



# MINUTES

Ordinary Council Meeting

26 July 2023

Shire of Victoria Plains  
Council Chambers, Calingiri  
AND  
via E-Meeting Protocol

Commencing – 2.12pm

## **DISCLAIMER:**

The recommendations contained in this document are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

### Recording of Meeting

Members of the public are advised that meetings of Council are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.

You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

### **E – Disclaimer**

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

**Commonly-used abbreviations**

AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALSC	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALGA	WA Local Government Association
WSM	Works and Services Manager
WSFN	Wheatbelt Secondary Freight Network
EPA	Environmental Protection Authority
DPIRD	Department of Primary Industries and Regional Development
HCWA	Heritage Council of Western Australia
WAPC	Western Australian Planning Commission
WDC	Wheatbelt Development Commission

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# MINUTES

Ordinary Meeting of the Victoria Plains Shire Council  
Held in the Calingiri Shire Chambers and via E-meeting Protocol  
on 26 July 2023 commencing at 2.12pm

## 1. DECLARATION OF OPENING

### 1.1 Opening

The Shire President declared the meeting open at 2.12pm.

### 1.2 Announcements by Shire President

The Shire President reminded Elected Members that the meeting was being recorded for the purposes of Minute Taking and uploading of the recording to the Shire Website for public viewing and the meeting will be run in accordance with the Shire's *Meeting Procedures Law 2018*.

## 2. REMOTE ATTENDANCE BY ELECTED MEMBERS

### THAT:

- Under regulation 14C (2)(b) of the Admin Regulations, the Shire President can approve Elected Member attendance by electronic means;
- In doing so, under r.14C (5) the Shire President must have regard as to whether the location that the Elected Member intends to attend the meeting, and the equipment intended to be used to attend the meeting, are suitable;
- Electronic means includes, as per r.14CA(2) by telephone or video conference;
- Suitable equipment would include an electronic device that can hold a Teams meeting, and perhaps, the use of headphones;
- In accordance with r.14CA (5) the Elected Member must declare that they are able to maintain confidentiality during the meeting. Under r.14CA(7), the declaration by the Elected Member is recorded in the minutes of the meeting;
- Summarily, according to Departmental guidance, a suitable location is one that is quiet and private e.g. a private room in your house. If there are other people at the location at the time of the meeting, an Elected Member may be required to close a door and wear headphones.

### Approval to Attend and Declaration of Confidentiality

N/A

**3. RECORD OF ATTENDANCE**

Members present	Cr P Bantock – Shire President Cr D Lovelock Cr S Woods Cr G O'Brien Cr J Kelly Cr S Penn
Staff attending	CEO – Mr S Fletcher Deputy CEO – Mr C Ashe Acting Works & Service Manager – Mr M Hyatt Council Support Officer - Ms J Klobas
Apologies	N/A
Approved leave of absence	Cr N Clarke has Approved Leave of Absence from 1 July 2023 until 10 August 2023 inclusive.
Visitors	Dr S Silcox
Members of the public	Nil

**4. DISCLOSURES OF INTEREST**

*Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.*

Type	Item	Person / Details
4.1	Financial	Nil
4.2	Proximity	Cr P Bantock, Shire President, declared a proximity interest in item 9.7, "Petroleum Acreage Release 1P/2023 – Discrete Area L23-8" due to 'Trustee of a trust that is 'within the Release Area'.
4.3	Impartiality	Nil

**5. PUBLIC QUESTION TIME**

*Refer – Local Government Act, Regulations, Local Law and Submission Form & Guidelines circulated.*

**5.1 Public Questions With Notice**

Nil

**5.2 Public Questions Without Notice**

Nil

## 6. PRESENTATIONS AND DEPUTATIONS

### 6.1 Presentations

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Nil

### 6.2 Deputations

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Nil

## 7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 8. MINUTES OF MEETINGS

### 8.1 Confirmation of Council Meeting Minutes

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2307-01	Officer Recommendation / Council Resolution
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Moved: Cr D Lovelock

Seconded: Cr J Kelly

That the Minutes of the following meetings:

- *Ordinary Council Meeting held 28 June 2023*

as circulated, be **CONFIRMED** as a true and correct record,

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

**9. REPORTS REQUIRING DECISION****9.1 Accounts for Endorsement – June 2023**

<b>File reference</b>	F1.8.4		
<b>Report date</b>	17 July 2023		
<b>Applicant/proponent</b>	Nil		
<b>Officer disclosure of interest</b>	Nil		
<b>Previous meeting references</b>	Nil		
<b>Prepared by</b>	Glenn Deocampo – Coordinator Financial Services		
<b>Senior Officer</b>	Colin Ashe – DCEO		
<b>Authorised by</b>	Sean Fletcher – CEO		
<b>Attachments</b>			
Attachment 1	Page	2	Public schedule – in the Attachments to Agenda1

**PURPOSE**

This Item presents the attached List of Accounts Paid, paid under delegated authority, for June 2023.

**BACKGROUND**

As per Local Government Act and Financial Management Regulations.

**COMMENT**

Each month Council is to be advised of payments made during the preceding month, the amount, payee, date and reason for payment.

Please note a serial column has been added to the payment listing for ease of referencing specific line payment queries raised by council.

**CONSULTATION**

None

**STATUTORY CONTEXT**

*Local Government Act 1995* –

- s.6.8(2)(b) – expenditure is to be reported to the next ordinary meeting of Council

*Local Government (Finance) Regulations 1996* –

- r.13 Payments for municipal fund or trust fund
  - (1) the Chief Executive Officer is to provide a list of accounts paid from the Municipal fund or Trust fund, a list of all accounts paid each month showing for each account paid –
    - a) The payee's name
    - b) The amount of the payment
    - c) The date of the payment
    - d) Sufficient information to identify the transaction
  - (2) the listing to be presented to the Council at the next ordinary meeting of Council after preparation.

**CORPORATE CONTEXT**



Delegations Register –

- 3.2 – Municipal Fund and Trust Fund – Payments from Bank Accounts
  - o CEO authorised, subject to conditions
  - o compliance with legislation and procedures
  - o Minimum of 2 signatories with varying level of authorisation

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

**Policy Implications**

Policy Manual –

- 3.1 Purchasing Framework

**Other Corporate Document**

- N/A

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<b>Compliance</b>	Extreme (5)  Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers	Unlikely (2)  The event could occur at some time	High (10)	Senior Management Team / CEO  Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Policies and processes including preparation by Finance staff and two-step process for payment will ensure that the residual risk is moderate.

**FINANCIAL IMPLICATIONS**

All payments are in accordance Council's adopted budget.

**VOTING REQUIREMENTS**

Absolute Majority Required: No

**2307-02 Officer Recommendation / Council Resolution****Moved: Cr S Woods****Seconded: Cr D Lovelock**

That the payments made for June 2023 from the Municipal Bank Account/Trust Bank Account as per the attached listing and summarised below, be **ENDORSED**:

Payment type	References from – to	\$ Amount
Creditor EFT Payments**	12125 – 12231	455,305.45
Creditor Cheque Payments	12579 - 12581	10,796.75
Direct Debit Payments**	DD14149-DD14141	28,473.17
Salaries & Wages EFT	PE 07/06/23, PE 21/06/23	121,392.12
Credit Card–Bendigo Bank-	DD14149.1	500.00
	DD14154.1	175.01
	DD14154.1	345.47
	DD14154.1	2,496.66
Fuel Card – Wright Express	DD14154.2	10.48
Trust Payments		0.00
<b>TOTAL</b>		<b>\$619,495.11</b>

Local Spending	\$	%
Local Supplier	81,213.51	13.11
Payroll	121,392.12	19.60
<b>Total</b>	<b>202,605.63</b>	<b>32.71</b>

\*\*includes salary and wages deductions, and SGC

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

**9.2 Monthly Financial Statements – June 2023**

<b>File reference</b>	12.8.1		
<b>Report date</b>	19 Jul 2023		
<b>Applicant/proponent</b>	Shire of Victoria Plains		
<b>Officer disclosure of interest</b>	Nil		
<b>Previous meeting references</b>	Nil		
<b>Prepared by</b>	Colin Ashe, DCEO		
<b>Authorised by</b>	Sean Fletcher, CEO		
<b>Attachments</b>			
Attachment 1	Page	12	Monthly Financial Statements – 30 June 2023

**PURPOSE**

To receive the monthly financial statements for the period ending 30 June 2023.

**BACKGROUND**

Section 6.4 of the Local Government Act 1995 requires a Local Government to prepare financial reports.

The Local Government (Financial Management) Regulations 34 & 35 set out the form and content of the financial reports which have been prepared for the periods as above and are presented to Council for approval.

**COMMENT**

The June 2023 Monthly Financial Statements are presented for consideration noting this is preliminary pending adjustments and then finalisation of Annual Financial Statements 2022/23.

Explanations for the significant variances have been reported in Note 2 and as forecast, since the budget review there are minimal variance to report on. Those that are listed have been left deliberately to continue to track and monitor.

**Note 2 Variances:****INCOME:**

- a) Grants, subsidies and contributions variance is due to Flood damage income (AGRN 962) which continued to be budget phased in Apr 23 in the expectation it would be resolved. This has not come to fruition and has not been budgeted for in 2023/24.
- b) Other revenue variance is due to valid reimbursement of contributing funding from DFES and Shire of Moora for CESM costs, offset by some additional employee cost expenditure. Other reasons include the reimbursement of insurance claims.

**EXPENSE:**

- c) Employee costs variance has been caused by over expenditure in road maintenance, an increase in the building employee on costs primarily due to accommodation and FBT costs.
- d) Materials and Contracts variance is the budgeted flood damage but on the expenditure side (positive variance). These offset each other.
- e) Other Expenses – debtor write off's have been consolidated in this category and as articulated remains for transparency.
- f) Loss on Disposal of Assets – council made an accounting book profit on traded vehicles (cost less depreciation value was less than the trade in price received).
- g) To summarise major capital expenditure (totals) in June 23:

Activity	Cost (\$)	Status
Old Plains Road Vegetation Control	179,402	Complete
Calingiri Tip Sites Fencing	48,080	Complete
Signage	20,896	In Progress
Bolgart Caravan Park Toilet Block	187,854	In Progress

A full report of capital expenditure can be found in note 9 of the financial statements.

- h) Gross rates still outstanding is \$77,681 with rate assessments in credit (i.e. prepaid) being \$57,629, a net of \$20,052. This is a significant reduction (29%) from the outstanding balance at the commencement of the financial year which totalled \$109,095.

Of the outstanding amount:

- \$19,084 is with the debt collectors and further action is pending some detailed analysis for a decision to be made by management on the next course of action.
- \$3,611 are on a payment arrangement
- \$39,500 are interim rates not yet due for payment
- \$15,486 need further investigation as overdue with no advice received by the shire.

Sundry Debtors is \$60,446 of which is predominantly ATO transactions (including the + 60 days) and will paid in due course.

- i) \$1,473,377 in the Municipal fund bank account excluding Restricted Funding noting \$1,442,296 was Grants Commission funding, the net result being \$31,085.

**Preliminary Budget Surplus 2023/24 vs Budget 2023/24 Carried Forward Figure:**

The preliminary 30 June 23 Financial Statements should be viewed cautiously as there are a number of adjustments required to arrive and the final Annual Financial Statements 2023/24 and more importantly, the 2023/24 budget carried forward figure.

The preliminary 30 June 23 Financial Statements indicates a current actual surplus of \$1,007,477, primarily due to receipt of Grants Commission funding on the 30 Jun 23, totalling \$1,442,296. In order to arrive at a 2023/24 budget carried forward deficit figure of **(\$12,763)** the following adjustments have been made:

<b>30 June 23 Financial Statement Adjustments</b>		
	\$	\$
30 June 23 Preliminary Budget Surplus / (Deficit)	1,007,477	
Increase in Contingent Liabilities		(353,613)
Increase in Payables		(13,937)
Transfer Funds to Restricted Funding		(756,480)
Contract Assets	103,790	
TOTAL	<u>1,111,267</u>	<u>(1,124,030)</u>
		(12,763)

**Contingent Liabilities** – recognition of funds that has been received, **contingent** on the shire doing something. This includes funds from R2R, Blackspot, WSN and LRCI. Note the figure of (\$353,613) is a net amount, the actual amount on the balance sheet is (\$1,383,295).

**Restricted Assets** – funds that we have received to do something and that has been restricted for use in the bank (i.e. a physical holding of cash). This includes R2R, Blackspot, WSN and LRCI. Note the difference (\$1,383,285 - \$756,480) is basically the legacy funding used elsewhere in previous years of which the Municipal Fund has to make up the difference.

**Payables** – invoices that have been received after the financial statements were completed but have been coded to the 2022/23 financial year. This includes EHO services and Contour mapping for Piawaning Reserve.

**Contract Assets** – road construction work the shire has already undertaken and now needs to make a claim. This is specifically the Calingiri-New Norcia Rd & Toodyay-Bindi Bindi Rd Intersection.

**2023/24 Financial Summary**

With the caveat of some significant work to complete the EOFY Financial Statements, the preliminary position has been an excellent outcome with an indicative budget deficit of **(\$12,763)**, noting a beginning position of **(\$192,160)**. Whilst there has been significant slippage in the Road Construction program, the positive is that it has allowed a deeper analysis of councils financial position and an action plan to address this slippage, cost increases and legacy items through the 2023/24 budget.

**CONSULTATION**

Finance Coordinator  
RSM

CEO

**STATUTORY CONTEXT**

Local Government (Financial Management) Regulations 1996 –

- r.34 – financial activity statement required each month and details of what is to be included.

**CORPORATE CONTEXT**

Delegations Register –

Section 3 – Financial Management

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

**Policy Implications**

Policy Manual –

- 3 Financial Management

**Other Corporate Document**

- N/A

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance	Extreme (5)  Non-compliance results in litigation, criminal charges or significant damages or penalties to	Unlikely (2)  The event could occur at some time	High (10)	Senior Management Team / CEO  Risk acceptable with excellent controls, managed by senior management / executive and subject	Policies and processes including preparation by Finance staff ensure that the residual risk is moderate.

	Shire/Officers		to monthly monitoring	
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**FINANCIAL IMPLICATIONS**

None

**VOTING REQUIREMENTS**

Absolute Majority Required: No

<b>2307-03 Officer Recommendation / Council Resolution</b>
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**Moved: Cr G O'Brien**

**Seconded: Cr J Kelly**

That Council **RECEIVE** the 30 June 2023 Monthly Financial Reports as presented, noting these will be amended as the Annual Financial Statements 2023/24 is completed.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

CONFIRMED

### 9.3 Differential Rating 2023-2024 – Submission

<b>File reference</b>	12.4.2		
<b>Report date</b>	19 July 2023		
<b>Applicant/proponent</b>	Shire of Victoria Plains		
<b>Officer disclosure of interest</b>	Nil		
<b>Previous meeting references</b>	Item 8.6 Rating Strategy OCM 22 Feb 23,		
<b>Prepared by</b>	Colin Ashe, DCEO		
<b>Authorised by</b>	Sean Fletcher, CEO		
<b>Attachments</b>			
Attachment 1	Page	43	Differential rating submission received

#### PURPOSE

To consider the proposed differential rates for 2023/2024.

#### BACKGROUND

Council approved the advertising on the proposed 2023-24 differential rating categories, rates in the dollar and minimum payments for the year ending 30 June 2024 at the Special Council Meeting of 19 June 2023.

Differential rates were advertised for the minimum period of 21 days inclusive of the closing date for submissions, being 12 July 2023.

A notice was placed on the website on 21 June 2023, and being mandatory, this date is considered the commencement of the 21 days statutory period for public comment.

A Notice was also placed in the Shire's libraries and offices notice boards, newsletter, website, and social media, as per the local public notice requirements.

One submission objecting to the proposed differential rates were received by the closing date for submissions.

#### COMMENT

It is proposed to impose differential rates for 2023-2024 in the relevant rating categories as per the approved Rating Strategy.

The Local Government Act s.6.36 requires that local public notice be given of the intention to adopt differential rates. Section 6.36(3)(b)(ii) states the period of local public notice to be 21 days. All other requirements of local public notice remain unmodified.

The advertisement provided the following table:

Gross Rental Value	2022/23		Proposed 2023/24	
	Rate / \$	Minimum payment	Rate / \$	Minimum payment
Townsites	0.129120	\$485.00	0.140987	\$583.46
Commercial / Industrial <5 ha			No assessments at this time	
Mining (intensive use)			No assessments at this time	



Unimproved Value	Rate / \$	Minimum payment	Rate / \$	Minimum Jun payment
Agricultural	0.006541	\$586.00	0.005747	\$681.52
Commercial / Industrial > 5 ha			No assessments at this time	
Mining / Other	N/A	N/A	0.011494	\$1,363.04

However through budget briefing sessions the proposed rating to be included as part of the 2023/24 budget adoption is now:

Gross Rental Value	2022/23		Proposed 2023/24	
	Rate / \$	Minimum payment	Rate / \$	Minimum payment
Townsites	0.129120	\$485.00	0.139267	\$577.15
Commercial / Industrial <5 ha			No assessments at this time	
Mining (intensive use)			No assessments at this time	
Unimproved Value	Rate / \$	Minimum payment	Rate / \$	Minimum Jun payment
Agricultural	0.006541	\$586.00	0.005673	\$673.90
Commercial / Industrial > 5 ha			No assessments at this time	
Mining / Other	N/A	N/A	0.013760	\$1,347.80

It should be noted that 0.139267 is 13.9267 cents in the dollar, 0.005673 is 0.5673 cents in the dollar and 0.013760 is 1.1376 cents in the dollar.

The proposed differential rate is highlighted.

The advertised and proposed differential rate is 2 times that of the UV Agricultural and minimum rates.

There is no requirement to adopt any of the advertised rates and minimums, however, where the differential is more than 2 times the general rate/\$ or minimum of that category, Ministerial approval is required.

In terms of the one submission that was received, whilst acknowledging the important role mining has in the economy, this imposition will have a minimal effect on their profitability and is consistent with the rating strategy approved by council that:

The purpose of our Rating Strategy is to –

- establish a framework by which a fair and equitable share of property rates fees and charges are paid by property owners, for the services and infrastructure within the Shire of Victoria Plains
- create consistency amongst property rates and charges and their revenue for the Shire;
- provide a clear indication to the community and ratepayers on future rating.

**Mining / Other – all mining activity other than GRV Mining (intensive).**

Rating objective – to generate revenue to support the large investment made in roads and road drainage infrastructure to service mining activities and reflects the extra maintenance, impacts and frequency that is required to ensure a minimum level of serviceability above that normally required to meet the needs of farmers.

**CONSULTATION**

CEO  
Rates Officer  
Consultant Rates Officer

**STATUTORY CONTEXT**

*Local Government Act 1995 –*

- s.1.7 requirements for local public notice
- s.6.32 and 6.33 state that Council may impose differential rates based on differential categories, and outline the property characteristics which may be considered when determining the differential rating categories.
- s.6.35 states that Council may impose a minimum payment for each category.
- s.6.35(4) limits local governments from imposing a minimum payment on more than 50% of the properties in a category.
- s.6.35(5) states a local government may seek the approval of the Minister to impose a minimum payment on vacant land that applies to more than 50% of the properties in the category.
- s.6.36 requires the local government to give the appropriate notice of its intention to impose differential rates and minimum payments in respect to each differential rate category.

Local Government (Administration) Regulations 1996

- r.3A requirements of local public notice.

Interpretation Act 1984

- s.61 calculation of time.

**CORPORATE CONTEXT**

Section 3 – Financial Management

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals

	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

**Policy Implications**

Policy Manual –  
- 3 Financial Management

**Other Corporate Document**

2023 Rating Strategy

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<b>Compliance</b>	Extreme (5)  Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers	Unlikely (2)  The event could occur at some time	High (10)	Senior Management Team / CEO  Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Policies and processes including preparation by Finance staff ensure that the residual risk is moderate.

**FINANCIAL IMPLICATIONS**

The implementation of Mining UV through differential rating is forecast to generate \$66,042 for 2023/24.

**VOTING REQUIREMENTS**

Absolute majority required: No

<b>2307-04</b>	<b>Officer Recommendation / Council Resolution</b>
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**Moved: Cr J Kelly**

**Seconded: Cr S Woods**

That Council –

- (a) notes the submission received objecting to the differential rates and minimum payments proposed for 2023-24 which will be responded to in due course;
- (b) advises the submitter that differential rates will be introduced for the 2023-2024 financial year consistent with the approved Rating strategy.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

**9.4 2023/2024 Annual Budget Adoption**

<b>File reference</b>	12.4.2		
<b>Report date</b>	18 July 2023		
<b>Applicant/proponent</b>	Shire of Victoria Plains		
<b>Officer disclosure of interest</b>	Nil		
<b>Previous meeting references</b>	Budget Briefing Session – 19 Jun 23		
<b>Prepared by</b>	Colin Ashe, DCEO		
<b>Authorised by</b>	Sean Fletcher, CEO		
<b>Attachments</b>			
Attachment 1	Page	44	2023/2024 Draft Statutory Budget

**PURPOSE**

To consider and adopt the Shire of Victoria Plains Budget for the 2023/24 financial year together with supporting notes, imposition of rates and minimum payments, LRCI Phase 4 /4B works, amendment to previously adopted fees and charges and other consequential matters arising from the budget papers.

**BACKGROUND**

The 2023/2024 Annual Statutory Budget and supporting notes have been prepared on strategic outcomes contained in the Integrated Planning and Reporting (IPR), the Corporate Business Plan and informing documents. The 2023/24 Draft Annual Budget presentation and budget discussions occurred at the briefing session held on 19 Jun 23.

**COMMENT**

As per the budget briefing session, the draft 2023/24 budget is focused on finalising budget repair and planning for major strategic outcomes to be delivered in 2024/25. The budget will however still deliver on aspects contained in the IPR of:

- Community
- Economy
- Environment
- Civic Leadership

Council were advised on a major driver of the rate increase, this being the Local Government Cost Index (LGCI) prepared independently by WALGA. This is a measure of inflationary costs, similar to CPI but typically incurred by local government and that provided a forecast of 7.4%. The shire experienced this first hand during 2022/23 where it had to defer major road construction and tender prices submitted were significantly higher (50%) than budgeted.

Accordingly, a rate increase any less than this would see the shire move backwards financially, drastically have to reduce costs and be unable to deliver quality services it has made significant efforts to put in place during 2022/23.

**DETAILS**

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 Main features of the budget include:

- The 2023/24 budget has been prepared with a 9.0% rate increase, net increase of 1.6% taking into account the LGCI. In accordance with the approved Rating Strategy, council is phasing in differential rating, the first being UV Mining with the principle of establishing a framework by which a fair and equitable share of property rates are paid by all for the services and infrastructure provided.
- Fees and Charges have been increased by approximately 4.0%, significantly less than inflation and the LGCI to reduce some of the cost increases.
- Domestic and commercial rubbish removal charges have been increased by 9.0% in line with the rate increase but still well below cost recovery, previously adopted through the 2023/24 Fees & Charges.
- The recurrent operating budget has generally been based on prior actual figures but has been significantly effected by inflationary pressures. In terms of works maintenance the overall budget is in excess of \$2,499,789 and comprises of;
  - \$650,404 seal and unsealed road maintenance
  - \$421,075 parks and gardens
  - \$249,147 building maintenance
- A capital works program totalling \$8,879,057 for investment in infrastructure, land and buildings, plant and equipment and furniture and equipment is planned, a 24% increase from the 22/23 budget to address program slippage. This comprises:
  - \$227,000 Land and Buildings
  - \$978,274 Plant and Equipment
  - \$47,000 Furniture and Equipment
  - \$7,200,780 Road Construction
  - \$426,003 Other Infrastructure
- The shire has been extremely proactive in attempting to secure grant funding to reduce the burden on the rate base, this includes;
  - \$3,714,216 Wheatbelt Secondary Freight Network
  - \$1,020,991 Main Roads / (CBH) Aglime Route (to be confirmed)
  - \$556,974 Aglime Route
  - \$285,320 Blackspot Funding
  - \$381,412 Local Roads and Community Infrastructure Program Ph 4
  - \$220,007 Local Roads and Community Infrastructure Program Ph 4B
  - \$624,422 Roads to Recovery (includes carry over funding)
  - \$615,943 Regional Road Group (RRG)
  - \$230,785 E-waste grant
  - \$89,667 Piawaning Desalination Project
- Progress Associations within the shire were engaged for submissions and whilst not all requests could be incorporated, some budget allocation has been made to fund these

requests. Correspondence will be sent in due course once the budget has been adopted.

- An estimated deficit of (\$12,763) is anticipated to be brought forward from 30 June 2023 against a budgeted deficit of (\$192,160) however, this is unaudited and likely to change.
- The budget has been composed with a (\$58,888) deficit estimated closing position but will be risk managed with the intent of achieving a balance budget through savings during the year.

### Local Roads and Community Infrastructure (LRCI) Phase 4 and 4B Program

The Federal Government has continued with the program and \$381,412 has been allocated to a section of the Mogumber-Yarrowindah Road. Phase 4B totalling \$220,007 has been allocated to:

- \$86,662 Piawanning – Waddington Rd
- \$41,365 Gillingarra-Glentromie Rd
- \$67,255 Gillingarra-New Norcia Rd
- \$24,725 Goomalling - New Norcia Rd

### Fees and Charges additions / amendments;

Council adopted the majority of fees and charges for 2023/24 at the Special Council meeting, 19 Jun 23 however during the course of formulating the budget some errors or omissions have been found creating the need for the following changes:

Fee	Previous	Recommended	Reason
<b>Photocopying</b>			
A4 Black & White	0.50	1.00	Simplifying charges
A4 Colour	0.70	1.00	Simplifying charges
A3 Black & White	0.70	1.00	Simplifying charges
A4 Card - Black & White	0.00	1.00	Simplifying charges
A4 Card - Coloured	2.50	1.00	Simplifying charges
<b>Printing</b>			
A4 Black & White(General printing, plans, maps & posters)		1.00	Charge omitted from original submission to council
A4 Colour (General printing, plans, maps & posters)		1.00	Charge omitted from original submission to council
A3 Black & White (General printing, plans, maps & posters)		1.00	Charge omitted from original submission to council
A3 Coloured (General printing, plans, maps & posters)		1.00	Charge omitted from original submission to council
<b>Licencing</b>			

Licencing - Victoria Plains series plates	50.00	70.00	Comparison to Wongan Hills indicated an undercharge.
<b>Animal Control</b>			
Impounding fees for Cat	30.00	150.00	Alignment with Dog charges
Daily pound fee (sustenance)	44.80	43.00	Alignment with Dog charges
Pound fees for cattle (sustenance)	20.00	43.00	Alignment with Dog charges

**CONSULTATION**

All Senior Management and Staff  
Elected Members  
Progress Associations  
Community through the IRP and CBP

**STATUTORY CONTEXT**

LGA S6.2 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 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 2023/2024 budget as presented is considered to meet statutory requirements.

**CORPORATE CONTEXT**

The budget is based on the principles contained in the IPR and the Corporate Business Plan.

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

**Policy Implications**

Policy Manual –

- 3 Financial Management

**Other Corporate Document**

- Integrated Planning and Reporting (IPR)
- Corporate Business Plan (CBP)

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<b>Compliance</b>	Extreme (5)  Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers	Unlikely (2)  The event could occur at some time	High (10)	Senior Management Team / CEO  Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Policies and processes including preparation by Finance staff ensure that the residual risk is moderate.

**FINANCIAL IMPLICATIONS**

Specific financial implications are as outlined in the detail section of this report and as itemised in the draft 2023/2024 budget attached for adoption.

**VOTING REQUIREMENTS**

Absolute majority required: Yes

Officer Recommendation

**PART A – SHIRE OF VICTORIA PLAINS MUNICIPAL FUND BUDGET FOR 2023/2024**

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*, the council adopt the Municipal Fund Budget as contained in Attachment 9.4A of this agenda and the minutes, for the Shire of Victoria Plains for the 2023/2024 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a surplus net result for that year of \$3,563,318.
- Statement of Cash Flows showing closing projected closing position of \$2,465,185.
- Statement of Financial Activity (formerly) Rate Setting Statement showing an amount required to be raised from rates of \$3,542,667.
- Notes to and Forming Part of the Budget



<b>2307-05</b>	<b>Council Resolution</b>
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**PART A – SHIRE OF VICTORIA PLAINS MUNICIPAL FUND BUDGET FOR 2023/2024****Moved: Cr J Kelly****Seconded: Cr S Woods**

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*, the council adopt the Municipal Fund Budget as contained in Attachment 9.4A of this agenda and the minutes, for the Shire of Victoria Plains for the 2023/2024 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a surplus net result for that year of \$3,563,318.
- Statement of Cash Flows showing closing projected closing position of \$2,359,792
- Statement of Financial Activity (formerly) Rate Setting Statement showing an amount required to be raised from rates of \$3,542,667.
- Notes to and Forming Part of the Budget

**PART B GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS**

1. For the purpose 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 (GRV) 13.9267 cents in the dollar
    - Rural (UV) 0.5673 cents in the dollar
    - Mining (UV) 1.1376 cents in the dollar
  - 1.2 Minimum Payments
    - Residential (GRV) \$577.15
    - Rural (UV) \$673.90
    - Mining (UV) \$1,347.80
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:
 

Full payment and instalment due date	05 September 2023
2nd quarterly instalment due date	06 November 2023
3rd quarterly instalment due date	10 January 2024
4th quarterly instalment due date	11 March 2024
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 \$7.50 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 service 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 7.0% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

#### **PART C- LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PHASE 4 and 4B**

In accordance with the LRCIP Phase 4 Grant Agreement council **EXECUTE** the agreement noting funding is to be allocated to:

Phase 4:

\$381,412 – Mogumber Yarrowindah Road

Phase 4B - \$220,007 allocated to:

\$86,662 Piawanning – Waddington Rd  
 \$41,365 Gillingarra-Glentromie Rd  
 \$67,255 Gillingarra-New Norcia Rd  
 \$24,725 Goomalling - New Norcia Rd

#### **PART D – AMENDMENT TO FEES AND CHARGES 2023/24**

Pursuant to Section 6.2 (4) (c) of the *Local Government Act 1995* council **AMENDS** the following fees and charges for 2023/24:

<b>Fee</b>	<b>Previous</b>	<b>Recommended</b>	<b>Reason</b>
<b>Photocopying</b>			
A4 Black & White	0.50	1.00	Simplifying charges
A4 Colour	0.70	1.00	Simplifying charges
A3 Black & White	0.70	1.00	Simplifying charges
A4 Card - Black & White	0.00	1.00	Simplifying charges
A4 Card - Coloured	2.50	1.00	Simplifying charges
<b>Printing</b>			
A4 Black & White (General printing, plans, maps & posters)		1.00	Charge omitted from original submission to council
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<b>Licencing</b>			
Licencing - Victoria Plains series plates	50.00	70.00	Comparison to Wongan Hills indicated an undercharge.
<b>Animal Control</b>			
Impounding fees for Cat	30.00	150.00	Alignment with Dog charges
Daily pound fee (sustenance)	44.80	43.00	Alignment with Dog charges
Pound fees for cattle (sustenance)	20.00	43.00	Alignment with Dog charges

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**Reason for Variation in Part A of the Resolution,

Statement of Cash Flows showing closing projected closing position updated from **\$2,465,185.00** to **\$2,359,792** due to typographical version error compared to final Statement of Cash Flows showing closing projected closing position on page 4 of the Statutory Budget 2023-24.

CONFIRMED

## 9.5 Integrated Planning and Reporting – Including Annual Review of the Implementation Plan (Corporate Business Plan)

<b>File reference</b>			
<b>Report date</b>			
19 July 2023			
<b>Applicant/proponent</b>			
CEO			
<b>Officer disclosure of interest</b>			
Nil			
<b>Previous meeting references</b>			
<b>Prepared by</b>			
Sean Fletcher, CEO			
<b>Authorised by</b>			
CEO			
<b>Attachments</b>			
Attachment 1	Page	75	Key Work Action Plan – June 2023 Quarter and Annual Review
Attachment 2	Page	80	Key Work Action Plan – 2023/2024

### PURPOSE

That Council accepts the update regarding Integrated Planning and Reporting including the annual review of the Implementation Plan (Corporate Business Plan).

### BACKGROUND

To meet the requirements of Integrated Planning and Reporting, the Shire has the following plans in place:

Plan Type	Date Adopted	Due	Comment
Strategic Community Plan (SCP)	3 August 2022	Next plan due June 2032	Changes to the Act in June saw this plan move to an 8 year cycle
Corporate Business Plan (CBP)	26 April 2023	Next Plan due June 2026	Can remain as a 4 year plan
Long Term Financial Plan	26 April 2023	Next Plan due June 2026	Can remain as a 4 year plan
Asset Management Plan	26 April 2023	Next Plan due June 2026	Can remain as a 4 year plan
Work Force Plan (WFP)	26 April 2023	Next Plan due June 2026	Can remain as a 4 year plan
Information Communication Technology (ICT) Plan	Draft	2022	Wallis Computing has progressed draft with comments provided by the Senior Management Team through June 2023

The SCP was adopted by Council on 3 August 2022. The informing strategies were adopted on 26 April 2023 i.e. CBP, LTFP, AMP and the WFP. The ICT Plan is not compulsory, but will be available for adoption by the end of August 2023.

### Annual Review of Corporate Business Plan (CBP)

The annual review of the Corporate Business Plan consists of a review on the effectiveness of

the previous 12 months i.e. 2022/2023 and endorsing the setting of the objectives for the next 12 months i.e. 2023/2024. This is discussed in the comments section of today’s report.

**CBP Quarterly Dashboard**

The Corporate Business Plan (Implementation Plan) was inserted into the SCP at the 26 April 2023 OCM. The draft plan has been used by the senior management team since the start of October 2022. Today’s report considers the effectiveness of:

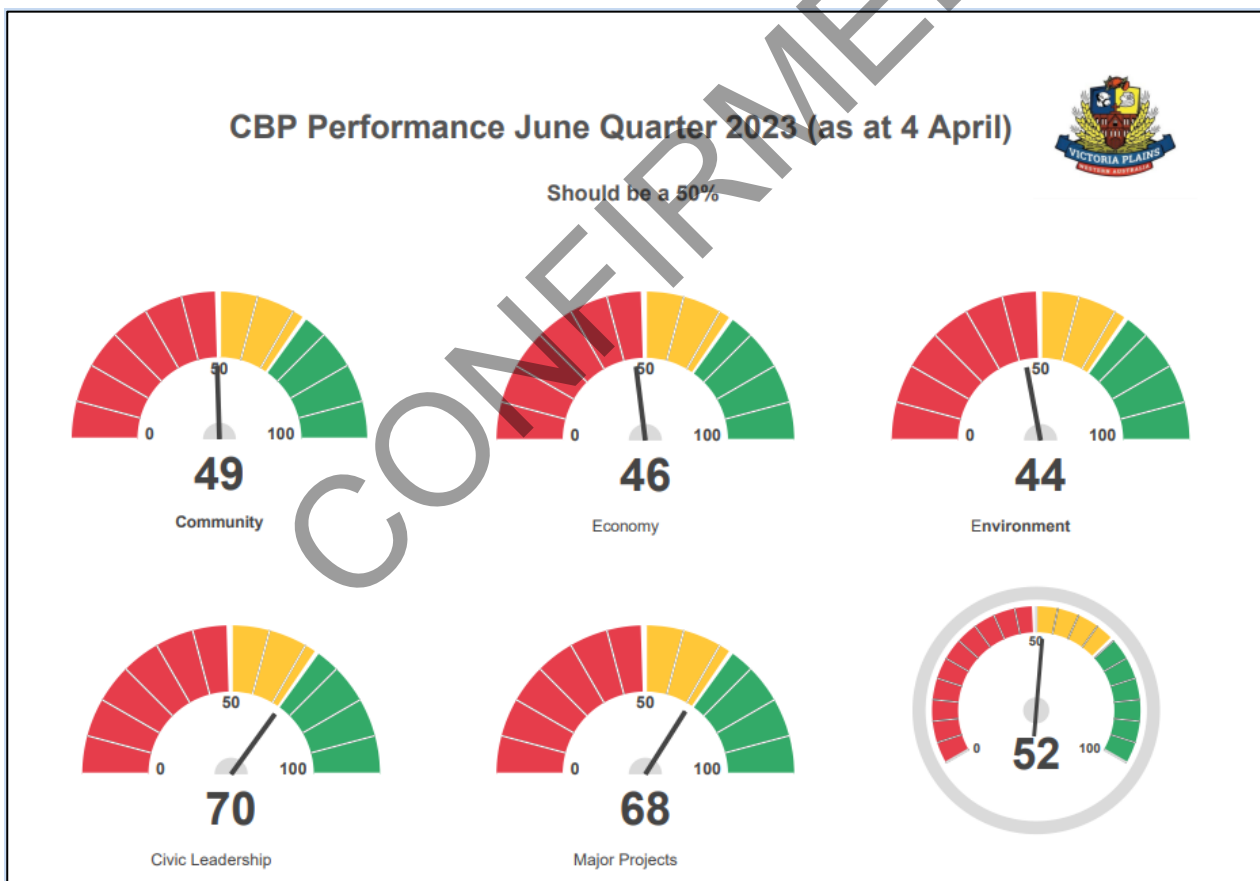
- The Strategic Plan from 1 October 2022 – 30 June 2023 using the Key Work Plan;
- The June Quarter 2023 using the Key Work Plan.

**COMMENT**

The Key Work Action Plan (Attachment 1) tracks 48 actions for 2022/2023. Each key action has an activity applied to it for the quarter, unless it is a completed action. Some activities are ongoing or span two or more quarters.

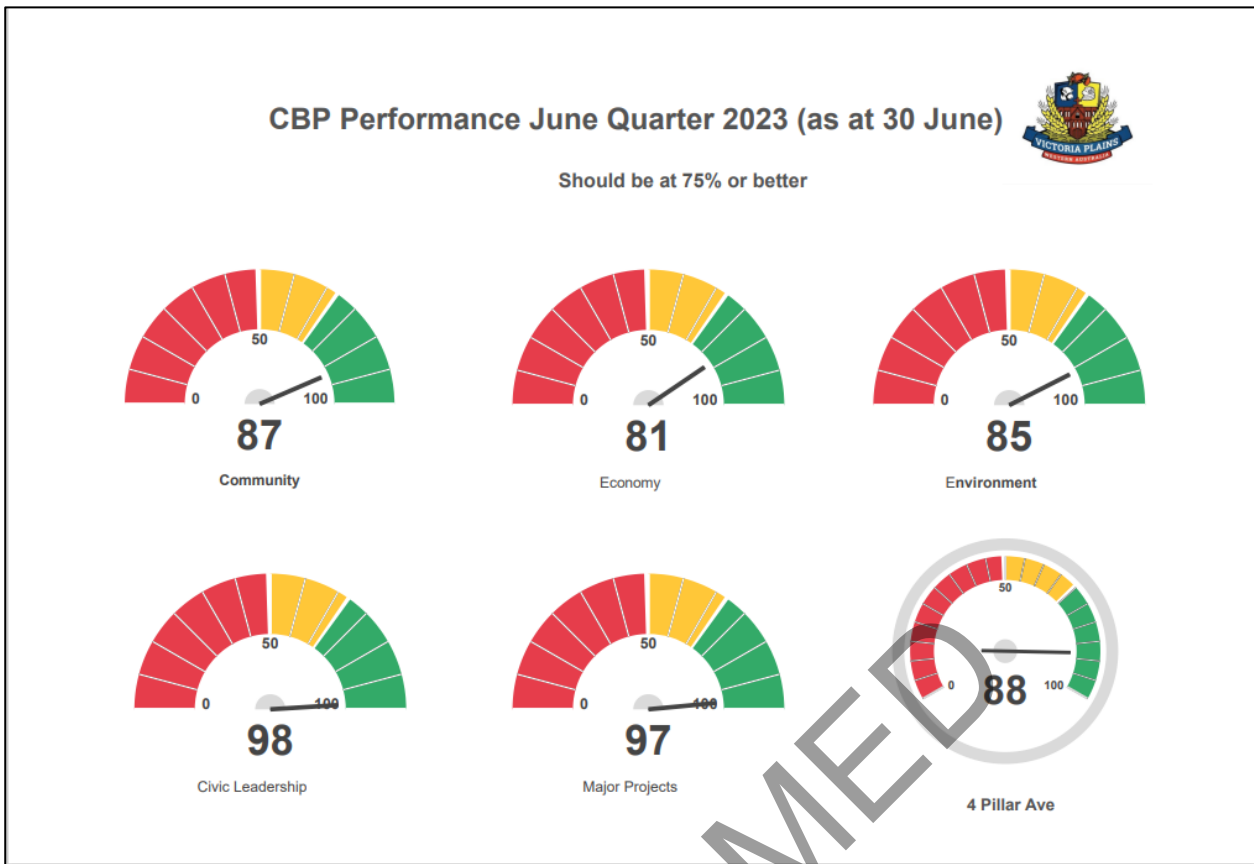
**Dashboard**

As reported at the April 2023 OCM, it was reasonable to expect for the March Quarter 2023 that each strategic objective should be at 50%. The Dashboard in Diagram 1 was as follows:



**Diagram 1 – SCP Performance based on CBP (Commencement of June 2023 Quarter)**

However, for the June 2023 Quarter, that also concludes the corporate business plan for 2022/2023, it can be seen the outcomes of the Key Work Action Plan are as follows:



**Diagram 2 – SCP Performance based on CBP (End of June 2023 Quarter)**

It can be seen through the June Quarter that each pillar exceeded the 75% minimum that is reflective of a plan that has operated over nine months of the financial year. Further to this, from an annual perspective, it is reasonable to assume that the key actions achieved for each pillar would be between 80 – 95%.

**Breakdown of Key Actions**

At the briefing session on 17 July 2023 and at today’s workshop on the effectiveness of the corporate business plan for 2022/2023, the following was presented:

# CORPORATE BUSINESS PLAN

## Community

Success Factors	Impacted by Road Blocks	Comment
Seniors activities	MOUs	Mogumber and Piawaning PAs - time
Annual footpath program	Scenario planning and training	Some members reluctant to train
Employment of CDO	Community safety education	Schools/seniors components underdeveloped
Grants – culture	BFB attraction & retention	JSCDL review of local laws impacting
Grants – volunteer groups		
Support community events		
LEMC		

Total Actions: 15    100% Completed: 6    85% Completed: 3

7

# CORPORATE BUSINESS PLAN

## Economy

Success Factors	Impacted by Road Blocks	Comment
Active in WSFN	Securing consistent water	Piawaning ROP Grant delayed – change in Minister
10 Yr Rd Program – Part 1	RAV network assessment	Ran out of time. Will do 23/24
Plant Program		Plant came in under budget
Stormwater Infrastructure		Old Plains Rd Elbow
Gardens/Verges Maintained		As per annual program
Public Toilets		Cleaning contract implemented for C, P, Y & B
Bolgart Caravan Park		Will be ready start of August 2023

Total Actions: 13    100% Completed: 10    50% < Completed: 3

8

# CORPORATE BUSINESS PLAN

## Environment

Success Factors	Impacted by Road Blocks	Comment
Deliver EHO Service	Development of Water Strategy	Time and sourcing of expertise
Improvements to Landfills		Includes E-waste Grant (Successful)
Improvements to Sewerage Schemes		Includes new hatches for Yerecoin SS and repairs to Calingiri SS

Total Actions: 9      100% Completed: 5      > 50% Completed: 4

9

# CORPORATE BUSINESS PLAN

## Civic Leadership

Success Factors	Impacted by Road Blocks	Comment
Quarterly reviews of CBP		Regular reviews maintained
Active regional participation		AROC, Zone, RRG, RWC – active contributions
Customer service		Survey undertaken
Compliance		Audits produced good results
Implement LTFP, WFP		Plans in place (April 2023)
Councillor training		Training report uploaded to website
Invest in IT operating systems		New ERP chosen
Cybersecurity		Training program in place

Total Actions: 12      100% Completed: 10      > 85% Completed: 2

10

### **Matters of Engagement**

A report on the success of the Shire’s engagement that underpins the Corporate Business Plan is provided in Item 9.6 of today’s agenda.

### **Key Work Plan 2023/2024**

The Key Work Plan as provided in Attachment 2, sets out the strategic actions to be achieved under the Corporate Business Plan (i.e. the Implementation Plan). These actions form part of the 2023/2024 Budget.



For 2023-2024, there will be 54 actions undertaken, broken down across the four strategic pillars as follows:

Pillar	No of Actions	Key Focus
<b>Community</b>	15	<ul style="list-style-type: none"> <li>• Implementation of the DAIP</li> <li>• Implementation of the Local Health Plan</li> <li>• Activities for Youth and Seniors</li> <li>• Closing out of Community MOUs</li> <li>• Seeking grants for art and cultural activities</li> <li>• Support for community events</li> <li>• Development of a Recreation Master Plan</li> <li>• Reconfiguration of the Community Gym</li> <li>• Development of the new Local Emergency Management Arrangements</li> </ul>
<b>Economy</b>	17	<ul style="list-style-type: none"> <li>• Drafting of an Economic Development Plan</li> <li>• Completing the upgrade of the Piawanning Reverse Osmosis Plant</li> <li>• Planning and seeking funding to increase the Shire's staff housing stock</li> <li>• Continuation of the Plant Replacement Program</li> <li>• RAV network assessment</li> <li>• Development of the truck bay and roadside parking plan</li> <li>• Improving on-line visitor information</li> <li>• Planning for the Calingiri Caravan Park</li> <li>• Completion of the Bolgart Caravan Park amenities</li> <li>• Implementation of townscape, cemetery, visitor signage</li> </ul>
<b>Environment</b>	9	<ul style="list-style-type: none"> <li>• Commence recycling education</li> <li>• Roll out the grant funded E-Waste transfer stations for the three landfills</li> <li>• Continuation enhancements to the Shire's cemeteries</li> <li>• Improve the Shire's Fire Mitigation Plan</li> <li>• Commence corella management</li> <li>• Development of a Shire wide water strategy (plan)</li> </ul>
<b>Civic Leadership</b>	13	<ul style="list-style-type: none"> <li>• Implementation of the Shire's Key Work Plan for 2023/2024</li> <li>• Improvements to the Shire's asset management plan</li> <li>• Rollout of the Shire's new operating system</li> <li>• Continuation of cybersecurity measures</li> </ul>
<b>Major Projects</b>		<p>This section captures the major projects to be undertaken. Many of these are a part of a strategic action and are broken into capital or operating. Some key projects to note are:</p> <ul style="list-style-type: none"> <li>• Recommencement of the Mogumber Yarrowindah Road WSNF Project</li> <li>• The Calingiri New Norcia Rd and Toodyay Bindi Bindi Road Intersection</li> </ul>

**Note:** Some actions have a number of sub-actions.

**CONSULTATION**

Council at briefing July session and Annual Review of Corporate Business Plan Workshop  
Senior Management Team

**STATUTORY CONTEXT**

**Local Government (Administration) Regulations 1996**

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

(4) A local government is to review the current corporate business plan for its district every year.

**Integrated Planning and Reporting – Framework and Guidelines**

Apart from the Annual Report providing progress towards the achievement of the four-yearly Shire priorities as established through the Corporate Business Plan (Intermediate Standard), the Departmental IPR Guidelines require that as a minimum, a quarterly review is conducted on the status of the CBP for each year.

**CORPORATE CONTEXT**

**Strategic Community Plan and Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.1 Forward planning and implementation of plans to achieve community priorities	Performance against targets are regularly reported to the community
	We attend meetings of key local and regional organisations to jointly plan for our community
	Demonstrated progress towards achievement of the Corporate Business Plan

The annual review of the Corporate Business Plan demonstrates clearly that the Shire is firmly and clearly heading in the right direction regarding Strategic Action 4.1

**Risk Management**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance	Mitigation and Outcome
<b>Reputation and Compliance</b>  Not adhering to the Corporate Business Plan and hence the Strategic Community Plan	Major (4)  Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Unlikely (2)  The event could occur at some time - -10 years	Moderate (8)	Operational Manager  Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring  Adequate: The Shire continues to ensure	CEO to ensure all staff undertake and follow CBP.  Elected Members have undertaken further training in IPR requirements.  The above will, ensure that the appropriate manager can assess the risk and correct it accordingly through quarterly

				that the CBP Quarterly Review is available publicly through a report to Council each quarter.	reporting. This will ensure that the risk is low
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**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Absolute majority required: No

<b>2307-06 Officer Recommendation / Council Resolution</b>
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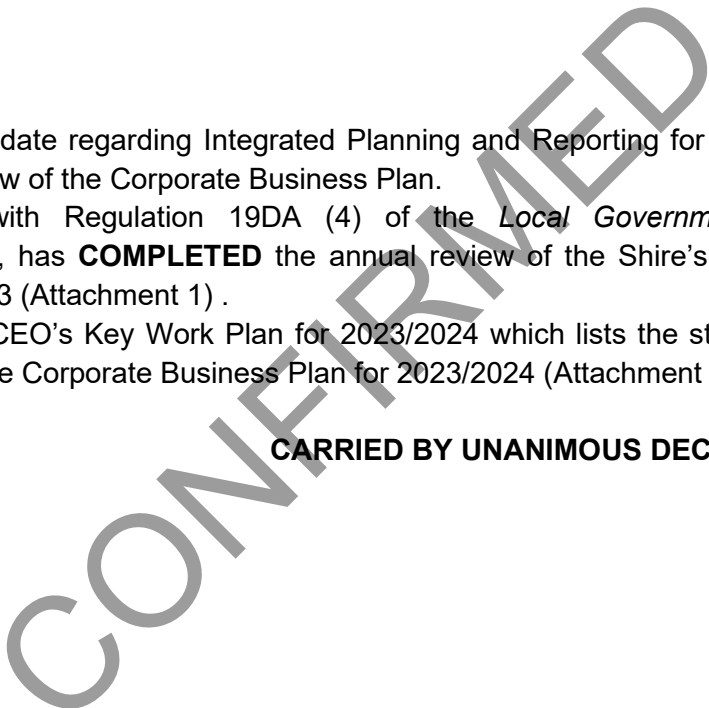
**Moved: Cr D Lovelock**

**Seconded: Cr G O'Brien**

That Council:

1. **ACCEPTS** the update regarding Integrated Planning and Reporting for June 2023 including the quarterly review of the Corporate Business Plan.
2. In accordance with Regulation 19DA (4) of the *Local Government (Administration) Regulations 1996*, has **COMPLETED** the annual review of the Shire’s Corporate Business Plan for 2022/2023 (Attachment 1) .
3. **SUPPORTS** the CEO’s Key Work Plan for 2023/2024 which lists the strategic actions to be achieved under the Corporate Business Plan for 2023/2024 (Attachment 2).

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**



**9.6 Update on the Communication Strategy re Policy 2.7**

<b>File reference</b>	
<b>Report date</b>	18 July 2023
<b>Applicant/proponent</b>	CEO
<b>Officer disclosure of interest</b>	Nil
<b>Previous meeting references</b>	15 December 2021: Item 10.1 - 2112-11
<b>Prepared by</b>	Sean Fletcher, CEO
<b>Authorised by</b>	CEO
<b>Attachments</b>	
Attachment 1	Page
	N/A

**PURPOSE**

That Council accepts the update the Shire's Communication Strategy.

**BACKGROUND**

The Shire's Community Engagement Policy and Communication Plan/Strategy (Policy 2.7) was adopted by Council on 15 December 2021. There was an interim policy in place prior to this.

Under Policy 2.7, the Shire is required to engage and consult regarding the following:

- On developments or changes with potential to impact residents and ratepayers;
- When required by legislative requirements;
- To obtain input into long-term and strategic plans of the Shire;
- On major projects and strategic issues;
- When requested by the community or Council.

The Communication Plan, which underpins Policy 2.7 sets out how the Shire will go about the above. In particular, the Communication Strategy that sets out the actions to the plan states:

"The purpose of this Communications Strategy is to guide Councillors and staff in the sharing of information, the gathering of views and opinions, being customer centric and promoting the Shire."

In order to meet the above, there are a number of objectives:

- Build a positive image of the Shire Council through our communication platforms and wider media;
- Improve quality, consistency and management of our publications and platforms;
- Allocate resources to deliver our strategy;
- Utilise social media to communicate clearly and consistently to Council's audience;
- Increase positive perception of Council;
- Promote social inclusion and community cohesion;
- Improve Council decision-making and service delivery;
- Increase resident, visitor and stakeholder satisfaction;
- Attract business and residents to the area.

**COMMENT**

The purpose of today's report is to advise on the status of the Communication Strategy since its inception. The Communication Strategy underpins Policy 2.7 and is a key part of ensuring the success of the Corporate Business Plan and that regarding the Shire's service provision.

**Matters of Engagement**

The Communication Strategy sets out a number of actions to assist meet the objectives of the Communication Plan. These are:

<b>1. INFORM</b>	<b>STATUS</b>
1. Develop key messages for Council priorities and service areas to demonstrate our purpose and value	TBD 23/24
2. Annually identify and define campaigns on major projects, key deliverables and initiatives and prepare messaging	TBD 23/24
3. Produce regular media releases that share Shire news, updates and decisions	TBD 23/24
4. Promote the Shire's website and social media pages as primary sources of information	In place re Newsletter & Email signature block
5. Use social media, email and SMS as cost effective communication platforms for various target groups	In place with Facebook. SMS is too costly – however, options are under investigation
6. Regularly update the Shire's website and review its functionality for users	Updated monthly. New website in place 14/07
7. Distribute monthly Shire and Community newsletter	Produced each month except January
8. Distribute quarterly progress report on our SCP	Dec 22, April 23, Jul 23
9. Develop a Signage Strategy to inform consistent fit-for-purpose and user-focussed signage	TBD 23/24
10. Develop a Social Media content schedule	TBD 23/24

<b>2. CONSULT</b>	<b>STATUS</b>
1. Engage with the community during Strategic Community Plan minor and major reviews	Undertaken with SCP
2. Feedback forms and mechanisms are available on the website and in the Shire Administration Office	<ul style="list-style-type: none"> <li>Complaint Form in place</li> <li>Animal complaint form to be implemented</li> </ul>
3. Train staff and Councillors in the Community Engagement Policy	<ul style="list-style-type: none"> <li>Ongoing</li> <li>Communication Team implemented</li> </ul>
4. Continually update the Customer Service Charter, promote it and train staff to deliver upon it	<ul style="list-style-type: none"> <li>Charter updated 23 February 2023</li> </ul>
5. Consult and respond through digital media platforms	<ul style="list-style-type: none"> <li>Facebook</li> <li>Public Notices on Website</li> </ul>

3. INVOLVE	STATUS
1. Gather feedback from the community on matters that impact them	In place – seniors, youth, DAIP survey, annual customer satisfaction survey and Heritage Survey
2. Council meetings in various towns	TBA
3. Respond to feedback when it has been requested and advise the respondents as to how the information will be used	In place
4. Promote voting in the local government election process	In place for 2023
5. Promote nominations for Council	In place for 2023

4. COLLABORATE	STATUS
1. Maintain a media contact list	TBD 23/24
2. Councillors and senior staff represent and attend various community groups	Undertaken based on staff portfolio
3. Councillors nominated as delegates to Committees	After each election e.g. October 2021
4. Annual grants scheme	Implemented for 22/23

5. EMPOWER	RESPONSIBILITY
1. Advertise the Annual Meeting of Electors	Undertaken for 21/22 in April 2023

### Further Data Regarding The Communication Strategy

#### **Annual Customer Satisfaction Survey (Customer Satisfaction Score – CSAT)**

The annual customer service survey was issued in the first quarter of 2023. Respondents were asked to provide feedback on key service areas and any other service that they wished to comment on. Sections regarding satisfaction levels (shire responsiveness), overall experience and what else can be improved were included.

As it turns out, despite reminders to complete the survey, only one response was received. The response provided a rating of 4 (Satisfied) along with a comment that “in the recent past, I have been quite happy with my dealings with the Shire.”

Although the Shire didn't achieve a representative sample (which means the confidence level cannot be established), through 2022/2023, staff have tracked positive and negative feedback regarding the Shire's service levels. Response types consist of the following:

	No Comments Received	Summary
Positive	9	<ul style="list-style-type: none"> <li>• Thank you for great customer service</li> <li>• Thankyou for support of the schools</li> <li>• Thank you for youth week dinner</li> <li>• Thank you for fixing the air conditioning</li> <li>• Thank you for response to farm fire</li> <li>• Thank you for taking on work experience student</li> </ul>

		<ul style="list-style-type: none"> <li>• Thank you for fogging</li> <li>• Thank you for great condition of the sports oval – for the school carnival</li> </ul>
Negative	5	<ul style="list-style-type: none"> <li>• Unhappy with officer’s conduct</li> <li>• Uncleanliness of Calingiri caravan park ablutions</li> <li>• Loose bitumen on intersection in Calingiri townsite</li> <li>• Unhappy with burning done in Calingiri townsite</li> </ul>

With future surveys, staff will revisit what could be more effective levels of engagement regarding this process. However, the level of social media responses and comments at community events and information sessions through 2022/2023 would tend to suggest that there is a wide level of satisfaction regarding what the Shire does (See social media impacts).

**Customer Requests (Support Tickets)**

There were a total of 428 customer service and work requests for 2022/2023. Key service areas impacted included:

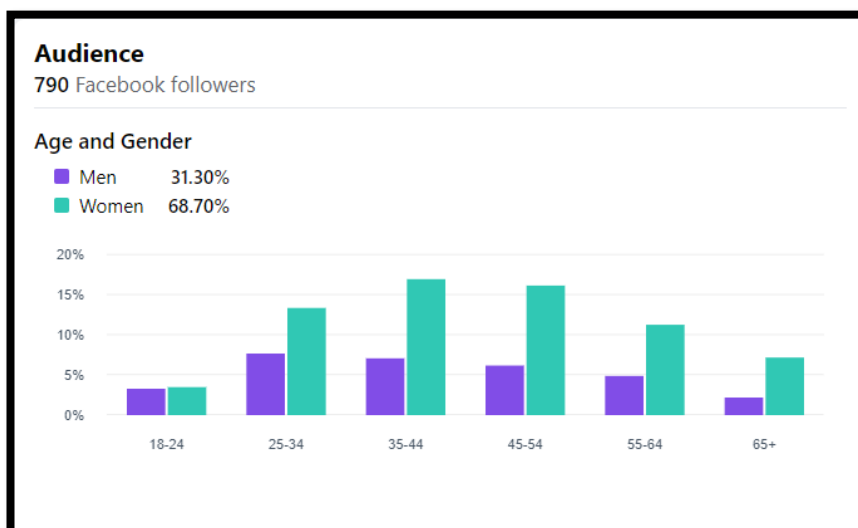
- Building: 29
- Community Safety: 27
- Customer Service: 82
- Depot: 135
- Rangers: 36
- Rates 94

Transport licensing recommenced at the Shire on 5 June 2023. Bendigo Banking ceased in March 2023.

In the main, requests were dealt with in a timely matter. Further analysis needs to be undertaken around these figures, as some issues recorded were not customer service requests as such e.g. food recall notices.

**Social Media Impacts**

Overall, the Shire’s Facebook reach was 12,999, up 38%. The Shire now has 790 followers. The Shire’s posts have seen good responses to initiatives and events. The level of engagement can be anywhere between 20 – 200 (clicks, likes, reactions, comments and shares). Prior to 2022/2023 likes, reactions, comments and shares were rarely happening, apart from negative feedback.



**Newsletter Impacts**

The Shire currently distributes 235 hardcopy newsletters and 30 electronic (soft) copies each month.

**Presentations to the Community**

For 2022/2023, the Shire was able to undertake presentations to the communities regarding the budget (Gillingarra, Calingiri) and also the annual report at the annual meeting of electors in Calingiri (which also included information on improvements planned for the future).

With key issues, the Shire is trying to hold information sessions/workshops in the communities. The Local Heritage Survey has had sessions in Bolgart and Mogumber with a further session to occur in Calingiri.

**Progress Associations and Other Bodies**

The Shire has a good level of interaction with all progress associations. In particular, the Community Development Officer experiences a timely interaction regarding initiatives and other feedback. Also, the author has been able to meet with the various progress associations (and other various groups e.g. Bolgart CWA, ORB Steering Committee) from time to time and has made himself available when they need to discuss particular matters.

The Shire also has maintained a steady level of interaction with New Norcia. Staff have also had constant interaction with the Yued Aboriginal Corporation and with elders and key persons.

**Updates to Website**

The Shire website has now been revamped and went live 14 July 2023. However, there are some formatting issues that will be corrected along the way.

**CONSULTATION**

Council at July 2023 briefing session  
Communication Team on an ongoing basis

**STATUTORY CONTEXT*****Local Government (Administration) Regulations 1996***

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

(4) A local government is to review the current corporate business plan for its district every year.

**Integrated Planning and Reporting – Framework and Guidelines**

Community engagement plays a pivotal role in the IPR Framework. If the local government has an existing engagement plan, it is expected that this will be applied in preparing for their IPR engagement process. Otherwise, it is expected that local governments will prepare a community engagement plan specifically for their IPR.



**CORPORATE CONTEXT**  
**Strategic Community Plan and Corporate Business Plan**

4. CIVIC LEADERSHIP	
STRATEGY	ACTION
4.2 Shire communication is regular, clear and transparent	a. Implement and review the community engagement policy
	b. Implement the Communications Strategy
	c. Continue to uphold our Customer Service Charter and undertake a survey to measure our performance
	d. Shire newsletter made available online, print and emailed to residents

It can be seen that Policy 2.7 and the Communication Strategy is part of a key set of actions designed to meet Strategy 4.2 – Shire communication is regular, clear and transparent.

**Risk Management**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance	Mitigation and Outcome
<p><b>Reputation</b></p> <p>Not adhering to the Communication Strategy will lead to a lack of trust and confusion regarding the Shire’s commitment to good governance and meeting the needs of its communities as set out in the SCP and CBP</p>	<p>Minor (2)</p> <p>Substantiated, low impact, low news profile</p> <p><b>Example</b> Local paper / Industry news article, Facebook item seen by multiple groups</p>	<p>Almost Certain (5)</p> <p>The event is expected to occur in most circumstances (&gt;90% chance)</p> <p>More than once per year</p>	<p>High (10)</p>	<p>Executive Team (SMT)</p> <p>Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring</p> <p><b>Adequate (There is some scope for improvement)</b> Processes (Controls) generally operating as intended, however inadequacies exist. Limited monitoring. Reviewed and tested, but not regularly.</p>	<p>CEO to ensure staff as nominated in the Communication Strategy follow its requirements for their respective roles.</p> <p>The Communication Team to review the Communication Strategy quarterly, with an update provided to Council as required in line with the review of Communication Policy 2.7</p> <p>The above will, ensure that the Communication Team can assess the risk and correct it accordingly through quarterly reporting. This will ensure that the residual risk is low</p>

**Policies**

2.7 Communication Engagement Policy and Communication Plan/Strategy

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Absolute majority required: No

**2307-07 Officer Recommendation / Council Resolution**

**Moved: Cr J Kelly**

**Seconded: Cr G O'Brien**

That Council **ACCEPTS** the update on the Shire's Communication Strategy.

**CARRIED BY ABSOLUTE MAJORITY AND BY UNANIMOUS DECISION OF COUNCIL**

CONFIRMED

**9.7 Petroleum Acreage Release 1P/2023 – Discrete Area L23-8**

Cr P Bantock, having declared a proximity interest in this item due to “Trustee of a trust that is within the Release Area” withdrew from the meeting at 2.32 pm, with the CEO calling for nominations for a Presiding Member.

**2307-08 Councillor Resolution****Moved: Cr S Woods****Seconded: Cr G O’Brien**

That Councillor D Lovelock **ASSUME** the Presiding Chair at 2.33pm.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

<b>File reference</b>		
<b>Report date</b>		20 July 2023
<b>Applicant/proponent</b>		Department of Mines, Industry Regulation and Safety
<b>Officer disclosure of interest</b>		N/A
<b>Previous meeting references</b>		Nil
<b>Prepared by</b>		Sean Fletcher, CEO
<b>Senior Officer</b>		N/A
<b>Authorised by</b>		CEO
<b>Attachments</b>		
Attachment 1	Page	2 Letter from DMIRS: PROPOSED PETROLEUM ACREAGE RELEASE 1 OF 2023 UNDER PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967 – DISCRETE AREA L23-8
Attachment 1A	Page	13 Map of 2023 Petroleum State Acreage Release
Attachment 1B	Page	14 Cadastre of Discrete Area L-38
Attachment 1C	Page	15 Landgate Plan and Aerial of land impacted in Shire of Victoria Plains
Attachment 2	Page	16 Map of Onshore Petroleum Titles and Hydraulic Fracturing Ban Areas - September 2022

**PURPOSE**

Council is asked to consider and provide comments on behalf of the Shire of Victoria Plains regarding the Department of Mines, Industry Regulation and Safety (DMIRS) plans to issue an exploration permit for Discrete Area L23-8.

**BACKGROUND****Request for Comments**

Mathew L Smith, Team Leader of the Resource Tenure Division at DMIRS has written to the Shire of Victoria Plains seeking comments by 10 August 2023 regarding plans to issue an exploration permit for Discrete Area L23-8 (Attachment 1).

DMIRS has selected eight discrete areas across Western Australia for inclusion in Petroleum Acreage Release 1 of 2023 (Attachment 1A). The impacted area regarding the Shire is in the

vicinity of Murphy Gully and Cocking Roads, Mogumber (Refer to the maps in Attachment 1B and Attachment 1C).

Petroleum acreage releases are an invitation for companies to bid for an exploration permit. As such, Acreage Release 1 will be undertaken on a competitive work program basis, with bids being assessed on the merits of the proposed work program, the technical and financial resources of the applicant, as well as the past performance of the applicant in undertaking petroleum operations.

Mr Smith's letter does, in part, state:

“as part of the Implementation of the Government's response to recommendations from the Independent Scientific Panel Inquiry into Hydraulic Fracture Stimulation in Western Australia, petroleum companies with title applications arising from acreage release will be unable to undertake hydraulic fracturing as such applications do not meet the requirements of r3A of the *Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017*. For clarity this will include any production licence(s) or retention lease(s) arising out of exploration permits deriving from an acreage release undertake after 26 November 2018.”

The Independent Scientific Panel Inquiry into Hydraulic Fracture Stimulation in Western Australia included 91 findings regarding “fracking” and made 44 recommendations. The State Government accepted in principle all 44 recommendations. To this end, the government on 27 November 2018, made the following policy decisions:

1. lift the hydraulic fracture stimulation moratorium (i.e. State Moratorium) on all onshore petroleum titles existing as of 26 November 2018; and maintain the ban over the South-West, Peel and Perth Metropolitan regions;
2. ban hydraulic fracture stimulation in national parks, the Dampier Peninsula and other iconic natural heritage areas (to be defined and delineated on maps);
3. introduce a requirement for consent of relevant Traditional Owners and private landowners before hydraulic fracture stimulation production is permitted;
4. restore the 10 per cent royalty rate for all onshore petroleum;
5. establish a Clean Energy Future Fund (with a \$9-million seed allocation), using net royalties from onshore hydraulic fracture stimulation petroleum projects, to support facilitation of clean energy developments; and
6. prohibit hydraulic fracture stimulation within 2,000 metres of gazetted Public Drinking Water Source Areas.

Under the *Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017*, the moratorium referred to above is defined as:

**moratorium area** means an area of the State that is not —

- (a) an existing petroleum authority area; or
- (b) an area referred to in regulation 4;

**moratorium period** means the period beginning on 9 December 2017 and ending on the day on which regulation 5 is repealed;

By way of further explanation regarding the definitions applied to moratorium area, Regulation 4 confirms the Government's policy decisions:

**4. Prohibition on hydraulic fracturing in certain areas of the State**

A person must not, in the course of carrying out a petroleum operation under a petroleum authority, carry out hydraulic fracturing in any of the following areas of the State —

- (a) the metropolitan region;
- (b) the Peel region;
- (c) the South West region;
- (d) the Dampier Peninsula hydraulic fracturing ban area;
- (e) a national park as defined in the *Conservation and Land Management Act 1984* section 3;
- (f) a public drinking water source area;
- (g) an area that is within 2 km of a public drinking water source area;
- (h) an iconic natural heritage place.

In terms of the moratorium period, Regulation 5, states:

**5. Moratorium on hydraulic fracturing in other areas of the State**

*[(1) deleted]*

- (2) During the moratorium period, a person must not, in the course of carrying out a petroleum operation under a petroleum authority, carry out hydraulic fracturing in a moratorium area.

Penalty for this subregulation: a fine of \$10 000 for each day on which the offence occurs.

*[Regulation 5 amended: Gazette 6 Sep 2019 p. 3200.]*

As seen earlier, Mr Smith states that applicants will be unable to undertake hydraulic fracturing as such applications do not meet the requirements of r3A of the *Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017*. Regulation 3A states:

**3A. Existing petroleum authority area**

- (1) An area of the State is an *existing petroleum authority area* if —
- (a) there was a petroleum authority in force in respect of the area on 26 November 2018; and
  - (b) in the period since that day there has always been a petroleum authority in force in respect of the area; and
  - (c) there is currently a petroleum authority in force in respect of the area.
- (2) For the purposes of subregulation (1) it does not matter that different petroleum authorities have been in force in respect of the area at different times.

*[Regulation 3A inserted: Gazette 6 Sep 2019 p. 3199.]*

In short, what the regulations mean is that the *moratorium will only be lifted on land covered by onshore petroleum titles (exploration permits, retention licences and production licences) existing as of 26 November 2018* (Source: Frequently Asked Questions – Implementation of the Government's response to The Independent Scientific Panel Inquiry into Hydraulic Fracture Stimulation in Western Australia – July 2019).

A map is provided in Attachment 2 which sets out existing petroleum titles, hydraulic fracturing ban areas and the State Moratorium on Hydraulic Fracturing (the rest of the State).

**COMMENT**

Petroleum Acreage matters are, in essence, those that are considered unconventional gas and oil exploration along with the associated activities that result from such exploration. In today's matter before Council, it is in effect those matters regarding gas extraction.

Petroleum Acreage is a State matter and as such, local government can only provide comment regarding an activity of this nature as a courtesy and has no decision making or other similar capacity in such matters.

However, given that the Shire is currently a stakeholder in at least one key mining project regarding the Copper Project in Wongan Hills, is experiencing exploration drilling across the Shire in relation to the Julimar Project and has now introduced differential rating to help ameliorate some of the costs regarding such activity and the prospect of future mining in the district, perhaps; there is also an opportunity for Council to explore including a position on both mining and gas exploration.

**The Precautionary Principle**

In helping form its view or position, Council and therefore the Shire in this instance, may give (as the Shire of Chittering did), consideration to applying the Precautionary Principle, which is summed up as follows:

This principle does not equate a "no risk" policy but rather requires greater weight be given to environmental and public health protection where there is insufficient scientific information

available upon which to base decisions. Its most specific instruction is for us to be responsive to problems created by scientific uncertainty. The two central elements of the principle are that:

- We should be confident about predictions of future environmental effects of activities before allowing them; and
- We should not wait for conclusive proof of environmental harm before adopting appropriate remedial measures.

As with most complex human activities in modern societies, absolute scientific certainty regarding the relative contributions of positive and negative impacts of unconventional mining and fracking on public health and the environment is unlikely to ever be attained.

However, there is enough uncertainty about the kinds of adverse health outcomes that may be associated with this form of mining and the effectiveness (both short and long term) of some of the mitigation measures proposed by proponents (or required by state and federal agencies) in reducing or preventing environmental impacts which could adversely affect public health, agriculture or other similar economic activity, water supplies and the general environment, that the precautionary principle should be applied to any application for such an activity within the Shire.

#### **The Position of Neighbouring and Other Local Governments**

The Shire of Chittering resolved at its meeting on 15 February 2017 to not support any form of unconventional mining (or exploration) including coal seam gas and fracking activities within its district (for now) by applying the precautionary principle to the protection of its population, sensitive environments, water resources, agricultural and horticultural issues.

At the Gingin council meeting on 20 June 2019, it was resolved to support the overwhelmingly decision of the February 2019 Annual Meeting of Electors and take a position of refusal to allow unconventional fracking in the Shire of Gingin on the understanding that this ultimately a State Government decision.

The Shire of Carnamah has in place Policy 7.11 Petroleum, Mining and Extractive Industries in which Council does not support further petroleum resource development within the Shire (including exploration) which has not first undergone thorough and independent assessment of environmental, health, agricultural and socio-economic impacts (including cumulative impacts) by the Environmental Protection Authority, Department of Health and other relevant agencies. In doing this, it has set the following “standards:”

The Shire of Carnamah will consider each proposal for petroleum resource development or exploration within the Shire by applying the follow criteria for decision-making. To be supported by the Shire, exploration and development must:

- Undertake thorough community consultation and achieve demonstrated broad community support for development;
- Maintain and protect the amenity and character of the Shire, and its existing communities and land uses;
- Ensure zero impact on groundwater resources used for drinking, agriculture or other existing uses, including the catchment and recharge areas for these resources;
- Ensure zero impact on the health of communities or individuals within the Shire;

- Ensure that the impacts on Council infrastructure are adequately compensated for in the immediate and future life of that asset, and that the full costs are recovered for any additional infrastructure required;
- Provide full transparency to the community regarding all environmental compliance and monitoring data, including air quality and groundwater monitoring results, chemicals used, and any other relevant information which must be disclosed in a timely manner.
- Accept a 'presumption of liability' for any groundwater pollution that is detected in the vicinity oil and gas extraction operations and which can reasonably be associated with those operations.
- Provide guarantees of full reparation and remediation of groundwater, land, infrastructure, public health or other unplanned impacts that arise from the development.

The Shire of Carnamah is not willing to provide its support or assistance to proponents or other parties (including the State Government) who seek to undertake or promote petroleum activities within the Shire that do not meet these standards

The Shire of Coorow (the first to adopt such a policy), under Policy 9.7.1 Petroleum, Mining and Extractive Industries has the same policy statement as the Shire of Carnamah.

The author could not find anything conclusive regarding a position on unconventional gas and oil exploration for the Shires of Toodyay, Wongan-Ballidu and Moora. The Shire of Dandaragan would appear to have within its boundaries, extensive community campaigning against such activities.

#### **Further Thoughts Regarding Discrete Area L-38**

As can be seen in Attachment 1B, the majority of Discrete Area L-38 impacts the Shires of Chittering and Gingin. The minor portion that impacts on the Shire of Victoria Plan is in the south western corner that bounds onto the Shires of Chittering and Gingin and encompasses both Murphy Gully Road and Cocking Road. This can be seen in the Landgate aerial photograph in Attachment 1C.

It is the author's considered opinion that the Shire of Victoria Plains regarding Discrete Area L23-8 should respond that it would like to see the following addressed regarding any assessment undertaken by DMIRS for the issue of an exploration approval:

1. That the successful applicant meets with the Shire of Victoria Plains to discuss and advise on:
  - a. The intended work program, including whether this work is expected to occur on private land, Shire controlled land including its road reserves.
  - b. What it intends to do with any "finds" that result from the exploration. This is an issue of waste disposal and as such can impact on the local government's capacity to take or store such waste if such disposal is needed.
2. That the successful applicant as part of meeting the criteria regarding the merits of the proposed work program, the technical and financial resources as well as past performance can demonstrate clearly its commitment to key environmental principles including how they will ameliorate the impacts on the local communities and their respective environments, both natural and built.
3. That the successful applicant keeps the Shire as a stakeholder, informed on a regularly basis regarding its exploration activity. This is because, in the Shire's experience other exploration companies have either not bothered to engage with the Shire regarding such activity and



have processed finds in townsites or after the initial contact failed to update it on where the work program is at.

## **CONSULTATION**

Mr Joe Douglas, Consultant Town Planner

Mr Gordon Houston, Consultant Environmental Health Officer

Council Briefing Session – July 2023

To date, no community consultation by the Shire has been undertaken regarding unconventional oil and gas exploration and associated activities. This is a new experience for the Shire and one that needs a process developed regarding the need for any future engagement, should it be considered necessary.

However, it would be appropriate, as a starting point, regarding future considerations that Council perhaps undertakes a workshop to tease out the key issues for consideration:

- Facilitated by the CEO;
- Contains advice provided by the Shire's consultant town planner and environmental health officer.

Its suggested that Council also seeks a briefing from DMIRS regarding petroleum and gas exploration and the regulatory framework as it exists in Western Australia.

At the end of the day, the reality in terms of timeframes regarding from exploration that might lead to unconventional extraction occurring is significant (lengthy).

## **STATUTORY CONTEXT**

***Australian Petroleum and Geothermal Energy Resources Act 1967***

***Local Government Act 1995***

***Planning and Development Act 2005***

***Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017***

As set out in the background to this report.

Such activities are legislated and administered by the State Government under the *Australian Petroleum and Geothermal Energy Resources Act 1967* which operates separately to the *Local Government Act 1995* and the *Planning and Development Act 2005*. Local Government does not have legislative control over these activities. This does not however, stop the Shire from expressing an opinion regarding such activities or having regard to its planning scheme provisions.

**CORPORATE CONTEXT**

In essence, this matter is one that requires a tactical (short term) response as the Shire has neither a specific strategic action or policy regarding its position on how to respond to such matters.

However, under the Shire’s Strategic Community Plan there are clear strategic priorities that encapsulates:

- 3.1 Maintain a high standard of environmental health and waste services.
- 3.2 Conservation of our natural environment and resources.

**Risk Analysis**

This is for exploration activity, not for any follow-up activity that might result from confirmed findings.

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<p><b>Reputation</b></p> <p>Despite this matter being a State issue, the Shire should advocate for sound stewardship</p>	<p>Moderate (3)</p> <p>Substantiated, public embarrassment, moderate impact,, moderate news profile. Example State-wide paper, TV News story.</p>	<p>Likely (4)</p> <p>Probably occur in most circumstances</p> <p>At least once per year</p>	<p>High (12)</p>	<p>Executive Team (SMT)</p> <p>Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring</p>	<p>By ongoing monitoring, the CEO and the SMT will be in a position to advise Council on an appropriate course of action.</p> <p>This will reduce the risk from High to Moderate where six monthly monitoring will be required</p>
<p><b>Environment</b></p> <p>As per Reputation</p>	<p>Moderate (3)</p> <p>Contained, reversible impact managed by external agencies</p>	<p>Almost Certain (5)</p> <p>The event is expected to occur in most circumstances (&gt;90% chance)</p> <p>More than once per year</p>	<p>High (15)</p>	<p>Executive Team (SMT)</p> <p>Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring</p>	<p>The CEO and appropriate officers to raise issues of concern with the relevant agencies as required, seeking remedial action.</p> <p>This should reduce the risk from High to Moderate/Low</p>

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Absolute majority required: No

Officer Recommendation

Moved: Cr G O’Brien

Seconded: Cr S Penn

**2307-09 Officer Recommendation / Council Resolution**

Moved Cr J Kelly

Seconded Cr S Woods

That Council **SUSPEND** standing orders at 2.34pm.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

**2307-10 Officer Recommendation / Council Resolution****Moved: Cr S Woods****Seconded: Cr S Penn**

That Council **RESUME** standing orders at 3.02pm.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL****2307-11 Officer Recommendation / Council Resolution****Moved: Cr G O'Brien****Seconded: Cr S Penn**

That Council:

1. **AUTHORISES** the CEO to respond to the Department of Industry Regulation and Safety regarding the release of Discrete Area L-38 as follows:
  1. That the successful applicant **MEETS** with the Shire of Victoria Plains to discuss and advise on:
    - a. The intended work program, including whether this work is expected to occur on private land, Shire controlled land including its road reserves.
    - b. What it intends to do with any "finds" that result from the exploration. This is an issue of waste disposal and as such can impact on the local government's capacity to take or store such waste if such disposal is needed.
  2. That the successful applicant as part of meeting the criteria regarding the merits of the proposed work program, the technical and financial resources as well as past performance can demonstrate clearly its commitment to key environmental principles including how they will ameliorate the impacts on the local communities and their respective environments, both natural and built.
  3. That the successful applicant keeps the Shire as a stakeholder, informed on a regularly basis regarding its exploration activity. This is because, in the Shire's experience other exploration companies have either not bothered to engage with the Shire regarding such activity and have processed finds in townsites or after the initial contact failed to update it on where the work program is at.
2. Considers it appropriate, as a starting point, regarding future petroleum and mining exploration and activity, undertaking a workshop facilitated by the CEO to tease out the key issues for consideration of developing the Shire's position on such activity.
3. That the CEO **SEEKS** a briefing from the Department of Industry Regulation and Safety with Council regarding petroleum and gas exploration and the regulatory framework as it exists in Western Australia.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

*Cr Bantock returned to Chambers and resumed the Presiding Chair at 3.04pm.*

**9.8 Live Sheep Trade – ITEM WITHDRAWN**

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**10. MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**11. NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION**

*Admitted by resolution of Council*

Nil

**12. MEETING CLOSED TO PUBLIC**

N/A

**13. CLOSURE OF MEETING**

There being no further business, the Presiding Member declared the meeting closed at 3.05PM.

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**CERTIFICATION**

These minutes were confirmed at the Ordinary Council Meeting held on 23<sup>rd</sup> Aug 2023.

Signed   
(Presiding member at the meeting which confirmed the minutes)

Date 23<sup>rd</sup> Aug 2023

**Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.**