraph (a) — a payment that is a contribution to an account that —*
    - (i) *is nominated by the council member to the local government; and*
    - (ii) *is for superannuation or retirement benefits from a scheme or fund to which the Superannuation Guarantee (Administration) Act 1992 (Commonwealth) applies.*
- (2) *A local government may decide\* to pay superannuation contribution payments for its council members under this section.*  
*\* Absolute majority required.*
- (3) *A local government may revoke\* a decision made by it under subsection (2).*  
*\* Absolute majority required.*
- (4) *Regulations may require a local government, for which no decision under subsection (2) is in effect, to pay superannuation contribution payments for its council members under this section.*
- (5) *Regulations may make provision for determining —*
  - (a) *when a superannuation contribution payment for a council member is payable; and*
  - (b) *the amount of a superannuation contribution payment for a council member.*
- (6) *Subsections (7) and (8) apply in the absence of regulations made for the purposes of subsection (5).*
- (7) *A superannuation contribution payment for a council member is payable with, and at the same time as, any remuneration of the council member paid by the local government.*
- (8) *The amount of the superannuation contribution payment is the amount that the local government would have been required to contribute under the Superannuation Guarantee (Administration) Act 1992 (Commonwealth) as superannuation if —*
  - (a) *the council member were an employee of the local government for the purposes of that Act; and*
  - (b) *the remuneration were salary or wages of the council member for the purposes of that Act.*
- (9) *This section is subject to sections 5.99C and 5.99D.*

#### **5.99C. Superannuation for council members: opt outs**

- (1) *This section applies to a local government —*
  - (a) *for which a decision under section 5.99B(2) is in effect; or*
  - (b) *to which a requirement under regulations made for the purposes of section 5.99B(4) applies.*
- (2) *A council member may, by written notice to the CEO (an opt-out notice), opt out of superannuation contribution payments.*
- (3) *An opt-out notice remains in effect unless, and until, the council member, by written notice to the CEO, revokes the opt-out notice.*
- (4) *If an opt-out notice is in effect, the local government cannot pay a superannuation contribution payment for the council member under section 5.99B.*

*Note for this subsection:*

*If an opt-out notice is revoked, the local government cannot pay a superannuation contribution payment for the council member that the local government could not previously pay because of this subsection.*

**5.99D. Superannuation for council members: other exceptions**

- (1) This section applies to a local government —
  - (a) for which a decision under section 5.99B(2) is in effect; or
  - (b) to which a requirement under regulations made for the purposes of section 5.99B(4) applies.
- (2) A local government cannot pay a superannuation contribution payment for a council member under section 5.99B at any time when the Taxation Administration Act 1953 (Commonwealth) Schedule 1 section 12-45(1)(e) applies in relation to the local government.
- (3) Subsection (4) applies in the absence of regulations made for the purposes of paragraph (a) of the definition of superannuation contribution payment in section 5.99B(1).
- (4) A local government cannot pay a superannuation contribution payment for a council member under section 5.99B if the council member has not, before the time at which the superannuation contribution payment must be paid, nominated an account to the local government as referred to in paragraph (b) of the definition of superannuation contribution payment in section 5.99B(1).
- (5) Regulations may prescribe circumstances in which a local government —
  - (a) cannot pay a superannuation contribution payment for a council member under section 5.99B; or
  - (b) can pay only a portion of the amount of each superannuation contribution payment for a council member under section 5.99B.
- (6) Regulations may make provision for determining the portion referred to in subsection (5)(b).

*Note for this section:*

*A superannuation contribution payment, or a portion of a superannuation contribution payment, that a local government cannot pay for a council member under subsection (2) or (4), or under a provision of regulations made for the purposes of subsection (5), cannot be paid by the local government after the subsection or provision of regulations has ceased to apply. For example, if a local government cannot pay a superannuation contribution payment for a council member under subsection (2), the local government cannot pay the superannuation contribution payment after the Taxation Administration Act 1953 (Commonwealth) Schedule 1 section 12-45(1)(e) ceases to apply in relation to the local government.*

**5.99E. Superannuation for council members: supplementary provisions**

- (1) For the purposes of subsection (2), this subsection applies to a case in which —
  - (a) section 5.102AB, 8.29(5)(b) or 8.30B(4)(b) applies in relation to an annual allowance or annual fee paid in advance to a person (the relevant person); and
  - (b) the local government paid a superannuation contribution payment for the relevant person under section 5.99B wholly or partly by reference to, or otherwise in connection with, the annual allowance or annual fee.
- (2) Regulations may, in respect of a case to which subsection (1) applies, make provision —
  - (a) requiring the relevant person to pay the local government an amount (the returnable amount) that is equal to a percentage of the amount of the superannuation contribution payment; and
  - (b) for determining that percentage (which may be 100%); and
  - (c) for the local government to recover the returnable amount if it is not paid.
- (3) In making a determination under the Salaries and Allowances Act 1975 section 7B, the Salaries and Allowances Tribunal must not take into account either of the following —
  - (a) the payment of superannuation contribution payments by a local government under section 5.99B;
  - (b) a local government's power to decide to pay, or its duty to pay, superannuation contribution payments under section 5.99B.
- (4) Nothing in section 5.99B, 5.99C or 5.99D or this section, or that is done under section 5.99B, 5.99C or 5.99D or this section, makes a council member an employee of the local government.

- (5) *A superannuation contribution payment paid by a local government under section 5.99B is not salary for the purposes of any written law.*

### **Policy Implications**

Amendments to the Council Policy 1.1.1 Elected Member Entitlements Policy will be reviewed and updated for Council adoption following a decision, and proposed amendments will reflect the following:

- If superannuation is to be paid:

Provision for superannuation to be paid, clarifying what payments would have super applied, elected member obligations to nominate a super account, opt-in/opt-out notice requirements, and review requirements (see below).

- If superannuation is not to be paid:

Council will review the decision upon review of this policy following each election as a minimum but reserves the right to review at any time, subject to consideration of Budget implications.

### **Financial Implications**

The cost of paying superannuation for council members would need to be met out of the existing budget if applying immediately or factor the expense into next year's Budget. It is estimated that the cost to pay super to all members in 2025/26 would be around \$6,665 per year (based on \$55,540.50 total meeting fees and allowances paid).

### **Strategic Implications**

Strategic Community Plan 2023-2033

14.1 Seek innovative ways to continually improve organisational efficiency and effectiveness

14.2 Prepare and respond in a timely manner to Local Government Act reforms

17.1 Identify and promote incentives and alleviate barriers to create an environment for civic pride and participation on Council

## 13.2 EXPRESSIONS OF INTEREST (EOI1 24-25): PROVISION OF EARLY CHILDHOOD EARLY EDUCATION SERVICES

**Location/Address:** 20 Victoria Road, Mingenew WA 6522  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** CP.TEN.24.25 / A1030  
**Date:** 6 May 2025  
**Author:** Erin Greaves, Manager Governance and Community  
**Authorising Officer:** Matt Fanning, Chief Executive Officer  
**Voting Requirements:** Simple Majority

### Summary

The Shire recently ran a public invitation for suitably qualified and interested parties to submit Expressions of Interest for the Provision of Early Childhood Education Services from the new, under-construction, purpose-built facility at 20 Victoria Road, Mingenew (Childcare Centre). Council is provided an opportunity to review the submissions, evaluation, short-list and determine whether to and how to proceed to tender.

### Key Points

- EOIs have been sought for the provision of early childhood education services
- Submissions closed at 9am, Thursday 24 April 2025
- Two EOIs were received

**OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 13.2 – RESOLUTION#13300425**  
**MOVED: Cr RA Starick**                      **SECONDED: Cr AR Smyth**

#### **Council:**

1. Accepts the Expression of Interest (EOI) submissions made to the Shire of Mingenew via Tenderlink for EOI1 24-25 Provision of Early Childhood Education Services, provided under Confidential Attachment 13.2.2, from the following providers:
  - Rocky Ridge Geraldton Pty Ltd (Bambi)
  - VS Investment Group Pty Ltd (Sparkles Early Learning)
2. Resolves to call for Public Tenders, rather than conducting a selective tender process from the EOIs submitted, due to the limited responses received through the EOI process.

**VOTING REQUIREMENTS:** **CARRIED BY SIMPLE MAJORITY 7/0**  
 (FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearse, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)

### Attachments

13.2.1 Request for Expressions of Interest EOI1 24-25

13.2.2 *CONFIDENTIAL: EOI1 24-25 Submissions (provided under separate, confidential cover)*

### Background

Mingenew has an existing Shire-owned childcare facility (the Mingenew Education and Care Centre (MECC)) located at 76 (Lot 106) Phillip Street, which is currently operated by a not-for-profit organisation, under a lease arrangement with the Shire.

The current Mingenew Education and Care Centre (MECC) is the only daycare service within the Shire of Mingenew, serving a community of approximately 400 residents, as well as those commuting to Mingenew for work. The centre can accommodate up to 17 children at a time (subject to meeting child-staff ratios), operating four days a week between 8:15am-5:00pm. This is a critical service for primary caregivers to support local employment and is crucial to economic growth and social health in the region.



Council is dedicated to determining the best service delivery model for the new facility, as a recognised community priority identified in the Strategic Community Plan 2023-2033 and Corporate Business Plan 2024-2028. As child care and related services are not core business of local government it was considered appropriate to seek Expressions of Interest as a preliminary step, to help inform the preparation of a tender. In response to increased demand and the need to expand floor space to accommodate, Council resolved to build a new facility y at 20 Victoria Street, Mingenew (shown below). To prepare for the new Centre becoming operational (expected to be in early 2026), an Expression of Interest process was commenced.



Local government expressions of interest (EOIs) are opportunities for individuals or organizations to demonstrate their interest and suitability for a specific project, contract, or role with a local government.

An Expression of Interest (EOI) is a brief document outlining the requirements used to:

- Obtain non-price information from suppliers, such as their capability and capacity; and
- Narrow the field of potential bidders to the most qualified candidates.

Respondents cannot be engaged to supply goods or services based on a response to an Expressions of Interest and the Shire makes no commitment or representation that it will accept any submission. The Local Government must issue a request for tender (selective tender process) to the list of acceptable respondents referred to as acceptable tenderers under Regulation 23 of *Local Government (Functions and General) Regulations 1996*, to which it may accept or reject following an evaluation of Expressions of Interest received.

#### Comment

An EOI process was commenced in March 2025, via State-wide public notice, for the provision of early childhood education services from the fit-for-purpose facility currently under construction at 20 Victoria Road, Mingenew. The EOI deadline for submissions was 9am, Thursday 24 April 2025 and submissions were to be made via Tenderlink.

Two Shire officers opened and reviewed all submissions received after the deadline. There were two submissions made, each of which responded to criteria relating to:

- Business Planning
- Quality of Service
- Service Delivery Model
- Relevant Regional Experience
- Lease Proposal Terms

Submissions for EO11 24-25 have been provided to Councillors under separate confidential cover, in accordance with s.5.23(2)(c) of the *Local Government Act 1995*.

Council may now make a determination to seek selective tenders from those submitting an EOI or proceed with a Public Tender process that is open to the broader market. A disposal of property process will also need to commence, in accordance with s3.58 of the *Local Government Act 1995*.

Given only two responses were received, it is considered likely to be more beneficial to proceed with an open tender process.

### **Consultation**

#### **Statutory Environment**

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Local Government (Administration) Regulations 1996

### **11. When tenders have to be publicly invited**

- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if —*
- (c) *within the last 6 months —*
- (ii) *the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;*

### **21. Limiting who can tender, procedure for**

- (1) *If a local government decides to make a preliminary selection from amongst prospective tenderers, it may seek expressions of interest with respect to the supply of the goods or services.*
- [(2) deleted]
- (3) *If a local government decides to seek expressions of interest before inviting tenders, Statewide public notice that expressions of interest are sought is to be given.*
- (4) *The notice is required to include —*
- (a) *a brief description of the goods or services required; and*
- (b) *particulars identifying a person from whom more detailed information may be obtained; and*
- (c) *information as to where and how expressions of interest may be submitted; and*
- (d) *the date and time after which expressions of interest cannot be submitted.*

### **22. Minimum time to be allowed for submitting expressions of interest**

*The time specified in the notice as the time after which expressions of interest cannot be submitted has to be at least 14 days after the notice is —*

- (a) *published on the local government's official website; and*
- (b) *published in at least 3 of the ways prescribed in the Local Government (Administration) Regulations 1996 regulation 3A(2).*

### **23. Rejecting and accepting expressions of interest to be acceptable tenderer**



- (1) *An expression of interest is required to be rejected unless it is submitted at a place, and within the time, specified in the notice.*
- (2) *An expression of interest that is submitted at a place, and within the time, specified in the notice but that fails to comply with any other requirement specified in the notice may be rejected without considering its merits.*
- (3) *Expressions of interest that have not been rejected under subregulation (1) or (2) are to be considered by the local government and it is to decide which, if any, of those expressions of interest are from persons who it thinks would be capable of satisfactorily supplying the goods or services.*
- (4) *The CEO is to list each of those persons as an acceptable tenderer.*

**24. People who submitted expression of interest to be notified of outcome**

*The CEO is to give each person who submitted an expression of interest notice in writing —*

- (a) containing particulars of the persons the CEO has listed under regulation 23(4) as acceptable tenderers; or*
- (b) advising that the local government has decided not to invite tenders because no expression of interest that it considered was from a person who it thinks would be capable of satisfactorily supplying the goods or services; or*
- (c) informing the person of any other outcome if neither paragraph (a) nor (b) is appropriate.*

**3.58. Disposing of property**

- (1) *In this section —  
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
property includes the whole or any part of the interest of a local government in property, but does not include money.*
- (2) *Except as stated in this section, a local government can only dispose of property to —*
  - (a) the highest bidder at public auction; or*
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
  - (a) it gives local public notice of the proposed disposition —*
    - (i) describing the property concerned; and*
    - (ii) giving details of the proposed disposition; and*
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
  - (a) the names of all other parties concerned; and*
  - (b) the consideration to be received by the local government for the disposition; and*
  - (c) the market value of the disposition —*
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out not more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
  - (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*

*(d) any other disposition that is excluded by regulations from the application of this section.*

**Policy Implications**

The Shire's CEO has delegated authority (Delegation 1.2.14 Expressions of Interest for Goods and Services) to determine when to seek EOIs and to invite EOIs for the supply of goods or services [F&G r.21], as well as having authority to consider EOIs which have not been rejected, and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].

**Financial Implications**

The Budget implication is unknown at this stage and will depend on the successful tenderer.

**Strategic Implications**

Strategic Community Plan 2023-2033

5.1 Deliver a fit for purpose Mingenew Early Education & Childcare Centre to support current demand and future needs

Corporate Business Plan 2024-2028

- a. Build a value for money and fit for purpose Centre for early education and childcare
- b. Facilitate the best service delivery model for a new Childcare Facility

### 13.3 COMMUNITY SATISFACTION SURVEY 2024 RESULTS

Location/Address: Shire of Mingenew  
 Name of Applicant: Shire of Mingenew  
 Disclosure of Interest: Nil  
 File Reference: CM.PLN.1  
 Date: 6 May 2025  
 Author: Erin Greaves, Manager Governance and Community  
 Authorising Officer: Matt Fanning, Chief Executive Officer  
 Voting Requirements: Simple Majority

#### Summary

The purpose of this report is to formally present the findings of the Community Satisfaction Survey from 2024. Council's Overall performance index score has increased significantly from 56 to 64 between 2022 and 2025.

#### Key Points

- Council is required to undertake a major review of its Strategic Community Plan (SCP) every four years, and minor review every alternative four years
- The Community Satisfaction Survey is a tool used to measure Council's performance over time and to establish changing community expectations, aspirations and opinion.
- The results will help inform the review of our Corporate Business Plan (CBP) for 2025-2029 and the minor review of the SCP that will be due at the end of this calendar year

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 13.3 – RESOLUTION#14300425**

**MOVED:** Cr AT Pearce

**SECONDED:** Cr JR Holmes

#### **Council:**

1. Receives the 2024 Community Satisfaction Survey Results Report (MARKYT Community Scorecard ©) prepared by Catalyse, and publishes the results on the Shire's website; and
2. Resolves to use the results of the Community Satisfaction Survey to inform reviews of the Shire's plans for the future i.e. Strategic Community Plan (SCP), Corporate Business Plan (CBP), Long Term Financial Plan (LTFP) and Annual Budgets.

#### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

#### Attachments

13.3.1 2024 MARKYT Community Scorecard Report

#### Background

In 2022 Council undertook its first Community Satisfaction Survey to commence the process of benchmarking community expectations, aspirations and opinion. Council committed to undertaking these community surveys bi-annually to compare and track performance over time and to inform the development and review of the Strategic Community Plan, Corporate Business Plan and other strategic planning documents.

The Strategic Community Plan outlines community long term (10+ years) vision, values, aspirations and priorities, with reference to other local government plans, information and resourcing capabilities.

A full review of the Strategic Community Plan is required every four years with a desktop review recommended to be completed every two years. The Strategic Community Plan:

- Establishes the community's vision for the local government's future, including aspirations and service expectations.

- Drives the development of local government area/place/regional plans, resourcing and other informing strategies, for example workforce, asset management and services, and
- Is ultimately the driver behind all other planning.

Having issued the same survey in 2022, Council is now able to compare and track performance over the two year period.

### Comment

The scorecard was open from 21 October to 6 December 2024 and a total of 77 responses were received (paper and online survey responses). Responses were gathered and collated by Catalyse, a Results Report prepared, summarising the responses.

The 2024 results indicate above industry average performance and an overall improvement in performance in most categories compared to 2022 results, and an extract of the report provides a good visual overview:



The Overall Performance Index Score has risen from a score of 56 to 64 a significant increase of 8 index points during the period and we are now the second highest scoring band 4 Council from the data set with the highest band 4 scoring 66 index points.

The community priorities are a main focus of the report, and a summary is provided below identifying those priorities and what actions have been or are planned to be taken to address:

### Local Roads

We know roads are a consistent priority within our community. The Shire uses a priority list and road hierarchy to plan maintenance and upgrades, aiming to get the best value from limited resources. Priorities are based on road condition, usage, network connectivity, and available funding—and they're regularly reviewed.

Council has recently collected condition data and gravel depth information for its entire road network which will be used to further improve decisions on road maintenance and improvement works.

Here's what's happening:

- We've increased our gravel patching and maintenance budget for a third straight year.
- Town street resurfacing has commenced and will continue, alongside kerbing upgrades as part of our 4-year footpath improvement program.
- Major works funded by State government include bitumen sealing of Yandanooka NE Road Coalseam Road. Depot Hill North Road has also been included in the 2040 regional roads list which provides opportunity for future grant funding.

We also appreciate there may be external factors that contribute to community views on local roads, including impacts of the Midlands Road widening project (Main Roads WA project), an increase to traffic in the main street with iron ore transport and train blockings at the Boolinda Street rail crossing. The Shire has played an active role in advocating for community benefits through participating in stakeholder meetings, raising awareness of local issues and negotiating outcomes that benefit the community.

#### Seniors' services and care

While the Shire is not a direct provider of aged care services, we play a strong support role—working alongside providers like WACHS, local GPs, and the Mingenew CRC.

Here's how we're supporting older residents:

- Offering affordable seniors housing, including 4 x Aged Persons Units and 2 x Independent Living Units—with plans for 3 more (pending funding).
- Maintaining venues like the Autumn Centre and recreation facilities with free or low-cost access.
- Supporting programs through our Community Assistance Scheme.
- Upgrading footpaths and ramps to improve town-wide accessibility.
- Advocating for improved medical and aged care services.
- Exploring the establishment of a community gym to support health and wellbeing

#### Housing

The community continues to be impacted by housing shortages and the Shire has been strong in advocating for funding opportunities to support the delivery of increased housing stock and other initiatives to address this issue. A business plan has been released indicating proposals for three major housing projects to be delivered by the Shire in the next few years:

- 3 x new Aged Person Units (fully funded by Department of Communities – awaiting approval)
- 2 x GROH houses (self-funded with long-term lease proposed for cost recovery)
- 2 x key worker houses (self-funded)

We are also working with state government agencies and utilities to reduce the financial burden to landowners in connecting power and water to undeveloped town lots, to stimulate new development.

#### Waste Management Services

Managing waste services remains a balancing act between cost and access. Rising contract costs have led to reduced Transfer Station hours in order to avoid passing those costs directly to ratepayers, as a temporary measure.

What we're doing:

- Actively investigating a secure, self-serve waste facility for residents using access cards—making disposal easier while keeping operational costs down.
- Exploring options for recycling, though regional limitations make this a complex and costly issue for small local governments generally making these opportunities not viable as compared to city operations.

#### Liveability

We're committed to making Mingenew a place residents are proud to live. Over the past two years, the Shire has delivered noticeable improvements:

Recent and planned actions include:

- Developing a Civic Precinct Plan and applying for funding to upgrade the Cenotaph precinct.
- Planting new street trees, starting with Victoria Road and Shenton Street.
- Concept planning to develop the Mingenew Spring Regional Botanical Garden with the support of the government.
- Planning to revitalise the Town Hall, with a business case underway to secure funding.
- Continuing to plan the Development of the Water Park in Cecil Newton Park

These efforts work hand-in-hand with our footpath upgrades to enhance both beauty and accessibility.

#### Footpaths, trails and cycleways

We want our town to be walkable, safe and inclusive. Thanks to Department of Transport funding, the Shire is undertaking essential upgrades to key footpaths and infrastructure.

Highlights:

- A new 10-Year Shared Path Plan will guide future improvements.
- The plan supports all users—gophers, prams, scooters, wheelchairs and more.
- We'll continue to seek State funding as limited Shire funds make this work difficult to deliver independently.

#### Consultation

As this is the key document in the integrated planning suite, it is important that community feedback forms part of the consultation process. The International Association for Public Participation (IAP2) has guided the development of the Shire's Community Engagement Policy and procedures, which indicates this type of activity would "Involve" the community. Involve is a level of community engagement in which an organisation works with the community to ensure that their concerns and aspirations are directly reflected in the strategies developed.

The summary information provided above and within the report will also be shared with the community, through updates in the Mingenew Matters, a letter drop and on social media, in a more palatable format.

#### Statutory Environment

*Local Government Act 1995*

#### Policy Implications

1.4.1 Community Engagement Policy

1.4.1 Community Engagement Management Procedure

#### Financial Implications

The works in undertaking the Community Satisfaction Survey are completed and require no further budget allocation. The next survey will be conducted in 2026, subject to budget approval.

#### Strategic Implications

Strategic Community Plan 2023-2033

13.2 Community expectations are measured and reported

Corporate Business Plan 2024-2029

- a. Conduct community satisfaction survey every two years and report on outcomes
- b. Report outcomes of community engagement activities and outcomes, as required

## 13.4 COUNCIL POLICY REVIEW - ADMINISTRATION POLICIES

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** CM.POL.1  
**Date:** 6 May 2025  
**Author:** Erin Greaves, Manager Governance and Community  
**Authorising Officer:** Matt Fanning, Chief Executive Officer  
**Voting Requirements:** Simple Majority

### Summary

A review of the Shire of Mingenew's Administration policies (and Procedures) within Council's Policy Manual has been undertaken to ensure compliance and relevance to the community's current and future needs and is available for Council's consideration.

### Key Points

- Council adopted a Policy Manual schedule in September 2019 that identified Administration Policies to be reviewed biennially and Finance Policies to be reviewed annually
- Administration Policies were last reviewed in December 2022 and were due for review in December 2024
- Policies within the Council Policy Manual may be reviewed and amended or revoked at any time by Council decision

### **OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 13.4 – RESOLUTION#15300425**

**MOVED:** Cr HR McTaggart

**SECONDED:** Cr AR Smyth

#### **Council:**

1. Notes the management review of Council's Administration policies and accepts the proposed amendments of the policies, as presented: and
2. Accepts the new Council Policy 1.2.20 'Privacy and Responsible Information Sharing'

#### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

### Attachments

13.4.1 Council Administration Policies (tracked changes)

### Background

Whilst there is no statutory requirement for Council to review its Policy Manual (with the exception of certain elected member policies), it is considered best practice to ensure Council have a relevant and current policy stance that reflects the ongoing changes within local government and our community.

Many of the policies have been developed using WALGA's model policies or are based on other local government's policies that have been recognised for good governance. Some policies may have been developed or modified to suit our individual or local circumstances.

All of Council's policies may be accessed from the Shire's website <https://mingenew.wa.gov.au/council-and-staff/governance/> under the Council Policies.

### Comment

The policies within the Policy Manual are strategic, outcome focused and set governing principles, guiding the direction of the organisation, and are to be considered for endorsement by Council.

# MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 30 APRIL 2025

The Shire's Executive Leadership Team and relevant staff have reviewed the policies, and any proposed changes are summarised below:

Policy Name	Proposed changes
1.2.1 Records Management	Staff title amendment, and addition of '...or performance of official duties' to clarify record requirements for Elected Members
1.2.2 Risk Management	Only minor formatting and title changes proposed – refer to next Audit & Risk Committee meeting for review
<i>1.2.2 Risk Management Procedure</i>	<i>Adopted by the CEO – only minor formatting and title changes applied</i>
1.2.3 Legal Representation – Costs Indemnification	Minor title changes
<i>1.2.3 Legal Representation – Costs Indemnification Procedure</i>	<i>Adopted by the CEO – only minor formatting changes applied</i>
1.2.4 Temporary Employment or Appointment of CEO	Only minor formatting and titled changes applied
1.2.5 Work Health and Safety	Minor changes to title and legislation reference (Workers Compensation and Injury Management Act was updated in 2023).
1.2.6 Gratuities to Employees	Title amended to include "... to Employees" to more accurately define the policy and its application
<i>1.2.6 Gratuities Management Procedure</i>	<i>Minor amendment to replace "Shire of Mingenew" with "CEO" in relation to determining any exceptions</i>
<i>1.2.7 Revoked</i>	<i>Policy transferred to internal HR Policies in 2019</i>
1.2.8 ICT	No change, will await to consult with new ICT Managed Service providers
1.2.9 Prequalified Suppliers	No change
<i>1.2.9 Prequalified Suppliers Management Procedure</i>	<i>Addition to highlight restriction on contract terms, in accordance with r.24AJ [F&amp;G Regs]</i>
1.2.10 Access and Inclusion	Updated reference to Disability Access and Inclusion Plan 2025-2029
1.2.11 Accessible Information	Updated reference to Disability Access and Inclusion Plan 2025-2029
1.2.12 Reasonable Adjustment	No change
1.2.13 Christmas Period Closure	Additional Festive Leave provision is included within the Policy.
1.2.14 Public Interest Disclosures	No change
1.2.14 Public Interest Disclosures Management Procedure	Broken link to 'Don't be Afraid to Speak Up' publication has been rectified.
1.2.15 Common Seal	No change
1.2.16 Fraud and Misconduct Management	Minor title changes, removed reference to 'directors' as not applicable.
1.2.17 Resources and Energy Community Benefit	No changes, policy was only introduced in July 2024 and no chance to test its application
1.2.18 Dealing with Challenging Behaviours	The Policy was adopted in December 2024. Staff have had to refer to this policy in the last few months and some minor, immaterial amendments have been proposed
1.2.19 Recording of Meetings	No changes, policy was only introduced in February 2025
1.2.20 Privacy and Information Sharing Policy (NEW)	New Policy proposed in response to the introduction of the new Privacy and Responsible Information Sharing Act 2024. The policy outlines how the Shire handles personal information and manages the information responsibly.



Council's Policy Review Schedule outlines that its Administration Policies are to be reviewed at least every 2 years. Administration Policies were last reviewed in December 2020.

The management procedures included, following the relevant Council Policy, are developed for administrative and operational purposes and are to be endorsed by the Chief Executive Officer.

An updated version of the Policy Manual will be issued to Councillors following this meeting.

**Statutory Environment**

Local Government Act 1995

Privacy and Responsible Information Sharing Act 2024

**Policy Implications**

As outlined.

**Financial Implications**

Nil.

**Strategic Implications**

Strategic Community Plan 2023-2033

14.1 Seek innovative ways to continually improve organisational efficiency and effectiveness

14.4 Identify risks and implement adequate management controls

### 13.5 METHOD FOR CONDUCTING LOCAL GOVERNMENT ELECTIONS 2025

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** GV.ELE.1  
**Date:** 6 May 2025  
**Author:** Erin Greaves, Manager Governance and Community  
**Authorising Officer:** Matt Fanning, Chief Executive Officer  
**Voting Requirements:** Simple Majority

#### Summary

To consider whether the WA Electoral Commissioner is to conduct the 2025 Local Government Ordinary Election in light of reform changes around the introduction of optional preferential voting.

#### Key Points

- Typically, the Shire of Mingenew has conducted the elections as in-person elections, with the CEO the appointed Returning Officer
- To hold a postal election, the election must be conducted by the Electoral Commissioner
- With the introduction of optional preferential voting there is some additional responsibilities and complexities in conducting a vote should an election be necessary
- Current cost estimates have not been obtained for this report but are based on a reasonable contingency added to cost estimates provided in 2023

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 13.5 – RESOLUTION#16300425**

**MOVED:** Cr AR Smyth      **SECONDED:** Cr AT Pearse

**Council resolves that the method for conducting the 2025 Local Government Election will be a voting in-person election, in accordance with section 4.61(2) of the *Local Government Act 1995*.**

#### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearse, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

#### 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 in 2023. Legislation is now in place for the conduct of the 2025 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 2025 election and includes the proposal that the Local Government adopt the in-person method, consistent with previous years.

In accordance with section 4.7 of the *Local Government Act 1995* (Act), the next ordinary Local Government election is scheduled for Saturday, 18 October 2025.

#### Comment

Local Government has the option of holding an in-person election (run internally by the Returning Officer (typically the CEO)) or postal election (run by the Electoral Commission). Information regarding each is provided below:

#### In-person Elections

The benefit of the Shire conducting the Election in-person is that financial costs are minimised. Given the Shire has not run an Election past the nomination process since the extraordinary election in June 2019, due to lack of nominees, it is possible that the burden of the new preferential voting system will not occur. Since the June 2019 extraordinary election, there has been two ordinary elections (in 2021 and 2023), three extraordinary elections (Nov 2021, Jul 2022 and Nov 2023), and a direct Council nomination (July 2022) resulting from an unsuccessful extraordinary election (no nominations received).

### Postal Elections

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 considered potentially more convenient for Electors and typically achieves a higher rate of voter participation.

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 Western Australian Electoral Commissioner (WAEC) has not yet provided a cost estimate to conduct the October 2025 election as a postal election. The WAEC estimated the cost to conduct a postal election 2023 to be \$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.

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.

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

#### Local Government Reform Implications

*Caretaker Period* (effective 1 July 2024) – Council is prohibited from making significant decisions during the Caretaker Period (commencing from close of nominations to the declaration of election results).

*Owners and Occupiers Roll* (effective 1 January 2024) – eligibility requirements have changed for non-resident occupiers.

*Optional Preferential Voting* (effective 21 October 2023) - optional preferential voting requires that electors only need to register a first preference on their ballot papers by placing a 1 in the square alongside the candidate of their choice for their votes to be counted. Electors who wish to register one or more additional preferences among the remaining candidates are able to do so, using consecutive numbers in the remaining squares up to the number of vacancies to be filled.

*Backfilling extraordinary vacancies* (effective 21 October 2023) – vacant positions can now be filled based on the results of an election that has taken place within the previous 12 months

*Election of mayors and presidents* (effective 21 October 2023) – Class 1 and 2 local governments are now required to elect their mayor or president by a vote of electors. Not applicable to the Shire of Mingenew (Class 4).

*Classes of local government* (effective 1 July 2023) – Schedule 2 of the *Local Government (Constitution) Regulations 1998* prescribe the different classes of local government based on the bands under Salaries and Allowances Tribunal determination (no longer referred to as Bands – Shire of Mingenew is a Class/ Band 4 local government).

*Council sizes* (effective 1 July 2023) – The number of council members a local government has is now based on their populations – less than 5,000 people = 5-7 Elected Members.

*Changes to wards* (effective 1 July 2023) – Class 3 and 4 local governments are no longer able to have wards. Council members that represented wards that are now abolished no longer represent a ward but the whole district. Wards were abolished in the Shire of Mingenew in 2019.

#### 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 —*

**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 2025/26. 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 estimated costs:

<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	\$5,500
Statutory Advertising	\$1,500
Electoral supplies	\$100
<b>TOTAL COST ESTIMATE</b>	<b>\$9,600 – \$11,600</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 estimated costs:

Election Activity / Expense	Cost Estimate
WA Electoral Commission (if proceeding to Election)	\$14,000
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>\$8,100 – \$22,100</b>

Should Council wish to opt for a postal election, the Electoral Commissioner will need to be notified, and alternative motion is provided below as a guide to ensure compliance with relevant legislation:

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 2025 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.

### **Strategic Implications**

Strategic Community Plan 2023-2033

- 17.1 Identify and promote incentives and alleviate barriers to create an environment for civic pride and participation on Council

## 14.0 WORKS

*Prior to discussion of Item 14.1, Cr AT Pearse disclosed a financial interest in the item, as a previous donor to roadworks under the policy and recipient of reimbursement, and he left the meeting at 5:20pm.*

### 14.1 VOLUNTARY CONTRIBUTIONS TO ROADWORKS POLICY

Location/Address: Shire of Mingenew  
Name of Applicant: Shire of Mingenew  
Disclosure of Interest: Nil  
File Reference: CM.POL.1  
Date: 6 May 2025  
Authorising Officer: Matt Fanning, Chief Executive Officer  
Voting Requirements: Simple Majority

#### Summary

To consider amending the Council Policy that defines the application of community contributions (material, labour and plant) towards upgrading and repair to roads and associated infrastructure.

#### Key Points

- A new policy was developed in June 2024 to recognise and support the contribution the community can make by providing in-kind support for upgrading of Council's assets within the road network
- The policy provides guidance on how the arrangements will be agreed and controlled
- The policy amendment recommends providing financial limits to the policy and a financial delegation to the CEO for its implementation

#### **OFFICER RECOMMENDATION – ITEM 14.1**

**MOVED:** Cr HR McTaggart                      **SECONDED:** Cr RA Starick

#### **Council:**

1. Adopts the revised Council Policy 1.5.6 Voluntary Contributions to Roadworks, as presented in Attachment 14.1.1.
2. Delegates authority, by Absolute Majority, to the Chief Executive Officer (CEO) to approve agreements and payment or reimbursements made under this Policy, up to the value of \$5,000. For works valued over \$5,000, Council is to consider the proposal for approval.

#### **AMENDMENT TO MOTION - ITEM 14.1 – RESOLUTION#17300425**

**MOVED:** Cr HR McTaggart                      **SECONDED:** Cr JR Holmes

Council includes the following amendments to the Policy, under the Procedure, as shown in Attachment 14.1.1:

- The requirement for the Chief Executive Officer to co-sign any Agreement established under the Policy; and
- The requirement to define the methodology for calculating fuel reimbursement and evidence requirements.

#### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

**AMENDED MOTION AND COUNCIL DECISION - ITEM 14.1 – RESOLUTION#17300425**

**MOVED:** Cr HR McTaggart

**SECONDED:** Cr JR Holmes

**Council:**

1. Adopts the revised Council Policy 1.5.6 Voluntary Contributions to Roadworks, as presented in Attachment 14.1.1, subject to the inclusion of the following requirements within the procedure:
  - a) the CEO to co-sign any Agreement established under the Policy; and
  - b) define the methodology for calculating fuel reimbursement and evidence requirements
2. Delegates authority, by Absolute Majority, to the Chief Executive Officer (CEO) to approve agreements and payment or reimbursements made under this Policy, up to the value of \$5,000. For works valued over \$5,000, Council is to consider the proposal for approval.

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)*

**Attachments**

14.1.1 Revised Council Policy 1.5.6 Voluntary Contributions to Roadworks

**Background**

The Shire often receives requests for an improved road network, but the Shire's programming and resourcing is limited. This policy has been developed to facilitate a shared response to road repair and maintenance requirements where local contractors have plant and/or materials available to contribute.

Since its adoption the policy has been utilised on two occasions which has identified financial and governance risks to the Council, particularly in cases where large sections of works are delivered under the program.

**Comment**

Following the most recent utilisation of the policy framework, a number of issues were identified.

It is suggested that through the experiences thus far that the following risks need management:

- Although the policy has great intentions it has the capacity to inhibit the road maintenance and renewal programs and deplete Shire budgets or even divert funding from programmed works to projects which may not have been programmed.
- The scope of works is quite open and can leave contributors open to criticism, especially serving members.
- An application form and cost agreement needs to be implemented prior to works commencing so that all parties are clear on expectations

The following improvements to the policy administration process are suggested:

- Council would need to approve any works which result in a reimbursement of greater than \$5,000 – this generally equates to the gravel resheeting of ~ 1km
- That the CEO be delegated to approve works which fall below this threshold (maximum \$5,000 total reimbursement ~ 1km of resheeting 150mm x 8m made up of \$2,500 Gravel Royalty and Fuel contribution of ~\$2,500 depending on the haul length).

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Revised Policy as enclosed.

**Financial Implications**

The implementation of this revised Policy allows Council to formalise any arrangements with local contractors (including farmers) who may wish to contribute to Shire road projects or other road maintenance tasks and



established a financial limit framework to protect both the Council's and policy users' financial interests while achieving its intended purpose.

**Strategic Implications**

Strategic Community Plan 2023-2033

- 14.1 Seek innovative ways to continually improve organisational efficiency and effectiveness
- 15.2 Balance value for money principles and compliance in procurement practices

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 30 APRIL 2025

*Cr AT Pearce returned to the meeting at 5:25pm, not having participated in discussion or voting on Item 14.1.*

**15.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**  
Nil.

**16.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**  
Nil.

**17.0 CONFIDENTIAL ITEMS**  
Nil.

**18.0 TIME AND DATE OF NEXT MEETING**  
Next Ordinary Council Meeting to be held on Wednesday, 18 June 2025 commencing at 5.00pm.

**19.0 CLOSURE**  
The meeting was closed at 5:27pm.

These minutes were confirmed at an Ordinary Council meeting on 18 June 2025

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

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



## MINGENEW LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

AGENDA OF THE MEETING TO BE HELD AT THE MINGENEW SHIRE COUNCIL CHAMBERS  
3:00PM MONDAY 19 MAY 2025

### 1.0 DECLARATION OF OPENING

The meeting was declared open at 3:00pm

### 2.0 RECORD OF ATTENDANCE / APOLOGIES

#### 2.1 ATTENDEES

Cr Anthony Smyth, Shire of Mingenew  
Matt Fanning, Shire of Mingenew  
Erin Greaves, Shire of Mingenew  
AJ Geary, Department of Communities  
Simon Miller, Department of Fire & Emergency Services  
Matt Castaldini, Department of Fire & Emergency Services  
Ranelle Clarke, , Department of Fire & Emergency Services  
Bronwyn Criddle, Mingenew Primary School  
Christine Zaicou-Kunesch, Department of Primary Industries and Regional Development  
(joined via Microsoft Teams)

#### 2.2 APOLOGIES

Jeremy Ashworth-Preece, Mingenew Police  
Steven Jarvis, Mingenew Police  
Julia French, Department of Primary Industries and Regional Development  
Norah Flanders, Mingenew Primary School  
Cathy McCartney, St John Ambulance

### 3.0 PREVIOUS MINUTES – 14 OCTOBER 2024 LEMC MEETING

#### 3.1 LEMC MEETING 14 OCTOBER 2024

##### LOCAL EMERGENCY MANAGEMENT COMMITTEE DECISION – ITEM 3.1

Moved: AJ Geary

Seconded: M Castaldini

That the Minutes of the Shire of Mingenew Local Emergency Management Committee dated 14 October 2024 be confirmed as a true and accurate record of proceedings.

**CARRIED**

3.1.1 Attachment – LEMC Minutes 12 October 2024

#### 3.2 LEMC EXERCISE – 3 FEBRUARY 2025

Debrief on exercise conducted – light plane crash at Mingenew Airstrip.

### 3.3 BUSINESS ARISING FROM PREVIOUS LEMC MINUTES

What	Who	By When	Status
Investigate revegetation opportunities; identify areas of concern	Shire	Next meeting	COMPLETED
Presentation on Australian Warning System (AWS)	Leigh Mulholland, DFES	Before end of year	COMPLETED
Mark Teale to refer query to Leigh Mulholland around fire hydrants in Mingenew, flow capability and review of hydrant map	Leigh Mulholland / Matt Castaldini	For BFAC meeting	COMPLETED

## 4.0 AGENCY REPORTS

### 4.1 Shire of Mingenew

- AARNet being installed, provide access to faster and more reliable internet
- Preparing Airfield Master Plan – considers future use and requirements from RFDS, DBCA and DFES

### 4.2 DFES

- Matt is Acting Midwest Area Manager while Leigh Mulholland is on leave
- Transitioning out of bushfire season and focusing on training
- Encourage residents to register any controlled burns to help manage comms and needs
- National hazards and weather, suggested sending a reminder to residents to clean up and prepare for adverse weather
- Participated in a number of land searches in the region
- Simon is District Area Manager
- - high threat, busy period extended to end of April due to dry conditions
- 140 incidents reported in the Midwest, including 6 major bushfires however no OASG incidents
- Fleet / appliances heading north for off season
- DEMC undertaking regional exercise on 12 June – outcomes can be discussed next LEMC
- Ranelle, is the District Emergency Management Advisor
- SEMC developing new Strategic Plan 2025-2028, will share next meeting
- AWARE funding open July 2025

**ACTION:** Erin to provide signed copies of reviewed LEMA and Local Recovery Plan to Ranelle for receiving by DEMC.

### 4.3 WAPOL

N/A

### 4.4 Department of Communities

- DoC also transitioning to training phase
- Checking pre-deployed resources
- Outside incidents – HMA activated evacuation centres, challenging to coordinate if primary contacts unavailable i.e. accessing keys and resources, good to have back ups
- Recommend addressing in Business Continuity Plan

### 4.5 DBCA

N/A

**4.6 DPIRD**

*4.6.1 Attachment - DPIRD Quarterly Report*

- Quarterly Report – Jan 2025 (no updates since)
- No incidents relevant to Midwest

**4.7 St. John Ambulance**

N/A

**4.8 Main Roads WA**

N/A

**4.9 WACHS**

N/A

**4.10 Mingenew Irwin Group**

N/A

**4.11 Mingenew CRC**

N/A

**4.12 Mingenew Primary School**

- Bushfire plan audited 13 May
- Assessment will inform updated Plan
- 84 children currently enrolled at Primary School (13-15 staff members)

**5.0 GENERAL BUSINESS**

**5.1 LEMA Annual Review**

*5.1.1 Attachment – Mingenew LEMA adopted March 2024*

**5.2 Bushfire Minimum Training and Competency Policy**

*5.2.1 Attachment – Policy adopted 30 April 2025*

**6.0 FUTURE MEETING DATE AND TIME**

8 September 2025 (TBC)

**7.0 CLOSURE**

The meeting was closed at 3:33pm.



# MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING

## 5 JUNE 2025

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**MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING OF THE SHIRE OF MINGENEW HELD IN COUNCIL CHAMBERS ON 5 JUNE 2025 COMMENCING AT 8:30AM**

**1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

Presiding Member, Cr HR McTaggart opened the meeting at 8:29am.

**2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

**Committee Members**

Cr HR McTaggart (Chairperson)

Cr GJ Cosgrove

Cr AT Pearse

Cr AR Smyth

Ms J Bagshaw (Independent Member)

**Staff**

Matt Fanning, Chief Executive Officer

Helen Sternick, Manager Corporate Services

Erin Greaves, Manager Governance and Community

**Apologies**

Nil

**3.0 DECLARATIONS OF INTEREST**

Nil.

**4.0 CONFIRMATION OF PREVIOUS MEETING MINUTES**

**4.1 AUDIT & RISK COMMITTEE MEETING HELD 10 FEBRUARY 2025**

**OFFICER RECOMMENDATION AND COMMITTEE DECISION - ITEM 4.1**

**MOVED:** Cr GJ Cosgrove

**SECONDED:** Cr AR Smyth

That the Minutes of the Audit & Risk Committee Meeting of the Shire of Mingenew held in the Council Chambers on 10 February 2025 be confirmed as a true and accurate record of proceedings.

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 5/0**

*(FOR: Cr HR McTaggart, Cr GA Cosgrove, Cr AR Smyth, Cr AT Pearse and Ms J Bagshaw AGAINST: Nil)*



## 5.0 OFFICER REPORTS

### 5.1 FINANCIAL MANAGEMENT REVIEW AND REGULATION 17 REVIEW

Location/Address: Shire of Mingenew  
Name of Applicant: Shire of Mingenew  
File Reference: FM.AUD.24.25  
Disclosure of Interest: Nil  
Date: 4 February 2025  
Author: Erin Greaves, Manager Governance and Community  
Authorising Author: Matt Fanning, Chief Executive Officer  
Voting Requirements: Simple Majority

#### Summary

To review and make recommendation to Council regarding the Financial Management Review and Regulation 17 review conducted in April / May 2025 by Australian Audit

#### Key Points

- A review of the appropriateness and effectiveness of the Shire's financial management systems and procedures (FMR) and a review of the risk management, internal control and legislative compliance (Reg 17 review) are to be conducted not less than once every 3 financial years.
- The last Reviews were conducted in the 2022/23 financial year.
- There were no significant or moderate findings during the FMR, only 8 low risk rated issues.
- There were also no significant or moderate findings during the Reg 17 review, only 7 low risk rated issues.

#### OFFICER RECOMMENDATION AND COMMITTEE DECISION - ITEM 5.1

MOVED: Cr AR Smyth                      SECONDED: Cr GJ Cosgrove

That the Audit & Risk Committee recommends to Council:

1. Receives the Financial Management Review 2025 and the Regulation 17 Review 2025 Reports prepared by Australian Audit on behalf of the CEO, in accordance with Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* and Regulation 17(1),(2) and (3) of the *Local Government (Audit) Regulations 1996*; and
2. Endorses the following proposed management actions in response to the consultant's recommendations (as outlined within the relevant reports attached):
  - a) From the Financial Management Review (FMR):
    - i) Develop a Procurement Framework and review current policies and procedures (add to Risk Register)
    - ii) Investigate benefit of recording CCTV footage and installing duress alarms at Shire Administration (add to Risk Register)
    - iii) Consider cash flow forecasting in next review of 'Investment of Surplus Funds' Policy
    - iv) Undertake a stocktake of mobile assets at least every 3 years (Add to Compliance Calendar)
    - v) Add Contract Management as a priority Internal Audit action (scheduled in Internal Audit Plan for 2026)
    - vi) Establish and regularly update / monitor a Contracts Register (Add to Compliance Calendar)

- b) From the Regulation 17 Review (Reg 17):
- i) Establish a Strategic Risk Register
  - ii) Review, update and test the Shire's Business Continuity Plan (Add to Risk Register)
  - iii) Review and update the Shire's HR Policies and Procedures
  - iv) Develop and implement an Internal Control Policy
  - v) Develop and implement a Legislative Compliance Policy
  - vi) Develop a general Complaints Register (Add to Risk Register)
  - vii) Develop and implement a Gifts Policy
  - viii) Develop an Information, Communication and Technology (ICT) Strategy in consultation with the new ICT contractor (Add to Risk Register)

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 5/0**

(FOR: Cr HR McTaggart, Cr GA Cosgrove, Cr AR Smyth, Cr AT Pearse and Ms J Bagshaw AGAINST: Nil)

**Attachments**

- 5.1.1 FMR Report with Management Responses
- 5.1.2 Reg 17 Review Report with Management Responses

**Background**

Australian Audit was engaged in March 2025 to undertake the FMR and Reg 17 Reviews as per required legislation. The reviews were performed in April and May 2025.

There were no significant or moderate findings, only a number of low risk matters for consideration. Management had an opportunity to respond to these findings. Please see attached documentation for the details of these findings together with management's responses.

**Comment**

**FINANCIAL MANAGEMENT REVIEW (FMR)**

The Consultant determined that after conducting the review on the Shire's financial management controls and processes, no high risk matters were identified, and systems are deemed "satisfactory".

The review did identify the following (low risk) issues and the recommendations and management's response is summarised below:

- We recommend that management should consider producing a "spend by supplier over \$50,000" report and review this report on a regular basis to identify services that currently are being procured via individual quotations that may or should be procured via an RFQ or RFT process in order to test the market to obtain best value for money.

***Management Response:** The Shire reviews "spend by supplier" at least annually (when preparing the Compliance Audit Return). In response to these reviews, the Shire is currently reviewing its procurement framework and procedures and a review of procurement activities over \$50,000 is a key consideration, particularly to identify goods and services that may be aggregated or where that may be impractical and how it is to be dealt with.*

- We recommend that the Shire ensure proper compliance with Purchasing Policy is achieved each time a supplier is engaged under a sole supplier exemption.

***Management Response:** As part of the procurement framework review, sole supplier determinations and evidence requirements will be reviewed and procedures developed to ensure compliance.*

- We recommend that the purchase requisitions be raised and approved at the point supplier quotes are accepted and also at the point of awarding the work to the supplier and not when the invoice is received or after invoice receipt date.

**Management Response:** *This will further be clarified in our procurement framework and procedures review to ensure appropriate practice and compliance.*

- We recommend that the Shire should investigate the benefits of recording CCTV footage in case an instance does happen and the Shire requires formal evidence and possibly installing duress alarms at the Administration building where there is a point-of-sale register in use or cash is being received and held as a staff safety measure. We believe this is essential not only for the security over cash but also for the safety of those staff that are required to handle cash.

**Management Response:** *From a cash handling perspective and with no historical incidents, cash loss is very low risk however we have recently identified a higher risk to staff safety, therefore security measures may be a consideration for future budgets.*

- We recommend that management undertake cash flow forecasting. The investment of Shire funds should ensure there is sufficient liquidity to meet the operational daily/weekly/monthly cash flow requirement as and when they fall due, without incurring additional cost to the Shire. The cash flow forecasting will assist in this process.

**Management Response:** *While no formal cash flow forecasting occurs, the Shire's bank provides current interest rates as part of the end of month process. The interest rate of the Shire's Municipal Account has been better than other rates, therefore no other investment of surplus funds has occurred.*

- Management should include within its asset management procedures, clearer details of the processes that staff need to be follow in identifying, categorising, classifying and regular checks that need to occur to ensure its mobile assets still exist.

We also found that the Shire does not undertake routine checks to ensure mobile assets still exist. Stock taking of the Shire's mobile assets can either be undertaken once every financial year or routinely over a period of say 3 years.

**Management Response:** *Although not formalised, a stocktake of minor assets occurred in May/June 2023.*

- We recommend that the Shire should establish a formal contract management policy, protocols / guidelines over the contract management process.

Further, we recommend that the Shire review its existing services for which a service contract should be in place and ensure that formal service contracts are developed, and the full details of the service contracts be included in the formal contracts register.

Management should also work towards capturing all existing contract details in the newly developed contract register.

**Management Response:** *Once the procurement framework has been established and procedure review finalised, the Shire will address the process gaps in contractor management. A contract register is under development, and it is recognised that there is expected reform changes requiring a register to be established, maintained and published.*

Management should review staff access especially access to editing capability with a view to restricting edit access to only those positions who are directly responsible for the undertaking of such work.

**Management Response:** *IT system access is reviewed regularly. The information in the audited table does not fully reflect the permissions/restrictions provided to staff as there are activities within each module e.g. it is shown that Maria Snowden-Giles has edit access to the General Ledger module however at a more micro permissions level, her edit access is limited to add/modify General Ledger – General Journals only (relevant to her role/duties). To ensure continuity of service during absences or where vacancies arise, other staff members may have broader edit access than their typical role.*

## REGULATION 17 REVIEW (Reg 17)

The Consultant determined that after conducting the review on the Shire's risk management, internal controls and legislative compliance processes, no high risk matters were identified, and systems are deemed "satisfactory".

The review did identify a number of (low risk) issues and the recommendations and management's response is summarised below:

- The Shire should develop a strategic risk register and ensure that the Shire puts in place a process by which identified operational and strategic risks are subject to ongoing review to ensure that such risks are being adequately managed.

**Management Response:** *The Shire is currently preparing a reviewed Risk Register that includes strategic risks and will be presented to the next Audit & Risk Committee (scheduled for June 2025) for consideration, then referral to Council for adoption.*

- We recommend that the Business Continuity Plan should be reviewed possibly every 2 years to ensure it is still an effective plan and should be subject to regular testing to ensure it can be effectively implemented should a disaster occur.

**Management Response:** *A desktop review of the Business Continuity Plan by the Executive Leadership Team was last undertaken in July 2024. Once appointed, fire wardens have completed their training (identified in Operational Risk Register but delayed due to availability of training), the Shire will test emergency procedures to help inform the review of the Business Continuity Plan.*

- A review of the HR Policies and Procedures should be undertaken as soon as possible, and revised policies and procedures presented for approval.

**Management Response:** *A review of the HR Policies and Procedures is scheduled for next quarter.*

- The Shire should consider developing an Internal Control Policy which should outline the following elements:
  - The promotion of a risk-based approach to the development and maintenance of documented internal controls and procedures. This is to support a continual assessment of appropriate controls throughout the Shire by identifying the need for new controls (based on risk) and ensuring existing outdated and unnecessary controls are discontinued. This can be accomplished via staff awareness on the importance of compliance with key internal controls and how non-compliance can impact on the Shire's operations.

- Documenting the Shire's key internal controls including the importance of all staff to be aware of the importance of maintaining proper segregation of duties controls especially within key finance and procurement functions.
- Outlining a set of measures that should be implemented such as continual training etc to ensure staff are fully aware of, and understand, the relevant importance of key internal controls within their workplace.
- The Shire should also consider including the requirement for all staff to be responsible for control awareness and also to contribute to the identification of control risk areas within their workplace and their areas of responsibility. This could be done by adding these responsibilities in their respective job descriptions and/or incorporated as part of their induction program.

**Management Response:** *An Internal Control Policy has been drafted and will be presented to the next Audit & Risk Committee in June 2025.*

- Consideration should be given to the implementation of a Legislative Compliance policy which outlines the responsibility for compliance with legislative requirements and how such compliance is to be met.

Consideration should also be given for the Shire to develop various legislative compliance checklists to enable various areas within the Shire to undertake regular self-assessment checks on an ongoing basis. We would suggest that these be undertaken regularly throughout the calendar year and be signed off attesting to compliance. These can be undertaken in conjunction with the annual Compliance Audit Return (CAR) and would complement the (CAR) process.

Further, consideration should also be given to include within each policies, protocols and procedures reference to the applicable legislative requirement. This then provides information to staff that by following the policy or procedure legislative compliance is being achieved.

**Management Response:** *A Legislative Compliance Policy has been drafted and will be presented to the next Audit & Risk Committee in June 2025.*

- We recommend that management also maintain a Shire related complaints register detailing shire operational complaints.

**Management Response:** *The Shire captures complaints and responses within its Records Management System but does not have a centralised register. This will be a process improvement consideration.*

- We recommend the Shire should develop a Gift Policy outlining the Shire's position on accepting gifts by Shire staff and elected members.

**Management Response:** *The Shire relies on legislation, the Code of Conduct and training to ensure that gifts are handled appropriately. However, a Gift Policy has been drafted and will be presented to the next Audit & Risk Committee in June 2025.*

- Observation (no recommendations required) – IT General Controls environment to be followed up with ICT provider.

### **Statutory Environment**

Local Government (Financial Management) Regulations 1996

Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* requires that the CEO:

*"undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews."*

Local Government (Audit) Regulation 1996

Regulation 17 (1), (2) and (3) requires the CEO to review certain systems and procedures:

*"(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*

- (a) risk management; and*
- (b) internal control; and*
- (c) legislative compliance.*

*(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*

*(3) The CEO is to report to the audit committee the results of that review."*

### **Policy Implications**

Whilst there are no direct policy implications, the review may form recommendations that are to form the basis of changes to internal policies, procedures and controls for the Shire.

### **Financial Implications**

The works undertaken to date are within the allocated budget of \$7,000. Recommended actions from these reports may require allocation in future budgets and will form part of the annual budget preparation process.

### **Strategic Implications**

Strategic Community Plan 2023-2033

14. Continued high standard of good governance and transparency

15. Financial practices are responsive to compliance requirements and revenue needs

**DIRECTORS:**

**ROBERT CAMPBELL** RCA, CA  
**VIRAL PATEL** RCA, CA  
**ALASTAIR ABBOTT** RCA, CA  
**CHASSEY DAVIDS** RCA, CA

**AUSTRALIAN  
AUDIT** 

**ASSOCIATE DIRECTOR:**

**SANTO CASILLI** FCPA PFIIA

20 May 2025

Matt Fanning  
Chief Executive Officer  
Shire of Mingenew  
21 Victoria Road  
Mingenew WA 6522

Dear Matt

Please find attached our Final Financial Management Review report for the Shire of Mingenew which now incorporates your management comments.

We would like to thank you and your staff for the positive cooperation provided to us during the review process and for promptly providing information requested during the conduct of this review.

Yours sincerely



Santo Casilli FCPA PFIIA  
Associate Director, Internal Audit, Probity and Risk

**Australian Audit**

# Shire of Mingenew

## Regulation 5 (2) (c) – Financial Management Review

20 May 2025

Final Review Report

(Review in Confidence)

**Australian Audit**



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# Financial Management Review Summary and Conclusion

## INTRODUCTION

Australian Audit was engaged to undertake a financial management review of the Shire of Mingenew financial management systems and procedures as required to be undertaken at least once every 3 years as per the Regulation (5)(2)(c) of the *Local Government (Financial Management) Regulations 1996*.

We conducted the review in accordance with Australian Auditing Standard *ASAE 3000 – Assurance Engagement other than Audits or Reviews of Historical Financial Information* which provides a limited assurance regarding the appropriateness and effectiveness of the Shire's management controls over its financial management systems and processes.

This Final review report outlines the work undertaken as part of our review and includes our findings, proposed recommendations resulting from our review and management comments.

The Shire of Mingenew uses SynergySoft as its accounting system.

## CEO's RESPONSIBILITY FOR THE REVIEW REPORT

As per Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*, the Chief Executive Officer (CEO) is required to undertake a financial management review, at least once every 3 financial years.

This Final review report which incorporates management comments relating to action to be taken to address our recommendations is to be presented at the Audit and Risk Committee.

## RESPONSIBILITY FOR THE REVIEW

Our responsibility was to conduct the Financial Management Review in accordance with the Australian Auditing Standard *ASAE 3000 – Assurance Engagement other than Audits or Reviews of Historical Financial Information* and to report to the CEO the review findings and proposed recommendations for management control and process improvement.

We wish to confirm that we are fully independent of the Shire of Mingenew and of its operations regarding this review.

## REVIEW LIMITATIONS

The matters raised in this Final review report are only those which came to our attention during the course of performing the financial management review and may not necessarily be a comprehensive statement of all the possible control weaknesses and / or process improvement options that may be made in relation to the Shire of Mingenew financial management systems and procedures.

As part of our review, we have not assessed and examined every financial process and procedure and as such have limited our assessment and evaluations only to those areas where we considered may be of higher risk to the Shire of Mingenew regarding its Financial Management process. As such we did not examine every activity and procedure that may exist at the Shire and therefore only provide limited assurance to the Shire.

Our review, which was conducted in accordance with Australian Auditing Standard ASAE 3000 – *Assurance Engagement other than Audits or Reviews of Historical Financial Information* was not an audit, and as per ASAE 3000 we can only provide assurance based solely on our assessment of the information which was provided to us by the Shire of Mingenew during the conduct of this review.

This Final review report is to be used solely for the purpose of reporting to satisfy the requirements of *Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996* and should not be used for any other purpose or be distributed, other than to the Shire of Mingenew.

## SCOPE AND METHODOLOGY

The review undertook the following approach:

- Information was sought from the Shire of Mingenew and was assessed.
- Discussions were held with the Shire of Mingenew management and relevant staff to understand the financial processes and the management controls currently in place.
- We assessed the adequacy of key management controls currently in place over key financial management systems and procedures in line with the following work program provided to the Shire of Mingenew and based on information that was provided to us during the review period.

## WORK PROGRAM

Our review incorporated the following key financial management areas as required under Regulation 5(1) of the *Local Government (Financial Management) Regulations 1996*:

- Procurement (formal quotations and tender process)
- Contract Management
- Accounts Payable
- Cash Collection and Handling
- Payroll
- General Ledger Application Controls (journal posting, balance sheet reconciliations)
- Rates, Revenue and Debt Management
- Investment Management
- Asset Management (excluding infrastructure assets)
- Budget process

No other financial management systems and procedures were subject to review.

## REVIEW CONCLUSION

Based on our review (which was not an audit) of the management controls and processes that exist at the Shire of Mingenew, regarding the above key financial management system areas, nothing came to our attention that would indicate any **high-risk** management control matters that would require immediate attention by the Shire.

Based on the matters raised in the body of this report under Executive Management Detailed Findings, we can conclude that the financial management systems in place within the Shire are satisfactory, however can be further improved and several recommendations have been included in this review report for management consideration.

The matters raised in this review report were assessed as Low risk to the Shire.

For those identified matters we have recommended that the Shire should consider exploring the recommended process improvement options which have been incorporated within the body of this report.

Each finding has a recommended action except for those issues reported as "Observations".

We believe that the Shire's implementation of the suggested and recommended process improvements will strengthen the existing financial management controls that are currently in place and will provide greater overall governance within the Shire's financial management operations.

# Executive Management Detailed Observations

## Low Risk Rated Issues

### Procurement: Compliance with Procurement Policy

#### Finding

During sample testing we identified 2 suppliers where the total payments made to them over a period of 12 months were as follows:

- Pemco Diesel Pty Ltd - \$82,607.11
- Ocear Air - \$74,744.60

Under the Purchasing Policy, purchases between \$50,000 and \$250,000 require an RFQ to be called. Instead of an RFQ, individual quotes and work requests were raised for these suppliers each time works were required. In the absence of an RFQ process the Shire is unable to determine whether better value for money could have been achieved if such services were procured via an RFQ.

#### Recommendation

We recommend that management should consider producing a “spend by supplier over \$50,000” report and review this report on a regular basis to identify services that currently are being procured via individual quotations that may or should be procured via an RFQ or RFT process in order to test the market to obtain best value for money.

#### Management Comments

**The Shire reviews “spend by supplier” at least annually (when preparing the Compliance Audit Return). In response to these reviews, the Shire is currently reviewing its procurement framework and procedures and a review of procurement activities over \$50,000 is a key consideration, particularly to identify goods and services that may be aggregated or where that may be impractical and how it is to be dealt with.**

### Procurement: Sole Supplier

#### Finding

During our sample testing, we identified an instance where a supplier was engaged under the sole supplier exemption. However, we could not find any market testing process or assessments done as required under the Purchasing Policy to evidence that the supplier the Shire engaged was actually a sole supplier.

The Purchasing Policy states that engagement with sole supplier is only permitted where the:

- Purchase value is estimated to be over \$5,000; and
- Purchasing requirement has been documented in a detailed specification; and
- Specification has been extensively **market tested** and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and

- **Market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.**

Further, we also noted that the Purchasing Policy is not clear as to who can approve the use of a sole supplier.

#### Recommendation

We recommend that the Shire ensure proper compliance with Purchasing Policy is achieved each time a supplier is engaged under a sole supplier exemption.

#### **Management Comments**

**As part of the procurement framework review, sole supplier determinations and evidence requirements will be reviewed and procedures developed to ensure compliance.**

### Procurement: Raising of Purchase Orders

#### Finding

Proper use of purchase orders is a key control against possible fraudulent action and correctly used allows the Shire to match supplier invoices against pre-approved procurements. They also allow procurements to be approved at the commitment stage rather than after supplier goods and services have been received and invoiced.

As such, purchase orders should be created and approved once a supplier quote has been accepted and not after a supplier invoice has been received.

During our sample testing, we noted 2 instances where purchase orders were raised after the invoice was received.

#### Recommendation

We recommend that the purchase requisitions be raised and approved at the point supplier quotes are accepted and also at the point of awarding the work to the supplier and not when the invoice is received or after invoice receipt date.

#### **Management Comments**

**This will further be clarified in our procurement framework and procedures review to ensure appropriate practice and compliance.**

### Revenue: Cash Handling

#### Finding

Our review of the cash handling procedures at the Shire's Administration building identified the following:

- A CCTV exists but there is no facility for recording of the CCTV footage, only live streaming is available.
- There is no duress alarm installed near the point-of-sale system as a safety measure for staff.

#### Recommendation

We recommend that the Shire should investigate the benefits of recording CCTV footage in case an instance does happen and the Shire requires formal evidence and possibly installing duress alarms at the Administration building where there is a point-of-sale register in use or cash is being received and held as a staff safety measure.

We believe this is essential not only for the security over cash but also for the safety of those staff that are required to handle cash.

#### **Management Comments**

**From a cash handling perspective and with no historical incidents, cash loss is very low risk however we have recently identified a higher risk to staff safety, therefore security measures may be a consideration for future budgets.**

### Investment: Cashflow Forecasting

#### Finding

There is currently no cash flow forecasting undertaken to manage cash flow and to support investment decisions. Cash flow forecasting can assist in determining whether more surplus funds can be invested over a short period of time resulting in higher investment returns whilst still allowing sufficient liquidity to support operational expenditures.

#### Recommendation

We recommend that management undertake cash flow forecasting. The investment of Shire funds should ensure there is sufficient liquidity to meet the operational daily/weekly/monthly cash flow requirement as and when they fall due, without incurring additional cost to the Shire. The cash flow forecasting will assist in this process.

#### **Management Comments**

**While no formal cash flow forecasting occurs, the Shire's bank provides current interest rates as part of the end of month process. The interest rate of the Shire's Municipal Account has been better than other rates, therefore no other investment of surplus funds has occurred.**

## Asset Management: Procedures

### Finding

The Shire has a documented asset management process. However, this document does not cover the processes relating to fixed asset identification, categorisation and classification and also stocktaking of its mobile assets and portable and attractive type assets.

### Recommendation

Management should include within its asset management procedures, clearer details of the processes that staff need to be follow in identifying, categorising, classifying and regular checks that need to occur to ensure its mobile assets still exist.

We also found that the Shire does not undertake routine checks to ensure mobile assets still exist. Stock taking of the Shire's mobile assets can either be undertaken once every financial year or routinely over a period of say 3 years.

### **Management Comments**

**Although not formalised, a stocktake of minor assets occurred in May/June 2023.**

## Contract Management: Protocols and Register

### Finding

There are currently no formal protocols or guidelines for the contract management process which includes:

- Contract formation requirements.
- Contractor performance management process
- Contract variations process and approvals.
- Contract renewal / extension process and approvals.

In the absence of formal protocols or guidelines, Shire staff who are responsible for managing contracts may not have a clear understanding of the contractual requirements and the impact of non-monitoring and therefore resulting in possible inconsistent and unacceptable practices.

Further to the above, we noted that there are no formal service contracts in place for the following services provided to the Shire:

- Whitney Consulting
- Market Creations Agency
- Cain Advisory Group

We believe that service contracts should be established between the Shire and a supplier where such services are on an ongoing basis or are of large \$ value.



In the absence of any formal service contracts, it was not clear as to who was responsible for what and how such responsibility was to be initiated for monitoring of works for such services.

Also, the Shire recently implemented a Contracts Register and as such it is only partially completed with current contracts.

### Recommendation

We recommend that the Shire should establish a formal contract management policy, protocols / guidelines over the contract management process.

Further, we recommend that the Shire review its existing services for which a service contract should be in place and ensure that formal service contracts are developed and the full details of the service contracts be included in the formal contracts register.

Management should also work towards capturing all existing contract details in the newly developed contract register.

### Management Comments

**Once the procurement framework has been established and procedure review finalised, the Shire will address the process gaps in contractor management. A contract register is under development, and it is recognised that there is expected reform changes requiring a register to be established, maintained and published.**

## IT: System Access Review

### Finding

The following staff have edit access to the systems indicated below.

Username	Creditor	Debtor	Rates	Payroll	General Ledger
Erin Greaves		x			
Helen Sternick	x	x	x	x	x
IT Vision Support Staff	x	x	x	x	x
Jack Smith	x	x	x	x	x
Maria Snowden-Giles	x	x	x	x	x
Matt Fanning	x	x	x	x	x
Shane Noon		x			

We are of the opinion that staff should be provided edit access to only those functions that they are directly responsible for. We do understand that at smaller Shires, function access is sometimes provided to a number of staff to cover for staff that may be absent etc.

#### Recommendation

Management should review staff access especially access to editing capability with a view to restricting edit access to only those positions who are directly responsible for the undertaking of such work.

#### **Management Comments**

**IT system access is reviewed regularly. The information in the audited table does not fully reflect the permissions/restrictions provided to staff as there are activities within each module e.g. it is shown that Maria Snowden-Giles has edit access to the General Ledger module however at a more micro permissions level, her edit access is limited to add/modify General Ledger – General Journals only (relevant to her role/duties).**

**To ensure continuity of service during absences or where vacancies arise, other staff members may have broader edit access than their typical role.**

## Appendix A – Risk Criteria

The following risk criteria was used to assess level of risk on review findings included in this Review Report.

### Risk Assessment Matrix

#### Likelihood of Risk:

Rating	Description	Frequency
1	<b>Rare</b> – May occur, only in exceptional circumstances	< once in 15 years
2	<b>Unlikely</b> – Could occur at some time	At least once in 10 years
3	<b>Possible</b> – Should occur at some time	At least once in 3 years
4	<b>Likely</b> – Will probably occur in most circumstances	At least once per year
5	<b>Almost Certain</b> – Expected to occur in most circumstances	> once per year

#### Consequence of Risk:

Description	Health	Financial Loss	Operation	Compliance	Reputation	Project
1. Insignificant	No injuries or illness	<\$50,000	Little Impact	Minor breach of policy, or process requiring approval or variance	Unsubstantiated, low impact, low profile or no news item.	Small variation to cost, timeliness, scope or quality of objectives and required outcomes.
2. Minor	First Aid treatment	\$50,000 to \$250,000	Inconvenient Delays	Breach of policy, process or legislation requiring attention of minimal damage control	Substantiated, low impact, low news profile.	5-10% increase in time or cost or variation to scope objective requiring approval
3. Moderate	Medical treatment required	\$250,000 to \$1 million	Significant delays to major deliverables	Breach requiring internal investigation, treatment or moderate damage control	Substantiated, public embarrassment, moderate impact, moderate news profile.	10-20% increase in time or cost or variation to scope objective requiring Senior Management approval
4. Significant	Death or extensive injuries	\$1 million to \$3 million	Non achievement of major deliverables	Breach resulting in external investigation or third party actions resulting in tangible loss and damage to reputation	Substantiated, public embarrassment, moderate impact, high news profile and 3 <sup>rd</sup> party actions.	20-50% increase in time or cost or significant variation to scope objective requiring restructure of project and Senior Management or Council approval
5. Severe	Multiple deaths or sever permanent disabilities	>\$3 million	Non achievement of major deliverables	Breach resulting in external investigation or third party actions resulting in significant tangible loss and damage to reputation	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, 3 <sup>rd</sup> party actions.	>50% increase in time or cost or inability to meet project objectives requiring the project to be abandoned or redeveloped

#### Risk Exposure:

Risk = Likelihood x Consequence

Score	Level of Risk	Score	Level of Risk	Score	Level of Risk
1 - 8	<b>Low</b>	9 - 19	<b>Medium</b>	20 - 25	<b>High</b>

**DIRECTORS:**

**ROBERT CAMPBELL** RCA, CA  
**VIRAL PATEL** RCA, CA  
**ALASTAIR ABBOTT** RCA, CA  
**CHASSEY DAVIDS** RCA, CA

**AUSTRALIAN  
AUDIT** 

**ASSOCIATE DIRECTOR:**

**SANTO CASILLI** FCPA PFIIA

20 May 2025

Matt Fanning  
Chief Executive Officer  
Shire of Mingenew  
21 Victoria Road  
Mingenew WA 6522

Dear Matt

Please find attached our Final Regulation 17 Review report for the Shire of Mingenew which now incorporates your management comments.

We would like to thank you and your staff for the positive cooperation provided to us during the review process and for promptly providing information requested during the conduct of this review.

Yours sincerely



Santo Casilli FCPA PFIIA  
Associate Director, Internal Audit, Probity and Risk

**Australian Audit**

# Shire of Mingenew

## Regulation 17 Review

20 May 2025

Final Review Report

(Review in Confidence)

**Australian Audit**

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## Regulation 17 Review Summary and Conclusion

### INTRODUCTION

Australian Audit was engaged to undertake a review of the Shire of Mingenew risk management, internal control and legislative compliance as required to be undertaken as per Regulation 17 of the *Local Government (Audit) Regulations 1996*.

As per Regulation 17(1), (2) and (3) of the *Local Government (Audit) Regulations 1996*, the Chief Executive Officer (**CEO**) is required to undertake a review, at least once every 3 financial years, of the following processes:

- Risk Management.
- Internal Control; and
- Legislative Compliance.

The Shire of Mingenew (**the Shire**) uses SynergySoft as its accounting system.

The Shire's last Regulation 17 review was undertaken in 2022 which was performed by Avant Edge Consulting.

### SCOPE AND METHODOLOGY

The review undertook the following approach:

- Information relating to risk management, internal control and legislative compliance was requested from the Manager Governance and Community to assess adequacy of policies, procedures and overall control processes that are currently in place within the Shire.
- An Information Technology questionnaire was also sent to the Manager Governance and Community in order to assess the Shire's Information Systems General Control Environment.
- Discussion was held with the Manager Governance and Community regarding the process in place for ensuring that the Shire is continually in compliance with the Local Government Act and Regulation requirements including assessing the annual Compliance Audit Return (CAR) process.

The matters raised in this report are only those which came to our attention during performing our review and may not necessarily be a comprehensive statement of all the possible process improvement options that may exist in relation to the Risk Management, Internal Control and Legislative Compliance matters.

Our review was conducted in accordance with ASAE 3500 – Assurance Engagement Other Than Audits or Reviews of Historical Financial Information.

Our Final review report is provided to the Shire to enable the Shire to meet their statutory obligations under Regulation 17 and as such we do not encourage this report to be used for any other purpose.

## WORK PROGRAM

Our work incorporated the following areas for review as required under Regulation 17:

### **Risk Management**

To establish that:

- A Governance Framework is in place and endorsed by the Audit and Risk Committee.
- A formal governance unit exists responsible for proper governance compliance.
- Satisfactory risk management and governance policies are in place and have been endorsed by the Audit and Risk Committee/Council.
- Operational and Strategic Risk Registers are in place and are being constantly reviewed and updated to mitigate risk.
- Regular development of risk reports and actions to address risks are identified and actioned and such actions are regularly communicated to and endorsed by the Audit and Risk Committee.
- Fraud Risk Identification and Prevention policies are in place including the establishment of a Whistle Blower policy.
- An effective Audit and Risk Committee exists, and proper Committee processes are in place and being complied with.

### **Internal Control**

To establish that:

- A Delegation of Authority is in place, up to date and reviewed regularly.
- Proper and formal documented Shire Management policies (guidelines and procedures) are in place and are kept up to date.
- Internal assessment of control processes exists e.g., via an internal audit function or by the Shire's own Governance area.
- An Internal Control policy targeted for all employees, council and committee members on the importance of management controls.

### **Legislative Compliance**

To establish that:

- The Compliance Audit Return (CAR) is properly completed each year and any non-



compliance matters are investigated promptly and adequate action is taken to ensure similar non-compliance no longer occurs.

- The establishment of proper complaints policies and registers including gift policies and registers.
- Legislative compliance regarding all Local Government Act and Regulation requirements are continually monitored and regularly reviewed to ensure continual compliance.

## REVIEW CONCLUSION

Based on our assessment of the management controls and processes that exist at the Shire regarding the above three key areas of the Regulation 17 review, we wish to conclude as follows:

### **Risk Management**

- Risk management framework and policy are in place.
- There is an Operational Risk Register in place. However, there is no Strategic Risk Register.
- Operational Risk register is presented to and reviewed by the Audit and Risk Committee.
- Public Interest Disclosure policy and procedure is in place.
- A Fraud and Misconduct Management policy is in place.
- A Code of Conduct is in place for staff and Councillors.
- Induction programs are also in place for staff and Councillors.
- The BCP was last updated in 2022. However, it has not been tested to ensure the plan is workable and effective.

### **Internal Control**

- A Delegation register is in place and is reviewed annually.
- Policies are updated at various times. However, the HR policies and procedures require a full review.
- There are documented procedures in place.
- There is an internal audit function. The most recent Internal Audit Plan was presented to the Audit and Risk Committee.
- The Shire does not have an internal control policy to empower all staff to be responsible for compliance with Shire policies and controls.

### **Legislative Compliance**

- There is no legislative compliance policy. Further, there is no centralised comprehensive legislative compliance monitoring process. The Shire relies on the CAR and Reg 17 review for monitoring legislative compliance. A legislative compliance calendar is also maintained which is monitored and reported on.
- There are satisfactory processes in place for the management of complaints. A complaints register is in place for complaints relating to the council members. However, there is no register in place for general complaints.
- There is no Gift policy in place.

**IT General Controls Environment**

- There is no formalised IT strategy.
- There is no Disaster Recovery Plan in place.
- The Shire could not confirm whether a software register is maintained.
- An ICT usage policy is in place.
- User passwords are not required to be changed at regular intervals.
- It is not known whether there is a log maintained of all incorrect log in attempts and of those users whose password has been blocked and investigated have been kept.
- There are no formal backup policies or plans.
- Monitoring and restriction of website use can be improved.

## FINDINGS AND RECOMMENDATIONS

The following matters were identified which have been reported below for consideration by Shire management:

### LOW RISK ISSUES

#### 1. There is no strategic risk register (Low)

##### Finding

The current Risk Register mainly comprises of operational risks. The Shire's strategic risks have not been identified.

##### Recommendation

The Shire should develop a strategic risk register and ensure that the Shire puts in place a process by which identified operational and strategic risks are subject to ongoing review to ensure that such risks are being adequately managed.

##### Management Comment

**The Shire is currently preparing a reviewed Risk Register that includes strategic risks and will be presented to the next Audit & Risk Committee (scheduled for June 2025) for consideration, then referral to Council for adoption.**

#### 2. Business Continuity Plan is not kept updated and tested (Low)

##### Finding

A Business Continuity Plan is in place. However, the Plan was last reviewed in 2022 and has not been tested to ensure the plan is workable.

##### Recommendation

We recommend that the Business Continuity Plan should be reviewed possibly every 2 years to ensure it is still an effective plan and should be subject to regular testing to ensure it can be effectively implemented should a disaster occur.

##### Management Comment

**A desktop review of the Business Continuity Plan by the Executive Leadership Team was last undertaken in July 2024. Once appointed, fire wardens have completed their training (identified in Operational Risk Register but delayed due to availability of training), the Shire will test emergency procedures to help inform the review of the Business Continuity Plan.**

### 3. HR Policies and Procedures Need Review and Updating (Low)

#### Finding

The HR Policies and Procedures Manual has not been reviewed and updated since 2020.

#### Recommendation

A review of the HR Policies and Procedures should be undertaken as soon as possible, and revised policies and procedures presented for approval.

#### Management Comment

**A review of the HR Policies and Procedures is scheduled for next quarter.**

### 4. There is no internal control policy (Low)

#### Finding

We noted that the Shire does not have an internal control policy which would enable the Shire to instruct all areas within the Shire to continually assess management control processes and to empower all Shire staff to be responsible over the Shire's control environment.

#### Recommendation

The Shire should consider developing an Internal Control Policy which should outline the following elements:

- The promotion of a risk-based approach to the development and maintenance of documented internal controls and procedures. This is to support a continual assessment of appropriate controls throughout the Shire by identifying the need for new controls (based on risk) and ensuring existing outdated and unnecessary controls are discontinued. This can be accomplished via staff awareness on the importance of compliance with key internal controls and how non-compliance can impact on the Shire's operations.
- Documenting the Shire's key internal controls including the importance of all staff to be aware of the importance of maintaining proper segregation of duties controls especially within key finance and procurement functions.
- Outlining a set of measures that should be implemented such as continual training etc to ensure staff are fully aware of, and understand, the relevant importance of key internal controls within their workplace.
- The Shire should also consider including the requirement for all staff to be responsible for control awareness and also to contribute to the identification of control risk areas within their workplace and their areas of responsibility. This could be done by adding these responsibilities in their

respective job descriptions and/or incorporated as part of their induction program.

**Management Comment**

**An Internal Control Policy has been drafted and will be presented to the next Audit & Risk Committee in June 2025.**

**5. There is no legislative compliance framework (Low)**

**Finding**

There does not appear to be a Legislative Compliance policy in place to oversee that all required legislative matters are being continually complied with.

The Shire currently relies on the annual Compliance Audit Return (CAR) to gauge its compliance level against legislative requirements and a compliance calendar. The CAR, although is an effective compliance monitor, reflects only a portion of all the legislative requirements that must be complied with and therefore does not provide complete legislative compliance assurance to the Shire.

**Recommendation**

Consideration should be given to the implementation of a Legislative Compliance policy which outlines the responsibility for compliance with legislative requirements and how such compliance is to be met.

Consideration should also be given for the Shire to develop various legislative compliance checklists to enable various areas within the Shire to undertake regular self-assessment checks on an ongoing basis. We would suggest that these be undertaken regularly throughout the calendar year and be signed off attesting to compliance. These can be undertaken in conjunction with the annual Compliance Audit Return (CAR) and would complement the (CAR) process.

Further, consideration should also be given to include within each policies, protocols and procedures reference to the applicable legislative requirement. This then provides information to staff that by following the policy or procedure legislative compliance is being achieved.

**Management Comment**

**A Legislative Compliance Policy has been drafted and will be presented to the next Audit & Risk Committee in June 2025.**

**6. There is no register in place to capture general complaints (Low)**Finding

We noted that the Shire has a complaints register for Council members but no complaints register to capture general shire related complaints received.

Recommendation

We recommend that management also maintain a Shire related complaints register detailing shire operational complaints.

Management Comment

**The Shire captures complaints and responses within its Records Management System but does not have a centralised register. This will be a process improvement consideration.**

**7. There is no Gift policy (Low)**Finding

The Shire currently does not have a Gifts policy regarding gifts received by Shire staff and elected members.

Recommendation

We recommend the Shire should develop a Gift Policy outlining the Shire's position on accepting gifts by Shire staff and elected members.

Management Comment

**The Shire relies on legislation, the Code of Conduct and training to ensure that gifts are handled appropriately. However, a Gift Policy has been drafted and will be presented to the next Audit & Risk Committee in June 2025.**

## OBSERVATIONS (NO RECOMMENDATIONS REQUIRED)

### IT General Controls Environment

Our review of the IT general controls environment identified the following that need to be followed up with the shire's outsourced IT provider:

- There is no formalised IT strategy.
- There is no Disaster Recovery Plan in place.
- The Shire could not confirm whether a software register is maintained.
- User passwords are not required to be changed at regular intervals.
- It is not known whether the IT Provider maintains a log of all incorrect log in attempts and users whose password have been blocked.
- There are no formal backup policies or plans. Although data backups are conducted regularly, the Shire does not currently hold any formal backup policies and plans. The regularity of testing is not formally noted in a policy or procedure held by the Shire.
- Monitoring and restriction of website use can be improved. Monitoring and protection systems are limited to only reliance placed on responsible use highlighted within the ICT usage Policy.

## 5.2 NEW ADMINISTRATION POLICIES (REG 17 REVIEW OUTCOMES)

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** COM.POL.1  
**Disclosure of Interest:** Nil  
**Date:** 5 March 2024  
**Author:** Erin Greaves, Governance Officer  
**Authorising Author:** Matt Fanning, Chief Executive Officer  
**Voting Requirements:** Simple Majority

### Summary

In response to findings of the aforementioned Regulation 17 Review, several administration policies are available for consideration and adoption.

### Key Points

- The Regulation 17 (Reg 17) Review recommended a number of policies be considered to improve internal control, legislative compliance and risk management
- An Internal Control Policy was recommended to ensure all staff are instructed and empowered to continually assess management control processes and have responsibility over the Shire's control environment
- Whilst this is considered a low risk matter, the Shire is committed to continuous improvement in its systems to reduce fraud and corruption risk

### **OFFICER RECOMMENDATION AND COMMITTEE DECISION - ITEM 5.2**

**MOVED:** Ms J Bagshawe

**SECONDED:** Cr AT Pearse

That the Audit & Risk Committee recommends that Council adopts the following policies, as attached:

- a) Internal Control Policy
- b) Legislative Compliance Policy
- c) Gifts Policy

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 5/0**

*(FOR: Cr HR McTaggart, Cr GA Cosgrove, Cr AR Smyth, Cr AT Pearse and Ms J Bagshaw AGAINST: Nil)*

### Attachment

- 5.2.1 Policy 1.2.21 Internal Control Policy
- 5.2.2 Policy 1.2.22 Legislative Compliance Policy
- 5.2.3 Policy 1.2.23 Gifts Policy

### Background

As highlighted in the previous report, the Shire engaged Australian Audit to conduct a review on behalf of the CEO to review the Shire's Risk and Internal Control Systems, including a review of appropriateness and effectiveness of the systems and procedures, as required under Regulation 17(1)(a) and (b) of the *Local Government (Audit) Regulations 1996*.

### Comment

The Reg 17 Review, conducted by Australian Audit in April and May 2025, identified and recommended a number of policies be considered for implementation by the Shire of Mingenew, to improve its internal control; risk management and legislative compliance processes.



In response, management have prepared and present the following policies:

Internal Control Policy

Australian Audit noted that the Shire does not have an internal control policy which would enable the Shire to instruct all areas within the Shire to continually assess management control processes and to empower all Shire staff to be responsible over the Shire's control environment.

The recommendation by the auditor was, as follows:

*"The Shire should consider developing an Internal Control Policy which should outline the following elements:*

- The promotion of a risk-based approach to the development and maintenance of documented internal controls and procedures. This is to support a continual assessment of appropriate controls throughout the Shire by identifying the need for new controls (based on risk) and ensuring existing outdated and unnecessary controls are discontinued. This can be accomplished via staff awareness on the importance of compliance with key internal controls and how non-compliance can impact on the Shire's operations.*
- Documenting the Shire's key internal controls including the importance of all staff to be aware of the importance of maintaining proper segregation of duties controls especially within key finance and procurement functions.*
- Outlining a set of measures that should be implemented such as continual training etc to ensure staff are fully aware of, and understand, the relevant importance of key internal controls within their workplace.*
- The Shire should also consider including the requirement for all staff to be responsible for control awareness and also to contribute to the identification of control risk areas within their workplace and their areas of responsibility. This could be done by adding these responsibilities in their respective job descriptions and/or incorporated as part of their induction program."*

Therefore, a Policy has been developed in consideration of the above and is recommended for adoption.

Management considers its documentation and record management, in relation to maintaining proper segregation of duties, to be appropriate.

Management is also considering responsibilities for risk assessment and internal controls to be included in within job descriptions.

Legislative Compliance Framework

Australian Audit also noted that there is no Legislative Compliance policy in place to oversee that all legislative matters are being continually complied with.

The recommendation by the auditor was, as follows:

*"Consideration should be given to the implementation of a Legislative Compliance policy which outlines the responsibility for compliance with legislative requirements and how such compliance is to be met.*

*Consideration should also be given for the Shire to develop various legislative compliance checklists to enable various areas within the Shire to undertake regular self-assessment checks on an ongoing basis. We would suggest that these be undertaken regularly throughout the calendar year and be signed off attesting to compliance. These can be undertaken in conjunction with the annual Compliance Audit Return (CAR) and would complement the (CAR) process.*

*Further, consideration should also be given to include within each policies, protocols and procedures reference to the applicable legislative requirement. This then provides information to staff that by following the policy or procedure legislative compliance is being achieved."*

Therefore, a Policy has been developed in consideration of the above and is recommended for adoption. The adoption of this Policy is considered an adequate action to meet this requirement and management are satisfied with the assessment and referencing of legislative requirements processes in place.

#### Gift Policy

*"The Shire currently does not have a Gifts policy regarding gifts received by Shire staff and elected members.*

*We recommend the Shire should develop a Gift Policy outlining the Shire's position on accepting gifts by Shire staff and elected members."*

Although the legislation is quite prescriptive in regard to receiving and reporting gifts, a Policy has been developed as recommended.

#### Consultation

Australian Audit  
Executive Management Team (internal)

#### Statutory Environment

Local Government Act 1995

#### Policy Implications

New policies, as identified and recommended

#### Financial Implications

There are no financial implications to be considered as part of this report.

#### Strategic Implications

Strategic Community Plan 2023-2033

14.1 Seek innovative ways to continually improve organisational efficiency and effectiveness

14.4 Identify risks and implement adequate management controls

15.2 Balance value for money principles and compliance in procurement practices



## COUNCIL POLICY

1.2.21

### Administration

Title:	1.2.21 INTERNAL CONTROL POLICY
Adopted:	18 June 2025
Reviewed:	Biannually (NEW)
Associated Legislation:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 Local Government (Audit) Regulations 1996 State Records Act 2000
Associated Documentation:	Risk Management Policy
Review Responsibility:	Manager Governance and Community
Delegation:	Nil

Last Adopted: N/A

### PURPOSE

This policy serves as a framework for the Shire's commitment to effective internal controls, encompassing financial and non-financial matters, to ensure efficient management and safeguarding of resources.

The implementation and maintenance of systems and processes are crucial for ongoing assessment and improvement of internal controls in alignment with ISO31000 and the Shire's Risk Management Framework.

Internal control is not limited to financial matters. An effective internal control environment provides the means by which the Shire can successfully address and mitigate any risks.

### OBJECTIVE

To ensure the implementation and maintenance of robust internal controls that:

1. fulfil statutory obligations under relevant legislation;
2. ensure efficient, compliant, transparent, and risk-aware operations; and
3. safeguard the Shire's assets from fraud and mismanagement.

### SCOPE

This policy applies to all Elected Members, Management, and Workers, providing guidance for effective management and resource utilisation.

### DEFINITIONS

Definitions related to this policy are provided in the table below:

TERM	DEFINITION
Detective Controls	An accounting term that refers to a type of internal control intended to find problems within the Shire's processes.
Internal Control	A comprehensive process supported by policies, procedures,

	and practices, ensuring objectives related to operations, financial data, and compliance are achieved.
ISP Documents	Integrated Strategic Planning documents comprising of the Council Plan and other plans that guide the Shire's operations.
Preventative Action	A system to eliminate any cause(s) that would create a potential hazard or undesirable situation. Changes can be made or implemented to address an issue, hazard, or weakness in a system. Preventive action can also include ways to improve an organisation's workflow or situation.
Preventative Controls	Attempt to prevent or deter undesirable acts from occurring. They are proactive controls, designed to prevent a loss, error, or omission.

## POLICY STATEMENT

The internal control policy aims to minimise or contain internal risks within acceptable levels, as outlined in the Shire's Risk Management Policy. The CEO is delegated responsibility for operational and financial management, ensuring the establishment and maintenance of effective internal controls.

The CEO ensures that appropriate and efficient internal controls are in place covering:

- a) staffing and segregation of duties;
- b) Information Technology;
- c) documented procedures and processes covering the recording, reporting and authorisation of transactions;
- d) monitoring performance and adherence; and
- e) legislative activities.

### 1. Key Focus Areas

- a) Plan for the future: ensure efficient monitoring and reporting of Council Plan objectives;
- b) Accuracy and Reliability: maintain accurate reporting to facilitate informed decision-making;
- c) Compliance: ensure adherence to relevant legislation and regulations;
- d) Asset Protection: secure assets from unauthorised use;
- e) Record Integrity: maintain complete, secure, and reliable records;
- f) Risk Mitigation: identify, assess, and mitigate risks; and
- g) Accountability and Transparency: establish strong internal controls fostering community trust and confidence.

### 2. Internal control

Effective Internal Control involves:

#### 2.1 Establishing an Appropriate Control Environment

Emphasise compliance with policies, codes of conduct, directives, procedures and values, supported by adequate training and technology usage.

#### 2.2 Assessment of Risks

Adopt a proactive risk management approach, regularly reviewing and identifying risks in accordance with the Shire's Risk Management Framework and Risk Management Policy.

### 2.3 Implementation of Control activities

Implement preventative, detective, and directive control measures below.

- (a) Preventative control measures such as training programs, improvement of and thorough review of contract conditions; regular review of policies and procedures, and security to avoid undesirable events from occurring.
- (b) Detective control measures such as audits, review, and reconciliation processes to detect and subsequently correct undesirable events that have already occurred.
- (c) Directive processes such as Business Continuity Plans, Disaster Recovery Plans, insurance, education, and disciplinary procedures to encourage continuity and mitigation of risk.

### 2.4 Information and Communication

Ensuring clear communication about internal controls throughout the Shire which includes documenting procedures, staff training and keeping everyone informed about updates.

### 2.5 Monitoring and Review Activities

Conduct internal audits, monitor Risk Register, ISP documents, and undertake Risk Management reviews in accordance with the principles of the Shire's Risk Management Framework and Risk Management Policy.

Management systems and internal activities may also include:

- (a) Risk Management reviews undertaken annually by the Local Government Insurance Scheme (LGIS); and
- (b) Completion of the Compliance Calendar on a monthly basis;
- (c) Completion of the annual Compliance Audit Return.

## 3. **Outcomes**

Successful internal control implementation is indicated by:

- a) Efficient resource utilisation;
- b) Timely detection and correction of anomalies;
- c) Asset protection and authorised use;
- d) Integrity and accessibility of records; and
- e) Effective risk containment.

## 4. **Roles and Responsibilities**

### 4.1 Council

Council is responsible for overseeing the Internal Control Policy.

### 4.2 Chief Executive Officer (CEO)

The CEO is accountable to Council for developing and implementing effective systems, promoting best practices, and reporting to Council on internal control effectiveness.

### 4.3 Workers

Workers are responsible for adhering to internal control policies and procedures, reporting inadequacies to management.

#### 4.4 Audit & Risk Committee

The Audit & Risk Committee has responsibility for facilitating compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance. The Committee does not have authority to implement actions or have any management function but may make recommendations to Council.



## COUNCIL POLICY

1.2.22

### Administration

Title:	1.2.22 LEGISLATIVE COMPLIANCE POLICY
Adopted:	18 June 2025
Reviewed:	Biannually (NEW)
Associated Legislation:	Local Government Act 1995 Local Government (Audit) Regulations 1996
Associated Documentation:	Risk Management Policy
Review Responsibility:	Manager Governance and Community
Delegation:	Nil

Last Adopted: N/A

### PURPOSE

The Shire of Mingenew (Shire) is committed to upholding its legal and regulatory obligations in alignment with its values, objectives, and community expectations. Through proactive measures, continual improvement, and collaboration, we ensure compliance with legislative requirements while fostering a culture of integrity and accountability.

### OBJECTIVE

- (a) to ensure a commitment to compliance is communicated widely to all Workers and relevant interested parties in clear and convincing statements supported by action.
- (b) to meet the requirements of regulatory and legislative requirements including a commitment to continual improvement of the Shire's compliance management system.
- (c) to align with the Shire's compliance obligations, governance and risk management framework, integrating legislative requirements into the Shire's operations while considering compliance management practicalities and risk management practices.
- (d) to align with the Shire's values, objectives and strategy contained in the Council Plan.

### SCOPE

This policy applies to all Elected Members and Workers of the Shire of Mingenew.

### DEFINITIONS

Definitions related to this policy are provided in the table below:

TERM	DEFINITION
Compliance culture	Values, ethics, beliefs and conduct that exist through the Codes of Conduct of the Shire and interact with the Shire's structures and control systems to produce behavioural norms that are conducive to compliance.
Compliance risks	Likelihood of occurrence and the consequences of non-compliance with the Shire's compliance obligations.
Conduct	Behaviours and practices that impact outcomes for customers, workers, suppliers, markets and communities.

Interested parties	Person or organisation that can affect, be affected by, or perceive itself to be affected by a decision or activity.
Non-compliance	Non-fulfilment of compliance obligations.

## POLICY STATEMENT

The Shire recognises the importance of compliance with legislative requirements to maintain trust and meet community expectations. This policy establishes processes and structures to integrate legislative obligations into our operations effectively. We aim to cultivate a compliance culture that empowers all Elected Members and Workers to fulfill their obligations while aligning with our strategic objectives and capabilities.

### 1. Responsibilities

- (a) Elected Members and workers have a responsibility to be aware of and abide by legislation applicable to their role.
- (b) The Shire shall have systems in place to ensure that Elected Members and Workers are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their role, within its financial capacity to do so.

### 2. Management strategies and allocation of responsibilities and resources

- (a) The Shire will maintain a compliance calendar to set objectives, identify obligations, and assess compliance risks. Regular reviews will ensure the currency of the calendar, incorporating relevant legislation and updates from authoritative sources.
- (b) The CEO will oversee the implementation of legislative obligations, ensuring clear lines of responsibility.
- (c) Managers will support the CEO in executing compliance strategies within their respective domains.
- (d) Elected Members and Workers will receive ongoing training and resources to stay updated on relevant legislation.
- (e) The Executive Management Team will review accidents, incidents, complaints, and audit reports to identify compliance gaps and facilitate improvements.

### 3. Compliance Obligations

The most obvious compliance obligations affecting the Shire arise from legal and regulatory contexts that the Shire operates in however, obligations or risks can also arise from other factors such as the Council Plan that outlines the objectives of the community. The Shire shall maintain awareness of regulatory and legislative requirements through various channels including:

- (a) utilisation of government websites for up-to-date legislation;
- (b) membership in professional groups and attendance at industry forums;
- (c) meeting and/or communications with the Department responsible for local government, and other regulators;
- (d) arrangements with legal advisors; and
- (e) subscription to relevant information services and consultation with external and internal stakeholders.

### 4. Other compliance matters

In addition to regulatory and legislative obligations, the Shire will adhere to:

- (a) agreements with community groups or non-governmental organisations;



- (b) agreements with public authorities and ratepayers;
- (c) organisational requirements through local laws, policies, procedures, and directives;
- (d) principles or codes of practice;
- (e) obligations arising from contractual arrangements with the Shire; and
- (f) relevant organisational and industry standards.

A risk-based approach through the Shire's risk management framework will ensure the effective management of compliance obligations.

## **5. Non-compliance**

In the event of non-conformity or non-compliance, the Shire will take immediate action to control and correct the issue to:

- (a) ensure that Workers report all instances of non-compliance to the relevant Manager. The Manager shall then evaluate the root causes and determine what corrective actions are to be implemented to prevent recurrence, determine an appropriate response and report the matter to the CEO.
- (b) ensure that in cases where an Elected Member becomes aware of non-compliance, they report the matter to the Shire President, who will then determine the appropriate response and liaise with the CEO regarding the matter.
- (c) investigate any reports of significant non-compliance through the CEO, and if necessary, report the non-compliance to the Council and/or the relevant government authority if required.
- (d) take corrective action through the documentation of all non-conformities and the corrective actions for review and process improvement to be implemented through operational procedures and processes, including training.

## **6. Compliance and review**

This policy will undergo regular review to ensure alignment with legislative requirements, industry standards, and best practices. Elected Members and Workers will be informed of any updates through standard communication channels.

## **7. Implementation**

This policy will be disseminated to all employees, elected officials, contractors, volunteers, and stakeholders of the Shire to ensure widespread understanding and adherence.



## COUNCIL POLICY

### Administration

1.2.23

<b>Title:</b>	<b>1.2.23 GIFT POLICY</b>
<b>Adopted:</b>	<b>18 June 2025</b>
<b>Reviewed:</b>	Biannually (NEW)
<b>Associated Legislation:</b>	Local Government Act 1995 Local Government (Administration) Regulations 1996 Local Government (Elections) Regulations 1997
<b>Associated Documentation:</b>	Code of Conduct for Council Members, Committee Members and Candidates Code of Conduct for Employees, Volunteers and Contractors Elected Member and CEO Attendance at Events Gifts Registers Gift and Benefits Declaration Form DLGSC Operational Guideline – Disclosure of Gifts
<b>Review Responsibility:</b>	Manager Governance and Community
<b>Delegation:</b>	Nil

Last Adopted: N/A

## PURPOSE

To provide clear guidance in relation to receiving, accepting and disclosing gifts, in accordance with statutory requirements and ensure the risk of influence (actual or perceived) is eliminated from the decision-making process.

## OBJECTIVE

To ensure transparency and accountability in local government decision-making.

## SCOPE

This policy applies to all Elected Members and Workers of the Shire of Mingenew.

## DEFINITIONS

Definitions related to this policy are provided in the table below:

TERM	DEFINITION
Associated person	a person who — (a) is undertaking or seeking to undertake an activity involving a local government discretion; or (b) it is reasonable to believe, is intending to undertake an activity involving a local government discretion. [r19AA]
Electoral gift	means a disposition of property, or the conferral of any financial benefit, made by one person in favour of another. [r.30B]
Interest relating to a gift	means an interest that a relevant person has because of the operation of section 5.60 when read with section 5.62(1)(ea), (eb) or (ec) of the Act.
Gift	a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate

	consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral (including contribution to travel) [s.5.74 LGA]
Travel contribution	means a financial or other contribution made by 1 person to travel undertaken by another person (travel includes accommodation incidental to a journey).
Workers	Includes all employees, volunteers, contractors and anyone else acting on behalf of the Shire of Mingenew.

## POLICY STATEMENT

As public officers, we work to serve our community every day and must always act with the highest level of integrity.

If we accept or provide gifts people may have a perception that we make decisions for personal gain. It might make people question our ability to make decisions that are honest, fair and in the best interests of the community we serve. This could damage our collective and individual reputation, lead to a misuse of public money or, ultimately, reduce community trust.

These risks are even higher if you are involved in activities such as decision making, procurement, regulation, licensing, approvals, grants and sponsorship.

Our Policy describes our expectations about how to make good decisions about gifts.

It is your responsibility to:

- read these documents and act accordingly
- know what offers you have to declare and record, on what forms and who has to approve these and by when
- know our rules around providing gifts, benefits and hospitality, and make sure any expenditure aligns with our purchasing and credit card policies
- seek advice from the CEO, Manager Governance and Community or WALGA if you are unsure about how to manage gifts.

### 1. Council Members and the CEO

Council members and the CEO must have regard to legislative provision relating to gifts, which are prescribed in the Local Government Act 1995 [s5.57, s5.87A, s5.87B, 5.87C and 5.89A] and Local Government (Administration) Regulations 1996 [r19AA-r19AF]. The Code of Conduct for Council Members, Committee Members and Candidates also indicates that a failure to comply may be considered a breach of the Rules of Conduct.

#### 1.1. Disclosing Gifts

Council Members and the CEO are obliged to formally disclose gifts that are worth over the value of \$300 (individually or accumulatively over a 12 month period).

Council Members and the CEO may voluntarily disclose the acceptance or refusal of gifts above and beyond the statutory gift disclosure requirements, such as the acceptance of one-off gifts that are valued at \$300 or less.

A Gifts Register is maintained and published on the Shire's website (excluding address detail, in accordance with s5.89A(5A) of the Act).

## 1.2. Responsibilities

The recipient of a gift must decide whether the gift is received in their capacity as council member or CEO. The questions to ask yourself are:

- Would the gift have been given to me if I was not a member of the council or CEO?
- And would a gift of that value be given to me if I was not a member of the council or CEO?

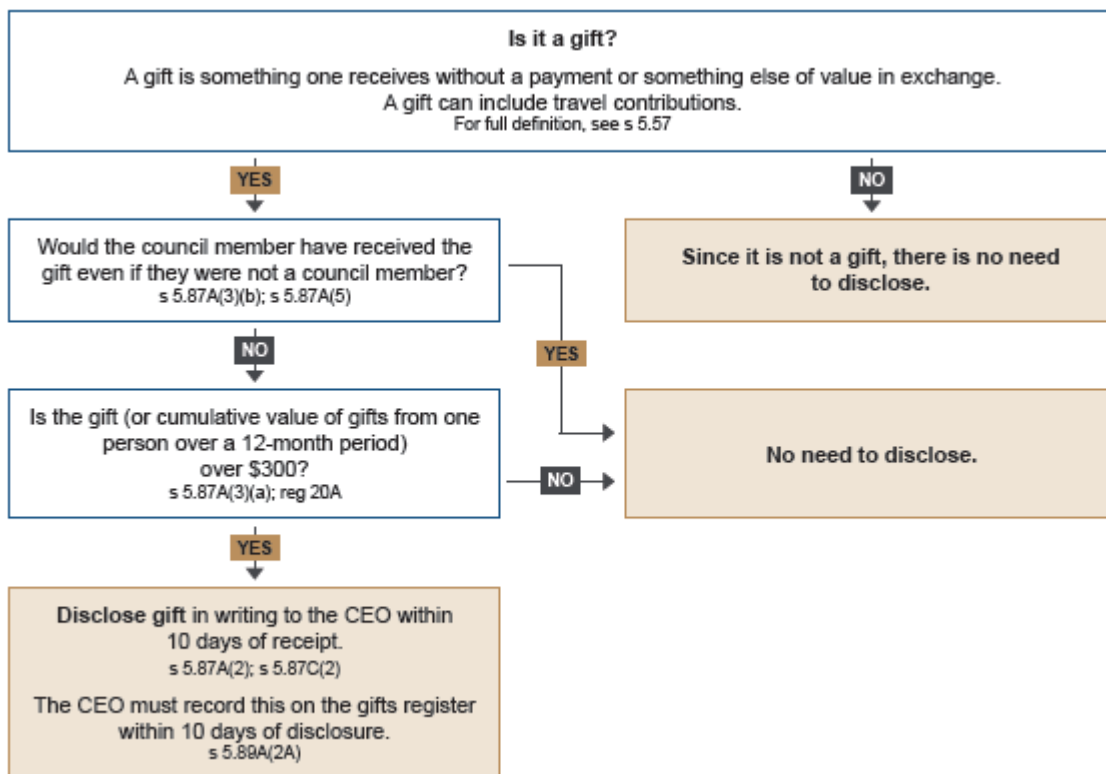
If the answer to either is no, the gift must be disclosed if the value of the gift (or the cumulative value of gifts from the same donor in a twelve-month period) is over \$300.

While the circumstances surrounding the provision of a gift or why people are invited to a celebration of an occasion may differ, examples of gifts that generally wouldn't have to be disclosed include:

- wedding or birthday gifts
- gifts from relatives
- gifts received through a will
- gifts received through your ordinary course of employment (for council members)
- the temporary loan of personal property belonging to a relative, acquaintance, neighbour etc.

In all cases, including those above, consider the nature of the relationship between you and the donor when forming your decision to disclose receipt of the gift. The onus is on you, as council member or CEO, to prove that you did not receive the gift in the capacity of council member or CEO if an allegation is made.

The flowchart below may assist a council member to determine their disclosure requirements (*source: Civic Legal – Gifts Disclosure: A Guide for Local Government Council Members*).

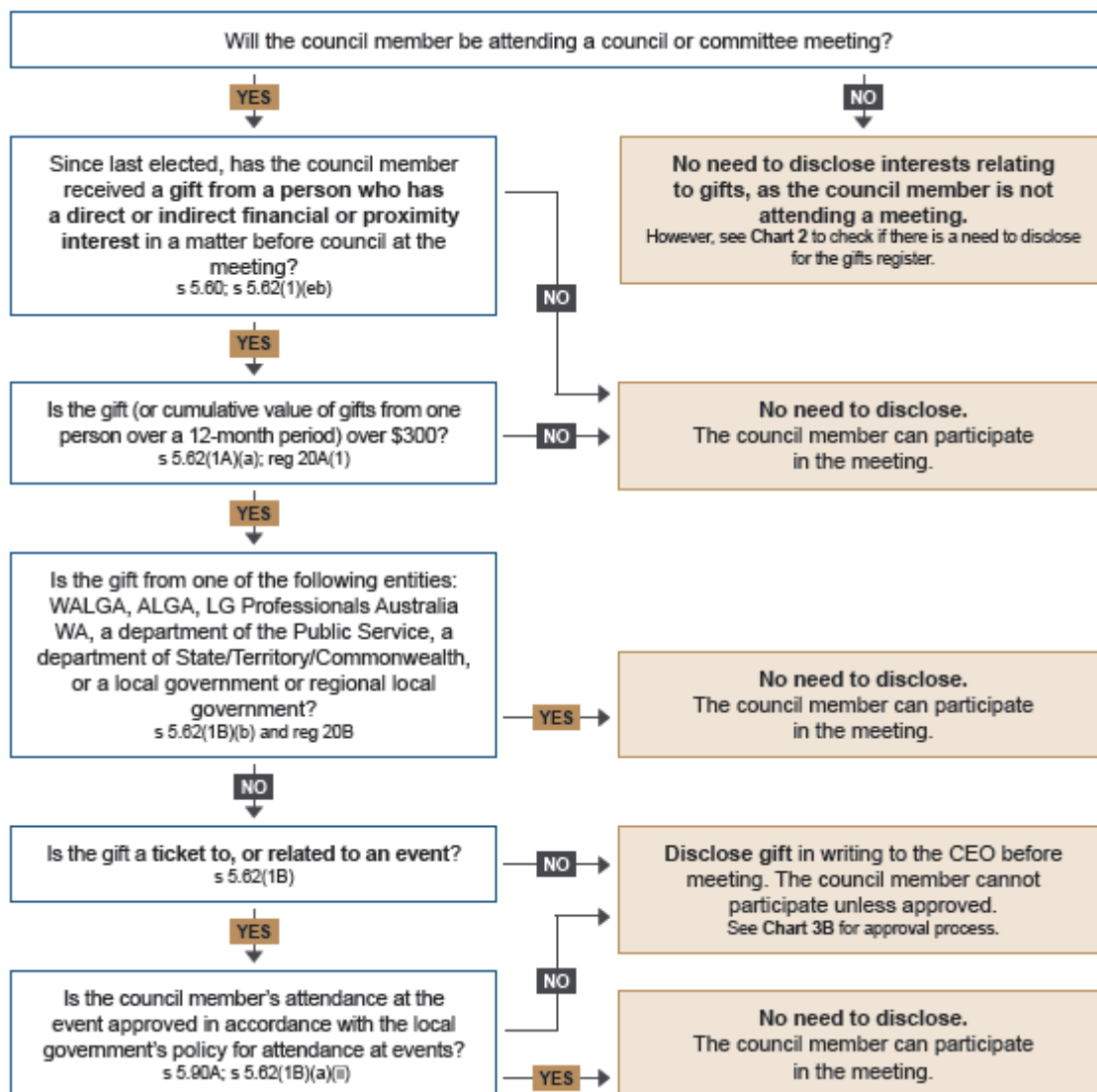


### 1.3. Interests in matters before council

The interest relating to gifts provisions recognise that a relationship is created between the donor and a recipient of a gift which could be perceived to affect decision-making. It is irrelevant why the gift was received - whether in the person's capacity as a council member or CEO or some other capacity. What is critical is that there is a matter before council from which the donor could benefit or suffer detriment.

The basic principle is that the council member is not to participate in any part of the meeting dealing with the matter (section 5.67). They must be absent from any deliberations. If the council member has such an interest, in accordance with section 5.65, they must disclose this interest in writing to the CEO before the meeting or immediately before the matter is discussed.

The flowchart below may assist a council member to determine if it is appropriate to participate in a meeting and disclosure requirements (*source: Civic Legal – Gifts Disclosure: A Guide for Local Government Council Members*).



If it is the CEO who has the interest due to receipt of a gift, they are not to provide advice to council or prepare reports for council, either directly or indirectly (section 5.71A).

Certain gifts are specifically excluded from the conflict of interest provisions (section 5.62(1B)). These are gifts relating to attendance at an event where attendance has been approved by the council in

accordance with the Council Member and CEO Attendance at Events Policy, and gifts from specified entities (see gift exclusions in Definitions table).

#### 1.1 Approval to participate where there is an interest

The receipt of a gift over \$300 (or the cumulative value of gifts from the same donor in a twelve-month period) prevents a council member or CEO from participating in, or providing advice or report on, the matter to be discussed (unless approval has been given).

As council is in the best position to determine whether the receipt of a gift is likely to affect the person's decision-making, in accordance with section 5.68, council can allow a council member to participate if they have received a gift valued at up to \$1,000 but only where they decide:

- that the interest is so trivial or insignificant it is unlikely to influence the disclosing member conduct in relation to the matter; or
- the interest is common to a significant number of electors or ratepayers in the case of disclosure by a council member.

If it is the CEO which has the interest relating to a gift, and the gift is valued at up to \$1,000, the council can allow the CEO to provide advice or a report, if they believe the nature of the interest is unlikely to influence the CEO. If the council decides that the interest is not trivial or insignificant and could be perceived to influence, the CEO should make arrangements for another employee to provide the advice or report.

The decisions to permit participation and the council's reasons for making that decision must be recorded in the minutes of the meeting.

#### 1.2 Ministerial approval to participate or provide advice

For an interest created by a gift(s) over \$1,000 in a twelve-month period, only the Minister can make a decision to allow participation or the provision of advice or a report.

The Minister can only decide to allow a council member to participate if:

- a quorum is needed; or
- the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.

The Minister may also allow a CEO to provide advice or a report, if the Minister is of the opinion the interest is unlikely to influence the CEO in the provision of the advice or report. An application for the CEO to provide advice or report must be made by the council and not the CEO.

An application made to the Minister must include: the nature of the interest and any other information required by the Minister to enable the Minister to make a decision.

If the Minister allows a council member to participate or the CEO to provide advice or report, the Minister's decision and the reasons for it must be recorded in the minutes when the matter is considered by council.

## 2. **Employees**

### 2.1 Gift value threshold

The threshold amount for a prohibited gift is \$300 or a lesser amount as determined by the CEO, as per Regulation 19AF of the *Local Government (Administration) Regulations 1996*.

The Chief Executive Officer has made a determination, under Regulation 19AF, not to set a lesser amount than the prescribed amount (\$300). This means that staff are prohibited from accepting a gift or gifts of a cumulative value of \$300 or more if received from the same donor within a 12 month period.

Individual employees are responsible for monitoring gifts received from the same donor, and accumulated value to ensure compliance with this Policy.

An associated person, as defined, is considered to include all entities that have or could reasonably believe intend to have a commercial relationship with the Shire through a contract, or supply of goods or services, or an entity seeking a licence, planning approval or authorisation, or similar.

The offer of a gift above the prescribed threshold (prohibited gift) from an associated person should be recorded in a 'Gift and Benefits Declaration Form' and must be declined or returned to the donor as soon as practicable. If a gift of this nature cannot be declined or returned, it must be disposed of by the CEO.

All employees are encouraged to disclose all gifts above \$50 in value by completing the relevant disclosure form.

## 2.2 Notification of accepting a gift or gifts

As outlined in the Code of Conduct, employees are to provide notification of the acceptance of a gift in writing and include the following information:

- (a) the name of the person who gave the gift; and
- (b) the date on which the gift was accepted; and
- (c) a description, and the estimated value, of the gift; and
- (d) the nature of the relationship between the person who is an employee and the person who gave the gift; and
- (e) if the gift is one of two or more accepted from the same person within a period of one year:
  - i. a description;
  - ii. the estimated value; and
  - iii. the date of acceptance,of each other gift accepted within the one-year period.

The Shire's Code of Conduct for Employees, Volunteers and Contractors outlines that the acceptance of gifts over the value of \$300 are prohibited.

Gifts accepted under the value of \$300 or any offered but rejected gift over \$300 should be disclosed in a Declaration Form and published in a register.

Details of gifts received by Officers no longer employed at the Shire are removed from the notifiable gift register.

Individual employees are responsible for monitoring gifts received from the same donor, and accumulated value to ensure compliance with this Policy.

## **3. Electoral gifts**

All candidates are subject to the electoral gift requirements of the *Local Government (Elections) Regulations 1997*, including candidates who are current Council members.

An electoral gift must be disclosed if the value of the gift is \$300 or more, or the 2 or more gifts received by one person within the period set out in r.30C (from 6 months prior to election day and 3 days after

election day – for unsuccessful candidates, or for successful candidates, on the start day for financial interest returns).

Electoral gifts do not include the provision of volunteer labour, gifts by will, gifts not relevant to the candidate's candidature, or gifts by a relative (as defined by section 5.74(1) of the Act and r.30A(5) of the Electoral Regulations).

Details of gifts received by unsuccessful candidates are removed from the electoral gift register in accordance with regulation 30G(3) of the *Local Government (Elections) Regulations 1997*.

#### **4. Risk Management of Gifts**

There are minimum expectations that must be considered by all gift recipients:

- Recipients should never expect to receive anything extra for doing what they are paid to do.
- Recipients should never use their role to solicit gifts, benefits and hospitality for themselves or others.
- Recipients should never accept:
  - offers of cash and items easily converted to cash such as gift vouchers and shares
  - bribes and inducements to act in certain ways
  - offers provided to family members and associates on their behalf
  - offers from people and organisations they are making a decision in relation to.

Common risks that can arise if recipients accept gifts that should be considered include:

- introducing a conflict of interest and calling into question their ability to make fair and impartial decisions
- encouragement to 'return the favour'
- creating a culture of entitlement where personal interests are prioritised
- signalling to customers, suppliers and stakeholders this is 'how things get done'.

#### **5. Accepting and Declining Gifts - Guideline**

##### **5.1 Determining value of the gift**

The onus is on the recipient to establish the value of the gift, based on the market value on the day the gift was received. How this can be established will depend on the nature of the gift received. For example, the price of a bottle of wine can be established through an internet search or a piece of artwork through contacting the artist. Hospitality can be determined by contacting the restaurant or caterers directly or from an internet search.

##### **5.2 Anonymous gifts**

Recipients must not accept anonymous gifts under any circumstances.

Regulations require the name and donor to be disclosed

Recipients should use the GIFT tool for determining whether it would be appropriate to accept or decline a gift:

##### **5.3 GIFT Tool**

The following questions may assist a recipient of a gift to determine the appropriateness of a gift and disclosure obligations:

G – Giver



- Who is providing the gift, benefit or hospitality and what is their relationship to me?
- Does my role require me to select contractors, award grants, regulate industries or determine government policies?
- Could the giver (person or organisation) benefit from a decision I make?

#### I – Influence

- Is the giver seeking to influence my decisions or actions?
- Is the gift, benefit or hospitality being offered to me publicly or privately?
- Is it a courtesy, token of appreciation or highly valuable?
- Does its timing coincide with a decision I am about to make?

#### F – Favour

- Is the giver seeking a favour in return for the gift, benefit or hospitality?
- Is the gift, benefit or hospitality being offered honestly?
- Has the giver made several offers to me or people in my business area over the last 12 months?
- Would accepting it create an obligation on me to return a favour?

#### T – Trust

- Will public trust be enhanced or diminished?
- Could I publicly explain why I am accepting the gift, benefit or hospitality?
- What would my colleagues, family, friends and associates think?
- Have I made good records on accepting the gift, benefit or hospitality in accordance with reporting and recording procedures?

### **6. Exclusions to Gift**

Council members and staff are encouraged not to enter competitions and door prizes when attending events in an official capacity unless it is in relation to attendance at an event hosted/facilitated by one of the below organisations.

The following situations are specifically excluded where the event or function ticket (gift) is received from one of the following organisations:

- WALGA (but not LGIS);
- Local Government Professionals Australia (WA);
- Australian Local Government Association;
- A department of the WA public service;
- A government department of another State, a Territory or the Commonwealth; or
- A local government or regional local government.

Explain how the receipt of unexpected gifts, such as promotional materials and gift baskets, are managed.

### **Consequences of Non-Disclosure and/or Misrepresentation of Value**

Failure to disclose a gift where required may result in a breach of the relevant Code of Conduct and/or penalties as prescribed in the relevant legislation.

### 5.3 REVIEW OF RISK REGISTER ACTION LIST

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** RM.RPT.1  
**Disclosure of Interest:** Nil  
**Date:** 5 February 2025  
**Author:** Erin Greaves, Manager Governance and Community  
**Authorising Author:** Matt Fanning, Chief Executive Officer  
**Voting Requirements:** Simple Majority

#### Summary

To review the status of actions/treatments identified within the Shire's Risk Register Action List.

#### Key Points

- The Audit & Risk Committee received the Risk Register in November 2024 and resolved to review the Register at each meeting
- The last review was conducted in February 2025
- In this review there are a number of amendments proposed which reflect outcomes of the FMR and Reg 17 audits, as well as the Shire's ability to meet the timeframes as originally set out

#### **OFFICER RECOMMENDATION AND COMMITTEE DECISION - ITEM 5.3**

**MOVED:** Cr AR Smyth      **SECONDED:** Ms J Bagshaw

That the Audit & Risk Committee receives:

- a) the Risk Register Action List and notes the status updates and amendment, as presented.
- b) the Strategic Risk Register, included within the Risk Register.

#### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 5/0**

*(FOR: Cr HR McTaggart, Cr GA Cosgrove, Cr AR Smyth, Cr AT Pearse and Ms J Bagshaw AGAINST: Nil)*

*NOTE: The Committee workshopped the strategic risks and added the following for inclusion, to present to the next Audit & Risk Committee meeting:*

- *Lack of Federal and State funding*
- *Clarity on market and appropriate procurement activity for Enterprise resource planning (ERP) software system*
- *Sole local business providers for essential services*
- *Attraction of key staff (market volatility in region)*
- *Restrictions on ability to draw rateable income from certain land uses i.e. resources companies, CBH.*
- *Energy transition preparedness*

#### Attachment

5.3.1 Shire of Mingenew Risk Register 2024/25 – reviewed June 2025

#### Background

The Audit & Risk Committee resolved to review the Risk Register at each meeting, and it is therefore provided to the Committee.

#### Comment

The following table lists the actions/treatments proposed to address key risks identified within the Shire's Risk Register and includes a status update for actions due. Highlighted lines are new additions to the Risk Register Action List.

Action / Treatments	Risk Category	Due Date	Responsibility	Status
Council to adopt a 'Dealing with Challenging Behaviours' Policy and internal staff training	Psychosocial Hazards	Dec-24	MGC	COMPLETED Adopted by Council 12 December 2024
Pre-budget planning for community projects - include early engagement with stakeholders	Project management	Feb-25	MCS	COMPLETED Letter issued to sporting / community groups and responses received (due 26 Feb 2025).
Councillors to complete mandatory training	Compliance	Mar-25	Council	Due date amended to Oct-25 to align with LG Elections
Establish and adopt minimum standards for bushfire volunteers	WHS	Mar-25	CEO	COMPLETED Adopted by BFAC and Council (30 April 2025 OCM)
Ensure appointed fire wardens complete training	Business and Community Disruption	Mar-25	MGC	Amended due date to Jul-25 to find suitable training provider
Psychological Hazards Training (LGIS) for employees	Psychosocial Hazards	Mar-25	LGIS / MGC	Amended due date to Jul-25 as recent training on 'Managing Challenging Behaviours' prioritised.
Performance reviews for all employees completed annually	Employment Practices	Apr-25	All Managers / CEO	Amended due date to Jun-25 – have commenced
Cyber awareness training for employees and Councillors (include as provision in new ICT Contract)	IT, communications systems and infrastructure	Apr-25	MCS	Amended due date to Sep-25 to allow new ICT contractor to assess needs
Implement WHS Audit Actions	WHS	Apr-25	MGC	Amended due date to Sep-25 to spread workload
Test emergency procedures	Business and Community Disruption	May-25	MGC	Amended due date to Aug-25, to follow appointment of fire wardens
Train additional staff to conduct playground inspections (LGIS)	Asset Sustainability	Jun-25	WM	Scheduled for June 2025
First aid training to be provided for staff and bushfire volunteers	Business and Community Disruption	Jun-25	MGC	Amended due date to Sep-25
Upgrade Rec Centre as Evacuation Centre	Environment	Jun-25	CEO	Amended due date to Jun-26 in

				consideration of adjusted project delivery times
Train additional staff to conduct playground inspections (LGIS)	Management of facilities, venues, events and services	Jun-25	WM	Scheduled for June 2025
Transition to electronic purchasing / management system	Purchasing and Supply	Jun-25	MCS	Amended due date to Nov-25, pending ERP procurement
<b>Develop a Procurement Framework and review policies and procedures</b>	<b>Purchasing and Supply</b>	<b>Jul-25</b>	<b>MGC</b>	<b>Action from FMR</b>
<b>Investigate pricing and benefit of CCTV and duress alarm at Shire Administration</b>	<b>Psychosocial Hazards</b>	<b>Aug-25</b>	<b>MGC</b>	<b>Action from Reg 17 Review</b>
Implement schedule for regular playground inspections (trained staff)	Asset Sustainability	Dec-25	WM	No change
Workforce Plan to be updated (internal resource)	Employment Practices	Dec-25	MGC	No change
Implement schedule for regular playground inspections (trained staff)	Management of facilities, venues, events and services	Dec-25	WM	No change
Develop events management process and checklist for community	Management of facilities, venues, events and services	Dec-25	MGC	No change
Develop Building Maintenance Program	Asset Sustainability	Jun-26	MGC	No change
Prepare Public Health Plan	Environment	Jun-26	MGC(external assist)	No change
Update Asset Management Plan (allocate funding 2025/26 Budget)	Asset Sustainability	Jun-26	CEO (external assist)	No change

The Action List will be a standing item on the Audit & Risk Committee Agenda but will not be referred to Council unless the Committee requests a particular matter should be raised with Council.

An action of the Reg 17 Review was to implement a Strategic Risk Register therefore a draft has been developed and provided to this Committee for review only. The Committee may wish to recommend its adoption to Council should it be satisfied of the content and structure.

### Statutory Environment

Local Government Act 1995  
Local Government (Audit) Regulations 1996

### Policy Implications

Council Policy 1.2.1 Risk Management Policy and Procedure

### Financial Implications

There are no financial implications to be considered as part of this report.

**Strategic Implications**

Strategic Community Plan 2023-2033

14.4 Identify risks and implement adequate management controls

### Risk Register Action List

Action / Treatments	Risk Category	Due Date	Responsibility	Status
Council to adopt a 'Dealing with Challenging Behaviours' Policy and internal staff training	Psychosocial Hazards	Dec-24	MGC	Adopted by Council 12 December 2024
Pre-budget planning for community projects - include early engagement with stakeholders	Project management	Feb-25	MCS	Letters issued to sporting / community groups and responses received (due 26 Feb 2025)
Establish and adopt minimum standards for bushfire volunteers	WHS	Mar-25	CEO	Adopted by BFAC and Council (30 April 2025 OCM)
Train additional staff to conduct playground inspections (LGIS)	Asset Sustainability	Jun-25	WM	Scheduled for June 2025
Train additional staff to conduct playground inspections (LGIS)	Management of facilities, venues, events and services	Jun-25	WM	Scheduled for June 2025
Performance reviews for all employees completed annually	Employment Practices	Jun-25	All Managers / CEO	Scheduled for June 2025
Develop an ICT Strategy in consultation with the new ICT Contractor	IT, communications systems and infrastructure	Jul-25	MCS	*
Develop a Procurement Framework and review policies and procedures	Purchasing and Supply	Jul-25	MCS	*
Ensure appointed fire wardens complete training	Business and Community Disruption	Jul-25	MGC	*
Investigate pricing and benefit of CCTV and duress alarm at Shire Administration	Psychosocial Hazards	Aug-25	MGC	*
Test emergency procedures	Business and Community Disruption	Aug-25	MGC	*
Cyber awareness training for employees and Councillors (include as provision in new ICT Contract)	IT, communications systems and infrastructure	Sep-25	MCS	*
First aid training to be provided for staff and bushfire volunteers	Business and Community Disruption	Sep-25	MGC	*
Implement WHS Audit Actions	WHS	Sep-25	MGC	*
Transition to electronic purchasing / management system	Purchasing and Supply	Nov-25	MCS	*
Councillors to complete mandatory training	Compliance	Oct-25	Council	*
Psychological Hazards Training (LGIS) for employees	Psychosocial Hazards	Nov-25	LGIS / MGC	*
Implement schedule for regular playground inspections (trained staff)	Asset Sustainability	Dec-25	WM	
Implement schedule for regular playground inspections (trained staff)	Management of facilities, venues, events and services	Dec-25	WM	
Workforce Plan to be updated (internal resource)	Employment Practices	Dec-25	MGC	
Develop events management process and checklist for community	Management of facilities, venues, events and services	Dec-25	MGC	
Develop Building Maintenance Program	Asset Sustainability	Jun-26	MGC	
Prepare Public Health Plan	Environment	Jun-26	MGC (external assist)	
Upgrade Rec Centre as Evacuation Centre	Environment	Jun-26	CEO	*
Update Asset Management Plan (allocate funding 2025/26 Budget)	Asset Sustainability	Jun-26	CEO (external assist)	

## Local Government Risk Dashboard



Asset Sustainability	Risk Ratings		Risk Evaluation	
	Inherent Risk	High	Control effectiveness	Inadequate
	Residual Risk	High	Risk Acceptance	Unacceptable

Failure or reduction in service of infrastructure assets, plant, equipment or machinery. These include fleet, buildings, roads, playgrounds, boat ramps and all other assets during their lifecycle from procurement to disposal.

Business and Community Disruption	Risk Rating		Risk Evaluation	
	Inherent Risk	High	Control effectiveness	Inadequate
	Residual Risk	High	Risk Acceptance	Urgent attention

Failure to adequately prepare and respond to events that cause disruption to the local community and / or normal business activities. This could be a natural disaster, weather event, or an act carried out by an external party (e.g. sabotage / terrorism) and/or pandemic.

Document Management Processes	Risk Ratings		Risk Evaluation	
	Inherent Risk	Moderate	Control effectiveness	Adequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Failure to adequately capture, store, archive, retrieve, provide or dispose of documentation.

Environment	Risk Ratings		Risk Evaluation	
	Inherent Risk	High	Control effectiveness	Inadequate
	Residual Risk	High	Risk Acceptance	Urgent attention

Inadequate prevention, identification, enforcement and management of environmental issues.

External Theft and Fraud	Risk Ratings		Risk Evaluation	
	Inherent Risk	High	Control effectiveness	Inadequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Loss of funds, assets, data or unauthorised access, (whether attempted or successful) by external parties, through any means (including electronic), for the purposes of fraud, malicious damage or theft.

Misconduct	Risk Ratings		Risk Evaluation	
	Inherent Risk	Moderate	Control effectiveness	Adequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority

IT, communications systems and infrastructure	Risk Ratings		Risk Evaluation	
	Inherent Risk	High	Control effectiveness	Adequate
	Residual Risk	Moderate	Risk Acceptance	Accept

Instability, degradation of performance, or other failure of IT or communication system or infrastructure causing the inability to continue business activities and provide services to the community.

WHS	Risk Ratings		Risk Evaluation	
	Inherent Risk	Extreme	Control effectiveness	Inadequate
	Residual Risk	High	Risk Acceptance	Urgent attention

Non-compliance with the Workplace Health & Safety Act, associated regulations and standards.

Employment Practices	Risk Ratings		Risk Evaluation	
	Inherent Risk	Moderate	Control effectiveness	Inadequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Failure to effectively manage human resources (full-time, part-time, casuals, temporary and volunteers).

Compliance	Risk Ratings		Risk Evaluation	
	Inherent Risk	High	Control effectiveness	Inadequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public domain legal documentation. It includes (amongst others) the Local Government Act, Planning & Development Act, Health Act, Building Act, Dog Act, Cat Act, Freedom of Information Act and all other legislative based obligations for Local Government.

Community Engagement	Risk Ratings		Risk Evaluation	
	Inherent Risk	Moderate	Control effectiveness	Adequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Key Private Sector Companies, Government Agencies and Elected Members. This includes activities where communication, feedback or consultation is required and where it is in the best interests to do so

Errors, Omissions and Delays	Risk Ratings		Risk Evaluation	
	Inherent Risk	Moderate	Control effectiveness	Adequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process including incomplete, inadequate or inaccuracies in advisory activities to customers or internal staff.

Management of facilities, venues, events and services	Risk Ratings		Risk Evaluation	
	Inherent Risk	High	Control effectiveness	Adequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Failure to effectively manage the day to day operations of facilities, venues and events.

Project management	Risk Ratings		Risk Evaluation	
	Inherent Risk	High	Control effectiveness	Inadequate
	Residual Risk	High	Risk Acceptance	Urgent attention

Inadequate analysis, design, delivery and reporting of projects / change initiatives

Purchasing and Supply	Risk Ratings		Risk Evaluation	
	Inherent Risk	Moderate	Control effectiveness	Inadequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Inadequate management of external Suppliers, Contractors, IT Vendors or Consultants engaged for operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes.

Psychosocial Hazards	Risk Ratings		Risk Evaluation	
	Inherent Risk	High	Control effectiveness	Inadequate
	Residual Risk	Moderate	Risk Acceptance	Monitor

Inadequate controls to identify and manage psychosocial hazards, including poor work design, oversight and non-compliance with WHS Act and Regulations.

Asset Sustainability			Sep-24
Risk Description			
Failure or reduction in service of infrastructure assets, plant, equipment or machinery. These include fleet, buildings, roads, playgrounds, boat ramps and all other assets during their lifecycle from procurement to disposal.			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"> <li>• Skill level &amp; behaviour of operators</li> <li>• Lack of trained staff</li> <li>• Outdated equipment</li> <li>• Insufficient budget to maintain or replace assets</li> <li>• Unavailability of parts</li> <li>• Lack of Maintenance</li> <li>• Breakdowns</li> </ul>		<ul style="list-style-type: none"> <li>• Financial</li> <li>• Service interruption</li> <li>• Property damage</li> <li>• Non compliance</li> <li>• Health</li> </ul>	
Inherent Risk		Consequence	Risk Rating
		Major	High
Key Controls		Type	Control Operating Effectiveness
Plant Replacement Program		Preventative	Adequate
Asset Management Framework (Plan & Strategy)		Preventative	Inadequate
Building Maintenance Program		Preventative	Inadequate
Fleet Management System		Preventative	Adequate
Road Asset Management System		Preventative	Adequate
Housing Replacement Program		Preventative	Adequate
Incident reporting		Detective	Adequate
Property condition inspections		Detective	Adequate
Playground inspections		Detective	Inadequate
Training Register and Plan		Preventative	Effective
Overall Control Effectiveness			Inadequate
Residual Risk		Consequence	Risk Rating
		Major	High
Risk Evaluation			Unacceptable
Actions / Treatments		Due Date	Responsibility
Update Asset Management Plan (allocate funding 2025/26 Budget)		Jun-26	CEO (external assist)
Develop Building Maintenance Program		Jun-26	MGC
Train additional staff to conduct playground inspections (LGIS)		Jun-25	WM
Implement schedule for regular playground inspections (trained staff)		Dec-25	WM
Comments / Justifications			
Building maintenance is currently reactive, planned maintenance scheduling, developed from inspections of infrastructure will assist the Shire to have a facilitate a more planned approach. Data from asset valuations to inform a holistic Building Maintenance Plan. Work has commenced on preparing a Plan specific to Housing maintenance.			
Asset Management Plan significantly out of date (2016) - to be renewed following valuation and as resources provide.			



Business and Community Disruption			Sep-24
Risk Description			
Failure to adequately prepare and respond to events that cause disruption to the local community and / or normal business activities. This could be a natural disaster, weather event, or an act carried out by an external party (e.g. sabotage / terrorism) and/or pandemic.			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"><li>• Cyclone, storm, fire, earthquake</li><li>• Terrorism / sabotage / criminal behaviour</li><li>• Epidemic / Pandemic</li><li>• Loss of suppliers</li><li>• Climate change</li><li>• Loss of key staff</li><li>• Loss of key infrastructure</li></ul>		<ul style="list-style-type: none"><li>• Service Interruption</li><li>• Reputational damage</li><li>• Health</li><li>• Financial Impact</li></ul>	
Inherent Risk	Consequence	Likelihood	Risk Rating
	Catastrophic	Possible	High
Key Controls	Type	Date	Control Operating Effectiveness
Local Emergency Management Arrangements	Recovery	Sep-24	Effective
Local Recovery Plan	Recovery	Sep-24	Adequate
Business Continuity Plan	Recovery	Sep-24	Adequate
Cybersecurity systems	Preventative	Sep-24	Effective
Financial Management procedures	Preventative	Sep-24	Effective
State of Emergency protocols	Recovery	Sep-24	Adequate
STAND	Recovery	Sep-24	Effective
PID Policy and procedures	Detective	Sep-24	Effective
LEMC Meetings and exercises	Preventative	Sep-24	Effective
Established & Trained ECO's (Fire Wardens, First Aiders)	Preventative	Sep-24	Inadequate
List of vulnerable community members	Recovery	Sep-24	Adequate
Evacuation procedures	Preventative	Sep-24	Adequate
Employee Assistance Program (EAP) and counselling services	Recovery	Sep-24	Effective
Overall Control Effectiveness			Inadequate
Residual Risk	Consequence	Likelihood	
	Catastrophic	Unlikely	High
Risk Evaluation			Urgent attention
Actions / Treatments		Due Date	Responsibility
Ensure appointed fire wardens complete training		Jul-25	MGC
Test emergency procedures		Aug-25	MGC
First aid training to be provided for staff and bushfire volunteers		Sep-25	MGC
Review, update and test the Shire's Business Continuity Plan		Dec-25	MGC
Comments / Justifications			
Provision of training for fire wardens and first aid has been included in the Shire's Training Plan and Budget for 2024/25.			
Emergency procedures will require review and testing once fire wardens trained.			

Compliance		Sep-24		
Risk Description				
Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public domain legal documentation. It includes (amongst others) the Local Government Act, Planning & Development Act, Health Act, Building Act, Dog Act, Cat Act, Freedom of Information Act and all other legislative based obligations for Local Government.				
Causal Factors		Potential Outcomes		
<ul style="list-style-type: none"><li>• Lack of training, awareness and knowledge</li><li>• Staff Turnover</li><li>• Inadequate record keeping/ failure of corporate electronic systems</li><li>• Ineffective policies &amp; processes</li><li>• Impulsive decision making</li><li>• Elected member turnover</li><li>• Lack of Legal Expertise</li><li>• Breakdowns in the tender or procurement process</li><li>• Ineffective monitoring of changes to legislation</li><li>• Attitudinal problems</li></ul>		<ul style="list-style-type: none"><li>• Non-compliance</li><li>• Reputational</li><li>• Environmental</li><li>• Financial Impact</li></ul>		
Inherent Risk		Consequence	Risk Rating	
		Major	High	
Key Controls		Type	Date	Control Operating Effectiveness
Compliance Calendar		Preventative	Sep-24	Effective
Compliance Audit Return		Detective	Sep-24	Effective
Councillor and Staff Inductions		Preventative	Sep-24	Adequate
Records Management System		Preventative	Sep-24	Effective
WALGA Governance subscription		Preventative	Sep-24	Effective
LG Professionals - DLGSC webinars		Preventative	Sep-24	Effective
Audit & Risk Committee		Preventative	Sep-24	Effective
Internal Audits (Internal Audit Plan)		Detective	Sep-24	Adequate
External Audits (financial, Reg 17 etc)		Detective	Sep-24	Effective
Financial Interest disclosures		Preventative	Sep-24	Effective
Elected Member Training & Register		Preventative	Sep-24	Inadequate
FOI, PID Process		Detective	Sep-24	Effective
Councillor Attendance Register		Preventative	Sep-24	Effective
Tender Register & documented process		Preventative	Sep-24	Adequate
Policy Reviews		Preventative	Sep-24	Adequate
Overall Control Effectiveness				Inadequate
Residual Risk		Consequence	Likelihood	
		Major	Unlikely	Moderate
Risk Evaluation				Monitor
Actions / Treatments			Due Date	Responsibility
Councillors to complete mandatory training			Oct-25	Council
Comments / Justifications				
Council currently has four members that have not completed all units of the mandatory Council Member Training, although budget provision has been made. No consequences for non-compliance. Challenging for Councillors to commit time.				

## Document Management Processes

Sep-24

### Risk Description

Failure to adequately capture, store, archive, retrieve, provide or dispose of documentation.

Causal Factors	Potential Outcomes
<ul style="list-style-type: none"> <li>• Spreadsheet/database/document corruption or loss</li> <li>• Inadequate access and / or security levels</li> <li>• Inadequate Storage facilities (including climate control)</li> <li>• Lack of knowledge/training</li> <li>• Incompatible systems</li> <li>• Lack of awareness of the State Records Act</li> <li>• Outdated record keeping practices</li> <li>• Incomplete authorisation trails</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance</li> <li>• Reputation</li> <li>• Loss of data</li> </ul>

Inherent Risk	Consequence	Likelihood	Risk Rating
	Moderate	Unlikely	Moderate

Key Controls	Type	Date	Control Operating Effectiveness
Records Management Policy and procedures	Preventative	Sep-24	Effective
Recordkeeping Plan	Preventative	Sep-24	Effective
Recordkeeping Inductions	Preventative	Sep-24	Adequate
Climate control archive and records room	Preventative	Sep-24	Adequate
Records access management	Preventative	Sep-24	Effective
Data back up systems	Preventative & Recovery	Sep-24	Effective

Overall Control Effectiveness	Adequate
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Residual Risk	Consequence	Likelihood	Risk Rating
	Moderate	Unlikely	Moderate

Risk Evaluation	Monitor
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Actions / Treatments	Due Date	Responsibility
Nil.		

### Comments / Justifications

Important to ensure new staff are appropriately trained on record keeping procedures and practices to maintain and improve.

Employment Practices			Sep-24
Risk Description			
Failure to effectively manage human resources (full-time, part-time, casuals, temporary and volunteers).			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"> <li>Leadership failures</li> <li>Key / single-person dependencies</li> <li>Poor internal communications / relationships</li> <li>Ineffective Human Resources policies, procedures and practices</li> <li>Ineffective performance management arrangements</li> <li>Limited staff availability - labour market</li> <li>Inadequate staff training / knowledge</li> </ul>		<ul style="list-style-type: none"> <li>Health</li> <li>Compliance</li> <li>Reputation</li> <li>Service interruption</li> </ul>	
Inherent Risk		Consequence	Risk Rating
		Major	Moderate
Key Controls		Type	Control Operating Effectiveness
HR Policies and procedures		Preventative	Adequate
Training Register and Plan		Preventative	Adequate
Performance appraisals		Detective	Inadequate
Position Description reviews		Preventative	Adequate
Attraction and Retention Policy		Preventative	Adequate
WALGA Employee Relations subscription		Preventative & Recovery	Effective
Internal resourcing (HR expertise)		Preventative	Effective
Code of Conduct		Preventative	Effective
Workforce Plan		Preventative	Inadequate
Staff inductions / onboarding		Preventative	Adequate
Termination controls		Preventative	Adequate
Staff meetings / memos		Preventative	Effective
Exit Interviews		Detective	Adequate
Overall Control Effectiveness			Inadequate
Residual Risk		Consequence	Risk Rating
		Major	Moderate
Risk Evaluation			Monitor
Actions / Treatments		Due Date	Responsibility
Performance reviews for all employees completed annually		Jun-25	All Managers / CEO
Workforce Plan to be updated (internal resource)		Dec-25	MGC
Comments / Justifications			
Workforce Plan 2020-2024 is due for review. In consideration of internal resourcing, the project could be completed by Dec-2025. Workforce Plan update provides a control for various risk themes, including 'Psychosocial' and 'Project Management'.			
Performance reviews have not been consistently completed for all staff within the organisation, although most are complete. The Shire does have a reasonable practice for ensure there are opportunities to discuss performance, training needs and employee satisfaction outside of reviews, this mechanism ensures there is a formal opportunity and records captured.			

Community Engagement			Sep-24
Risk Description			
Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Key Private Sector Companies, Government Agencies and Elected Members. This includes activities where communication, feedback or consultation is required and where it is in the best interests to do so			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"> <li>Relationship breakdowns with community groups</li> <li>Leadership inattention to current issues</li> <li>Inadequate documentation or procedures</li> <li>Budget / funding issues</li> <li>Poor communication and engagement on issues</li> <li>Inadequate support for community groups</li> </ul>		<ul style="list-style-type: none"> <li>Reputation</li> <li>Compliance</li> <li>Service interruption</li> <li>Environmental</li> </ul>	
Inherent Risk		Consequence	Risk Rating
		Moderate	Moderate
Key Controls	Type	Date	Control Operating Effectiveness
Newsletter / Social Media / SMS / Emails / Media Releases / Letter drops	Preventative	Sep-24	Effective
Community Satisfaction Survey	Detective	Sep-24	Effective
Community Information Sessions / Workshops	Preventative	Sep-24	Effective
Concept Forums / Council Meetings	Preventative	Sep-24	Adequate
Executive Management Team meetings	Preventative	Sep-24	Effective
Community Surveys	Detective	Sep-24	Effective
Marketing & Communication Strategy	Preventative	Sep-24	Adequate
Crisis Communication Plan	Preventative	Sep-24	Adequate
Budget Reviews	Detective	Sep-24	Adequate
Internal resourcing (Community Development)	Preventative	Sep-24	Effective
Staff Meetings and memos	Preventative	Sep-24	Effective
Overall Control Effectiveness			Adequate
Residual Risk		Consequence	Risk Rating
		Moderate	Moderate
Risk Evaluation			Monitor
Actions / Treatments		Due Date	Responsibility
Nil			
Comments / Justifications			
Yet to implement Marketing & Communications Strategy but framework in place. Request for quote to implement the Strategy is imminent.			

Environment			Sep-24
Risk Description			
Inadequate prevention, identification, enforcement and management of environmental issues.			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"> <li>Inadequate management of landfill sites</li> <li>Lack of understanding / knowledge</li> <li>Inadequate local laws / planning schemes</li> <li>Prolific extractive industry (sand, limestone, etc)</li> <li>Poor management of contaminated sites</li> <li>Clandestine drug labs disposing of chemicals illegally</li> <li>Weather events / natural disasters</li> <li>Climate change</li> <li>Inadequate weed and pest management</li> <li>Land contamination</li> </ul>		<ul style="list-style-type: none"> <li>Environmental</li> <li>Compliance</li> <li>Health</li> <li>Reputational</li> <li>Property</li> <li>Financial</li> </ul>	
Inherent Risk		Consequence	Risk Rating
		Catastrophic	High
Key Controls	Type	Date	Control Operating Effectiveness
Transfer Station management contract	Preventative	Sep-24	Adequate
Asbestos Management Plan & Register	Preventative	Sep-24	Adequate
Evacuation facilities	Recovery	Sep-24	Inadequate
Weed management program	Preventative	Sep-24	Adequate
Pest control program	Preventative	Sep-24	Adequate
Bore monitoring program	Detective	Sep-24	Adequate
Local Emergency Management Arrangements / Recovery Plan	Recovery	Sep-24	Effective
Employee / Contractor / Volunteer Inductions	Preventative	Sep-24	Effective
Mosquito management program	Preventative	Sep-24	Adequate
Public health planning	Preventative	Sep-24	Inadequate
Complaints / feedback system	Detective	Sep-24	Effective
Overall Control Effectiveness			Inadequate
Residual Risk		Consequence	Risk Rating
		Catastrophic	High
Risk Evaluation			Urgent attention
Actions / Treatments		Due Date	Responsibility
Upgrade Rec Centre as Evacuation Centre		Jun-26	CEO
Prepare Public Health Plan		Jun-26	MGC (external assist)
Comments / Justifications			
Local governments are required to implement a Public Health Plan by June 2026 - preliminary work to prepare the plan has commenced.			
Rec Centre upgrade project has been delayed due to sourcing of suitable suppliers to provide cost estimates - recently engaged surveyor to prepare estimate to inform works, noting project to be acquitted by June 2025.			

## Errors, Omissions and Delays

Sep-24

### Risk Description

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process including incomplete, inadequate or inaccuracies in advisory activities to customers or internal staff.

Causal Factors	Potential Outcomes
<ul style="list-style-type: none"> <li>Inadequate internal processes</li> <li>Lack of knowledge/training</li> <li>Legislative changes</li> <li>Unrealistic community/council expectations</li> <li>Incorrect information</li> <li>Staff turnover</li> <li>Work pressures / deadlines</li> <li>Failure to monitor external non-compliance (swimming pools/food hygiene)</li> <li>Human Error</li> </ul>	<ul style="list-style-type: none"> <li>Compliance</li> <li>Reputational</li> <li>Financial</li> <li>Property</li> </ul>

Inherent Risk	Consequence	Likelihood	Risk Rating
	Major	Unlikely	Moderate

Key Controls	Type	Date	Control Operating Effectiveness
Customer Service Charter	Preventative	Sep-24	Effective
Documented procedures	Preventative	Sep-24	Adequate
Staff inductions and training (topic and role specific)	Preventative	Sep-24	Adequate
Executive Management Team meetings	Preventative & Detective	Sep-24	Adequate
Grants Register	Preventative	Sep-24	Adequate
Compliance Calendar	Preventative	Sep-24	Effective
Exit Interviews	Detective	Sep-24	Adequate
Complaints/feedback register	Detective	Sep-24	Effective
LG Professionals - DLGSC Webinars (reform updates, trends etc)	Preventative	Sep-24	Effective
Food premises inspections	Detective	Sep-24	Effective
Swimming Pool inspections	Detective	Sep-24	Effective
Firebreak inspections	Detective	Sep-24	Effective
WHS inspections and audits	Detective	Sep-24	Effective

Overall Control Effectiveness	Adequate
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Residual Risk	Consequence	Likelihood	Risk Rating
	Major	Unlikely	Moderate

Risk Evaluation	Monitor
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Actions / Treatments	Due Date	Responsibility
Nil		

Comments / Justifications
Satisfactory controls noted.

External Theft and Fraud			Sep-24
Risk Description			
Loss of funds, assets, data or unauthorised access, (whether attempted or successful) by external parties, through any means (including electronic), for the purposes of fraud, malicious damage or theft.			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"> <li>Inadequate security measures</li> <li>Robbery / theft</li> <li>Cyber crime</li> <li>Scam invoices</li> <li>Inadequate knowledge/training</li> <li>staff collusions</li> </ul>		<ul style="list-style-type: none"> <li>Financial</li> <li>Reputational</li> <li>Property</li> <li>Service Interruption</li> </ul>	
Inherent Risk		Consequence	Risk Rating
		Major	High
Key Controls		Type	Date
Security access controls (access cards, keys, key cabinet and locks)		Preventative	Sep-24
Cyber awareness training for employees and Councillors		Preventative	Sep-24
Safe (cash and important documents)		Preventative	Sep-24
Fraud and Misconduct Management Policy		Preventative	Sep-24
Access management (passwords, limiting access, authentication)		Preventative	Sep-24
Privacy and Responsible Information Sharing (PRIS) systems		Preventative	Sep-24
Credit Card Use Policy		Preventative	Sep-24
Information & Communication Technology (ICT) Use Policy		Preventative	Sep-24
Overall Control Effectiveness			Inadequate
Residual Risk		Consequence	Risk Rating
		Major	Moderate
Risk Evaluation			Monitor
Actions / Treatments		Due Date	Responsibility
Nil - Cyber awareness addressed under 'IT & Comms'			
Comments / Justifications			
Manager Corporate Services and Senior Finance Officer attended cybersecurity strategy and response plan training (LGIS) in Geraldton (Nov 2024) - all organisation awareness required.			
Cyber awareness addressed under 'IT & Comms'			



Management of facilities, venues, events and services			Sep-24
Risk Description			
Failure to effectively manage the day to day operations of facilities, venues and events.			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"><li>• Lack of internal procedures</li><li>• Inappropriate alcohol consumption</li><li>• Inadequate hiring agreements</li><li>• Poor event planning</li><li>• Lack of internal knowledge/training</li><li>• Lack of monitoring</li></ul>		<ul style="list-style-type: none"><li>• Financial</li><li>• Reputational</li><li>• Compliance</li><li>• Health</li><li>• Environmental</li></ul>	
Inherent Risk	Consequence	Likelihood	Risk Rating
	Major	Possible	High
Key Controls	Type	Date	Control Operating Effectiveness
Building maintenance program	Detective & Recovery	Sep-24	Adequate
Access management (keys and access cards)	Preventative	Sep-24	Adequate
Facility booking system	Preventative	Sep-24	Adequate
Hire agreements & insurance checks	Preventative	Sep-24	Adequate
Events management process	Preventative	Sep-24	Adequate
Lease management	Preventative	Sep-24	Adequate
Public building inspections	Preventative	Sep-24	Adequate
Playground inspections	Preventative	Sep-24	Inadequate
LGIS property register review	Preventative	Sep-24	Adequate
Asset replacement program	Preventative	Sep-24	Adequate
Cleaning program	Preventative	Sep-24	Adequate
Reporting mechanisms for damage / maintenance	Detective	Sep-24	Adequate
Liquor licensing approvals	Preventative	Sep-24	Adequate
Property Condition reporting (housing)	Detective	Sep-24	Adequate
APU Management obligations (Joint Venture Agreement)	Preventative	Sep-24	Adequate
Overall Control Effectiveness			Adequate
Residual Risk	Consequence	Likelihood	
	Major	Unlikely	Moderate
Risk Evaluation			Monitor
Actions / Treatments		Due Date	Responsibility
Train additional staff to conduct playground inspections (LGIS)		Jun-25	WM
Implement schedule for regular playground inspections (trained staff)		Dec-25	WM
Develop events management process and checklist for community		Dec-25	MGC
Comments / Justifications			
Playground inspections addressed under Asset Sustainability			
Improvements identified for event management - provision of tools for event managers, stall holders etc on Shire website proposed.			

## IT, communications systems and infrastructure

Sep-24

### Risk Description

Instability, degradation of performance, or other failure of IT or communication system or infrastructure causing the inability to continue business activities and provide services to the community.

Causal Factors	Potential Outcomes
<ul style="list-style-type: none"> <li>Power outage on site or at provider</li> <li>Software / hardware vulnerability and/or failure</li> <li>Cyber crime and viruses</li> <li>Inadequate IT incident and recovery processes</li> <li>Failure of vendor</li> <li>User error</li> </ul>	<ul style="list-style-type: none"> <li>Financial</li> <li>Service interruption</li> <li>Property</li> <li>Reputational</li> </ul>

Inherent Risk	Consequence	Likelihood	Risk Rating
	Catastrophic	Unlikely	High

Key Controls	Type	Date	Control Operating Effectiveness
Information and system back ups	Preventative	Sep-24	Effective
IT performance monitoring and support (outsourced)	Preventative & detective	May-25	Inadequate
Cybersecurity policy and framework	Preventative	Sep-24	Adequate
Generator / UPS	Preventative	Sep-24	Effective
Mobile phones / two ways / STAND	Preventative	Sep-24	Effective
IT Infrastructure Replacement Program	Preventative	Sep-24	Adequate
Business Continuity Plan	Recovery	Sep-24	Adequate
Cybersecurity awareness training for employees and Councillors	Preventative	Sep-24	Inadequate
Access management	Preventative	Sep-24	Adequate
Application controls	Preventative	Sep-24	Adequate
Cyber security responsibilities defined	Preventative	Sep-24	Adequate
Disaster Recovery Plan	Recovery	Sep-24	Adequate
End-point security	Preventative & detective	Sep-24	Effective
Multi-factor authentication	Preventative	Sep-24	Effective
ERP and other major software	Preventative	Sep-24	Adequate
Internet service reliability	Preventative	Sep-24	Adequate

Overall Control Effectiveness Adequate

Residual Risk	Consequence	Likelihood	
	Major	Unlikely	Moderate

Risk Evaluation	Monitor
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Actions / Treatments	Due Date	Responsibility
Cyber awareness training for employees and Councillors (include as provision in new ICT Contract)	Sep-25	MCS
Develop an ICT Strategy in consultation with the new ICT Contractor	Jul-25	MCS

### Comments / Justifications

Cyber awareness addressed under 'External Theft and Fraud'

Misconduct		Sep-24	
Risk Description			
Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"><li>• Inadequate training</li><li>• lack of policies and procedures (code of conduct)</li><li>• Delegated authority circumvented</li><li>• Lack of internal control</li><li>• Poor recruitment practices</li><li>• Insubordination</li><li>• Workplace culture</li></ul>	<ul style="list-style-type: none"><li>• Financial</li><li>• Health</li><li>• Services</li><li>• Reputation</li><li>• Compliance</li></ul>		
Inherent Risk	Consequence	Likelihood	Risk Rating
	Major	Unlikely	Moderate
Key Controls			
Delegations Register	Preventative	Sep-24	Effective
Segregation of Duties (Financial)	Preventative	Sep-24	Effective
IT Security Access Framework (Profiles and passwords)	Preventative	Sep-24	Adequate
Procurement Process (Purchase Order Process) - Electronic - Manual PO Approval	Preventative	Sep-24	Adequate
Confidentiality Agreement	Preventative	Sep-24	Effective
Induction Process	Preventative	Sep-24	Effective
PID Procedures,	Detective	Sep-24	Effective
HR Policies and Procedures	Preventative	Sep-24	Adequate
Financial Reports/documentation to Council / Statutory compliance	Preventative	Sep-24	Effective
Code of Conduct	Preventative	Sep-24	Effective
Fraud and Misconduct Management Policy	Preventative	Sep-24	Effective
Overall Control Effectiveness			Adequate
Residual Risk	Consequence	Likelihood	
	Major	Unlikely	Moderate
Risk Evaluation			Monitor
Actions / Treatments		Due Date	Responsibility
Nil			
Comments / Justifications			
No actions - Reg 17 and Financial Management Review (2025) to inform any further improvements and actions			

Project management			Sep-24
Risk Description			
Inadequate analysis, design, delivery and reporting of projects / change initiatives			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"> <li>Poor planning methodology and process</li> <li>Excessive/unrealistic project lists</li> <li>Inadequate monitoring of projects</li> <li>Lack on internal resources</li> <li>Supply chain restrictions</li> <li>Ineffective procurement processes</li> </ul>		<ul style="list-style-type: none"> <li>Reputation</li> <li>Financial</li> <li>Service interruption</li> </ul>	
Inherent Risk		Consequence	Risk Rating
		Moderate	High
Key Controls	Type	Date	Control Operating Effectiveness
Financial reporting and monitoring	Detective	Sep-24	Adequate
Project (grant) reporting and variation management	Detective	Sep-24	Adequate
Workforce Planning	Preventative	Sep-24	Inadequate
Procurement Policy and procedures	Preventative	Sep-24	Adequate
Progress meetings with suppliers and contractors	Preventative	Sep-24	Adequate
Project planning contingency / resourcing	Preventative	Sep-24	Inadequate
Overall Control Effectiveness			Inadequate
Residual Risk		Consequence	Risk Rating
		Moderate	High
Risk Evaluation			Urgent attention
Actions / Treatments		Due Date	Responsibility
Pre-budget planning for community projects - include early engagement with stakeholders		Feb-25	MCS
Comments / Justifications			
Workforce plan addressed under 'Employment Practices'			
Slow / lack of market responses major cause project delays			
New proposed ERP expected to improve finance and management systems			

**Risk Description**

Inadequate management of external Suppliers, Contractors, IT Vendors or Consultants engaged for operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes.

Causal Factors	Potential Outcomes
<ul style="list-style-type: none"> <li>Inadequate tendering/procurement processes</li> <li>Limited internal resources (physical and financial)</li> <li>Inadequate contractor management practices</li> <li>Inadequate supply/contractor monitoring</li> <li>Supply chain limitations</li> </ul>	<ul style="list-style-type: none"> <li>Financial</li> <li>Service Interruption</li> <li>Reputation</li> <li>Compliance</li> <li>Property</li> </ul>

Inherent Risk	Consequence	Likelihood	Risk Rating
	Moderate	Possible	Moderate

Key Controls	Type	Date	Control Operating Effectiveness
Tender Register	Detective	Sep-24	Adequate
Purchasing Policy	Preventative	Sep-24	Adequate
Procurement Procedures	Preventative	Sep-24	Adequate
Contractor Management	Preventative	Sep-24	Adequate
Purchasing management system	Preventative	Sep-24	Inadequate
Internal auditing (including CAR)	Detective	Sep-24	Adequate
Delegations Register	Preventative	Sep-24	Effective
Financial Interests / Conflicts of Interest Disclosures	Preventative	Sep-24	Adequate
WALGA Procurement subscription and eQuotes	Preventative	Sep-24	Effective

Overall Control Effectiveness	Inadequate
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Residual Risk	Consequence	Likelihood	
	Moderate	Possible	Moderate

Risk Evaluation	Monitor
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Actions / Treatments	Due Date	Responsibility
Transition to electronic purchasing / management system	Nov-25	MCS
Develop a Procurement Framework and review policies and procedures	Jul-25	MCS

**Comments / Justifications**

Awaiting advice on availability of new ERP system through Ready Community therefore, due date subject to review.

WHS		Sep-24	
Risk Description			
Non-compliance with the Workplace Health & Safety Act, associated regulations and standards.			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"><li>• Lack of resources (physical and financial)</li><li>• Ineffective safety management practices</li><li>• Inadequate training and supervision</li><li>• Lack of understanding of WHS requirements</li><li>• Poor culture</li><li>• System failures</li></ul>	<ul style="list-style-type: none"><li>• Health</li><li>• Compliance</li><li>• Reputation</li><li>• Financial</li><li>• Property</li></ul>		
Inherent Risk	Consequence	Likelihood	Risk Rating
	Catastrophic	Almost Certain	Extreme
Key Controls	Type	Date	Control Operating Effectiveness
WHS Policies and Procedures	Preventative	Sep-24	Adequate
Safety Audits (LGIS)	Detective	Sep-24	Effective
GRIP Register (Hazard and Risk)	Detective	Sep-24	Effective
Training Plans	Preventative	Sep-24	Adequate
Employee / Contractor / Volunteer Inductions	Preventative	Sep-24	Adequate
Safe Work Method Statements (SWMS)	Preventative	Sep-24	Adequate
Regional Risk Coordinator (LGIS)	Preventative	Sep-24	Adequate
Management oversight and commitment	Preventative	Sep-24	Adequate
Minimum Bushfire Standards	Preventative	Sep-24	Inadequate
Emergency Management (plans, drills, staff trained)	Preventative	Sep-24	Inadequate
Consultation process with employees	Detective	Sep-24	Inadequate
Workplace Inspections	Detective	Sep-24	Adequate
Incident Reporting	Detective	Sep-24	Adequate
Overall Control Effectiveness			Inadequate
Residual Risk	Consequence	Likelihood	
	Catastrophic	Possible	High
Risk Evaluation			Urgent attention
Actions / Treatments		Due Date	Responsibility
Establish and adopt minimum standards for bushfire volunteers		Mar-25	CEO
Implement WHS Audit Actions		Sep-25	MGC
Comments / Justifications			
2024 Safety audit identified gaps in system in relation to bushfire volunteer management, consultation and communication with employees.			
Previously trained fire wardens have left the organisation, new fire wardens allocated but require training. - addressed under 'Business and Community Disruption'			

Psychosocial Hazards			Sep-24
Risk Description			
Inadequate controls to identify and manage psychosocial hazards, including poor work design, oversight and non-compliance with WHS Act and Regulations.			
Causal Factors		Potential Outcomes	
<ul style="list-style-type: none"> <li>• High demand workloads</li> <li>• Violence, harassment, bullying and aggression</li> <li>• Lack of support</li> <li>• Lack of understanding of WHS requirements</li> <li>• Poor culture</li> <li>• Remote or isolated work</li> </ul>		<ul style="list-style-type: none"> <li>• Health</li> <li>• Compliance</li> <li>• Reputation</li> <li>• Financial</li> <li>• Property</li> </ul>	
Inherent Risk		Consequence	Risk Rating
		Major	High
Key Controls		Type	Control Operating Effectiveness
Complaints handling policy and procedures	Preventative	Sep-24	Adequate
Working alone / remote policies and practices	Preventative	Sep-24	Effective
Code of Conduct	Preventative	Sep-24	Effective
EAP support	Responsive	Sep-24	Effective
Education and training on psychosocial hazards	Preventative	Sep-24	Adequate
Customer Service Charter	Preventative	Sep-24	Adequate
Employee / Contractor / Volunteer Inductions	Preventative	Sep-24	Effective
Incident Reporting	Detective	Sep-24	Adequate
Performance Appraisals	Detective	Sep-24	Inadequate
Position Description reviews	Preventative	Sep-24	Adequate
Exit Interviews	Detective	Sep-24	Adequate
Management oversight and support	Detective	Sep-24	Adequate
Training and development plan	Preventative	Sep-24	Effective
Workforce planning	Preventative	Sep-24	Inadequate
Duress alarm / security	Preventative	May-25	Inadequate
Overall Control Effectiveness			Inadequate
Residual Risk		Consequence	Risk Rating
		Major	Moderate
Risk Evaluation			Monitor
Actions / Treatments		Due Date	Responsibility
Council to adopt a 'Dealing with Challenging Behaviours' Policy and internal staff training		Dec-24	MGC
Psychological Hazards Training (LGIS) for employees		Nov-25	LGIS / MGC
Investigate pricing and benefit of CCTV and duress alarm at Shire Administration		Aug-25	MGC
Comments / Justifications			
Frontline staff exposure to aggressive or hostile customers (moderate risk) - policy development proposed to give guidance to staff on appropriate action and expectations of customers (aligned with Customer Service Charter).			
Psychological hazards training provided to Managers on 5 Nov 2024 - need to raise awareness with employees and Councillors.			
Performance reviews for outside crew incomplete (although informal feedback mechanisms available to staff and encouraged by Manager)			
Workforce Plan and Performance Reviews addressed under 'Employment Practices'.			

**Shire of Mingenew Strategic Risk Register**

Risk Category	Risk Category Description	Risk Owner	Risk Trend	Current Strategic Risks	Strategic Community Plan Link	Inherent Risk			Strategic / Operational Treatments	Residual Risk		
						ConsequenceLR	LikelihoodRR	Inherent Risk RatingRR		ConsequenceRR	LikelihoodRR	Inherent Risk RatingRR
Governance	Failure to govern effectively, transparently and in compliance with legislation	Council	<b>Stable</b> - Low staff / councillor turnover - Regular compliance auditing and reporting - Consistent positive audit outcomes (no significant adverse matters)	Mandatory Council Member training incomplete from some Council members	LEAD MINGENEW 17. Competent, invested and capable Council and organisation							
Governance	Failure to govern effectively, transparently and in compliance with legislation	Council	<b>Increasing</b> - frequent changes - no change to State Government - fast implementation, minimal guidance - limited consideration of small, rural LGs	Ongoing legislative reform; inability to perform business as usual and respond to so many changes	LEAD MINGENEW 14. Operating with a high standard of good governance and transparency				Strategic Community Plan Action - Reform			
Workforce	Failure to meet organisational objectives through effective/efficient use of human resources and effective workforce planning.	CEO	<b>Stable</b> - Low staff turnover - casual pool	Outdated Workforce Plan	LEAD MINGENEW 16. Resources are sourced efficiently through cooperation and collaboration LOVE MINGENEW 6. Strong sense of community and culture				Workforce Plan to be updated (internal resource)			
Asset Management	Ineffective asset management of Shire owned assets and facilities - risk for long term sustainability if the Shire fails to adequately plan for funding of major projects and asset management replacement	Council	<b>Increasing</b> - increasing new assets, broader asset base and requirements - limited revenue raising capability - limited external funding available for maintenance - conflicting priorities across the organisation	Inability to maintain existing assets	GROW MINGENEW 1. Safe, efficient and connected transport networks				Update Asset Management Plan (allocate funding 2025/26 Budget)			
Asset Management	Ineffective asset management of Shire owned assets and facilities - risk for long term sustainability if the Shire fails to adequately plan for funding of major projects and asset management replacement	Council										
IT	Ineffective Information Security Systems resulting in malicious or accidental loss or manipulation of data	CEO / MCS	<b>Decreasing</b> - new ICT Contract	Rapid change and industry best practice	LEAD MINGENEW 14. Operating with a high standard of good governance and transparency				Develop an ICT Strategy in consultation with the new ICT Contractor			
Social & Financial	Inability to manage community expectations and increasing demands of community groups	CEO / Council	<b>Stable</b> - Marketing & Communications Strategy		LEAD MINGENEW 13. Community feel they are heard and can understand Council decision making							
Legal	Increased exposure to litigation	CEO / MW	<b>Increasing</b> - Cultural Heritage emerging issues		LEAD MINGENEW 14. Operating with a high standard of good governance and transparency							
Social & Financial	Ineffective strategies to optimise economic development of the Shire	Council / CEO	<b>Increasing</b> - increase resource / industry in region - limited experience in understanding issues and opportunities		GROW MINGENEW 2. Attract investment and grow resident population							
Emergency Management	Failure to plan for Disaster Recovery	CEO	<b>Stable</b> - LEMA and Local Recovery Plans reviewed regularly	No recent emergency planning and testing; untrained staff	PROTECT MINGENEW 11. The community is resilient and prepared for emergencies and natural disasters							
Workforce	Organisational Culture	CEO	<b>Stable</b> - low staff turnover		LEAD MINGENEW 17. Competent, invested and capable Council and organisation							
Environmental Sustainability	Lack of verge and reserve management	CEO / MW	<b>Increasing</b> - legacy issues - limited revenue/funding sources		PROTECT MINGENEW 10. Valued and protected natural environment							
Environmental Sustainability	Continued adverse climate trends	CEO			PROTECT MINGENEW 12. Sustainable Council practices							
Financial	Failure to deliver major capital projects at quality and within budget	CEO	<b>Increasing</b> - market inflation - inflexible procurement practices - lack of bidders to procurement opportunities		LEAD MINGENEW 15. Financial practices are responsive to compliance requirements and revenue needs							
					LOVE MINGENEW 8. A healthy and active community with access to local health services and facilities							
					LOVE MINGENEW 9. Increased participation in sport and recreational activities							
Events				Unknown future of major events e.g. Expo, Races	GROW MINGENEW 3. Supporting infrastructure initiatives that makes business easy and support them to thrive							
				Ageing infrastructure, not built to accommodate people with disability	LOVE MINGENEW 7. Mingenew is valued as a livable community that supports diversity							
				Investment in local business not supportive of visitors	GROW MINGENEW 4. Visitors have positive experience and extend their length of stay							
					GROW MINGENEW 6. Local Talent returns and is retained to support the local workforce							



**6.0 CLOSURE**

The meeting was closed at 9:07am.