



AGENDA FOR THE ORDINARY COUNCIL MEETING

18 JUNE 2025



Ordinary Council Meeting Notice Paper

18 June 2025

An Ordinary Meeting of Council is called for Wednesday, 18 June 2025 in the Council Chambers, Victoria Street, Mingenew, commencing at 5:00 pm. Members of the public are most welcome to attend.

Matt Fanning
Chief Executive Officer
18 June 2025

DISCLAIMER

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

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

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

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

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

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

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

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

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

A Deputation invited to attend a Council meeting:

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

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

PROCEDURE FOR PRESENTATION

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

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

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

PROCEDURE FOR PETITIONS

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

- be addressed to the Shire President.

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

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

PROCEDURE FOR PUBLIC QUESTION TIME

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

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

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

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

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

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AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS
ON 18 JUNE 2025 COMMENCING AT 5:00PM.

- 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS
- 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE
- 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
- 4.0 PUBLIC QUESTION TIME/PUBLIC STATEMENT TIME
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE
- 6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
- 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES
- 7.1 ORDINARY COUNCIL MEETING HELD 30 APRIL 2025

OFFICER RECOMMENDATION - ITEM 7.1

That the Minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 30 April 2025 be confirmed as a true and accurate record of proceedings.

- 8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION
- 9.0 DECLARATIONS OF INTEREST

10.0 RECOMMENDATIONS OF COMMITTEES

10.1 SHIRE OF MINGENEW LOCAL EMERGENCY MANAGEMENT COMMITTEE

10.1.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
HELD 19 MAY 2025

OFFICER RECOMMENDATION - 10.1.1

Council receives the Minutes of the Shire of Mingenew Local Emergency Management Committee Meeting held on 19 May 2025.

10.2 SHIRE OF MINGENEW AUDIT & RISK COMMITTEEMINUTES OF THE AUDIT & RISK
COMMITTEE MEETING HELD 5 JUNE 2025

COMMITTEE RECOMMENDATION - 10.1.2

Council receives the Minutes of the Shire of Mingenew Audit & Risk Committee Meeting held on 5 June 2025.

10.2.2 FINANCIAL MANAGEMENT REVIEW AND REGULATION 17 REVIEW

COMMITTEE RECOMMENDATION - 10.2.2

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)

10.2.3 NEW ADMINISTRATION POLICIES

COMMITTEE RECOMMENDATION - 10.2.3

Council adopts the following policies, as attached:

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

11.0 CHIEF EXECUTIVE OFFICER

11.1 RAV ACCESS APPLICATION – BOOLINDA RD AND ELEANOR ST, MINGENEW

Location/Address: Shire of Mingenew
Name of Applicant: Campbell Transport
Disclosure of Interest: Nil
File Reference: RD.PER.1
Date: 18 June 2025
Author: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

Main Roads Western Australia (MRWA) has forwarded an application to have Boolinda Road and Eleanor Street, added to the Restricted Access Vehicle (RAV) network for Level 4 – PBS Tri Drive Network 3B AMMS Level 3 for the haulage of up to 1.4M Tonne per annum.

This item is for Council to consider adding both Boolinda Road and Eleanor Street, Mingenew, to the MRWA Level 4 PBS Level 3B, AMMS Level 3 (42m A Tripple – Super Tripple) RAV network.

Council has previously refused a similar application at its December 2023 meeting and is requested to not support this application for similar reasons including the deteriorating state of the main roads network.

Key Points

- The road requested is already on the RAV network at level 7
- Main Roads should the Council concur with the request must undertake a thorough assessment of the road to ensure that it meets the necessary guidelines prior to adding a road to that RAV category network.
- The Boolinda Crossing closures by CBH have still not been addressed causing vehicles to potentially proceed off route during times of extended closures.

OFFICER RECOMMENDATION – ITEM 11.1

Council refuses the application forwarded from Main Roads WA to amend the Restricted Access Vehicle Network on the Boolinda Rd and Eleanor Street, Mingenew for the following reasons:

1. Increased safety, noise and liveability concerns relating to vehicles travelling down Midlands Road (main street);
2. The condition, geometry and strength of Eleanor St and Boolinda Road including intersections;
3. The Mingenew-Mullewa / Midlands Road intersection, if reconfigured, could remove these issues and enable the Council to further consider this matter;
4. Boolinda Road rail crossing closures by CBH have not been addressed and would affect this operation in addition to congestion during harvest periods, causing additional off route non-compliant RAV movements;
5. Lack of stakeholder engagement regarding impacts of this activity on the community, local business and industry.

Attachments

11.1.1 RAV Application D25#396076 – Campbell Transport

11.1.2 RAV Network assessment guidelines

11.1.3 AMMS tandem drive combinations RAV categories

11.1.4 AMMS tri drive combinations RAV categories

Background

Campbells Transport have applied to MRWA to amend the RAV network categories for Boolinda Road and Eleanor Street, to the Restricted Access Vehicle (RAV) network for Level 4 – PBS Tri Drive Network 3B AMMS Level 3 for the haulage of up to 1.4M Tonne per annum of Iron Ore.

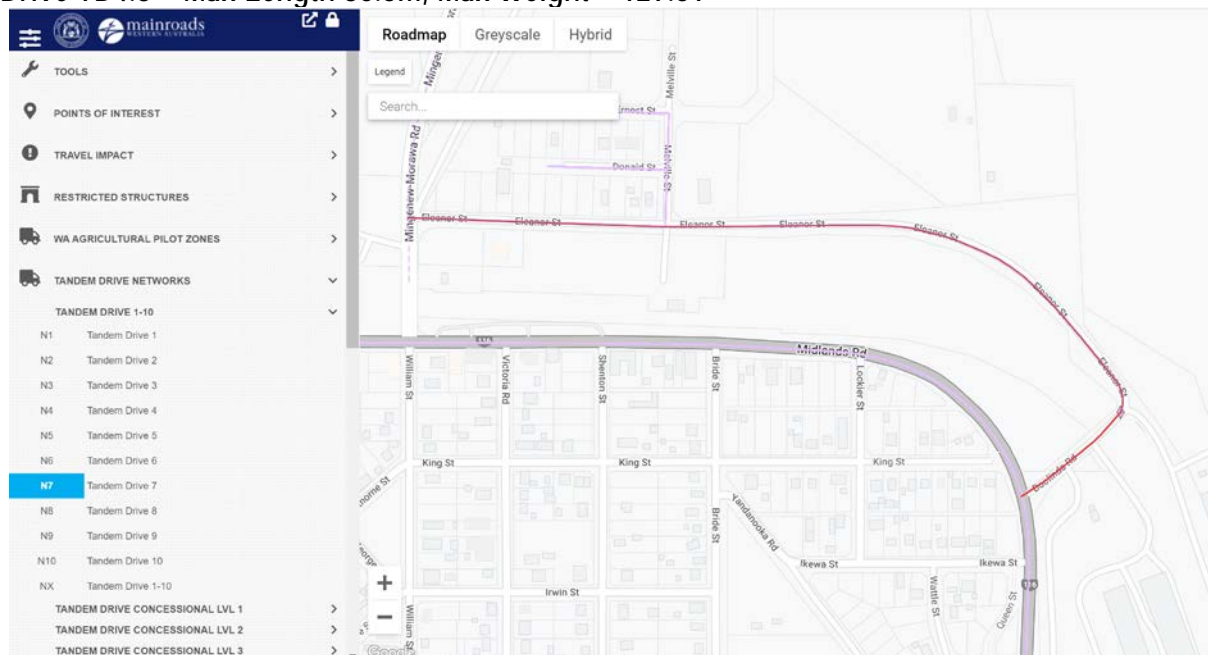
The following table outlines the route for which the application applies.

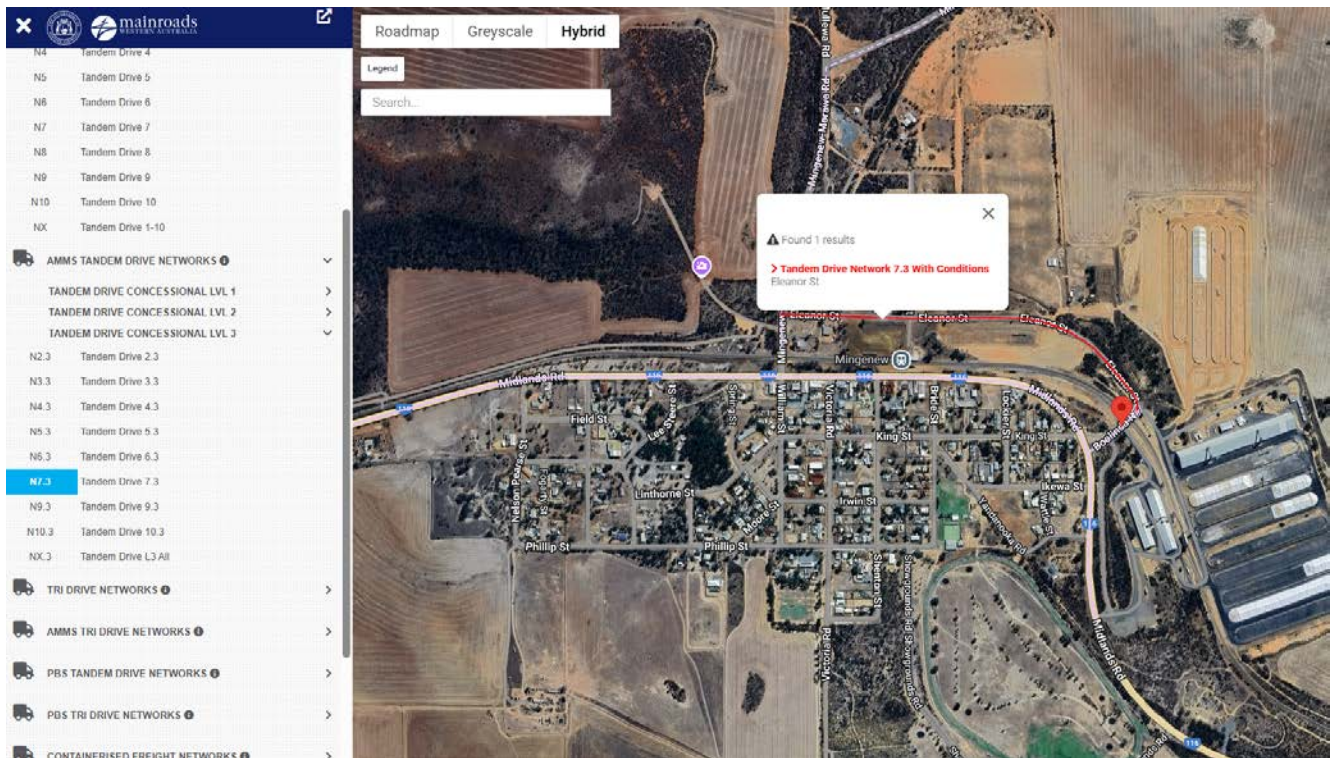
Dimension Requirements					
Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
M025	Mingenew Morawa Road	0.140	58.750	Tri Drive Network 4	No change
5090056	Eleanor Street	0.000	1.010	Tri Drive Network 4	No change
5090082	Boolinda Road	0.000	0.160	Tri Drive Network 4	No change
M028	Midlands Rd	216.250	262.860	Tri Drive Network 4	No change
Mass Requirements					
Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Mass Level	Requested Mass Level
M025	Mingenew Morawa Road	0.140	58.750	Nil	Tri Drive Concessional Level 3
5090056	Eleanor Street	0.000	1.010	Nil	Tri Drive Concessional Level 3
5090082	Boolinda Road	0.000	0.160	Nil	Tri Drive Concessional Level 3
M028	Midlands Rd	216.250	262.860	Nil	Tri Drive Concessional Level 3

A copy of the application, CGLV requirements and typical configuration are attached as attachments 11.3.1, 11.3.2 and 11.3.3.

Eleanor Street / Boolinda Road – Current RAV Tandem Drive N7.3, Tri Drive TD4.1
Proposal to (RAV) network for Level 4 – PBS Tri Drive Network 3B AMMS Level 3

RAV 7.3 – Max length 36.5m, Max Weight 123.5T
TRI Drive TD4.3 – Max Length 36.5m, Max Weight – 129.5T





Comment

It is important to ensure that the safety of other road users is considered when making comment on RAV applications. School bus routes, weather conditions and speed limits are generally requested to be placed on RAV approvals from Local Government.

The Standard condition placed by Local Government is termed a CA07 condition as follows:

The Shire of Mingenew supports the application for the above-mentioned roads to be included on the RAV 7 network on the basis that the roads have been thoroughly assessed by HVS and deemed to be suitable for the RAV access level in accordance with the Standard Restricted Access Vehicle Route Assessment Guidelines and are subject to a CA07 condition that stipulates the following:

- Max Speed: 70k/ph.
- Visibility: Lights must be turned on at all times
- All operators, as required by the Shire, must carry current written approval from the road asset owner permitting use of the road.
- No operation on unsealed road segment when visibly wet, without the road owner's approval.
- Direct radio contact must be maintained with other vehicles on or near the road (suggested channel 40)
- Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.

On this occasion as the road is in the urban environment some conditions would not be required.

Should the application be supported it is proposed to remove the speed, school bus, radio and wet weather conditions.

A Road User Agreement has already been established to deal with the high risk of pavement failure and increased maintenance costs associated with the proposed operation.

To put into context this request the operator is required to resource the freight task in the following manner for the delivery of 1.4M tonne per annum to port:

Current RAV Tandem Drive 7.3

Total haulage Quantity – 1.4M Tonne / annum

- ~ 120k tonnes per month
- 100T per load
- 1,200 Truck Movements
- 40 truck movements per day each way

Proposed RAV Tri Drive 4.3

Total haulage Quantity – 1.4M Tonne / annum

- ~ 120k tonnes per month
- 106T per load
- 1,132 Truck Movements
- 38 truck movements per day each way

By way of example the 1.4M tonne per annum freight task will result in a reduction of 720 heavy vehicle movements for the year.

Consultation

Terra Mining
Main Roads Western Australia

Statutory Environment

Road Traffic (Vehicles) Act 2012

Division 3 - Access restrictions on certain vehicles that comply with mass or dimension requirements.

Main Roads Western Australia administer the Restricted Access Vehicle (RAV) network. Should the application pertain to a local government controlled road, concurrence from the Council is sought.

The Council as the asset owner is requested to consider any restricted access vehicle (RAV) application and provide its consideration as to whether to include any proposed route onto the restricted access vehicle network.

The Council has the ability to place limited conditions onto a RAV approval. The standard local government condition used for these applications is the CA07 as discussed in this report.

Policy Implications

Nil

Financial Implications

The inclusion of a road onto the HVS RAV network may improve road freight efficiency. However, there is also the potential for additional road user damage especially at intersections and after wet events.

Strategic Implications

Strategic Community Plan 2023-2033

- 1.4 Engage with industry stakeholders to ensure accountability for quality road standards
 - a. Negotiate road user agreements with relevant industry stakeholders, as required

11.2 MINGENEW LANDFILL CLOSURE AND POST-CLOSURE MANAGEMENT PLAN

Location/Address: Lot 6272 Tip Rd, MINGENEW
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: WM.SER.2
Date: 18 June 2025
Author: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

The Council has developed a Landfill Closure and Post-Closure Management Plan for its Mingenew Waste Facility. This plan identifies the remaining life of the facility is 50 years and that the necessary annual financial contribution for its closure and post-closure management is \$12,656 to be adjusted annually by CPI and placed into Councils Landfill Closure "Environmental Reserve". This plan is required to be submitted to the Department of Water and Environmental Regulation for registration.

Key Points

- The closure plan needs to be submitted to the Regulator
- The closure plan provides the Council with the information required to establish a suitable long term financial plan for its future closure and management.
- Council needs to place into a reserve \$12,656 adjusted annually by CPI to fund its future closure of the waste facility.

OFFICER RECOMMENDATION – ITEM 11.2

Council:

1. receives and adopts the Mingenew Landfill Closure and Post Closure Management Plan and note that a reserve contribution to the value of \$12,565 adjusted annually by CPI is incorporated into the Council's Long Term Financial Plan for this activity.
2. Submits the adopted Mingenew Landfill Closure and Post Closure Plan to the Department of Water and Environmental Regulation.

Attachments

11.2.1 Mingenew Landfill Closure & Post Closure Management Plan

Background

This Closure and Post-Closure Management Plan guides the Shire's direction in closing, monitoring and maintaining the Mingenew Landfill at the Mingenew Waste Management Facility located at Lot 6272 Tip Road, Mingenew.

This facility has operated as a waste facility for many years, well before the 1990's.

Comment

Closure and post-closure management relates to all activities to be undertaken on the landfill site once portions of the landfill have reached maximum filling levels. With there being progressive closure and capping undertaken during the operational life of the landfill, post-closure management applies to all activities relating to maintaining and monitoring the areas that have been progressively capped, even while other portions of the landfill are still operating.

This Closure and Post-closure Management Plan has been developed to provide technical information for the Shire to manage the future landfill closure and post-closure activities on site, however, also provides input into the closure and post-closure financial management of the facility.

The plan has demonstrated that the remaining life of the current waste facility is around 50 years based on current utilisation.

Consultation

Works Manager

IW Projects PL

Statutory Environment

The Shire of Mingenew Waste Management Facility is a Registered landfill facility under the *Environmental Protection Act 1986* and as such is managed in accordance with the *Environmental Protection (Rural Landfill) Regulations 2002*.

The *Environmental Protection (Rural Landfill) Regulations 2002* has no closure requirements, other than the site owner is required to submit a Post-Closure Rehabilitation Plan to the Department of Water and Environmental Regulation (DWER) within 18 months of the site being registered.

The site was registered many years ago; however, a Post-Closure Rehabilitation Plan is yet to be submitted to the DWER. This Landfill Closure and Post-Closure Management Plan is the closure plan that the DWER requires and will be submitted once adopted by the Council.

Policy Implications

Under the financial management for Local Government there is a requirement for the Council to demonstrate that it has set aside finances for the closure and post closure of its waste facilities. This is demonstrated through the adoption of this plan and the establishment of a Waste Closure provision within the Councils Long Term Financial plan. This provision forms part of the Councils annual financial report.

Financial Implications

The costs associated with landfill closure and post-closure management is traditionally a component of landfill management that is either ignored or underestimated by landfill operators. This report provides a financial model developed to enable the Shire to adequately manage all landfill closure and post-closure activities, including the proactive financial planning required to cover the anticipated associated costs.

The timing of the progressive and final closure of the landfill is a function of available landfill airspace and the annual quantity of waste landfilled.

Due to there being a minimum 50 years of future landfill airspace within the landfill design footprint, there is ample opportunity to adjust provisions during the operational period of the landfill, typically every five years a review of future costs and associated provisions should be undertaken to ensure that the financial provisions remain relevant.

From the financial modelling an annual reserve transfer of \$12,656 is required to ensure that there are adequate funds set aside for the closure and post closure management of the landfill.

Strategic Implications

Strategic Community Plan 2023-2033

10.2 Fully compliant Mingenew Waste facility (Transfer Station)

11.3 COMMUNICATIONS AGREEMENTS - CONSULTATION PAPER

Location/Address: Shire of Mingenew
Name of Applicant: NA
Disclosure of Interest: Nil
File Reference: GR.STL.14
Date: 18 June 2025
Author: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

Council has received a draft Consultation Paper regarding the proposed implementation of Communication Agreements between the Council and CEO, as required under the 2023 Amendment Act which forms part of the Local Government Reform package. Councils have been invited to make submissions on the draft Communications Agreement and relevant legislation.

Key Points

- Under proposed legislation reform, each local government must have a communications agreement which deals with the matters required by the Act and regulations
- a local government may adopt a communications agreement by the CEO and council both agreeing to its terms
- if a local government does not adopt or is unable to adopt a communications agreement, the default communications agreement set out in a Ministerial order applies.
- The Agreement will expire either at the end of the local government's caretaker period following an ordinary election, or otherwise at the end of the employment of the CEO who agreed to that communications agreement.
- WALGA supported the development of a consistent regulated communications agreement as part of the LG Reform consultation (Attached 11.3.4)

OFFICER RECOMMENDATION – ITEM 11.3

Council:

1. Notes the Department of Local Government, Sport and Cultural Industries' (DLGSC) Communications Agreement Consultation Paper, proposed legislative amendments, draft Local Government (Default Communications Agreement) Order 2025, and advocacy documents provided by WALGA and LG Professionals WA, and
2. Determines not to make a Council submission to the DLGSC's Act Review team.

Attachments

- 11.3.1 Communications Agreement Consultation Paper
- 11.3.2 Draft Local Government Regulations Amendment Regulations (No.3)
- 11.3.3 Draft Local Government (Default Communications Agreement) Order 2024
- 11.3.4 WALGA Advocacy Position - Communications Agreement
- 11.3.5 LG Professionals WA – Preliminary Submission

Background

The *Local Government Amendment Act 2023* (2023 Amendment Act) was passed by Parliament in May 2023 and made a series of amendments to the *Local Government Act 1995* (the Act). The 2023 Amendment Act implements several key reforms, including those relating to local government elections, as well as some changes which are yet to commence. These include the requirement for a communications agreement between the council and the administration of a local government.

To implement these reforms, the Western Australian (WA) Government has prepared the *draft Local Government Regulations Amendment Regulations 2025* (Attachment 11.3.2) and the *draft Local Government (Default Communications Agreement) Order 2025* (Attachment 11.3.3).

These proposed draft regulations and the draft order are published on the Department of Local Government, Sport and Cultural Industries (DLGSC) website and are available for public comment until Friday 4 July 2025. This consultation paper sets out the aims of these reforms and the proposed legislative requirements.

Comment

A consultation process has been established, inviting feedback on draft regulations and orders that would require local governments to establish a communications agreement between their council and the CEO.

The changes are part of the implementation of the *Local Government Amendment Act 2023* (2023 Amendment Act) reforms.

The communications agreement supports governance within each local government by setting out minimum expectations for formal communications between council members and employees of the local government.

A similar approach is used at state government level, where communications agreements are in place between each WA Government Minister and the agencies that support them.

It should also be noted that these processes are basically standard practice in the eastern states however less formal, as they are policy based.

The Agreement will expire either at the end of the local government's caretaker period following an ordinary election, or otherwise at the end of the employment of the CEO who agreed to that communications agreement.

Some points to note from the draft default communications agreement, as outlined in the consultation paper, are:

Clause 3 - The communications agreement does not apply to anything that a council member, committee member or employee does as part of —

- (a) the deliberations at a council or committee meeting; or
- (b) recruiting, reviewing the performance of or terminating the employment of the CEO in accordance with the adopted standards.

Clause 8 - Employees other than the CEO may be nominated under the agreement for the receipt and management of requests for information, media enquiries and administration assistance.

Clause 12 - A request for information may be for advice or other information regarding any of the following

—

- (a) a service, project or initiative being delivered by the local government;
- (b) how the local government usually manages a particular matter, issue, service or query;
- (c) budgeting or financial information, including details of the costs of any service, project or initiative delivered or proposed to be delivered by the local government;
- (d) an issue or situation of broad public concern or interest within the district;

- (e) preparing a motion to council or a committee;
- (f) correspondence received by the council member or committee member;
- (g) an administrative matter.

The mayor or president may make a request for information for advice or other information regarding any of the following —

- (a) publicly representing the local government at a media appearance or other event (including advice or other information in the form of a briefing or speaking notes);
- (b) correspondence to be sent by the mayor or president;
- (c) arranging a formal meeting or an official event.

Clause 14 - limits the type of information to be provided

Clause 15 – discusses the management of any disputes

Division 4 – details the process for making requests for information, The CEO has 2 working days to acknowledge any such requests and 10 working days for any final response and this response must be provided to all Council members unless confidential.

Division 5 – details the process for administrative requests which must be finalised within a 10-day period.

Division 6 - details the process for requests for information by commissioner should a Council be placed under administration.

Consultation

The consultation for Local Government is open until Friday 25 July 2025 and feedback will inform the next stage in drafting these provisions.

Statutory Environment

The 2023 Amendment Act inserts sections 5.92A — 5.92C into the *Local Government Act 1995* (the Act) which require that:

- each local government must have a communications agreement which deals with the matters required by the Act and regulations
- a local government may adopt a communications agreement by the CEO and council both agreeing to its terms
- if a local government does not adopt or is unable to adopt a communications agreement, the default communications agreement set out in a Ministerial order applies.

A copy of the inserted sections has been reproduced herewith:

LOCAL GOVERNMENT AMENDMENT ACT 2023 (NO. 11 OF 2023) - SECT 74

74 . Sections 5.92A to 5.92C inserted

After section 5.92 insert:

5.92A. Local government to have communications agreement

- (1) *A local government must have a communications agreement.*
- (2) *A communications agreement is a written agreement between the council and the CEO that regulates the following —*
 - (a) *the access of council members and committee members to information held by the local government under section 5.92 or otherwise, including the following —*
 - (i) *the steps that a council member or committee member who wants access to information must take;*
 - (ii) *the steps that the CEO must take if a council member or committee member wants access to information;*

- (b) other requests for information that council members and committee members may make to the local government, including the following —
 - (i) the steps that a council member or committee member who wants to request information must take;
 - (ii) the steps that the CEO must take if a council member or committee member requests information;
- (c) the way in which, and the circumstances in which, dealings may be had, and communications may be made, between —
 - (i) a council member or committee member; and
 - (ii) an employee;
- (d) any prescribed matter.
- (3) A person who is a council member, committee member or employee must (when acting in their capacity as such) comply with the communications agreement.
- (4) Regulations may do any of the following —
 - (a) prescribe content that must be included in a communications agreement;
 - (b) prescribe content that must not be included in a communications agreement;
 - (c) make other provision in relation to communications agreements.

5.92B. Default communications agreement

- (1) The Minister must, by order, set out a form of communications agreement (the **default communications agreement**).

Note for this subsection:

The default communications agreement can be amended or replaced from time to time by a variation to the order in which the default communications agreement is set out or by the making of an order that supersedes that order — see section 9.65(2).

- (2) For the purposes of section 5.92A, the default communications agreement is taken to be a local government's communications agreement at any time when the local government does not have a communications agreement of its own under section 5.92C.
- (3) The version of the default communications agreement that is taken to be a local government's communications agreement at any time under subsection (2) is the version that is current at that time.
- (4) An order under subsection (1) may set out different forms of communications agreement for different local governments or different classes of local government.
- (5) For the purposes of subsection (4), an order under subsection (1) may (without limitation) adopt or otherwise apply classifications of local governments or districts used in a determination made under the [Salaries and Allowances Act 1975](#) section 7A or 7B.

5.92C. Local government may adopt communications agreement of its own

- (1) A local government may prepare and adopt* a communications agreement of its own.

* Absolute majority required.

- (2) A local government cannot adopt a communications agreement of its own at any time during a caretaker period.
- (3) If a local government adopts a communications agreement of its own, for the purposes of section 5.92A —
 - (a) the communications agreement has effect as the local government's communications agreement from when it is adopted until the earlier of the following —
 - (i) the next time a caretaker period ends;
 - (ii) the end of the employment of the CEO who agreed to the adoption of the communications agreement under subsection (4);

and

- (b) the local government may amend* the communications agreement at any time when it is in effect under paragraph (a), except during a caretaker period.

* Absolute majority required.

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- (4) *A local government cannot adopt or amend a communications agreement of its own without the agreement of the CEO.*
- (5) *If a local government has a communications agreement of its own, the CEO must publish an up-to-date version of the communications agreement on the local government's official website.*

Policy Implications

Council Policy 1.1.3 Communication between Elected Members and Staff

Council's current policy captures the essence of the reform changes in relation to communication, stating:

"Elected Members and staff of the Shire are committed to establishing a respectful, harmonious and effective working relationship with one another to achieve the Council's corporate goals and implement Council's strategies.

To achieve that position, communication channels between Elected Members and Shire Employees should be in accordance with the provisions of the Local Government Act 1995, whereby the Chief Executive Officer is the contact point for Elected Members unless otherwise permitted by the CEO."

Financial Implications

Nil

Strategic Implications

Strategic Community Plan 2023-2033

- 14.2 Prepare and respond in a timely manner to Local Government Act reforms
- 14.3 Influence positive local and regional outcomes through WALGA and government agencies

11.4 MINGENEW TOWN HALL MANAGEMENT POLICY

Location/Address: 19 Victoria Road Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: CM.POL.1
Date: 18 June 2025
Author: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

The Council has developed a management policy for its Town Hall so that the facility can have limited utilisation while minimising the risk to the community. The policy prescribed the activities and restrictions associated with the Hall's use. In addition, the Council has planned the rectification of any high-risk building condition issues through minor building works.

Key Points

- Council has developed a Management Policy for the operation and use of the Mingenew Town Hall
- Council has sought expert advice on the minimisation of risk in the utilisation of the Hall
- These risk mitigation measures have been incorporated into the policy and/or are being physically addressed on site through minor works.

OFFICER RECOMMENDATION – ITEM 11.4

Council adopts and implements the Mingenew Town Hall Management Policy and in so considers that following the minor works prescribed in this report that the Town Hall is suitable for the uses prescribed in the Mingenew Town Hall Management Policy.

Attachments

11.4.1 Town Hall Management Policy & Risk Assessment

Background

The Mingenew Town Hall was built in 1959 and has served the Mingenew community for many years. In about 2012 asbestos was identified in the Hall and, along with other deficiencies, resulting in a decision to close the Hall to the public. Since this time many reports and discussions have been held regarding the future of the Hall. At no time has there been a comprehensive options report which has enabled the Council to make a fully informed decision as to its future.

A comprehensive report identifying the required repairs and recommend alterations to the Mingenew Town Hall has been completed specifically the Mingenew Town Hall – Options Report.

This report provides full project costings and options for the repair and upgrading of the Hall based on the options report recommendations. It is estimated that to restore the Hall to a bare minimum level would cost ~ \$2.15M and an additional \$1.3M to \$1.9M to complete the upgrade works identified in the concept report.

Council at its December Ordinary Meeting resolved:

OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 11.1 - RESOLUTION#03121224

MOVED: Cr JR Holmes

SECONDED: Cr RA Starick

Council

1. **Receives and notes the Opinion of Probable Costs for the renovation and upgrading of the Mingenew Town Hall;**
2. **Resolves to renovate and upgrade the Mingenew Town Hall once sufficient funds have been generated from external funding sources, so as not to impact the Council's financial sustainability; and**
3. **Updates the information regarding the Town Hall in the Shire's Investment Opportunities booklet.**

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)

Comment

Since this time Council's insurer advised the Council that that any use of the Hall was at risk of not being covered by insurance should there be an incident.

LGIS provided a Senior Risk Consultant to undertake a risk assessment on the Town Hall and his report is attached.

As a result of this assessment it was recommended that the Council implement a management policy and address certain building matters.

Of main concern was the internal ceiling and the south eastern column.

Both of these matters have been inspected and discussed with Strutterre (structural engineering firm) and it has been agreed that the best way to address these matters is for the removal of the internal ceiling and the repair to the column. Council is in the process of making arrangements for these two items.

In addition, it is proposed to remove the rear landing, secure the upper level stair case and permanently block access to the stage area to further mitigate any reasonably foreseeable risk of harm resulting from the use of the facility.

Consultation

LGIS – Council's insurer

Strutterre Consulting Engineers

Warren Criddle - Professional metal fabricator

Tunbridge Construction – Professional Builder

Works Manager

Statutory Environment

Council needs to ensure that it minimises its statutory and reasonable foreseeable Risk in the operation of its facilities. All of the high risk priorities in the liability assessment report are being addressed as part of the prescribed works.

Policy Implications

The adoption of the Town Hall Management Policy will put into place measures which will minimise the Council's operational risk while allowing the community to benefit from the limited use of the Old Town Hall prior to its eventual renovation.

Financial Implications

The removal of the ceiling, repair to the column and removal of the rear platform and boarding up of the no go zones within the Hall have been included in the budget as minor works.

Strategic Implications

Strategic Community Plan 2023-2033

6.3 Decide the future of the Town Hall

- a. Investigate options for the Town Hall
- b. Attract new cultural and recreational activities to support community use of the Hall

11.5 DRAFT GUIDELINE ON COMMUNITY BENEFITS FOR RENEWABLE ENERGY PROJECTS – CONSULTATION PAPER

Location/Address: Shire of Mingenew
Name of Applicant: State Government Policy
Disclosure of Interest: Nil
File Reference: CM.EST.1
Date: 18 June 2025
Author: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

Energy Policy WA have released Draft Guideline on Community Benefits for Renewable Energy Projects - Consultation Paper seeking submissions closing 4 August 2025. The guideline recommends community benefit value ranges for wind and solar projects and potential governance and administrative methods. The guideline is a positive step in ensuring local communities impacted by the energy transition will also benefit from these developments.

Key Points

- Energy Policy WA have released a draft community benefits guideline as a consultation draft
- The draft policy refers to community benefit value ranges as a cost per power produced
- The draft policy only refers to grid connected projects

OFFICER RECOMMENDATION – ITEM 11.5

Council instructs the CEO to make a submission on the draft Guideline on Community Benefits for Renewable Energy Projects - Consultation Paper, and that this submission addresses the following matters:

- The need for a single benefit per dollar value/megawatt (MW) per annum to establish a level playing field and prevent cross local government boarder bargaining
- The inclusion of non-grid connected projects. as they have equally similar development impacts
- The need for the benefits to be managed by the Local Governments as they are best placed, utilising existing governance and reporting frameworks.
- The need for the transmission network masterplan to be developed, and known to government and industry to facilitate a coordinated implementation of the renewable energy sector.

Attachments

- 11.5.1 Draft Community Benefits Guideline - Consultation Paper
11.5.2 Energy and Resource industry - Community Benefits Policy

Background

The energy transition is underway in Western Australia (WA), bringing clean, reliable and affordable energy to Western Australians that can underpin our economic diversification and create opportunities. To meet our State's future energy needs, we need to decarbonise our energy system, moving away from carbon intensive resources (such as coal) to renewable resources.

Increasing demand for electricity from households and industry, coupled with projected economic growth, means that we may need to produce as much as ten times the current level of electricity for the State's main grid to reach WA's target of net zero by 2050.

The most cost-effective way to manage this transition is to build large-scale wind and solar power, supported by storage and gas, to maintain reliability. Many of these projects will be in regional areas, consistent with

planned extensions and upgrades to the state's main transmission network, the South West Interconnected System (SWIS).

Many local Governments already being impacted by this energy transition have been for the past two years advocating for the release of legislated guidelines for the Energy Transition industry similar to the Eastern States.

The Department of Energy, Mines, Industry Regulation and Safety section referred to as Energy Policy WA have released a consultation paper for guidelines on community benefits for renewable energy projects (refer attachment 11.5.1).

The purpose of this paper is to:

- Provide information to communities about the types of benefit sharing arrangements available for the renewable energy infrastructure they are hosting,
- Provide information to developers about State Government expectations for community benefits arrangements,
- Provide a guide on appropriate value of community benefits in different contexts,
- Provide suggestions for the governance and administration of community benefits funds, and
- Provide confidence and clarity for proponents and investors by setting out a clear framework for benefit-sharing arrangements across Western Australia.

Members of the public, local government and industry are encouraged to make submissions closing 4 August 2025. Submissions should be sent by email to poweringwa@demirs.wa.gov.au.

Comment

The energy transition will have significant benefits and opportunities for regional communities hosting this infrastructure, such as economic growth and investment, but will also bring challenges and changes to the local landscape. Benefits are not always experienced in proportion to the impact these projects have on hosting communities.

Community benefit sharing involves sharing the rewards of renewable energy development with local communities. It aims to integrate a development in the local community by contributing to the future vitality and success of the region. It is based on a desire to establish and maintain positive long-term connections to the area and to be a good neighbour.

Benefit value guidelines

Guidance for community benefits values is informed by benchmarking of best practice arrangements across Australia. Recognising that each project is unique, flexibility is encouraged within a range of:

- \$500–\$1,500 per MW per annum for wind projects; and
- \$150–\$800 per MW per annum for solar projects,

paid over the life of the development and indexed to inflation.

It is recommended that these figures be changed to single benchmark figures reflective of other states to remove any ability for proponents to play one council off against another and create a level playing field.

It is suggested that the following figures be legislated:

- \$1,050 per MW per annum for wind projects; and
- \$850 per MW per annum for solar projects,

paid over the life of the development and indexed to inflation. These figures align with the Mingenew Policy.

By way of example a 500MW wind system would generate \$525,000 per annum community benefit.

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The guidelines discussed several governance structures. It is the Authors opinion that Local Government is best suited to administer community benefit funds. This is the structure established by Mingenew basically a Local Government – led Community Trust Fund with the Council establishing a list of eligible projects for an established advisory committee to select from.

In addition to this guideline minister Carey also that all renewable projects will be assessed under a large-scale complex proposal's part 11B pathway by the state referrals coordination unit. In addition, the minister advised that a planning code will be established similar to that of the R-codes – this establishing a consistent set of development standards across the state.

Statutory Environment

At this stage the subject document is only a guideline expected to be made Policy by the State Government. One of the submission points will be the need to legislate set contribution rates.

It is still very unclear how these projects will be approved and how an assurance process would be managed to ensure that community benefit agreements are in place and at what stage of the development approvals process.

Policy Implications

As this is a guideline the Councils Energy & Resources Industry Community Benefit Policy (refer attachment 11.5.2) would still be relevant and assist in negotiations with Proponents.

Financial Implications

Should this guideline be adopted by the government and implemented – the Council and community would significantly benefit from the receipt of community benefit funding to assist in delivering identified legacy projects.

Strategic Implications

Strategic Community Plan 2023-2033

- 12.1 Commit to developing locally appropriate mitigation and adaption strategies to manage climate change
 - b. Advocate for effective and adequately funded Commonwealth and State Government climate change policies and programs

11.6 MAJOR LAND TRANSACTION BUSINESS CASE – HOUSING PROJECTS

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: CP.TEN.24.25
Date: 18 June 2025
Author: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

To outline the process for procurement activity for housing projects considered to be major land transactions, in accordance with s.3.59 of the *Local Government Act 1995* and receive and note that no submissions were received regarding the public notice for this Major Land Transaction.

Key Points

- Council has in its LTFP the delivery of 2 GROH, 2 Key Worker and 3 APU Units
- A business case was advertised (21 March – 7 May 2025) complying with the minimum statutory 6 week notice period.
- no submissions were received

OFFICER RECOMMENDATION – ITEM 11.6

Council, in consideration of no submissions being made for the Major Land Transaction - Housing project for the delivery of 2 GROH, 2 Key Worker and 3 Aged Person Units within the town of Mingenew, proceeds with the project, subject to grants and financial commitments being forthcoming as described in the business case.

Attachments

11.6.1 Major Land Transaction Business Case

Background

The Shire has, for some time, been in discussions with GROH and the Department of Communities regarding the building of two (2) additional GROH houses and three (3) APU units. In addition, it also intends on constructing two (2) Key Worker Dwellings as part of its long-term housing strategy.

GROH Housing

Council has been approached by Government Regional Officer's Housing (GROH) to build two 3x2 residences to meet the Department of Education's demand for worker housing, in return for a lease arrangement.

At its February 2024 OCM the Council resolved as follows:

OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 17.1 – RESOLUTION# 14210224
MOVED: Cr JR Holmes SECONDED: Cr AT Pearce

Council, with respect to the offer from the Government Regional Officer's Housing GROH for Council to build two houses for use by the Department of Education, supports the proposal in principle and:

- 1. Authorises to the CEO to enter into negotiations with GROH to build two houses (1-4x2, 1-3x2), on the provision that the investment is sound and subject to a cost benefit analysis and final proposal being presented to Council prior to entering a contract; and**
- 2. Seeks loan funding for the construction of the two houses.**

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 5/0

(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, and Cr RA Starick AGAINST: Nil)

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Since this time the Council has been in negotiations with GROH for these works and have got to a point where it now needs to receive final pricing for these works.

APU Housing

The Shire has made application to the Department of Communities to build an additional 3 single bedroom Aged Person Units (APU). The basis of this grant is that 100% of the costs are funding under the Government's Social Housing Stream.

Council has been informed that a decision regarding its application will be made mid to late April 2025. Under this arrangement the Council is deemed to be a community housing provider (CHP).

Key Worker Housing

Council, as part of its long term housing strategy, has the construction of two key worker houses to increase its current fully utilised housing stock.

It is proposed that these 2 bedroom houses be constructed on vacant land in Phillips Street opposite the School.

Council at its March Special Council Meeting resolved to advertise by public notification a draft business plan (attachment 11.6.1) for the Essential Workers and Aged Person Accommodation Project as required for major land transactions under s.3.59 of the *Local Government Act 1995*.

The business case was advertised for the period 21 March to 7 May 2025 which satisfies the statutory minimum 6 week advertising period.

Comment

Major Land Transaction Process

As outlined under s.3.59 of the *Local Government Act 1995* and r.8A and r.10 of the *Local Government (Functions and General) Regulations 1996*, for a major land transaction, Council is required to (*anticipated timeline*):

- Prepare and present draft business plan, as prescribed, for each project
(19 March 2025 Council Meeting)
- Give Statewide public notice outlining its proposal to commence a major land transaction and provide an opportunity for submissions (no less than 6 weeks' notice period), providing a copy of the business plan
(22 March – 4 May 2025 submission period)
- Consider any submissions received and decide to proceed with the major land transaction
(21 May or 18 June 2025 Council Meeting)

No submissions were received during or following the public notification period.

Consultation

Department of Education
Department of Communities
WALGA

Statutory Environment

Local Government Act 1995

3.59. Commercial enterprises by local governments

(2) Before it —

- (a) commences a major trading undertaking; or
- (b) enters into a major land transaction; or
- (c) enters into a land transaction that is preparatory to entry into a major land transaction, a local government is to prepare a business plan.

- (3) *The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —*
 - (a) *its expected effect on the provision of facilities and services by the local government; and*
 - (b) *its expected effect on other persons providing facilities and services in the district; and*
 - (c) *its expected financial effect on the local government; and*
 - (d) *its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and*
 - (e) *the ability of the local government to manage the undertaking or the performance of the transaction; and*
 - (f) *any other matter prescribed for the purposes of this subsection.*
 - (4) *The local government is to —*
 - (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction; and*
 - (ii) *a copy of the business plan may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and*
 - (b) *make a copy of the business plan available for public inspection in accordance with the notice; and*
 - (c) *publish a copy of the business plan on the local government's official website.*
 - (5) *After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.*
- * Absolute majority required.*
- (6) *If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.*
 - (7) *The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.*
 - (8) *A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.*
 - (9) *A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.*

Local Government (Functions and General) Regulations 1996

8A. Amount prescribed for major land transactions; exempt land transactions prescribed (Act s. 3.59)

- (1) *The amount prescribed for the purposes of the definition of major land transaction in section 3.59(1) of the Act is —*
 - (b) *if the land transaction is entered into by any other local government, the amount that is the lesser of —*
 - (i) *\$2 000 000; or*
 - (ii) *10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.*

10. Business plans for major trading undertaking and major land transaction, content of

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- (1) *If a local government is required to prepare a business plan because of a major trading undertaking or major land transaction that it is to carry on or enter into jointly with another person —*
- (a) the business plan is to include details of the whole undertaking or transaction, even though the local government is not the only joint venturer; and*
 - (b) the business plan is to include details of —*
 - (i) the identity of each joint venturer other than the local government; and*
 - (ii) the ownership of, and any other interests in, property that is involved in, or acquired in the course of, the joint venture; and*
 - (iii) any benefit to which a joint venturer other than the local government may become entitled under or as a result of the joint venture; and*
 - (iv) anything to which the local government may become liable under or as a result of the joint venture.*

The trigger for the Shire of Mingenew, as per the above prescribed threshold (r.8A(1)(b)) is \$535,059 meaning that should the Council resolve to purchase / build a GROH house for a figure above this trigger then the transaction would be considered a Major Land Transaction requiring the local government to prepare a business plan. It would be, therefore, important to ensure that the construction costs do not exceed this limit.

Policy Implications

Nil

Financial Implications

These Major Land transactions are included in the Councils Long Term Financial Plan.

Strategic Implications

Strategic Community Plan 2023-2033

- 2.3 Advocate for and promote opportunities to external stakeholders, including the resource sector, to provide local diverse accommodation options
- a. Partner with government agencies and stakeholders to support housing shortage and explore solutions to housing shortages
 - b. Develop a housing strategy for increasing key worker housing stock
 - c. Identify external funding sources and apply to support the expansion of quality housing stock
 - d. Advocate to Government agencies for local housing to be included in operational approvals for resource sector projects.
- 8.3 Provide and maintain affordable housing for aged and disabled residents to meet demand
- b. Increase residential housing for aged and disabled residents

12.0 CORPORATE SERVICES

12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2025 AND 31 MAY 2025

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: FM.FRP
Date: 18 June 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 30 April 2025 and 31 May 2025, as required by Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996*.

OFFICER RECOMMENDATION – ITEM 12.1

Council receives:

- 1) the Monthly Financial Report, including the Statement of Financial Activity, for the period 30 April 2025, as included at Attachment 12.1.1;
- 2) the Monthly Financial Report, including the Statement of Financial Activity, for the period 31 May 2025, as included at Attachment 12.1.2.

Attachments

12.1.1 Monthly Financial Report for the period ending 30 April 2025

12.1.2 Monthly Financial Report for the period ending 31 May 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 30 April 2025 and 31 May 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
- Lease Liabilities
- Other Current Liabilities
- Grants, Subsidies and Contributions
- Capital Grants, Subsidies and Contributions

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- Budget Amendments

Comment

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

	YTD Budget	YTD Actual	Variance
OPERATING ACTIVITIES			
Revenue from operating activities	3,509,962	3,510,076	0.00%
Expenditure from operating activities	(4,807,623)	(4,285,195)	10.87%
Non-cash amounts excluded from operating activities	1,991,685	1,940,932	(2.55%)
	694,024	1,165,813	67.98%
INVESTING ACTIVITIES			
Inflows from investing activities	2,186,662	1,360,355	(37.79%)
Outflows from investing activities	(3,901,588)	(1,814,139)	53.50%
	(1,714,926)	(453,784)	73.54%
FINANCING ACTIVITIES			
Inflows from financing activities	0	0	0.00%
Outflows from financing activities	(66,690)	(65,843)	1.27%
	(66,690)	(65,843)	1.95%
Surplus/(deficit) at the start of the financial year	1,600,242	1,600,242	0.00%
Surplus/(deficit) at 30 April 2025	512,650	2,246,428	338.20%
Cash at Bank Municipal – unrestricted		1,714,450	
Cash at Bank Municipal – restricted		1,039,677	
Cash at Bank Trust		50,001	
Reserve Term Deposit		1,107,459	
Total		3,911,587	

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

	YTD Budget	YTD Actual	Variance
OPERATING ACTIVITIES			
Revenue from operating activities	3,558,844	3,576,711	0.50%
Expenditure from operating activities	(5,286,579)	(4,812,946)	8.96%
Non-cash amounts excluded from operating activities	2,222,753	2,143,858	(3.55%)
	495,018	907,623	83.35%
INVESTING ACTIVITIES			
Inflows from investing activities	2,415,374	1,645,953	(31.86%)
Outflows from investing activities	(4,862,301)	(2,220,208)	54.34%
	(2,446,927)	(574,255)	76.53%
FINANCING ACTIVITIES			
Inflows from financing activities	1,600,000	0	(100.00%)
Outflows from financing activities	(67,134)	(66,396)	1.10%
	1,532,866	(66,396)	(104.33%)
Surplus/(deficit) at the start of the financial year	1,600,242	1,600,242	0.00%
Surplus/(deficit) at 31 January 2025	1,181,199	1,867,214	58.08%
Cash at Bank Municipal – unrestricted		1,361,439	
Cash at Bank Municipal – restricted		725,632	
Cash at Bank Trust		50,001	
Reserve Term Deposit		1,107,459	
Total		3,244,531	

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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 11.

The road agreement with Terra Mining, as at 31 May 2025, has contributed \$137,661 towards the Community Infrastructure Fund Reserve, of which \$34,639 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 APRIL 2025 TO 31 MAY 2025

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: FM.CRD
Date: 18 June 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 April 2025 to 31 May 2025.

OFFICER RECOMMENDATION – ITEM 12.2

Council, in accordance with *Local Government (Financial Management) Regulations 1996* section 13 and 13A, receives the list of payments for the period of 1 April 2025 to 31 May 2025, as included at Attachment 12.2.1. represented by:

\$681,332.73	Municipal EFTs
\$32,448.26	Municipal EFT Purchasing Cards (Fuel Cards)
\$78,487.20	Municipal Direct Debit Department of Transport (Licencing) Payments
\$82,848.76	Municipal Direct Debit Other
\$13,907.25	Municipal Direct Debit Purchasing Cards (Credit and Fuel Cards)
\$178,366.28	Net Salaries
\$1,067,390.48	Total Payments

Attachments

12.2.1 List of Payments – 1 April 2025 to 31 May 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

12.3 RATE EXEMPTION FOR 14 FIELD STREET, MINGENEW - MURCHISON REGIONAL ABORIGINAL CORPORATION

Location/Address: 14 Field Street, Mingenew
Name of Applicant: Murchison Region Aboriginal Corporation
Disclosure of Interest: Nil
File Reference: RV.RAT.2 & A219
Date: 18 June 2025
Author: Carla Ferreira, Rates / Finance Officer
Authorising Officer: Helen Sternick, Manager Corporate Services
Voting Requirements: Simple Majority

Summary

Council's consideration of Murchison Region Aboriginal Corporation's (MRAC) renewed application to have its residential property at 14 Field Street, Mingenew (Assessment 219) exempt from rates under Section 6.26(2)(g) of the Local Government Act. The MRAC seeks consideration on the grounds that the land is not rateable as it is used exclusively for charitable purposes.

Key Points

- A review of Murchison Regional Aboriginal Corporation charitable status. This status has been assessed as unchanged.
- Although the status remains unchanged, the ex-gratia payments will no longer be paid by Murchison Regional Aboriginal Corporation.

OFFICER RECOMMENDATION – ITEM 12.3

Council

1. Grants Murchison Regional Aboriginal Corporation an exemption of rates on property located at 14 Field Street, Mingenew (Assessment 219) on the grounds the applicant meets the definition of a charitable group and the land is used exclusively for charitable purposes, in accordance with Section 6.26(2)(g) of the *Local Government Act 1995*;
2. Determines that rubbish charges and Emergency Service Levy are still payable by Murchison Regional Aboriginal Corporation; and
3. Requires a review of the exemption status to occur in 5 years.

Attachments

12.3.1 Application for Rates Exemption (Confidential – supplied under separate cover)

Background

In October 2018, Council approved MRAC's application to be considered exempt from paying rates as the organisation was deemed to meet the definition of a charitable group and that it uses the land in accordance with Section 6.26(2)(g) of the Local Government Act. In lieu of paying rates MRAC were willing to pay a 20% ex-gratia payment which was formalised in a Deed of Agreement.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 1710185

Moved: Cr Cosgrove / Seconded: Cr McGlinn

That Council -

1. Accepts that Murchison Region Aboriginal Corporation meets the definition of a charitable group and that it uses the land, 14 Field Street, Mingenew (Assessment 219), in accordance with Section 6.25(2)(g) of the Local Government Act (vis. it is used exclusively for charitable purposes and is not rateable);
2. Accepts Murchison Region Aboriginal Corporation's offer to make an annual ongoing ex-gratia rates payment equal to 20% of the Council endorsed GRV rate in the dollar (against the annual GRV of the assessment) plus meet the annual refuse removal charge and the annual Emergency Services Levy;
3. Requires that the CEO give written notice to Murchison Region Aboriginal Corporation of (1) and (2) above, and also asks that it advise the Shire if the property use changes from a charitable purpose, so that the matter might be reviewed again by Council at that point in time;
4. Writes off 80% the 2018/2019 rates (\$1,202.78) for 14 Field Street, Mingenew (Assessment 219), but not including rubbish charges and the Emergency Services Levy; and
5. Authorises the Chief Executive Officer to sign the Deed of Agreement (as attached) on behalf of the Shire of Mingenew and requires that the CEO put in place an internal procedure that captures the above position, so that the Murchison Region Aboriginal Corporation's 14 Field Street property (Assessment 219) is levied the annual 20% ex-gratia rates equivalent payment.

VOTING DETAILS:

THE MOTION WAS PUT AND CARRIED BY ABSOLUTE MAJORITY 7/0

A review of the Rate Exemption Register identified that MRAC was due to be reassessed on their exemption status and were asked to resubmit their exemption application. MRAC resubmitted their application on 30 April 2025.

Comment

The Murchison Regional Aboriginal Corporation has reapplied to have its residential property at 14 Field Street, Mingenew (Assessment #219) exempt from rates. It is objecting to the payment of rates on the ground that the property does not constitute rateable land as it is used exclusively for charitable purposes.

The definition of a charitable purpose is generally required to fall under one of the following areas:

- The relief of poverty, age and impotence;
- The advancement of education;
- The advancement of religion; or
- Other purposes beneficial to the community.

MRAC's status as a registered charity or public benevolent institution has been confirmed by the following government agencies:

- State Administrative Tribunal - Decision WASAT17 (attached MRAC v Yalgoo decision) confirmed that MRAC's services and properties meet the requirements for full rate exemption status as a charity organisation;
- Australian Taxation Office - Notice of Endorsement for Charity Tax Concessions;
- Australian Charities and Not for Profits Commission – Registered as a charity for beneficial purposes since 2 December 2012;
- Office of the Registrar of Indigenous Corporations – Recognized charity for beneficial purposes; and
- Community Housing Registration Office – Recognition as a community housing organisation via Community Housing Provider Registration. Community housing organisations are not-for-profit organisations that reinvest any surplus revenue into new housing, better services, or improving their properties – not into dividends for shareholders or executive bonuses.

MRAC's rule book, demonstrates in section 2.1 *Not for Profit* and 2.2 *Corporate Objectives* the charitable or beneficial purposes that MRAC provides to Aboriginal and Torres Strait Islander persons across the Midwest

Gascoyne region. This is demonstrated by providing safe, secure, and affordable housing to Aboriginal and Torres Strait Islander persons residing in the Midwest or Gascoyne region.

MRAC has received legal advice following the Yalgoo SAT decision not to enter into any agreements relating to property rates ex-gratia discount payments. MRAC is unable to proceed with ex-gratia discount payments, it has no discretionary funds, with all revenue received put directly back into servicing the Aboriginal clients they support.

MRAC have stated granting the full rate exemption charities are entitled to as per section 6.26(2)(g) of the LG Act would also demonstrate the Shire's commitment to the Aboriginal Community and support its own Reconciliation Action Plan deliverables. The marginal rates collected by the Shire have minimal impact on the Shire's budget, whereas it would directly enable MRAC to support the Housing Support Program clients and their families.

The MRAC acknowledges that their properties are not exempt from the Emergency Services Levy as per the Fire and Emergency Services Regulations 1998, and they accept that the payment of this levy is necessary. Noting that refuse charges and the Emergency Services Levy are not subject to these charitable purposes and remain payable by MRAC.

Consultation

Murchison Regional Aboriginal Corporation.

Statutory Environment

Local Government Act 1995

6.76. Grounds of objection

- (1) *A person may, in accordance with this section, object to the rate record of a local government on the ground —*
 - (a) *that there is an error in the rate record —*
 - (i) *with respect to the identity of the owner or occupier of any land; or*
 - (ii) *on the basis that the land or part of the land is not rateable land;*
- (2) *An objection under subsection (1) is to —*
 - (a) *be made to the local government in writing within 42 days of the service of a rate notice under section 6.41; and*
 - (b) *identify the relevant land; and*
 - (c) *set out fully and in detail the grounds of objection.*

6.26. Rateable land

- (1) *Except as provided in this section all land within a district is rateable land.*
- (2) *The following land is not rateable land —*
 - (g) *land used exclusively for charitable purposes;*

The applicant has the right under Section 6.78 of the Local Government Act 1995 to apply to the State Administrative Tribunal for a review of the decision of the local government should Council resolve to not allow the rates exemption.

Policy Implications

Nil.

Financial Implications

As MRAC already has a rates exemption and was contributing a 20% ex-gratia payment, the loss of revenue for the 2025/26 financial year would be \$380. Rubbish charges and the Emergency Services Levy are, however, still payable.

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 JUNE 2025

Subject to Council approving the Annual 2025/26 Budget, the ex-gratia payment of \$380 has been withdrawn from the budget.

Ray White Geraldton Dongara has recently listed this property for sale therefore, if/when the property sells, rates will be charged pro-rata from the purchase date for the new owner, unless an exemption applies.

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

12.4 2024/25 BUDGET REVIEW AND AMENDMENTS – FOURTH QUARTER

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: FM.BUD.24.25
Date: 18 June 2025
Author: Helen Sternick, Manager Corporate Services
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Absolute Majority

Summary

The purpose of this report is to consider and approve proposed fourth quarter budget review and amendments for 2024/25.

Key Points

- Proposed amendments increase the closing surplus to \$520,509
- Carry forward projects expenditure and grant revenue that are waiting for announcements of grant applications
- Decrease transfer from Plant Reserve to reflect actual costs of plant purchases and carry forward Mingenew Daycare Redevelopment Reserve transfer until works completed
- Increase transfer to reserves to reflect additional interest earned on term deposit and Community Infrastructure Fund Contribution Reserve additional income earned from the Road User Agreement.

OFFICER RECOMMENDATION – ITEM 12.4

Council, by Absolute Majority:

1. Approves the proposed budget review and amendments to the 2024/25 Annual Budget, as included in Attachment 12.4.1;
2. Approves and authorises the reduced transfer amount from the following reserves:
 - transfer from Plant Reserve - \$121,630
 - transfer from Mingenew Daycare Redevelopment Reserve - \$69,075; and
3. Approves and authorises the additional transfer amount to the following reserves:
 - transfer to Community Infrastructure Fund Contribution Reserve - \$23,000
 - transfer to all reserves interest earned on term deposit - \$7,269.

Attachments

12.4.1 Budget Review – Fourth Quarter

Background

The report for the period 1 July 2024 to 31 May 2025 shown in the attachment has been prepared incorporating year to date budget variations and forecasts to 30 June 2025 and is presented for Council's consideration.

Consideration of the status of various projects and programs was undertaken to ensure any anticipated variances were captured within the review document where possible.

Comment

This report provides information by Nature and Type and is based on an eleven month period from 1 July 2024 to 31 May 2025.

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 JUNE 2025

The budget review and amendment report includes at Note 1 a summary of variance contained within the Statement of Financial Activity, which is outlined in the below table. In addition to the variances listed below there are some non-cash items that have not been listed but have been included as budget amendments that result in a nil effect, this is detailed at Note 2.

The budget adjustments mostly relate to known operating variances and carry forward projects not anticipated to be completed by 30 June 2025.

Increase operating grants (road user agreement)	\$23,000
Increase in interest revenue (interest earned on term deposits and municipal fund)	\$28,869
Increase in fuel tax credits	\$10,000
Profit on asset disposal (CEO vehicle)	\$2,830
Decrease in material and contracts (legal advice, audit fees, minor assets, consultants, rental market appraisals, vehicle servicing and repairs)	\$38,248
Decrease in new borrowings and related interest	(\$1,590,876)
Loss on asset disposal (Works Manager and MCS vehicle)	(\$1,850)
Carry forward grant funding (solar panels, Mingenew Spring, Rec Centre upgrade, water park, water tank, digital sign)	(\$731,000)
Proceeds from disposal of assets (CEO, Works Manager, MCS vehicles)	\$157,273
Carry forward capital projects (solar panels, key workers and GROH housing, Rec Centre upgrade, water truck, Mingenew Spring, water tank, water park, digital sign)	\$2,640,850
Decrease capital projects (land purchase, 33 Victoria Road renovation, Rec Centre air conditioner, tennis lights)	\$92,500
Purchase of CEO, Works Manager & MCS vehicle	(\$178,071)
Transfer from Plant Reserve (actual plant purchase costs)	(\$121,630)
Carry forward Transfer from Daycare Redevelopment Reserve	(\$69,075)
Transfer to various reserve (additional interest)	(\$7,269)
Transfer to Community Infrastructure Fund Contribution Reserve (additional income from road user agreement)	(\$23,000)
Overall Change (surplus)	\$520,509

In considering the above amendments within the attached fourth quarter budget review, the closing position surplus has increased from \$250,690 to \$520,509.

Consultation

Chief Executive Officer
Manager Governance and Community
Manager Works

Statutory Environment

Local Government Act 1995
Local Government (Financial Management) Regulations 1996

Policy Implications

Nil.

Financial Implications

The various budget amendments increase the budget closing surplus at 30 June 2025 to \$520,209, this surplus is subject to change with the completion of the end of year accruals and the final audit.

Strategic Implications

Strategic Community Plan 2023-2033

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 JUNE 2025

- 14 Operating with a high standard of governance and transparency
- 15 Financial practices are responsive to compliance requirements and revenue needs

12.5 LONG TERM FINANCIAL PLAN 2026 - 2037

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: CM.PLN.2
Date: 18 June 2025
Author: Helen Sternick, Manager Corporate Services
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

The purpose of this report is for Council to consider the adoption of the Long Term Financial Plan (LTFP) 2026 - 2037.

Key Points

- The LTFP anticipates a balanced budget for each year
- Assumptions for the average annual increase for rates between the years 1–4 is 5.6%; and years 5-12 is 5.0%
- Assumptions for the average annual increase for employee costs between the years 1-12 is 4.0%
- The LTFP accounts for an increase in residential housing through the use of borrowings

OFFICER RECOMMENDATION – ITEM 12.5

Council adopts the Shire of Mingenew Long Term Financial Plan 2026 – 2037, as included at Attachment 12.5.1.

Attachments

12.5.1 Long Term Financial Plan 2026 – 2037

Background

Local Governments are required to make future plans under Section 5.56(1) of the *Local Government Act 1995*. The Department of Local Government, Sport and Cultural Industries (DLGSC) has created an Integrated Planning and Reporting Framework to assist local governments to fulfil their strategic planning obligations under this provision.

The Long Term Financial Plan (LTFP) is a document that informs the Corporate Business Plan (CBP) and allocates the necessary resources to ensure that the Shire's priorities are achieved. From these planning processes, annual budgets that are aligned with strategic objectives can be developed.

The LTFP has used the operating baseline of the 2024/25 budget, removing one off expenditure and carry-overs to obtain a minimum level of revenue and expenditure that the Shire requires to operate current service levels. Capital and new operating initiatives, with accompanying funding sources, were then incorporated with key consideration for renewal requirements and meeting the initiatives of the CBP. Strategic decisions have been made to distribute funds to new capital and operating projects or changes to existing services, repayment of loan debt or transfers to reserves.

The first four years focus on construction of the daycare centre, six residential housing, aged persons residential housing, major refurbishment of the town hall, extension to the recreation centre, replacement of museum roof, renewal of Yandanooka Hall toilets, post office/CRC building, MIG building, community gym equipment, rural roads widening program, construction of new shared pathways, resurfacing of netball courts, bowling and netball lights renewal, Bride St playground equipment replacement, water park construction, road safety educational bike track at Cecil Newton Precinct and construction of botanical garden at Mingenew Springs.

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 JUNE 2025

The years beyond the four year CBP timeframe provide an estimate of future financial impacts of strategic decision and identifies options to ensure a balanced and sustainable financial approach.

The development of the LTFP assists in the management of the local government's growth and provides guidance on the management of cashflows, funding requirements, community assets and risk. There is a high level of accuracy in the first two – three years of the plan, however as the plan extends the level of accuracy is reduced. For this reason, the LTFP will be reviewed and updated annually to ensure that current economic impacts are considered.

Comment

Through the development of the 2026 – 2037 LTFP the Shire has identified key economic drivers that will influence the future cost of providing infrastructure, services and facilities and estimated revenue generated from rates, fees and charges and asset sales. This information has been compiled into the LTFP and provides a financial roadmap detailing the Shire's capacity to meet the competing demands of services and facilities required by the community.

The plan identifies a variety of measures available to enable the Shire to achieve its objectives. The LTFP balances the funding needs for renewal and new infrastructure assets, current service levels, rating expectations, fees and charges aligned to CPI, appropriate use of debt, use of funds held in reserve and strategic sale of assets.

The 2026-2037 LTFP has been developed with the following underlying assumptions:

- Balanced annual budget
- 7.29% increase in rate revenue decreasing to 5% from 2026/27 onwards
- 1 change to staffing levels once the Mingenew Spring botanical garden is completed
- Employee costs annual increase of 4%
- Utilities costs annual increase of 2.5%
- Insurance annual increase of 5%
- New borrowings totally \$4.7m for the construction of residential housing
- \$300,000 annual transfer to Plant Reserve to self-fund plant purchasing in future years
- \$3,000 in 2025 and thereafter \$4,500 transfer to Aged Person Units Reserve
- \$12,655 annual transfer to Environmental Reserve to facilitate the Transfer Station Closure Plan
- Transfers from Plant Reserve to self-fund plant purchases

Consultation

The information obtained through the MARKYT survey, various community and club workshops that has been conducted throughout 2022, 2023 and 2024 to inform the development of the Shire's Strategic Community Plan 2023-2033 and Corporate Business Plan 2025-2029 has also informed the development of the LTFP.

Statutory Environment

Local Government Act 1995

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996

Section 19, Division 3, outlines the requirements of Planning for the Future.

The Department of Local Government, Sport and Cultural Industries have provided guidelines for the Integrated Planning and Reporting Framework.

Policy Implications

Nil.

Financial Implications

The adoption of the Long Term Financial Plan does not have any financial implications, however, the document is used to guide the development of the annual budget.

Strategic Implications

Strategic Community Plan 2023-2033

- 15.1 Build our operational reserves to support long term goals and/or enable adaptation to changing needs
- 15.2 Balance value for money principles and compliance in procurement practices
- 15.3 Develop an updated LTFP that considers asset management capabilities
 - b Develop an updated Long Term Financial Plan (CBP)

12.6 ADOPTION OF THE 2025/26 BUDGET

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: FM.BUD.25.26
Date: 18 June 2025
Author: Helen Sternick, Manager Corporate Services
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Absolute Majority

Summary

To consider and adopt the Municipal Fund Budget for the 2025/26 financial year together with supporting schedules, including imposition of rates and minimum payments, adoption of fees and charges, setting of Council members fees for the year and other consequential matters arising from the budget papers.

Key Points

- An anticipated opening surplus for 2025/26 (closing surplus for 2024/25) of \$785,000 and is subject to change after audit.
- A proposed increase in general rates of 7.29% (5% general increase and 2.29% for road improvement program),
- Two new loans from WATC, totalling \$1.7m, for four new residential houses, (two x Government Regional Officer Housing and two Key Workers' Accommodation) financed over 10 years.
- Construction of 3 x Aged Person Units.
- Change the name of the Community Infrastructure Fund Contribution Reserve to Community Benefit Fund Reserve.
- Elected Members fees updated accordingly to new calculations of Section 6 and 7 of the Local Government CEO and Elected Members Determination No 1 of 2025.
- Elected Members superannuation payments, as resolved by Council.
- 11% interest on outstanding rates and 5.5% interest on rates instalments remain unchanged.

AMENDED OFFICER RECOMMENDATION – ITEM 12.6

PART A – ANNUAL BUDGET FOR 2025/26

Pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopts the Budget as contained in Attachment 12.6.1 of this agenda and the minutes, for the Shire of Mingenew for the 2025/26 financial year which includes the following:

- Statement of Comprehensive Income
- Statement of Cash Flows
- Statement of Financial Activity
- Notes to and Forming Part of the Budget.

PART B – GENERAL RATES, MINIMUM PAYMENTS, INSTALMENT PAYMENT ARRANGEMENTS, DISCOUNTS AND INTEREST

1. For the purposes of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, council pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following general rates and minimum payments on Gross Rental and Unimproved Values.

- 1.1 General Rates
 - Residential / Commercial / Industrial (GRV) 17.8441 cents in the dollar
 - Rural / Mining (UV) 0.7231cents in the dollar
- 1.2 Minimum Payments
 - Residential / Commercial / Industrial (GRV) \$991.00
 - Rural / Mining (UV) \$1,490.00
2. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, Council nominates the following due dates for the payment in full by instalments:
 - Option 1 (Full Payment)
Full amount of rates and charges including arrears, to be paid on or before 22 August 2025 or 35 days after the date of issue appearing on the rate notice whichever is the later.
 - Option 2 (Two Instalments)
 - First instalment to be made on or before 22 August 2025 or 35 days after the date of issue appearing on the rate notice whichever is later, including all arrears and half the current rates and service charges; and
 - Second instalment to be made on or before 24 October 2025 or 2 months after the due date of the first instalment, whichever is later.
 - Option 3 (Four Instalments)
 - First instalment to be made on or before 22 August 2025 or 35 days after the date of issue appearing on the rate notice whichever is later, including all arrears and half the current rates and service charges;
 - Second instalment to be made on or before 24 October 2025 or 2 months after the due date of the first instalment, whichever is later;
 - Third instalment to be made on or before 14 January 2026 or 2 months after the due date of the first instalment, whichever is later; and
 - Fourth instalment to be made on or before 13 March 2026 or 2 months after the due date of the first instalment, whichever is later.
3. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$17 for each instalment after the initial instalment is paid.
4. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 68 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and services charges through an instalment option.
5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.
6. Pursuant to section 6.47 of the *Local Government Act 1995*, Council grants a 50% concession on rates assessments issued to all properties rateable on the basis of Gross Rental Valuation in the Yandanooka Townsite with the object of recognising the reduced level of service provided to properties in Yandanooka Townsite as compared to Mingenew Townsite.

PART C – FEES AND CHARGES FOR 2025/26

Pursuant to Section 6.16 of the *Local Government Act 1995* and other relevant legislation, Council adopts the Fees and Charges included in the 2025/26 budget included as Attachment 12.6.1 of this agenda.

PART D – COMMUNITY BENEFIT FUND RESERVE

In accordance with Regulation 17 of the *Local Government (Financial Management) Regulations 1996*, Council agrees to change the name of the Community Infrastructure Fund Contribution Reserve to the Community Benefit Fund Reserve, and the purpose remains unchanged.

PART E – COUNCIL MEMBERS' FEES AND ALLOWANCES FOR 2025/26

In accordance with Section 5.99 of the *Local Government Act 1995*, and regulation 30 of the *Local Government (Administration) Regulations 1996*, Council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

- Shire President \$13,128
- Councillors \$4,260

In accordance with Section 5.98(5) of the *Local Government Act 1995*, Regulation 33 *Local Government (Financial Management) Regulations 1996* and Part 7.2(1) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, the annual allowance for the Shire President be set at \$13,482.

In accordance with Section 5.98A(1) of the *Local Government Act 1995*, Regulation 33A *Local Government (Financial Management) Regulations 1996* and Part 7.3(1) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, the annual allowance for the Deputy Shire President be set at \$3,371.

PART F – MATERIAL VARIANCE REPORTING FOR 2025/26

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, the level to be used in statements of financial activity in the 2025/26 for reporting material variances shall be 15% or \$20,000, whichever is the greater.

Attachments

12.6.1 2025/26 Annual Budget

Background

The draft 2025/26 budget has been compiled based on the principles contained in the Strategic Community Plan 2023-2033 and is in accordance with the presentations made to Council at the budget workshops held 30 April 2025 and 21 May 2025.

Comment

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

- The budget has been prepared with a 7.29% rate increase in line with the forward financial plans contained in the Plan for the Future (5% general increase and 2.29% for road improvement program).
- Household and commercial waste charges are proposed to be increase by 5% and are itemised in the proposed schedule of fees and charges.
- The recurrent operating budget includes an overall increase in estimated expenditure of 5% (although individual line items may vary from this based on specific factors affecting each of these) and continues to focus on improved service delivery to the community. There is no increase in staff number planned.
- A capital works program totalling \$8.03m for investment in infrastructure, buildings, plant and equipment is planned. Expenditure on buildings is the major component of this (\$4.81m), completion of the day care facility, upgrade of recreation centre, 4 x new residential housing, 3 x aged person units and road infrastructure expenditure of \$1.46m.

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- Loan borrowings of \$1,700,000 to fund 4 x residential housing are proposed.
- An estimated surplus of \$785,000 is anticipated to be brought forward from 30 June 2025, however, this is unaudited and may change. Any change will be addressed as part of a future budget review.

Consultation

The 2025/26 budget is based on the Strategic Community Plan, Corporate Business Plan and includes input from the community through the development of these plans and participation in the two-yearly community satisfaction surveys.

There has been internal consultation with staff and elected members throughout the preparation of the budget, with two workshops held prior to this meeting.

Statutory Environment

Local Government Act 1995

6.2. Local government to prepare annual budget

- (1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

** Absolute majority required.*

Division 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2024/25 budget as presented is considered to meet statutory requirements.

Waste Avoidance and Resource Recovery Act 2007

67. Local government may impose receptacle charge

- (1) A local government may, in lieu of, or in addition to a rate under section 66, provide for the proper disposal of waste, whether within its district or not, by making an annual charge per waste receptacle, payable in one sum or by equal monthly or other instalments in advance, in respect of premises provided with a waste service by the local government.

Salaries and Allowances Act 1975

7B. Determinations as to fees and allowances of local government councillors

- (2) The Tribunal is to, from time to time as provided by this Act, inquire into and determine —
- (a) the amount of fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 to elected council members for attendance at meetings; and
 - (b) the amount of expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the Local Government Act 1995 to elected council members; and
 - (c) the amount of allowances, or the minimum and maximum amounts of allowances, to be paid under the Local Government Act 1995 to elected council members.

The Determination on Local Government Chief Executive Officers and Elected Members requires local governments to set an amount within the relevant range determined for fees, expenses or allowances.

Local Government Act 1995

5.98. Fees etc. for council members

- (1) A council member who attends a council or committee meeting is entitled to be paid —
- (a) the fee determined for attending a council or committee meeting; or
 - (b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.

- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
 - (a) the annual local government allowance determined for mayors or presidents; or
 - (b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.

5.98A. Allowance for deputy mayor or deputy president

- (1) A local government may decide* to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).

* Absolute majority required.

- (2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

- (a) the annual fee determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B; or
- (b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.

* Absolute majority required.

5.99A. Allowances for council members in lieu of reimbursement of expenses

- (1) A local government may decide* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all eligible council members —
 - (a) the annual allowance determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for that type of expense; or
 - (b) where the local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for annual allowances for that type of expense, an allowance of that amount, and only reimburse the member for expenses of that type in excess of the amount of the allowance.

* Absolute majority required.

Regulations 30, 31, 32, and 34 ACA of the *Local Government (Administration) Regulations 1996* set the limits, parameters and types of allowances that can be paid to Elected Members.

Policy Implications

Nil.

Financial Implications

As outlined in the body of this report and as itemised in the draft 2025/26 budget attached for adoption.

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

13.0 GOVERNANCE AND COMMUNITY

13.1 COMMITTEE PRESIDING MEMBER APPOINTMENTS

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: GV.CLR
Date: 18 June 2025
Author: Erin Greaves, Manager Governance and Community
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Absolute Majority

Summary

A Council decision is now required to appoint a Committee Presiding Member and a Deputy Presiding Member (optional) by no later than 1 July 2025.

Key Points

- Section 5.12 and 5.13 of the Local Government Act 1995 now provides for local governments to resolve, by Absolute Majority, to appoint Presiding Members to Committees
- It is optional to also appoint Deputy Presiding Members
- It will be necessary to include the appointment of Presiding and Deputy Members after the Local Government Election, when new Committee appointments are made

OFFICER RECOMMENDATION – ITEM 13.1

Council resolves, by Absolute Majority, to appoint the following council members to Committees as Presiding and Deputy Presiding Members:

Audit & Risk Committee

(appointed members Cr HR McTaggart, Cr GJ Cosgrove, Cr AR Smyth, Cr AT Pearse and Ms J Bagshaw)

Presiding Member: _____

Deputy Presiding Member: _____

Local Emergency Management Committee

(appointed members Cr AR Smyth and CEO, Cr RA Starick proxy)

Presiding Member: _____

Deputy Presiding Member: _____

Bush Fire Advisory Committee

(appointed members Cr AT Pearse, Cr AR Smyth proxy)

Presiding Member: _____

Deputy Presiding Member: _____

Executive Management Committee

(appointed members Cr HR McTaggart, Cr JD Bagley and Cr JR Holmes, Cr RA Starick proxy)

Presiding Member: _____

Deputy Presiding Member: _____

Behaviour Complaints Committee

(appointed members whole of Council, excluding member/s subject to compliant)

Presiding Member: _____

Deputy Presiding Member: _____

Background

Reforms proclaimed late last year amended sections 5.12 and 5.13 of the *Local Government Act 1995*. These changes require Local Governments to obtain a Council decision, by absolute majority, to appoint a Committee Presiding Member, and optionally also appoint a Deputy Presiding Member, by no later than 1 July 2025. See the transitional provisions, Schedule 9.3, cl 67 of the Act.

This applies to current Audit Committees and any other Committee established under s.5.8 of the Act.

Reforms replacing Audit Committees with Audit, Risk and Improvement Committees have not yet taken effect. There is no current requirement to appoint an independent person as the Presiding Member of Audit Committees.

When committees are re-established, following the 2025 Local Government Elections, Council will again need to appoint, by absolute majority, each Committee's Presiding Member / Deputy Presiding Member.

Comment

Most Committees of Council have appointed Presiding Members or a 'Chairperson', as appointed by the respective Committee, and are currently as follows:

Audit & Risk Committee – Cr HR McTaggart
Local Emergency Management Committee – Cr AR Smyth
Bush Fire Advisory Committee – Cr AT Pearse
Executive Management Committee – Cr HR McTaggart
Behaviour Complaints Committee – N/A

The Community Assistance Scheme Panel, whilst includes Councillor representatives, does not operate as a formal Committee of Council and meets solely for the purpose of reviewing and approving / rejecting Community Assistance Scheme applications. It is not considered necessary for a Presiding Member or Deputy to be appointed. Any matters that cannot be resolved by the Panel should be referred to the full Council.

Statutory Environment

Local Government Act 1995

5.12. Presiding members and deputies

(1) *The local government must appoint* a member of a committee to be the presiding member of the committee.*

** Absolute majority required.*

(2) *The local government may appoint* a member of a committee to be the deputy presiding member of the committee.*

** Absolute majority required.*

5.13. Deputy presiding members, functions of

If, in relation to the presiding member of a committee —

- (a) the office of presiding member is vacant; or*
- (b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member,*

then the deputy presiding member, if any, may perform the functions of presiding member.

5.14. Who acts if no presiding member

If, in relation to the presiding member of a committee —

- (a) the office of presiding member and the office of deputy presiding member are vacant; or*
- (b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member,*

then the committee members present at the meeting are to choose one of themselves to preside at the meeting.

Schedule 9.3 [LGA]

67. Presiding members

- (1) In this clause —
amendment day means the day on which section 39 of the 2024 amendment Act comes into operation;
existing committee means a committee of the council of a local government that is in place immediately before amendment day;
new section 5.12(1) means section 5.12(1) as inserted by section 39 of the 2024 amendment Act.
- (2) For each of its existing committees, a local government must make its first appointment of the presiding member under new section 5.12(1) no later than 1 July 2025.
- (3) Until the first appointment is made, the person who, immediately before amendment day, is the presiding member of the existing committee may continue to be the presiding member.
- (4) If that person goes out of office before the first appointment is made, the person's replacement as presiding member must be appointed by the local government under new section 5.12(1) as soon as practicable (but no later than 1 July 2025).

68. Deputy presiding members

- (1) In this clause —
amendment day means the day on which section 39 of the 2024 amendment Act comes into operation;
existing deputy presiding member means a person who, immediately before amendment day, is the deputy presiding member of a committee of the council of a local government;
new section 5.12(2) means section 5.12(2) as inserted by section 39 of the 2024 amendment Act.
- (2) An existing deputy presiding member may continue to be the deputy presiding member of their committee until the end of 30 June 2025.
- (3) Subclause (2) ceases to apply if the existing deputy presiding member, or another person, is appointed by the local government as the deputy presiding member of the committee under new section 5.12(2).

Policy Implications

Nil.

Financial Implications

There are no identified costs associated with making presiding and deputy presiding member appointments.

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

13.2 ANNUAL REVIEW OF DELEGATIONS AND UPDATE OF REGISTER

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: GV.AUT.2
Date: 18 June 2025
Author: Erin Greaves, Manager Governance and Community
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Absolute Majority

Summary

In order to meet the local government's statutory obligation to review its delegations at least once a year to facilitate effective and efficient decision making.

Key Points

- Local governments are required to review its delegations at least once every financial year
- The last review was undertaken by Council in June 2024
- The Register provided, lists all delegations made from the state government to the local government, Council to Committees and Council to the Chief Executive Officer or other personnel
- The CEO may delegate to any employee a power or discharge where appropriate

OFFICER RECOMMENDATION – ITEM 13.2

Council adopts, by Absolute Majority, the updated Delegations Register (Delegations from Council) as presented, satisfying the requirement under s5.18 of the *Local Government Act 1995* to undertake an annual review at least once every financial year.

Attachments

13.2.1 Proposed Updated Delegations Register 2025/2026

Background

Local Governments are required to keep a register of delegations and to review the delegations at least once every financial year, as per Local Government Act 1995 s5.18 and s5.46. The Act requires a review by Council of delegations from Council to the Chief Executive Officer and Committees, and the Chief Executive Officer to other staff. Council last reviewed the Register in June 2022.

The purpose of a Delegations Register is to transfer Council's decision-making function to a committee or the CEO, as provided for under s.5.42 and s5.43 of the Act. This ensures that the Shire is able to respond effectively and efficiently, without referral of these matters to Council. There may be times where a matter is deemed in the public interest or at a level requiring Council oversight, and the CEO may refer the matter back to Council where it is deemed appropriate.

Comment

WALGA's Delegations Register template has been used to inform the Shire's updated Delegations Register and there have been no changes to the Delegations by Council, except for the following (*includes page numbers of Delegations Register for reference*):

DELEGATION	DESCRIPTION OF CHANGE
1.2.1 Authorise Persons to Perform Specified Functions under the Local Government Act 1995	Minor amendment – spelling correction – “one” to “done” at Point 1 (<i>page 5</i>)
1.2.14 Expressions of Interest for Goods and Services	Amendment – expansion of condition to include calling of EOIs where there is a reasonable expectation that

	the goods or services will be required as a result of a current (budgeted) project for which the EOI may inform a budget amendment or future financial commitment i.e. recent Provision of childcare services (page 27)
1.2.15 Tenders for Goods and Services – Call Tenders	Amendment – inclusion of restrictions relating to Local Government Caretaker provisions (page 29)
1.2.16 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; exercising Contract extension Options	Amendment – inclusion of restrictions relating to Local Government Caretaker provisions (page 31)
1.2.17 Tenders for Goods and Services – Exempt Procurement	Amendment – inclusion of restrictions relating to Local Government Caretaker provisions (page 34)
1.2.22 Disposing of Property	Amendment – inclusion of restrictions relating to Local Government Caretaker provisions (page 44)
1.2.25 Defer, Grant Discounts, Waive or Write Off Debts	Amendment – simplified wording of delegation in relation to waiving fees and charges, and discounting or granting concessions to be in accordance with Council's Policy. (page 51)
2.1.8 Private Pool Barrier – Alternative and Performance Solutions	Amendment – reflects changes to AS 1926.1:2024, as prescribed in r.15B of the Building Regulations 2012. (page 86)
2.1.10 Designate Employees of Contracted Service Provider as Authorised Persons (Inspectors)	New Delegation – provides explicit authority to designate contracted personnel to carry out inspections under the Building Act (as recommended by WALGA) (page 88)

There are a number of other changes made to the Delegations Register that have been approved on the CEO's authority (Council's authority only extends to delegations under the Local Government Act that is permitted from the local government).

Statutory Environment

Local Government Act 1995

5.16. Delegation of some powers and duties to certain committees

(1) *Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.*

** Absolute majority required.*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

(3) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*

(a) *a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*

(b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*

(4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

5.17. Limits on delegation of powers and duties to certain committees

(1) *A local government can delegate —*

(a) *to a committee comprising council members only, any of the council's powers or duties under this Act except —*

(i) *any power or duty that requires a decision of an absolute majority of the council; and*

(ii) *any other power or duty that is prescribed; and*

(b) *to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and*

- (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
 - (i) the local government's property; or
 - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

5.18. Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
 - (a) this Act other than those referred to in section 5.43; or
 - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority of the council;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) — conditions includes qualifications, limitations or exceptions.

5.45. Other matters relevant to delegations under this Division

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —

- (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
- (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

5.46. Register of, and records relevant to, delegations to CEO and employees

- 1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- 2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- 3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Specific statutory requirements are outlined within the Register for each delegation made.

Planning and Development Act 2005

257C. Regulations dealing with performance of functions under local planning schemes in relation to single house development

- (1) In this section —

ancillary structure means a building, structure, fixture, or feature, that is ancillary or incidental to a single house;

CEO, in relation to a local government, means the chief executive officer of the local government;

development approval function means a function of a local government under a local planning scheme in relation to development applications, approvals of development or ancillary or incidental matters;

Examples for this definition:

- 1. Receiving, administering or considering development applications.
- 2. Granting or refusing approvals of development.
- 3. Imposing conditions on approvals of development.
- 4. Receiving, administering or considering applications for any of the following —
 - (a) an amendment to an approval of development;
 - (b) an amendment to conditions imposed on an approval of development;
 - (c) the cancellation of an approval of development.
- 5. Amending approvals of development or conditions imposed on approvals of development.
- 6. Cancelling approvals of development.

single house means a dwelling, other than a dwelling on land that is, or is to be, subject to —

- (a) a strata scheme under the Strata Titles Act 1985; or
- (b) a community titles (building) scheme under the Community Titles Act 2018;

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, an ancillary structure.

- (2) Without limiting section 256, regulations under section 256(1) may prescribe provisions that —
- (a) specify development approval functions of the local government (the **prescribed development approval functions**); and
 - (b) provide that, when the prescribed development approval functions are performed in relation to single house development, or single house development of a specified class, the functions —
 - (i) must be performed for and on behalf of the local government by the CEO or employees of the local government authorised by the CEO; and

- (ii) *cannot be performed by the local government in any other manner (for example, by the council of the local government or a committee of that council); and*
- (c) *otherwise deal with or regulate —*
 - (i) *the performance of the prescribed development approval functions as referred to in paragraph (b); and*
 - (ii) *authorisations referred to in paragraph (b)(i); and*
 - (iii) *supplementary or incidental matters.*
- (3) *Provisions of a kind referred to in subsection (2), and regulations prescribing those provisions, have effect despite any provision of the Local Government Act 1995.*

258. Regulations for procedure and costs for local planning schemes

- (1) *The Governor may make regulations for regulating the procedure to be observed —*
 - (a) *with respect to the preparation or adoption of a local planning scheme;*
 - (b) *with respect to obtaining the approval of the Minister to a local planning scheme so prepared or adopted;*
 - (c) *with respect to the review, amendment or repeal of a local planning scheme;*
 - (d) *with respect to any inquiries, reports, notices, or other matters required in connection with the preparation, adoption or approval of a local planning scheme, or preliminary to the preparation, adoption or approval of the scheme.*
- (2) *Provision is to be made by the regulations for ensuring that —*
 - (a) *notice of the proposal to prepare or adopt a scheme is to be given, at the earliest stage possible, to any local government interested in the land; and*
 - (b) *the local government of the district in which any land proposed to be included in a scheme is given —*
 - (i) *a notice of any proposal to prepare or adopt such a scheme; and*
 - (ii) *a copy of the draft scheme before the scheme is made; and*
 - (c) *the local government is entitled to be heard at any inquiry held by the Minister in regard to the scheme.*
- (3) *Without limiting the generality of subsection (1) regulations made under that subsection with regard to the amendment of a scheme may require the payment by the owner of land of the costs incurred in the publication under the regulations of any notice prescribed in the regulations relating to an amendment to a local planning scheme where the amendment is made at the request of that owner and is in respect of land owned by that owner.*

Policy Implications

The Delegations Register will link with and guide some Council and internal policies. Reference to the relevant Council Policy for each delegation is listed within the register.

Financial Implications

Delegations allow for a more streamlined and timely service for its ratepayers and stakeholders creating resourcing efficiencies, where Council oversight is not required as direction has been provided through the delegation, policy or other instrument, or an employee is suitably qualified and/or experienced to undertake the power/duty.

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

13.3 CORPORATE BUSINESS PLAN – UPDATE OF STRATEGIC PRIORITIES 2025-2029

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: CM.PLN.1
Date: 18 June 2025
Author: Erin Greaves, Manager Governance and Community
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

To consider updates to Council's 4-year Priority Actions for 2025-2029, forming the updated Corporate Business Plan, and include any changes in the Strategic Community Plan 2023-2033.

Key Points

- Local governments are required to review their Corporate Business Plan each year
- The first four year Corporate Business Plan for 2023-2027 was incorporated into the latest Strategic Community Plan 2023-2033, and this is a third year review
- Proposed additions to the Corporate Business Plan for 2025-2029 reflect any actions identified in the Shire's Long Term Financial Plan

OFFICER RECOMMENDATION – ITEM 13.3

Council, in accordance with Regulations 19DA of the *Local Government (Administration) Regulations 1996*, adopts the amended Strategic Priorities for 2025-2029 forming its Corporate Business Plan, with the following amendments:

- Change to wording of strategic priority to "1.1 - Advocate for external funding to support construction and maintenance of key road transport assets and pathways";
- Remove action "5.2a Appoint an Engineer Cadet";
- Amend action "10.2c Improve the Mingenew Transfer Station facilities (access, fencing and firebreaks)" to include the word "access";
- Add the following 4 yr Priority Actions for 2025-2029:
 - 1.1 b. Make annual submissions for key Mingenew roads to be considered for Regional Road Group and Roads 2040 funding;
 - 1.1c. Prepare an Airfield Master Plan
 - 3.1d Establish a Community Benefit Fund Advisory Committee
 - 4.3e Investigate and consult on development of a Bike Track at Cecil Newton Park
 - 6.1e. Upgrade Bowling Club lights
 - 6.1f. Undertake a condition assessment and future management plan for Yandanooka Hall
 - 6.1g. Replace Bride Street playground
 - 6.1h. Resurface netball courts and replace lighting as required
 - 10.1 e. Promote activation of Mingenew Community Garden.

Attachments

13.3.1 Four Year Priority Actions (Corporate Business Plan) 2025-2029

Background

Council adopted a new Strategic Community Plan 2023-2033 on 21 February 2024 following a major review, which incorporates its strategic priorities for the period as well as the proposed four-year priority actions for the period 2023-2027 (Corporate Business Plan).

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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. The Corporate Business Plan outlines the projects and services that the Shire will deliver over a four-year period to help achieve the objectives of the Strategic Community Plan.

The Corporate Business Plan is largely informed by projected financial capacity outlined in the Shire's Long Term Financial Plan and current capabilities.

Comment

A review of our achievements and proposed new actions to be incorporated into the Corporate Business Plan have been developed and summarised below:

GROW MINGENEW
2024/25 Achievements and Updates 1.2a Roads Improvement Plan developed for 2024/25, Year 2 implemented. 1.3a Final Mingenew Bypass study received, awaiting stakeholder feedback to established preferred option in 2025 2.1c Advocated for Space Precinct access road (Depot Hill North Road to be included on Roads 2040 list for upgrade through RRG) 2.2a Business plans and grant funding applied for, for new housing projects i.e. GROH, additional Aged Persons Units, key worker housing 3.1a Verge tree planting along Victoria Road and Shenton Street completed, extend program in 2025/26. 3.4a Review and update of Shire's website nearing completion. 4.3a Water Play Space design and construction due for completion in 2025/26 4.3b Business case to support Mingenew Spring Botanical Garden currently being 5.1a New childcare facility under construction, due for completion early 2026. 5.1b Expressions of Interest sought for provision of early childhood education and care services in April 2025. 5.2a Review of Cadet Engineer position and determine alternative model to cover skills and workload gap 5.2b Parks & Gardens Apprentice on three-year apprenticeship program 5.2c Sponsor of LG Professionals' 'LG Careers Campaign' to raise awareness of local government career opportunities, focus on young people
Amendments for 2025-2029 <ul style="list-style-type: none">• Change to wording of strategic priority 1.1 - Advocate for external funding to support construction and maintenance of key road <i>key transport</i> assets and pathways.• New action 1.1 b. Make annual submissions for key Mingenew roads to be considered for Regional Road Group and Roads 2040 funding• New action 1.1c. Prepare an Airfield Master Plan• New action 3.1d Establish a Community Benefit Fund Advisory Committee• New action 4.3e Investigate and consult on development of a Bike Track at Cecil Newton Park• Remove action 5.2a Appoint an Engineer Cadet
LOVE MINGENEW
2024/25 Achievements and Updates 6.1a Draft Sport and Recreation master Plan developed, further consultation required with Clubs 6.2c Upgrade of Mingenew Tennis Club lights completed in May 2025 6.2a Annual review of CAS conducted in June 2025 6.3a Council resolution to renovate Town Hall subject to external funding. Business Case currently being prepared to strengthen and funding opportunities 6.3b Supported MACC to utilize Town Hall for annual Arts & Crafts Pop Up Shop 6.4a Supported Historical Society with CAS funding support for Anzac Day event, and preparation of groundwork for new shed at Museum 6.4b Ongoing engagement with Southern Yamatji and Wattandee Littlewell people 6.4c (Unsuccessful) grant application submitted for cenotaph upgrade in 2024/25

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<p>6.4d New shed groundwork undertaken beside Museum</p> <p>7.1a Council updates, postal box drops and social media posts regarding funding recognition and community projects</p> <p>7.1b No Mingenew Expo in 2025, however, ongoing engagement and support for understanding community expectations for event and board</p> <p>7.1c Mingenew Races cancelled in 2025. Significant advocacy for improved communication and expectation from racing bodies</p> <p>7.2a New Disability Access and Inclusion Plan (2025-2029) developed in September 2024.</p> <p>7.2b Financial support provided to CRC for seniors activities</p> <p>8.1a Ongoing support for GP services at Mingenew Health Centre</p> <p>8.1b Investigating partnership opportunities to deliver dental services to local residents</p> <p>8.2b CRC delivering on ageing in place services</p> <p>8.2d Health and social services to support seniors provided at Autumn Centre, including CRC Seniors activities, Integrated Chronic Disease Care (ICDC), Centrecare, Mahjong Club, CWA</p> <p>8.2e Ongoing maintenance and repairs of Autumn Centre to ensure fit for purpose</p> <p>8.3a Maintenance work ongoing at APUs / Independent Living Units</p> <p>8.3b Funding submission made for additional aged person units (beside existing units)</p> <p>9.1a Assisting to facilitate the transfer of Mingenew Sports Club assets to the Mingenew Bowling Club</p>
<p>Amendments for 2025-2029</p> <ul style="list-style-type: none">• New action 6.1e. Upgrade Bowling Club lights• New action 6.1f. Undertake a condition assessment and future management plan for Yandanooka Hall• New action 6.1g. Replace Bride Street playground• New action 6.1h. Resurface netball courts and replace lighting as required
<p>PROTECT MINGENEW</p>
<p>2024/25 Achievements</p> <p>10.1a Rural roadside vegetation program commenced with new plant</p> <p>10.1e Community Garden Open Day held</p> <p>10.2a New Waste Management Contract finalized</p> <p>10.2c Investigating options to reduce management costs for oversight of Transfer station whilst ensuring community access is maximised.</p> <p>11.1a LEMC meeting regularly</p> <p>11.1b Bush Fire Management Plan drafted and awaiting feedback from DFES</p> <p>11.1c Minimum Standards for bushfire volunteers developed and adopted for training and competency</p> <p>11.2a A number of Local Recovery Plan projects have been commenced or funding sought – increase housing availability, town beautification, Mingenew Hill upgrade, Tennis Clubhouse, Rec Centre / Evacuation Centre</p> <p>11.2b Funding application submitted to DFES for new fire shed</p> <p>11.3a Business case prepared and additional grant funding sought for upgrade to Rec Centre to become Evacuation Centre, informed by community consultation</p> <p>11.3b Grant funding application being prepared for solar power at Rec Centre</p> <p>12.1b Participation in renewable energy industry sessions</p> <p>12.1c Grant funding application being prepared for solar power on key community facilities and housing</p>
<p>Amendments for 2025-2029</p> <ul style="list-style-type: none">• New action 10.1 e. Promote activation of Mingenew Community Garden• Amendment to action 10.2c Improve the Mingenew Transfer Station facilities (access, fencing and firebreaks)
<p>LEAD MINGENEW</p>
<p>2024/25 Achievements</p> <p>13.1a Quarterly reports being provided, informed by Strategic Community Plan and Corporate Business Plan updates, as well as progress of priority projects</p> <p>13.2a Second Community Satisfaction Survey conducted 2024, report received by Council in April 2025.</p> <p>13.2b Communications to community being collated to share with community and inform budget decisions.</p>

<p>13.3a Request for Quote / Tender being prepared for marketing and website management, informed by Marketing and Communication Strategy</p> <p>13.3b Community Digital information sign budgeted for installation in 2025/26, subject to funding support being received.</p> <p>14.1a Transition to new business management IT system delayed due to system changes by provider, reviewing ERP options</p> <p>14.1b New ICT Contract for Managed Services under development and expected to change-over June 2025.</p> <p>14.2a Financial Management Review and Reg 17 review conducted in April / May 2025 to monitor and report on compliance.</p> <p>14.2b Submissions on reform changes has been considerate of resourcing capabilities e.g. standard meeting procedures</p> <p>14.3a Regular attendance and participation at WALGA Northern Country Zone meetings is ongoing</p> <p>14.4a Regional Risk Coordinator Program renewed for 2025/26 and we continue to gain valuable support for risk and work, health and safety matters</p> <p>15.1a Reserve management considered as part of Long Term Financial Plan review in 2025, with particular regard to capital projects, plant replacement and community benefit funds</p> <p>15.3b Updated Long Term Financial Plan was developed and endorsed by Council in June 2024, reviewed in June 2025.</p> <p>16.1a Shared planning services provided by the Shire of Chapman Valley</p> <p>16.1b Shared building services provided by the City of Greater Geraldton</p> <p>16.1c Shared Environmental Health services provided by the Shire of Irwin</p> <p>16.2a The Shire continues to participate in the Midwest Library Consortium as a shared regional cost</p> <p>17.1a Recently introduced opportunity for Council Member superannuation payments to be made</p> <p>17.2b Renovations to 33 Victoria Street property conducted in early 2025</p> <p>17.2c Engagement with LG Professionals WA on Careers Campaign to promote careers for young people in local government and regions</p> <p>Amendments for 2025-2029</p> <p>Nil.</p>
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Statutory Environment

Local Government Act 1995

5.56. Planning for the future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*

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- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
**Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

Policy Implications

Nil.

Financial Implications

The financial implications for the updated Corporate Business Plan are outlined within the Shire's Long Term Financial Plan.

Strategic Implications

Strategic Community Plan 2023-2033

13.1 Demonstrated delivery of priority projects and SCP outcomes

13.4 VOTING DELEGATES - WALGA STATE COUNCIL AGM 2024

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: GR.LRL.4
Disclosure of Interest: Nil
Date: 9 June 2025
Reporting Officer: Erin Greaves, Manager Governance and Community
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Minority

Summary

To consider, and to appoint Council's voting delegates for the WALGA Annual General meeting in 2025.

Key Points

- All WALGA member Councils are entitled to be represented by two voting delegates at the AGM
- The Annual General Meeting 2025 is to be held at 2:15pm on Tuesday, 23 September 2025, in conjunction with the 2025 Local Government Convention at the Perth Convention Centre.
- Elected Members and senior officers are welcome to attend as observers
- Registrations for voting delegates close 27 September 2024

OFFICER RECOMMENDATION – ITEM 13.4

Council appoints _____ and Mr Matt Fanning as voting delegates for the Shire of Mingenew at the 2025 WALGA State Council AGM on Tuesday, 23 September 2025.

Attachment

- 13.4.1 WALGA 2025 AGM Notice of meeting
- 13.4.2 Guideline for the submission of Member Motions
- 13.4.3 2025 AGM Member motion template

Background

The WALGA State Council AGM is commonly held the week of the Local Government Convention and this year it will be held at 2:30pm on Wednesday 8 October 2024 at the Perth Convention Centre. A copy of the program for this event is provided as Attachment 11.2.1 and the AGM notice of meeting provided as attachment 11.2.2.

Member Local Governments are also invited to submit motions for inclusion in the Agenda for consideration at the AGM. Submission guidelines and template provided as attachments 13.4.3 and 13.4.4.

The closing date for any submissions of motions is 5pm Friday, 8 August. Any matters relevant to the State Council have gone through the Northern Country Zone of WALGA. No motion shall be accepted for debate at the Annual General Meeting after this closing date unless the Association President determines that it is of an urgent nature, sufficient to warrant immediate debate, and delegates resolve accordingly at the meeting.

Comment

It has been previous practice to appoint the Shire President and Chief Executive Officer as Shire representative voting delegates. Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be Elected Members or serving officers. Council may wish to nominate two proxy delegates.

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The Agenda for the meeting was not available at the time of preparing this report but a copy of the Minutes from the 2024 AGM can be viewed at <https://walga.asn.au/who-we-are/corporate-governance/annual-general-meeting>. A copy of the Agenda will be provided to Councillors once released.

All Voting Delegates will need to present at the WALGA Delegate Service Desk prior to the AGM to collect their electronic voting device (keypad) for voting and identification tag to gain entry into the Annual General Meeting.

The appointment does not preclude other Councillors or officers from attending the AGM.

Should Council wish to submit a motion or motions at the WALGA AGM, they must be submitted by 5:00pm on Friday, 8 August 2025. Should Council wish to make a submission, the motion/s will need to be considered at this Ordinary meeting or hold a special meeting prior to the due date.

Consultation

WALGA

Statutory Environment

Local Government Act 1995

WALGA State Council Constitution

Policy Implications

1.1.1 Elected Member entitlements Policy

1.1.5 Elected Member Training and Professional Development Policy

"All Elected Members shall be entitled to attend the annual Western Australian Local Government Association (WALGA) Conference, with estimated costs to be included in the annual budget each year."

The Draft Budget for 2025/26 currently makes provision for up to 4 attendees at the conference (as per 2024/25). Should any more than 4 elected members wish to attend, Council will need to consider an amendment to the motion to increase the Budget and number of Elected Members authorised to attend.

Financial Implications

Nil.

Strategic Implications

Strategic Community Plan 2023-2033

16.2 Participate in regional collaborations to advocate for local needs

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 JUNE 2025

14.0 **WORKS**
Nil

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 JUNE 2025

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, 20 August 2025 commencing at 5.00pm.

19.0 CLOSURE

The meeting was closed at ____pm.

These minutes were confirmed at an Ordinary Council meeting on 20 August 2025

Signed _____
Presiding Officer

Date: _____