



AGENDA

Ordinary Council Meeting

I HEREBY give NOTICE that an Ordinary Council Meeting will be held on:

28 October 2026

Shire of Victoria Plains
Council Chambers, Calingiri

AND

via E-Meeting Protocol

Commencing – 2:00 PM

Space to Grow

Bolgart Calingiri Gillingarra Mogumber
New Norcia Piawaning Yerecoin

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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AGENDA

Ordinary Council Meeting of the Victoria Plains Shire Council

To be Held in the Shire of Victoria Plains, Council Chambers, Calingiri, AND, via E-Meeting Protocol

on Wednesday 28 October 2026 commencing at 2.00 PM

1. DECLARATION OF OPENING

1.1 Opening

1.2 Announcements by Shire President

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
--

THAT:

3. RECORD OF ATTENDANCE

Members present

Staff attending

Apologies

Approved leave of absence N/A

Visitors

Members of the public

4. DISCLOSURES OF INTEREST

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

Type	Item	Person / Details
------	------	------------------

5. PUBLIC QUESTION TIME

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

5.1 Public Questions with Notice

5.2 Public Questions Without Notice

6. PRESENTATIONS AND DEPUTATIONS**6.1 Presentations****6.2 Deputations****7. APPLICATIONS FOR LEAVE OF ABSENCE****8. MINUTES OF MEETING**

Officer Recommendation

That the minutes of the Ordinary Council Meeting held **7 October 2026** as circulated, be **CONFIRMED** as a true and correct record.

PUBLIC OCM AGENDA

9. REPORTS REQUIRING DECISION

9.1 Accounts for Endorsement – September 2026

File Reference	
Report Date	19/10/2026
Applicant/Proponent	Nil
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Katrina Humphries – Creditors Officer
Senior Officer	Alan Lamb – Temporary Deputy Chief Executive Officer
Authorised by	
Attachments	1. Accounts for Endorsement September 2026 – Page 11

PURPOSE

This item presents the attached List of Accounts Paid, under delegated authority for September 2026.

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, the payee, date and reason for payment. Council should note the new format of the listing in order to minimise the risk of hacking details of cyber criminals.

CONSULTATION

Temporary DCEO

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	
4. CIVIC LEADERSHIP			
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

Delegation

NIL

Policy Implications

3.1 Purchasing Framework

Other Corporate Document

NIL

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 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 with Council's adopted budget.

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation

That the **PAYMENTS** made for September 2026 from the Municipal Bank Account as per attached listing and summarised below, be **ENDORSED**:

Payment Type	References from - to	\$ Amount
Creditor EFT Payment**	EFT00086 - EFT00087	729,527.16
Direct Debit Payment**	PPIN04106 - PPIN04114 DD00062; DD00063;	43,351.78
Credit Card	PPIN04121	1,578.78
	PPIN04122	9,391.24
	PPIN04123	577.13
	PPIN04124	558.05
Salaries and Wages EFT	PE09/09/2026;PE23/09/26	129,152.23
Petty Cash Cheque		-
Trust Payments		-
	TOTAL	914,136.37
Local Spending	\$	%
Local Supplier	23,849.16	2.61%
Payroll	129,152.23	14.13%
Total	153,001.39	16.74%

For ____ / Against ____

Reference Number	Payment Number	Posting Date	Vendor No.	Vendor Name	Amount
1	EFT00087	29/09/2026	1001	CR Pauline Bantock	113.08
2	EFT00087	29/09/2026	125	ARM Security	236.94
3	EFT00087	23/09/2026	14	Australian Service Union WA	27.50
4	EFT00087	12/08/2026	17	Australian Taxation Office	43,751.00
5	EFT00087	22/06/2026	1751	Vizona Pty Ltd	12,745.70
6	EFT00087	15/09/2026	1763	Hersey's Safety Pty Ltd	796.95
7	EFT00087	29/09/2026	181	Shire of Northam	5,500.00
8	EFT00087	25/09/2026	1856	Colin Ashe	300.00
9	EFT00087	21/09/2026	1885	Calingiri Auto Centre (The Trustee for R J Glass Family Trust) t/as	1,254.00
10	EFT00087	22/08/2026	1908	Saferoads WA (TLCWA Pty Ltd t/as)	205,942.00
11	EFT00087	24/09/2026	1941	Salary Packaging Australia Pty Ltd	1,361.19
12	EFT00087	31/08/2026	1965	CouncilFirst (Open Systems Technology Pty Ltd t/as)	22,503.80
13	EFT00087	19/09/2026	1994	Toodyay Building & Maintenance Services	8,800.00
14	EFT00087	9/09/2026	2033	River Engineering Pty Ltd	4,862.00
15	EFT00087	3/09/2026	2054	Mobile Sentinel Pty Ltd t/as Little Rippers Technology	121.00
16	EFT00087	15/09/2026	2074	The Goods Australia	491.62
17	EFT00087	17/09/2026	2103	Northam Tyres & Auto Repairs Pty Ltd	380.00
18	EFT00087	13/09/2026	2167	Gordon Houston	12,489.22
19	EFT00087	24/09/2026	2199	Boss Aluminium Pty Ltd	755.00
20	EFT00087	14/09/2026	2208	CQ Comms Pty Ltd (Outback Comms)	575.00
21	EFT00087	14/09/2026	2211	RBC Rural	488.68
22	EFT00087	15/09/2026	2291	Town Team Movement (Doing Co)	5,000.00
23	EFT00087	22/09/2026	2292	Caravel Operations Pty Ltd	658.22
24	EFT00087	29/09/2026	2293	Shanaya Ashworth	270.00
25	EFT00087	9/09/2026	237	Wongan Hills Mitre 10	199.30
26	EFT00087	25/09/2026	282	Department of Water and Environmental Regulation	1,042.80
27	EFT00087	15/09/2026	29	Local Government Professionals Australia WA	1,565.00
28	EFT00087	4/09/2026	52	Avon Waste	2,255.87
29	EFT00087	19/09/2026	53	The Farmco / Yerecoin Traders	836.00
30	EFT00087	8/09/2026	552	Bunnings Group Ltd	330.82
31	EFT00087	6/07/2026	553	LGISWA	110,811.59
32	EFT00087	15/09/2026	59	Malts Contracting	2,178.00
33	EFT00087	2/09/2026	594	Dun Direct Pty Ltd	10,369.81
34	EFT00087	18/09/2026	648	Officeworks	209.18
35	EFT00087	15/09/2026	893	Thomas Culverwell	328.00
36	EFT00087	14/09/2026	90	Wheatbelt Tyres	125.00
37	EFT00087	18/09/2026	993	T-Quip	358.75
38	EFT00086	14/09/2026	1323	Ampac Debt Recovery (wa) Pty Ltd	840.55
39	EFT00086	9/09/2026	14	Australian Service Union WA	27.50
40	EFT00086	14/09/2026	1567	Julie Klobas	100.25
41	EFT00086	5/09/2026	1572	Exurban Pty Ltd (ATF Vista Trust)	6,953.24
42	EFT00086	31/08/2026	1626	Rajaford Pty Ltd (Calingiri Traders)	527.54
43	EFT00086	31/08/2026	1658	RSM Australia Pty Ltd (atf Birdanco Practice Trust Trading as RSM)	6,121.50
44	EFT00086	31/08/2026	1762	Rural Infrastructure Services	5,702.40
45	EFT00086	9/09/2026	1801	Fraser Onsite	6,258.34
46	EFT00086	3/09/2026	1880	Canine Control	2,801.46
47	EFT00086	10/09/2026	1941	Salary Packaging Australia Pty Ltd	1,361.19
48	EFT00086	31/08/2026	1965	CouncilFirst (Open Systems Technology Pty Ltd t/as)	1,192.40
49	EFT00086	24/08/2026	1989	Econisis Pty Ltd	10,780.00
50	EFT00086	7/09/2026	1994	Toodyay Building & Maintenance Services	5,500.00
51	EFT00086	31/08/2026	1995	Well Done International Pty Ltd	281.18
52	EFT00086	13/09/2026	2036	Knewjen Hire Pty Ltd	3,250.00
53	EFT00086	3/09/2026	2045	Source Machinery Pty Ltd	13,098.20
54	EFT00086	2/09/2026	2094	Gary O'Brien	7,904.00
55	EFT00086	31/08/2026	2109	Finrent Pty Ltd	162.05
56	EFT00086	2/09/2026	2145	Maaman Marra Boodjar	275.00
57	EFT00086	31/08/2026	2160	Onpress Digital Pty Ltd	239.80
58	EFT00086	1/09/2026	2195	Telstra Limited	374.00
59	EFT00086	20/07/2026	2211	RBC Rural	786.31
60	EFT00086	26/08/2026	2257	Shire of Victoria Plains - CBA	51,984.21
61	EFT00086	31/08/2026	2278	Fujifilm Data Management Solutions Pty Ltd	165.00
62	EFT00086	29/08/2026	233	BOC Limited	47.97
63	EFT00086	2/09/2026	282	Department of Water and Environmental Regulation	1,477.30
64	EFT00086	31/08/2026	295	Avon Midland Country Zone of WA Local Government Assoc	130.00
65	EFT00086	9/09/2026	337	Lachy's Fencing (LR & NJ McInnes T/as)	9,900.00
66	EFT00086	27/08/2026	34	State Library of Western Australia	49.45
67	EFT00086	21/08/2026	52	Avon Waste	3,235.08
68	EFT00086	1/09/2026	529	Wallis Computer Solutions	79,695.02
69	EFT00086	26/08/2026	53	The Farmco / Yerecoin Traders	462.00
70	EFT00086	14/08/2026	553	LGISWA	44,120.67
71	EFT00086	3/09/2026	63	Australia Post	1,326.16

72	EFT00086	31/08/2026	648	Officeworks	198.85
73	EFT00086	6/09/2026	78	Team Global Express Pty Ltd	66.32
74	EFT00086	2/09/2026	833	Walkers Diesel Services	437.25
75	EFT00086	31/08/2026	91	Bolgart Rural Merchandise	1,634.09
76	EFT00086	2/09/2026	99	Country Copiers	27.86
77	PPIN04121	1/09/2026	1065	Shire of Victoria Plains - Credit Card	1,578.78
78	PPIN04122	1/09/2026	1065	Shire of Victoria Plains - Credit Card	9,391.24
79	PPIN04123	1/09/2026	1065	Shire of Victoria Plains - Credit Card	577.13
80	PPIN04124	1/09/2026	1065	Shire of Victoria Plains - Credit Card	558.05
81	PPIN04117	18/09/2026	140	Water Corporation	1,014.38
82	PPIN04118	23/09/2026	140	Water Corporation	1,154.53
83	PPIN04115	24/09/2026	140	Water Corporation	338.62
84	PPIN04116	25/09/2026	140	Water Corporation	115.65
85	PPIN04061	4/09/2026	1421	Shire of Victoria Plains (Department Of Transport)	1,340.50
86	PPIN04062	8/09/2026	1421	Shire of Victoria Plains (Department Of Transport)	722.30
87	PPIN04063	11/09/2026	1421	Shire of Victoria Plains (Department Of Transport)	2,922.80
88	PPIN04064	14/09/2026	1421	Shire of Victoria Plains (Department Of Transport)	64.40
89	PPIN04065	15/09/2026	1421	Shire of Victoria Plains (Department Of Transport)	19.40
90	PPIN04066	18/09/2026	1421	Shire of Victoria Plains (Department Of Transport)	64.00
91	PPIN04067	18/09/2026	1421	Shire of Victoria Plains (Department Of Transport)	33.30
92	PPIN04068	22/09/2026	1421	Shire of Victoria Plains (Department Of Transport)	29.90
93	PPIN04069	24/09/2026	1421	Shire of Victoria Plains (Department Of Transport)	1,989.60
94	PPIN04107	10/09/2026	18	Synergy	208.98
95	PPIN04108	10/09/2026	18	Synergy	148.56
96	PPIN04109	11/09/2026	18	Synergy	223.86
97	PPIN04110	21/09/2026	18	Synergy	127.28
98	PPIN04111	24/09/2026	18	Synergy	1,520.51
99	PPIN04112	5/09/2026	20	Telstra Corporation Ltd	851.93
100	PPIN04113	14/09/2026	20	Telstra Corporation Ltd	2,858.33
101	PPIN04106	29/09/2026	2121	Ricoh Australia Pty Ltd	214.50
102	PPIN04114	2/09/2026	V0001	SuperStream Clrg House Vendor	2,337.29
103	DD00062	9/09/2026	V0001	SuperStream Clrg House Vendor	12,513.71
104	DD00063	23/09/2026	V0001	SuperStream Clrg House Vendor	12,537.45
105	PJ002081	9/09/2026		Payroll	64,689.76
106	PJ002183	23/09/2026		Payroll	64,462.47
TOTAL PAID SEPTEMBER 2026					914,136.37

9.2 Monthly Financial Statements - September 2026

File Reference	
Report Date	21 Oct 2026
Applicant/Proponent	Shire of Victoria Plains
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Alan Lamb– Temporary Deputy Chief Executive Officer
Senior Officer	Sean Fletcher – Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	1. Monthly Financial Statements - Sept 26 – Page 17

PURPOSE

To receive the monthly financial statements for the period ending 30 Sept 2026.

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

NOTES TO ACCOUNT

The following presents a summary and analysis of the key points in the Sept 26 Financial Statements.

Note 1 Surplus/Deficit:

The Statement of Financial Activity and Note 1 show the surplus after imposition of general rates as \$4,759,095 at 30 September 2026.

Note 2 Cash and Cash Equivalents:

Municipal Funds (Unresected)					\$2,873,259
Reserve Funds (held for a predetermined purpose)					\$ 760,660
Restricted Funds (primarily grant funds for agreed works yet to be done)					\$3,247,296
Total Cash at Bank					\$6,881,215

Note 4 – Debtors:

An overall balance of \$1,311,957 comprising of:

- \$1,256,849 Rate Debtors analysed below.
- \$55,108 Sundry Debtors

In terms of Rate Debtors, this can be further analysed as:

Rates Outstanding		\$ 311,501
Adhoc Payment Arrangements		\$ 27,655
Pensioners		\$ 7,507
Rates Instalments		\$ 937,841
Rates In Advance		-\$ 1,940
Total Rates		<u>\$1,282,564</u>

Note 5 Reserves:

Balance at 30 September 2026 \$760,660.

Note 6 – Plant Disposals

Nil during the month.

Note 7 – Capital Program

During September works continued on the housing development project, Piawanning -Waddington Roads, and Gillingarra water projects.

Note 8 – Loans

No payments due in September so no change to the loan position.

Note 9 – Payables

Contingent Liabilities totaling \$2,899,705 are listed in Note 11. As previously reported, these are offset by Restricted Funds held

Note 10 – Grants and Subsidies

Minimal movement for the month.

Note 11 – Restricted Funds

Please refer to Note 11

Note 12 – LGGS Program

Expenditure of \$6,961 occurred in September, mainly in the area of Insurances (\$6,219) and represents payment of the first moiety of the premium.

Note 13 – Material Variances

Please refer to Note 13

CONSULTATION

Chief Executive Officer, Sean Fletcher.
 Manager Works and Services, Silvio Brenzi.
 Chief Financial Officer, Zoe Clayton.
 Co-ordinator Financial Services, Glenn Deocampo

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

Local Government (Financial Management) Regulations 1996 –

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

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES		WE KNOW WE ARE SUCCEEDING WHEN	
4. CIVIC LEADERSHIP			
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		

Delegation

Nil

Policy Implications

Policy Manual –

- 3 Financial Management

Other Corporate Document

Nil

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 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

Nil

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation

That Council **RECEIVE** the 30 September 2026 Monthly Financial Statements as presented as attachment 1.

PUBLIC OCM AGENDA



Shire of Victoria Plains
28 Cavell Street
Calingiri WA 6569
T +61 (0) 8 9628 7004
www.victoriaplains.wa.gov.au

SHIRE OF VICTORIA PLAINS

MONTHLY FINANCIAL REPORT

FOR THE PERIOD ENDED 30 SEPTEMBER 2026

PUBLIC OCM AGENDA

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

**SHIRE OF VICTORIA PLAINS
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDING 30 SEPTEMBER 2026**

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Financial Statements

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Statement of Financial Position

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SHIRE OF VICTORIA PLAINS
STATEMENT OF COMPREHENSIVE INCOME
FOR THE MONTH ENDED 30 SEPTEMBER 2026

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$
Revenue				
Rates		4,509,549	4,509,549	4,509,538
Grants, subsidies and contributions	10b	1,840,001	441,602	498,810
Fees and charges		403,408	178,201	571,938
Interest revenue		62,975	28,120	39,107
Other revenue		118,770	79,670	81,293
		<u>6,934,703</u>	<u>5,237,142</u>	<u>5,700,685</u>
Expenses				
Employee costs		(2,931,293)	(672,080)	(550,442)
Materials and contracts		(2,640,413)	(685,537)	(492,286)
Utility charges		(119,220)	(31,194)	(20,623)
Depreciation		(3,732,353)	(933,088)	(934,737)
Finance costs		(76,275)	(122)	231
Insurance		(198,586)	(111,319)	(118,292)
Other expenditure		(205,009)	(13,350)	(11,461)
		<u>(9,903,148)</u>	<u>(2,446,691)</u>	<u>(2,127,610)</u>
		<u>(2,968,445)</u>	<u>2,790,451</u>	<u>3,573,075</u>
Capital grants, subsidies and contributions	10a	12,729,037	584,779	584,780
Profit on asset disposals	6	68,339	-	4,939
Loss on asset disposals	6	(22,899)	-	-
		<u>12,774,477</u>	<u>584,779</u>	<u>589,718</u>
Net result for the period		9,806,032	3,375,230	4,162,793
Total comprehensive income for the period		9,806,032	3,375,230	4,162,793

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF VICTORIA PLAINS
STATEMENT OF FINANCIAL ACTIVITY
FOR THE MONTH ENDED 30 SEPTEMBER 2026

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$
OPERATING ACTIVITIES				
Revenue from operating activities				
General rates		4,509,549	4,509,549	4,509,538
Grants, subsidies and contributions	10b	1,840,001	441,602	498,810
Fees and charges		403,408	178,201	571,938
Interest revenue		62,975	28,120	39,107
Other revenue		118,770	79,670	81,293
Profit on asset disposals	6	68,339	-	4,939
		7,003,042	5,237,142	5,705,624
Expenditure from operating activities				
Employee costs		(2,931,293)	(672,080)	(550,442)
Materials and contracts		(2,640,413)	(685,537)	(492,286)
Utility charges		(119,220)	(31,194)	(20,623)
Depreciation		(3,732,353)	(933,088)	(934,737)
Finance costs		(76,275)	(122)	231
Insurance		(198,586)	(111,319)	(118,292)
Other expenditure		(205,009)	(13,350)	(11,461)
Loss on asset disposals	6	(22,899)	-	-
		(9,926,047)	(2,446,691)	(2,127,610)
Non-cash amounts excluded from operating activities	1	3,686,912	933,088	929,798
Amount attributable to operating activities		763,907	3,723,540	4,507,812
INVESTING ACTIVITIES				
Inflows from investing activities				
Capital grants, subsidies and contributions	10a	12,729,037	584,779	584,780
Proceeds from disposal of assets	6	293,500	-	4,939
Proceeds from financial assets at amortised cost - self-supporting loans		23,682	-	-
		13,046,219	584,779	589,718
Outflows from investing activities				
Acquisition of property, plant and equipment	7	(8,556,528)	(345,560)	(345,559)
Acquisition of infrastructure	7	(5,536,431)	(357,229)	(358,498)
		(14,092,959)	(702,789)	(704,057)
Non-cash amounts excluded from investing activities		-	-	-
Amount attributable to investing activities		(1,046,740)	(118,010)	(114,339)
FINANCING ACTIVITIES				
Inflows from financing activities				
Proceeds from borrowings	8	-	-	-
Transfers from reserve accounts	5	140,230	-	-
		140,230	-	-
Outflows from financing activities				
Repayment of borrowings	8	(359,201)	(115,492)	(115,492)
Transfers to reserve accounts	5	(150,588)	(5,500)	(93,588)
		(509,789)	(120,992)	(209,080)
Non-cash amounts excluded from financing activities		-	-	(23,434)
Amount attributable to financing activities		(369,559)	(120,992)	(232,514)
MOVEMENT IN SURPLUS OR DEFICIT				
Surplus or deficit at the start of the financial year		616,121	616,121	598,136
Amount attributable to operating activities		763,907	3,723,540	4,507,812
Amount attributable to investing activities		(1,046,740)	(118,010)	(114,339)
Amount attributable to financing activities		(369,559)	(120,992)	(232,514)
Surplus or deficit after imposition of general rates		(36,271)	4,100,659	4,759,095

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF VICTORIA PLAINS
STATEMENT OF FINANCIAL POSITION
AS AT 30 SEPTEMBER 2026

	Note	26/27 \$	25/26 \$
CURRENT ASSETS			
Cash and cash equivalents	2	6,881,215	4,792,260
Trade and other receivables	4a	1,718,847	123,528
Other financial assets		23,682	23,682
Inventories		35,219	33,258
Other assets		77,371	98,671
TOTAL CURRENT ASSETS		8,736,334	5,071,398
NON-CURRENT ASSETS			
Trade and other receivables	4b	21,335	21,335
Other financial assets		171,233	171,233
Property, plant and equipment		13,984,527	13,813,872
Infrastructure		129,753,677	130,155,011
TOTAL NON-CURRENT ASSETS		143,930,772	144,161,451
TOTAL ASSETS		152,667,106	149,232,849
CURRENT LIABILITIES			
Trade and other payables	9a	46,862	437,008
Other liabilities	9b	2,899,705	3,057,127
Borrowings	8	243,074	381,999
Employee related provisions		246,330	288,374
TOTAL CURRENT LIABILITIES		3,435,971	4,164,507
NON-CURRENT LIABILITIES			
Borrowings	8	1,409,967	1,409,967
Employee related provisions		65,877	65,877
TOTAL NON-CURRENT LIABILITIES		1,475,844	1,475,844
TOTAL LIABILITIES		4,911,815	5,640,352
NET ASSETS		147,755,290	143,592,497
EQUITY			
Retained surplus		20,226,253	20,226,253
Net Result - Comprehensive Income		4,162,793	
Transfers to (from) Reserves		(93,588)	
Reserve accounts	5	760,660	667,072
Revaluation surplus		122,699,172	122,699,172
TOTAL EQUITY		147,755,290	143,592,497

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF VICTORIA PLAINS
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE MONTH ENDED 30 SEPTEMBER 2026

Note 1

Determination of Surplus or Deficit

		26/27	26/27	25/26
	Note	Actual	Budget	Actual
		\$	\$	\$
(a) Non-cash amounts excluded from operating activities				
The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.				
Adjustments to operating activities				
Less: Profit on asset disposals	6	(4,939)	(68,339)	(95,182)
Less: Fair value adjustments to financial assets at fair value through profit or loss		-	-	(56,669)
Add: Loss on disposal of assets	6	-	22,899	64,938
Add: Depreciation		934,737	3,732,353	3,683,122
Non-cash movements in non-current assets and liabilities:				
Pensioner deferred rates		-	-	(4,285)
Employee benefit provisions		-	-	16,267
Non-cash amounts excluded from operating activities		929,798	3,686,912	3,608,191
(b) Surplus or deficit after imposition of general rates				
The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with Financial Management Regulation 32 to agree to the surplus/(deficit) after imposition of general rates.				
Adjustments to net current assets				
Less: Reserve accounts	5	(760,660)	(677,430)	(667,072)
Less: Financial assets at amortised cost - self supporting loans	8	(23,682)	(24,318)	(23,682)
Add: Current liabilities not expected to be cleared at end of year		-	-	-
Current portion of borrowings	8	243,074	365,594	381,999
Total adjustments to net current assets		(541,269)	(336,154)	(308,755)
Net Current Assets used in the Statement of Financial Activity				
Total Current Assets		8,736,334	4,453,882	5,071,398
Less: Total current liabilities		(3,435,971)	(4,153,999)	(4,164,507)
Less: Total adjustments to net current assets		(541,269)	(336,154)	(308,755)
Surplus or deficit after imposition of general rates		4,759,095	(36,271)	598,136

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 2
Cash and Cash Equivalents

Description	Unrestricted	Restricted	Total	Institutions	Interest Rate	Maturity Date
	\$	\$	\$			
Petty Cash /Floats	700		700	N/A	Nil	On Hand
Municipal Funds Bank	372,559		372,559	Commbank	0.00%	At Call
CDA Restricted Funds	0	1,502,391	1,502,391	Commbank (Restricted)	4.99%	9/11/2026
CBA Restricted Funds		1,744,904	1,744,904	CommBank	2.55%	At Call
CDA Cash Deposit Muni	2,000,000		2,000,000	Commbank (CDIA)	4.68%	19/10/2026
Muni Savings	500,000		500,000	Commbank	2.55%	At Call
	2,873,259	3,247,295	6,120,554			
RESERVES						
Reserves Accounts - CDA		667,072	667,072	Commbank	5.36%	14/05/2027
Reserves Accounts - Savers		93,588	93,588	Commbank	2.55%	At Call
		760,660	760,660			
Total Cash and Cash Rquivalents	2,873,259	4,007,955	6,881,215			

Note 3
Bonds and Deposits Held

Funds held as a bond or holding account with the Shire

Description	Closing Balance 30-Sep-26 \$	Opening Balance 30-Jun-26 \$
Tip Key Bond	2,282	1,964
Gym Memberships	3,049	2,721
Toilet Bond	1,940	1,940
Hall Bond	1,409	1,125
Nomination fee	-	-
GSRC Gillingarra Church Legal Fees	5,000	5,000
Other	2,280	2,280
BCITF	-	160
Total Funds Held	15,960	15,190

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 4

Trade and Other Receivables

(a) Current Assets	30-Sep-26	30-Jun-26
	\$	\$
Debtor - Rates	1,311,957	41,481
Expected Credit Loss (Allowance)	(15,262)	(15,262)
Other Statutory Receivables	22,915	-
Debtors - Sundry (Trade Receivables)	399,237	86,021
GST Receivable	-	11,289
Receivables for Employee Related Provisions	-	-
Total Trade and other Receivables	1,718,847	123,529

Debtors - Sundry (Trade Receivables)	30-Sep-26	30-Jun-26
	\$	\$
01-30 Days	-	84,060
31-61 Days	397,426	-
62-92 Days	-	-
93-122 Days	-	-
After 123 Days	1,811	1,961
Total Trade Receivables	399,237	86,021

Debtors - Rates Analysis		
Closing balances - prior year	41,481	52,012
Prepaid / Unallocated Rates	-	-
All Rates levied this year	4,509,538	4,064,972
Less: Closing balances - current month	1,311,957	41,481
Total Rates Collected to date	3,239,062	4,075,503
% collected	71%	99%
Rates Outstanding	311,501	9,227
Adhoc Payment Arrangement	27,655	3,158
Debt Collection with AMPAC	28,740	21,561
Interims	-	6,150
Pensioners	7,507	0
Rates Instalment	937,841	-
Small amounts	652	1,385
subtotal	1,313,897	41,481
Rates paid in Advance	(1,940)	(81,004)
Total	1,311,957	(39,523)

(b) Non Current Assets

Deferred Rates	21,335	21,335
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SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 5

Cash Reserves

Reserve	Opening Balance 1/07/2026	Transfer From		Interest Received		Transfer To		Closing Balance	
		Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 30/09/2026	Budget 30/06/2027
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Employee Entitlements	5,001	-	-	-	165	-	20,000	5,001	25,166
Plant	28,567	-	-	-	942	93,588	93,588	122,155	123,097
Housing	149,093	-	-	-	4,917	-	-	149,093	154,010
Sewerage Scheme - Calingiri	55,247	-	(6,000)	-	1,822	-	-	55,247	51,069
Refuse Site	283,674	-	(134,230)	-	9,278	-	-	283,674	156,371
Building Maintenance	2,791	-	-	-	92	-	-	2,791	2,883
Infrastructure	102,549	-	-	-	3,382	-	-	102,549	105,931
Gymnasium	8,432	-	-	-	278	-	-	8,432	8,710
Sewerage Scheme Reserve- Yerecoin	23,868	-	-	-	865	-	-	23,868	27,084
Unallocated Monies	7,851	-	-	-	259	-	-	7,851	8,110
Town Planning Scheme	-	-	-	-	-	-	5,000	-	5,000
Bi-Centennial Celebrations	-	-	-	-	-	-	10,000	-	10,000
Total Cash Reserves	667,072	-	(140,230)	-	22,001	93,588	128,588	760,660	677,430

Objective of Reserves

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Reserve Name	Term	Purpose
Long Service Leave	Ongoing	to be used to fund annual and long service leave requirements
Plant	Ongoing	to be used for the purchase of major plant
Housing	Ongoing	to be used for the procurement of staff housing
Sewerage Scheme - Calingiri	Ongoing	to be used to maintain and improve the Calingiri sewerage scheme
Refuse Site	Ongoing	to be used to fund future refuse site development
Building Maintenance	Ongoing	to be used for the long term maintenance of Shire buildings
Infrastructure	Ongoing	to be used for future infrastructure development to ensure long term Shire sustainability
Gymnasium	Ongoing	to be used for future purchases and replacement of gymnasium equipment
Sewerage Scheme - Yerecoin	Ongoing	to be used to maintain and improve the Yerecoin sewerage scheme
Unallocated Monies	Ongoing	future refund or allocation once identified or transferred to shire general revenue after statutory period expiry.
Town Planning Scheme	Ongoing	to be used to assist with future costs of the Town Planning Scheme review
Bi-Centennial Celebrations	Ongoing	to be used to assist with funding of Bi-Centennial Celebrations in 2029

The reserves are not expected to be used within a set period and further transfers to the reserve accounts are expected as funds are utilised.
There are no reserves restricted by legislation.

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 6

Disposal of Assets

Class of Asset & Program	Proceeds from Sale		Cost of Replacement Asset		Net Cost for Change Over		Written Down Value		Profit/(Loss) on Disposal			
	Actual \$	Budget \$	Actual \$	Budget \$	Actual	Budget \$	Actual	Budget \$	Actual (Profit)	Actual (Loss)	Budget Profit \$	Budget Loss \$
	2026/27	2026/27	2026/27	2026/27	2026/27	2026/27	2026/27	2026/27	2026/27	2026/27	2026/27	2026/27
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant & Equipment												
Transport												
PEX02 - John Deer E140 Excavator	-	130,000	-	-	-	(130,000)	-	127,538	-	-	2,462	-
PTR03A - Digga Mounted Road Broom	-	500	-	15,000	-	14,500	-	25	-	-	475	-
PR10 - Multi Tyred Roller	-	7,000	-	-	-	(7,000)	-	29,899	-	-	-	22,899
PR09 - Bomag BW25RH Multi-tyred Roller	-	13,000	-	180,000	-	167,000	-	-	-	-	13,000	-
PTL04 - Trailer - Depot Clerk VP8134	-	1,000	-	45,000	-	44,000	-	-	-	-	1,000	-
PTK22 - Hino FS 700 Series Truck	-	73,000	-	330,000	-	257,000	-	68,915	-	-	4,085	-
PTL23 - Loadstar Trailer	-	6,500	-	8,000	-	1,500	-	5,739	-	-	761	-
PWV56 - Toyota Hilux 4x2 Turbo Diesel	-	9,000	-	50,000	-	41,000	-	-	-	-	9,000	-
PWV57 - Toyota Hilux 4x2 Turbo Diesel	-	7,200	-	50,000	-	42,800	-	-	-	-	7,200	-
PWV69 - Mazda BT-50 Dual Cab	-	21,800	-	60,000	-	38,200	-	15,944	-	-	5,856	-
PWV65 - Toyota Hi Lux VP793	-	24,500	-	70,000	-	45,500	-	-	-	-	24,500	-
PTL16 - Calingiri Fire Trailer	4,939	-	-	-	-	-	-	-	4,939	-	-	-
Totals Disposal of Assets	4,939	293,500	-	808,000	-	514,500	-	248,060	4,939	-	68,339	22,899

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 7
Capital Acquisitions

Program/Sub-program

Law, Order and Public Safety

New Norcia Emergency Services Building

Emergency Fuel Tank

Community Amenities

Landfill Transfer Stations x3

Housing

Staff Housing Development - HSP2

Staff Housing Development - HSP1

Regional Housing (RHSP)

13 Lambert - Ensuite

12 Harrington St - Laundry

Recreation and Culture

Calingiri Sportsclub

Transport

Heavy Vehicle Rest Area - Calingiri

New Roller

New Truck

New Road Broom

New Depot Utility - Works

New Depot Utility - Parks & Garden

New Deputy Utility - Works

New Depot Utility - Admin

Forklift

8x5 ft Tandem Trailer

8x5 ft Tandem Trailer

Footpaths

Roadworks - Regional Road Safety Program

Piawanning Waddington Road (RRSP)

Roadworks - Roads to Recovery Funded

Yerecoin Sth East Rd

Roadworks - RRG Funded

Toodyay - Bindi Bindi Rd Nth

Economic Development

Gillingarra Emergency Water CWSP

Gillingarra Community Water CWSP

Gillingarra Truckfill CWSP

ESA Tourism Development

Mogumber Bore

Non-Infrastructure						Infrastructure				TOTAL	
Land & Buildings		Plant & Equipment		Furniture & Equipment		Roads		Other		Actual 2026/27	Budget 2026/27
Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27		
8,000	28,666									8,000	28,666
		-	5,000					-		-	5,000
								-	402,690	-	402,690
321,299	4,102,862									321,299	4,102,862
6,261	27,000									6,261	27,000
-	3,200,000									-	3,200,000
-	25,000									-	25,000
10,000	15,000									10,000	15,000
-	25,000									-	25,000
-	320,000									-	320,000
		-	180,000							-	180,000
		-	330,000							-	330,000
		-	15,000							-	15,000
		-	50,000							-	50,000
		-	50,000							-	50,000
		-	60,000							-	60,000
		-	70,000							-	70,000
		-	45,000							-	45,000
		-	4,000							-	4,000
		-	4,000							-	4,000
								-	20,000	-	20,000
						196,652	3,478,283			196,652	3,478,283
						-	654,717			-	654,717
						-	450,045			-	450,045
								89,685	88,418	89,685	88,418
								45,180	84,583	45,180	84,583
								26,981	109,683	26,981	109,683
								-	183,012	-	183,012
								-	65,000	-	65,000
196,652	4,583,045	161,846	953,386	704,057	14,092,959						
TOTAL NON-INFRASTRUCTURE						TOTAL INFRASTRUCTURE		358,498	5,536,431		

Completed
Closed

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 8
Borrowings

No.	Loan Details	Amount Outstanding 1/07/2026	New Loans		Interest Repayments		Principal Repayments		Principal Outstanding 30/09/2026
			Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	
		\$			\$	\$	\$	\$	\$
	Self Supporting Loans								
83	Calingiri Football Club	78,532	-	-	-	(1,855)	-	(23,682)	78,532
	Other Loans								
84	Piawaning Water Supply	9,816	-	-	(122)	(122)	(9,816)	(9,816)	-
85	Grader and Roller	20,383	-	-	-	(86)	-	(20,383)	20,383
87	Plant Replacement	909,802	-	-	(18,988)	(35,771)	(105,675)	(213,556)	804,127
88	Plant Replacement - Graders	750,000	-	-	-	(38,441)	-	(91,128)	750,000
	Total Borrowings	1,768,533	-	-	(19,110)	(76,275)	(115,492)	(358,565)	1,653,041
	Current Loan Liability	358,565							243,074
	Accrued Interest EOY Adj								-
	Non-Current Loan Liability	1,409,967							1,409,967
	Total Loan Liability	1,768,532							1,653,041

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 9

Payables

(a) Trade and other payables

	2027	2026
Current	\$	\$
Sundry creditors	28,825	172,117
Prepaid Rates	-	81,004
Accrued Salaries and Wages	-	69,968
Bonds and Deposits Held	15,960	15,565
Accrued Expenses	-	93,883
BSL/Payroll clearing/rounding	667	-
DoTransport Licensing	1,410	1,089
ATO GST payable	-	3,382
	46,863	437,008

(b) Other Liabilities

	2027	2026
Current	\$	\$
Contingent Liabilities	2,899,705	3,057,127
	2,899,705	3,057,127

Contingent Liabilities Represented by:

		-
Housing Support Program	2,624,189	2,734,105
Mitigation Activity Fund (DFES)	43,160	43,160
ESA Tourism Development	133,012	133,012
Gillingarra Emergency Water CWSP	-	47,505
Gillingarra Community Water CWSP	46,403	46,403
Gillingarra Truckfill CWSP	52,942	52,942
	2,899,705	3,057,127

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 10

Grants, Subsidies and Contributions

(a) Capital Grants, Subsidies and Contributions

	Annual Budget	YTD Budget	YTD Revenue Actual	Variance YTD vs Actual
	2026/27	2026/27	2026/27	2026/27
	\$	\$	\$	\$
Law, Order and Public Safety				
New Norcia Emergency Services Building	23,666	-	-	-
Law, Order and Public Safety				
Waste Transfer Station	268,460	100,000	100,000	
Housing				
Housing Support Program (HSP1)	27,000	-	-	-
Housing Support Program (HSP2)	4,102,862	109,916	109,916	-
Regional Housing (RHSP)	3,200,000		-	
Economic Services				
Gillingarra Emergency Water CWSP	60,244	47,505	47,505	-
Gillingarra Community Water CWSP	58,729		-	-
ESA Tourism Development	183,012	-	-	-
Gillingarra Truckfill CWSP	70,834	-	-	-
Mogumber Bore	45,500	-	-	-
Transport				
Govt Grant - Regional Road Safety Program	3,478,283	-	-	-
Govt Grant - Roads to Recovery	654,717	327,358	327,358	-
HVRA Truck parking Bay - Calingiri	256,000	-	-	-
Gov't Grant - Regional Road Group MRWA	299,730	-	-	-
Total Non Operating Capital Grants, Subsidies and Contributions	12,729,037	584,780	584,780	-

(b) Operating Grants, Subsidies and Contributions

	Annual Budget	YTD Budget	YTD Revenue Actual	Variance YTD vs Actual
	2026/27	2026/27	2026/27	2026/27
	\$	\$	\$	\$
General Purpose Funding				
Financial Assistance Grants - General	592,045	42,645	40,806	1,839
Financial Assistance Grants - Local Roads	629,224	144,130	144,130	-
Law and Public Order				
DFES Operating Grant (LGGS)	108,890	27,222	86,270	59,048
Emergency Services Administration Grant		-	-	-
CESM Contribution	161,963	-	-	-
Grant - Mitigation Activity Fund	90,275	-	-	-
Education and Welfare				
Grant - Other Events*	30,000		-	-
Transport				
Govt Grant - Direct	227,604	227,604	227,604	-
Total Operating Grants, Subsidies and Contributions	1,840,001	441,601	498,810	60,887

Supplementary information on Grant - Other Events

	Annual Budget	YTD Revenue Actual
	\$	\$
*Grants - Other Events		
Australia Day	10,000	-
Other Events	20,000	-
Total	30,000	-

SHIRE OF VICTORIA PLAINS**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY****FOR THE PERIOD ENDING 30 SEPTEMBER 2026****Note 11****Restricted Funding**

Description	External Funding Allocation	Project Opening Balance Funding	Receipts	Costs	Balance	Cash Backed
		1/07/2026			30/09/2026	
	\$	\$	\$	\$	\$	\$
Housing Support Program Stage 1	-	-	-	-	-	-
Housing Support Program Stage 2	-	-	-	-	-	-
Housing Support Program SOVP	4,129,862	2,734,105	109,916	321,299	2,522,723	2,644,420
Regional Housing	3,200,000	-	-	-	-	-
RRSP	3,478,283	-	-	-	-	-
Gillingarra Emergency Water CWSP	60,244	47,505	47,505	47,505	-	-
Gillingarra Community Water CWSP	58,729	46,403	-	45,180	1,223	46,403
Gillingarra Truckfill CWSP	70,834	52,942	-	26,981	25,961	52,942
Mitigation Activity Fund (MAF)	-	43,160	-	-	43,160	43,160
ESA Tourism Development	183,012	133,012	-	-	133,012	133,012
Roads to Recovery	654,717	-	327,358	-	327,358	327,358
Special Roads Grant - Bridge (FAGS)	-	-	113,500	-	113,500	-
Waste Transfer Station	-	-	100,000	-	100,000	-
Totals	11,835,681	3,057,127	698,280	440,965	3,266,937	3,247,295

Restricted Savings \$ 3,247,295

To be transferred to (from) Muni account \$ (19,642)

SHIRE OF VICTORIA PLAINS**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026****Note 12****Bush Fire Brigade**

OPERATING GRANT		
EXPENDITURE ITEM	BUSH FIRE BRIGADE	
	2026/27 Budget	2026/27 Actual
RECURRENT:		
1. Purchase of Plant & Equipment <\$1,500 per item	2,390	-
2. Maintenance of Plant and Equipment	4,000	-
3. Maintenance of Vehicles/Trailers/Boats	45,000	2,256
4. Maintenance of Land and Buildings	5,000	828
5. Clothing and Accessories	28,022	-
6. Utilities, Rates and Taxes	9,000	1,032
7. Other Goods and Services	4,500	669
8. Insurances	27,088	6,219
Sub Total Recurrent	125,000	11,005
NON-RECURRENT:		
9. Purchase of Plant and Equipment \$1,500 to \$5,000 per item		
Sub Total Non-Recurrent	-	-
Total Operating Budget/Actual	125,000	11,005
Variance Between Budget & Actual ^(a)		113,995

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 13
Explanation of Material Variances

Variances which have exceeded the thresholds are listed below by Program. Significant variances within the Program are listed underneath it by Nature or Type.

The material variance adopted by Council for the 2026/27 year is \$10,000 and 10%.

Reporting Program	Var	Var	Timing /	Permanent	Explanation of Variance
Operating Revenues	\$	%	Var		
Grants, subsidies and contributions	57,209	13%	▲	Permanent	Emergency Services costs in 24/25 more than grant funding, additional Emergency Services Levy Grant funding applied for and received \$55,020.
Fees and charges	393,736	221%	▲	Permanent	Invoice from Private works - Cocking road repairs, will be offset by Private Works expenditure in due course
Interest revenue	10,987	39%	▲	Permanent	Interest from investing funds higher than budgeted
Operating Expense					
Employee costs	121,638	(18%)	▼	Timing	Combination of Workers Compensation premium adjustment, timing of work oncost allocation and lower staffing levels.
Materials and contracts	193,251	(28%)	▼	Timing	Lower level of material consumption than expected.
Utility charges	10,571	(34%)	▼	Timing	Quarterly charges received quarterly.

SHIRE OF VICTORIA PLAINS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Note 14
Budget Amendments

Amendments to original budget since budget adoption - Surplus/ (Deficit)

Description	Council Resolution	Adoption Date	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$
Forecast Opening Surplus/(Deficit)					(36,271)
					-

Net Changes		-	-
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PUBLIC OCM AGENDA

9.3 Proposed Amendment Local Law – Local Government Property and Public Places, Extractive Industries

File reference	
Report date	7 October 2026
Applicant/proponent	Shire of Victoria Plains
Officer disclosure of interest	Nil
Previous meeting references	28 May 2025
Prepared by	Candice Watson – PA to the CEO
Senior Officer	Sean Fletcher - CEO
Authorised by	CEO
Attachments	Draft Shire of Victoria Plains Local Government Property and Public Places, Extractive Industries Amendment Local law 2026 – Page 39

PURPOSE

To finalise amendments to two Shire local laws to discharge a commitment given to the WA Parliamentary Joint Standing Committee (JSCDL).

BACKGROUND

The *Shire of Victoria Plains Local Government Property and Public Places*, and *Extractive Industries* local laws were published in the *Government Gazette* on 4 September 2018.

Local laws are subject to review by the JSCDL, which is a committee of the State Parliament that oversees the making of subsidiary legislation by government agencies and local governments.

If the JSCDL has any concerns about a local law that it believes offends its terms of reference, was not made correctly, or has drafting errors, it is able to recommend that Parliament disallow the local law, but generally requests the agency making the local law or subsidiary legislation to amend it, before doing so.

The JSCDL wrote to the Shire requesting a number of minor amendments to these two local laws in late 2018. At its meeting held on 14 November 2018, council resolved to amend the local laws as requested when they were next due for a formal review under s3.16 of the Local Government Act 1995 (the Act), and not to enforce the local laws in a manner contrary to the undertakings in the meantime.

At its meeting held on 28 May 2025, council resolved to initiate the process to amend the Shire of Victoria Plains Local Government Property and Public Places Local Law 2018 and Extractive Industries Local Law 2018 as requested by the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL)

Local public notice of the Shires intention to make a *Shire of Victoria Plains Amendment Local Law 2025* was given on 22 October 2025 with submissions to be made by 10 December 2025. Copies of the draft Amendment Local Law were also sent to the Ministers for Local Government and the Environment. No comments were received.

COMMENT

When reviewing processes to ensure local laws are properly made, the JSCDL applies a 'rule of thumb' that no more than 6 months should pass between when a proposed local law is advertised and when it is considered by council for final adoption, which has been exceeded.

On one hand there is a risk that the JSCDL may form the view that the Shire has not substantially complied with s3.12(1) of the Act, which provides that:

3.12 Procedure for making local laws

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

On the other, s3.12(2A) provides that:

(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.

Because the amendments are minor and simply implement changes previously requested by the JSCDL, the Amendment Local Law is likely to proceed regardless of the delay in bringing it back to Council.

CONSULTATION

Mr Chris Liversage, Conway Highbury.

STATUTORY CONTEXT

Section 3.12 of the *Local Government Act 1995* sets out the process to make or amend local laws.

In summary, this requires:

1. Adoption of a draft local law
2. Calling for comments from the public;
3. Providing a copy of the local law to the CEOs of any State Government Department that administers legislation under which the local law is made;
4. Considering any comments received;
5. Deciding whether or not to modify the local law; and
6. 'Make' it.

Other than a further minor change to the date of the Amendment Local Law from 2025 to 2026, no changes are required. local The Shire is at the point now where it can make the local law. The steps to now do so are set out in the recommendation to council below.

CORPORATE CONTEXT

- Nil

Council Plan

	Civic Leadership	4.1 Effective leadership and regional collaboration 4.2 Shire communication and engagement is clear, consistent and transparent 4.3 Strong governance and leadership to support a sustainable future
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Strategic Priority 4.3 is relevant as the matter requires a decision regarding local laws applicable across the district.

Delegation

Nil

Policy Implications

Nil

Other Corporate Document

Nil.

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance The Shire under the Local Government Act, is required to follow the process regarding the review of local laws	Moderate (3) Short term non-compliance but with no significant regulatory requirements imposed. Single moderate litigation or numerous minor litigations.	Likely (4) Probably occur in most circumstances At least once per year	High (12)	Executive Team (SMT) Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Through the CEO ensuring officers follow the required steps under the Local Government Act will ensure that the residual risk is low

FINANCIAL IMPLICATIONS

If council agrees to the recommendation below, there are costs associated with giving local public notice of its coming into effect, publication in the Government Gazette, making amendments to the text of the principal local laws, and re-posting them on the Shire's website as required by s5.96A of the Act.

The Shire has engaged external assistance to do draft the amendment local law, associated reports and assist with the process, estimated at \$2,240 plus GST, plus Gazettal and advertising costs.

VOTING REQUIREMENTS

Absolute majority required: Yes

OFFICER RECOMMENDATION

That in accordance with s3.12(5) and (6) of the Local Government Act 1995:

1. The *Shire of Victoria Plains Amendment Local Law 2026* be made
2. The CEO be requested to:
 - a. Publish the local law in the Government Gazette;
 - b. Send a copy of the local law to the CEO of the Department of Local Government, Cultural and Sporting Industries, the Department of the Environment, and any other relevant CEO or Minister;
 - c. In accordance with s3.12(6) of the Local Government Act 1995, after Gazettal, give local public notice:
 - i. Stating the title of the local law;
 - ii. Summarizing the purpose and effect of the local law and specifying the day on which it comes into operation; and
 - iii. Advising that copies of the local law may be inspected or obtained from the Shire offices.
 - d. In accordance with the *Local Laws Explanatory Memoranda Directions* as issued by the Minister for Local Government on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Shire President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

Local Government Act 1995

Shire of Victoria Plains Amendment Local Law 2026

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Victoria Plains resolved on **date when local law is 'made'** to make the following local law:

1. Citation

This local law is cited as the *Shire of Victoria Plains Amendment Local Law 2026*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Public Places and Local Government Property Local Law 2018 amended

In clause 1.6 of the *Shire of Victoria Plains Public Places and Local Government Property Local Law 2018* published in the *Government Gazette* on 4 September 2018, the definition of 'UAV' is amended by inserting the word 'Safety' immediately after the word 'Aviation'.

4. Extractive Industries Local Law 2018 amended

The *Shire of Victoria Plains Extractive Industries Local Law 2018* published in the *Government Gazette* is amended as follows:

- (1) In clause 3.2(2)(f), the words 'clause 3.1(3) are deleted;
- (2) In clause 3.2(2)(j), the words 'regulation 5 of the *Environmental Protection (Clearing of Native Vegetation Regulations 2004)*' are deleted and replaced with 'section 51C(a) of the *Environmental Protection Act 1986*';
- (3) In clause 4.1(h), the words 'subclauses 3.2(1) and (2)' are replaced with 'clause 3.2';
- (4) In clause 4.6(6), the words 'or refuses to renew' are inserted after the word 'renews';
- (5) In clause 4.7(6) the words 'or refuses to approve' are inserted after the word 'approves';
- (6) In clause 4.8(4) the words 'or refuses to approve' are inserted after the word 'approves';
- (7) Clause 7.4 is amended by the addition of subclause (2) as follows:
'(2) Subclause 7.4(1)(b)(i) is subject to sections 3.25 and 3.27 and Schedules 3.1 and 3.2 of the Act.'
- (8) In clause 8.3(1)(b) the word 'done' is inserted after the word 'been';
- (9) Clause 8.3(2) is replaced with the following:
'8.3(2) Subclause 8.3(1) is subject to sections 3.25 and 3.27, and Schedules 3.1 and 3.2 of the Act.'
- (10) Insert a new clause 8.4 as follows:
'8.4 Any power of entry exercised by the local government under this local law is subject to Part 3, Division 3, Subdivision 3 of the Act.'; and
- (11) Clause 9.1(b) is amended by inserting the word 'transfer after 'vary'.

Dated **dd mm yyyy**

The Common Seal of the Shire of Victoria Plains was affixed by authority of a resolution of the Council in the presence of –

.....
Cr P Bantock, President

.....
Sean Fletcher, Chief Executive Officer

PUBLIC OCM AGENDA

9.4 Interim Key Work Plan – September 2026

File Reference	
Report Date	20 October 2026
Applicant/Proponent	Shire of Victoria Plains
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Sean Fletcher, Chief Executive Officer
Senior Officer	N/A
Authorised by	Sean Fletcher, Chief Executive Officer
Attachments	1. Interim Key Work Plan 2026-27 - September 2026 – Page 44

PURPOSE

To present the Interim Key Work Plan for September 2026 for Council review and receipt.

BACKGROUND

The Key Work Plan provides Council with a consolidated overview of the Shire's priority actions and capital program for 2026-27. It is structured around the Community, Economy, Environment, Civic Leadership and Capital Program themes and identifies progress, status, risks or issues, and next steps for each action.

The September 2026 Interim Key Work Plan provides a transition between the key actions carried forward from the previous Strategic Community Plan and the recently adopted Council Plan 2026-2036. It enables Council to continue monitoring delivery of existing priority actions while the Key Work Plan is reviewed and realigned to the new Council Plan.

The next quarterly review is expected to continue most of the actions contained in the Interim Key Work Plan, where they remain relevant and ongoing, while also incorporating new actions and rebadging existing actions to reflect the themes, priorities and terminology of the Council Plan 2026-2036. This approach maintains continuity of delivery while establishing the revised reporting framework for future Key Work Plan updates.

COMMENT

The September 2026 Interim Key Work Plan indicates measurable progress across all five themes. The overall program is assessed as Amber - Minor Issues, reflecting that delivery is generally progressing but remains subject to manageable timing, sequencing and external dependencies.

The dashboard records the following overall progress by theme. The September status is shown in the "S" column, with the December, March and June columns to be completed through subsequent quarterly reviews:

Theme	Status				% Complete	Key Focus
	S	D	M	J		
Community	●				15%	Health, access, emergency services

Economy	●				42%	Major projects, precinct planning
Environment	●				29%	Water security, waste, land management
Civic Leadership	●				66%	Governance and corporate planning
Capital Program	●				40%	Roads, housing, infrastructure

Key achievements during the reporting period include adoption of the Council Plan and Workforce Plan, securing \$3.2 million through the Regional Housing Support Fund for the proposed Edmond Street housing development, progression of the Edmond Street subdivision, commencement of the Calingiri Bypass Business Case and continued delivery of the New Norcia Visitor Precinct works.

Projects requiring continued management attention include the Edmond Street subdivision and housing development, Calingiri Bypass Business Case, Wheatbelt Secondary Freight Network, Calingiri Truck Rest Stop, Sports Pavilion Upgrade, water security initiatives, emergency services infrastructure planning, and renewable energy and community benefit work.

A number of actions remain dependent on statutory and heritage approvals, utility servicing, external funding decisions, procurement timeframes, contractor availability, government decision-making and stakeholder alignment. At the date of reporting, no action is considered to require extraordinary Council intervention. Material changes to scope, cost, timing, risk or deliverability will be reported through subsequent Key Work Plan updates.

CONSULTATION

Senior Management Team and responsible officers.

STATUTORY CONTEXT

Local Government Act 1995

Section 5.56(1) requires a local government to plan for the future of the district. Section 5.56(2) enables regulations to prescribe the form and content of plans and the manner in which they are prepared, adopted and reviewed.

Section 5.56 – Planning for the future

Section 5.41 – sets out the functions of the Chief Executive Officer, including advising Council, ensuring Council decisions are implemented and managing the day-to-day operations of the local government.

Section 2.7 – the Council governs the local government's affairs, is responsible for the performance of its functions, oversees the allocation of finances and resources, plans strategically for the district and provides strategic direction to the Chief Executive Officer.

Local Government (Administration) Regulations 1996

Regulation 19DA – Corporate business plans

Regulation 19DA prescribes requirements relating to the preparation and review of a local government's corporate business plan. The Interim Key Work Plan provides the transitional delivery and monitoring framework pending the next quarterly review, when continuing, new and rebadged actions will be aligned with the Council Plan 2026–2036.

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

Council Plan themes	Relevance to this report
Community, Economy, Environment and Civic Leadership	The Interim Key Work Plan reports progress against priority actions organised under the Council Plan themes.

Delegation

Nil

Policy Implications

Nil

Other Corporate Document

Nil

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Reputation Inadequate monitoring or reporting of priority actions could reduce confidence in organisational delivery.	Minor (2) Substantiated, localised impact on community trust or low media item.	Unlikely (2) Probably occur in most circumstances. At least once per year.	Low (4)	Operational Manager Managed through routine executive oversight and reporting to Council.	Regular Key Work Plan updates identify progress, dependencies, risks and matters requiring Council direction. This ensures the risk is kept low

FINANCIAL IMPLICATIONS

There are no known material financial implications arising directly from receiving this report, other than officer time and minor administrative costs. Individual Key Work Plan actions remain subject to their approved budgets, grant conditions and any further Council decisions required.

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation

That Council **RECEIVES** the Interim Key Work Plan 2026-27 for September 2026, as at Attachment 1.

Key Work Plan 2026 - 2027

Interim Plan

PUBLIC OCM AGENDA

Chief Executive Officer's Comments

The September 2026 Interim Key Work Plan demonstrates solid progress across the Shire's Community, Economy, Environment, Civic Leadership and Capital Program priorities. While a number of actions remain in their planning, procurement or mobilisation phases, several important strategic initiatives have advanced and the organisation continues to manage a substantial and diverse program of work.

Significant progress has been achieved within the Economy theme. The Shire has secured a successful \$3.2 million Regional Housing Support Fund application for the proposed Edmond Street housing development, with the next stages involving execution of the Financial Assistance Agreement and procurement for construction. Subdivision approval for the broader Edmond Street development has also progressed through the Western Australian Planning Commission process. Work continues on the Calingiri Bypass Business Case, Wheatbelt Secondary Freight Network advocacy, the Calingiri Truck Rest Stop and completion of the New Norcia Visitor Precinct works.

Environmental and community priorities continue to progress, including landfill improvements, emergency services infrastructure planning, water security projects, reserve management and preparations for community waste initiatives. The Shire is also continuing its work on renewable energy and community benefit arrangements, while maintaining engagement with the Caravel Copper Project and monitoring the timing of its environmental review and Definitive Feasibility Study.

Within Civic Leadership, Council adopted the new Council Plan and Workforce Plan at the September 2026 Ordinary Council Meeting. The Artificial Intelligence Policy has also been adopted and the administration storage facility improvements completed. Work is continuing on the Long Term Financial Plan, Record Keeping Plan and Policy, Local Laws Review and implementation of the remaining Local Government Act reforms. These initiatives will strengthen the Shire's governance, workforce capability, financial planning and long-term organisational sustainability.

Regional advocacy remains a significant organisational focus. The Shire continues to participate actively in regional forums and to advocate on matters including Working Holiday Maker visa reform, regional road funding, housing, freight infrastructure and broader Wheatbelt priorities. This work recognises that many of the Shire's strategic objectives depend on coordinated action and investment by State and Commonwealth governments and regional partners.

The Capital Program remains a substantial component of the organisation's workload, encompassing roads, buildings, housing, tourism and community infrastructure. Delivery will require careful management of project sequencing, procurement, contractor availability, statutory approvals and external funding requirements. Several projects carried forward from 2025–26 represent the continuation of longer-term Council investment rather than unresolved delivery matters.

Overall, the Shire has established a strong foundation for delivery during 2026–27. No action is presently considered to require extraordinary Council intervention, although a

number of projects remain dependent on external approvals, funding decisions, utility servicing and government timeframes. Management will continue to monitor these matters closely and report emerging risks, delivery issues and matters requiring Council direction through future Key Work Plan updates

Sean Fletcher

Chief Executive Officer.

PUBLIC OCM AGENDA

Councillor Dashboard – Key Work Plan 2026–27

The Councillor Dashboard provides an executive overview of progress against the actions contained within the 2026–27 Key Work Plan. As at September 2026, the organisation has made measurable progress across all five themes, with the strongest advancement recorded within Civic Leadership and continued momentum across the Economy, Environment and Capital Program themes.

Several important strategic outcomes have been achieved during the reporting period, including adoption of the Council Plan and Workforce Plan, securing funding for the Edmond Street housing development, progression of the Edmond Street subdivision, commencement of the Calingiri Bypass Business Case and continued delivery of the New Norcia Visitor Precinct works. A number of longer-term initiatives remain in their planning, approval, procurement or early delivery phases.

The overall program is assessed as Amber, reflecting that delivery is generally progressing but remains subject to a range of manageable timing, sequencing and external dependencies. These include statutory and heritage approvals, utility servicing, grant funding decisions, procurement timeframes, contractor availability and State Government decision-making.

Theme	Status				% Complete	Key Focus
	S	D	M	J		
Community	●				15%	Health and inclusion planning, community grants, facilities and trails
Economy	●				42%	Housing and land development, transport infrastructure, tourism and regional advocacy
Environment	●				29%	Waste, water security, emergency services, energy transition and environmental management
Civic Leadership	●				66%	Council planning, governance, legislative reform and financial sustainability
Capital Program	●				40%	Roads, housing, tourism and community infrastructure

Within the **Community** theme, work is progressing on public health initiatives, the Community Grant Scheme and trails planning. Further management attention will be directed towards implementation of the Disability Access and Inclusion Plan and development of the Sports Pavilion Upgrade.

The **Economy** theme has recorded substantial progress through the successful housing funding application, advancement of the Edmond Street subdivision, continued development of the Calingiri Bypass Business Case and progress on the Plant and Equipment Replacement Program and New Norcia Visitor Precinct. Several major projects remain subject to approvals, procurement, utility connections and external funding decisions.

The **Environment** theme includes a broad program of waste, water security, emergency services, reserve management, energy transition and environmental initiatives. Progress has been achieved across a number of these actions, although delivery remains influenced by funding availability, government approvals and stakeholder alignment.

Within **Civic Leadership**, adoption of the Council Plan and Workforce Plan represents a significant milestone. The Artificial Intelligence Policy and administration storage improvements have also been completed, while work continues on the Long Term Financial Plan, Record Keeping Plan, Local Laws Review and implementation of Local Government Act reforms.

The **Capital Program** continues to progress across roads, staff housing, tourism and community infrastructure. Delivery during the next reporting period will remain focused on project sequencing, procurement, construction scheduling and completion of carried-forward works.

At the date of reporting, no action is considered to require extraordinary Council intervention. Management will continue to monitor identified risks and dependencies and report any material change to project scope, cost, timing or deliverability through subsequent Key Work Plan updates.

Councillor Attention – Carry Forward and Outstanding Actions

The status indicators used in this report are intended to provide Councillors with a concise assessment of progress and the level of management attention required:

- **Off Track / Not Yet Due:** The action is not progressing in accordance with the planned timeframe and requires active management to address identified issues, risks or external dependencies. This status is also used where an action is scheduled to commence later in the reporting year and substantive progress is not yet expected.
- **Minor Issues:** The action is progressing but is affected by timing, sequencing or external dependencies. The identified issues are considered manageable, and the action remains recoverable within the current planning and resource framework.

-  **On Track:** The action is progressing in accordance with the planned timeframe and is not presently affected by any material issue requiring Council intervention.
-  **Completed:** The action has been completed or the required outcome has been achieved.

At the end of September 2026, the overall Key Work Plan is assessed as **Amber – Minor Issues**. Progress has been strongest within Civic Leadership, while the Economy, Environment and Capital Program themes continue to advance subject to manageable timing, sequencing and external dependencies. The Community theme remains at an earlier stage of delivery, with some actions either not yet due to commence or requiring further management attention.

Projects requiring continued attention include the Edmond Street subdivision and housing development, the Calingiri Bypass Business Case, the Wheatbelt Secondary Freight Network, the Calingiri Truck Rest Stop, the Sports Pavilion Upgrade, water security initiatives, emergency services infrastructure planning and the Shire's renewable energy and community benefit work.

A number of these projects are dependent on matters outside the Shire's direct control, including statutory and heritage approvals, utility servicing, grant and government funding decisions, procurement processes, contractor availability and stakeholder alignment. These dependencies do not presently indicate that the overall Key Work Plan is undeliverable, but they require ongoing monitoring and active management.

Management has established monitoring and reporting arrangements for the actions identified in the Key Work Plan. At the date of reporting, no action is considered to require extraordinary Council intervention. Council will continue to be informed of any material change to project scope, cost, timing, risk or deliverability through subsequent Key Work Plan reports

Community

Ref	Action	Responsible	Timeframe	%	Status				Update	Risks / Issues	Next Steps
					S	D	M	J			
1.1	Disability Access Inclusion Plan	EHO / CDO	Aug 26 – Jun 27	0%	●				No change	Resourcing	Finish implementation of easy-read docs (70% completed)
1.1	Local Public Health Plan	EHO / CDO	Aug 26 – Jun 27	25%	●				Planning for Events	Timing	Seniors 12 Nov Inclusion AT Dec WA Volunteer week
1.2	Community Grant Scheme	CDO	Jul 25 – Apr 26	25%	●				Two acquittals outstanding. From 25/26 Council July	None	Projects underway
1.3	SRMP – Sports Pavilion Upgrade	DCEO	Jul 26 – Dec 26	0%	●				Nil	Timing	Firm up costs based on concept plans

1.3	SRMP - Trails Plan	CDO	Jan 27 – June 27	25%					Heritage Agreement Signed	Grant Funding Heritage Agreement	Nov – start preparation Gillingarra/Mogumber Trail
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PUBLIC OCM AGENDA

Economy

Ref	Action	Responsible	Timeframe	%	Status				Update	Risks / Issues	Next Steps
					S	D	M	J			
2.1	Development Edmond Street Subdivision (Includes Calingiri Caravan Park)	CEO / DCEO / MWS	Jul 26 – Jun 27	30%	●				Subdivision approval accepted by WAPC Minister to sign off on approval	Rezoning	Continue develop of blocks Western Power and Water Utility Connection
2.1	Construct Houses – Edmond Street	CEO	Jul 26 – Jun 27	25%	●				RHSF Application successful \$3.2M	Application rejected	Sign FAA RFQ to build houses
2.1	Plans and Applications to secure HAFF Funding	CEO	26 Jul – Jun 27	25%	●				New proposal drafted to advocate for Housing policy change in favour of Local Government	Ineffective Advocacy	Submission of advocacy document to HAFF, Treasurer, Minister
2.2	Wheatbelt Secondary	CEO / MWS	Jul 26 – Jun 27	50%	●				Minister Saffioti has	State Funding not successful	Approval of Business Plan

	Freight Network								received business case. Shire has continued advocacy. CEO met with WSFN		
2.2	Road Construction Plan	MWS	Jul 26 – Jun 27	33%	●				RRSP re Wongan Waddington West completed R2R Yerecoin SE Rd underway	RRSP Application Rejected Fuel Crisis	RRG Arrange Toodyay Bindi Bindi Rd
2.2	Calingiri Bypass Business Case	CEO	Jul 26 – Dec 26	50%	●				Business Case Commenced CEO met with DG Transport Zone 50 developing plans	Timing	Completed Business Case

2.2	Plant and Equipment Replacement Program	MWS	Jul 26 – Jun 27	85%	●				Budget Adopted Purchases Secured	Increased Costs	Close out program
2.3	Calingiri Truck Rest Stop	MWS	Jul 26 – Jun 27	25%	●				Construction Plan in place	Timing	Supply and install facility Utilities
2.3	Continue Roll Out of Tourism Plan	CDO	Nov 25 – Jun 26	25%	●				CEO completed Tourism Destination Training Northern Valleys pamphlet released	None	Review Tourism Action Plan
2.3	ESA New Norcia Visitor Precinct Stage 1 - \$350,000	CEO	Jul 25 – Mar 26	75%	●				50 mm Rain Event September caused damage to car park	Time	Complete Works

Environment

Ref	Action	Responsible	Timeframe	%	Status				Update	Risks / Issues	Next Steps
					S	D	M	J			
3.1	Community Waste Workshops	EHO / CDO	Jul 26 – Apr 27	25%	●				Grant submitted	Funding	Information Ongoing
3.1	Landfill Enhancement - Regional & Remote LGA Enhancements	MWS	Aug 26 – Jun 27	25%	●				Purchasing underway	Timing	Continue Rollout of Upgrades
3.1	Continue advocacy for regional landfill	CEO	Jul 26 – Jun 27	0%	●				Support documents to DWER on hold	DWER Priorities	Review Tamala Park dismantling
3.2	Reserve & Verge Management	BRMC	Aug 26 – Jun 27	25%	●				Activity Notices underway with Yued re Mogumber Reserve	None	
3.2	Upgrade Emergency	CESM / ESO	Aug 26 – Dec 26	25%	●				Discussions progressed	Nil	QS next Develop Concept Plan

	Services Building								with DFES = \$4M Project Plans received		
3.2	Corella Management	CEO/PEHO/CDO	Jul 26 – Jun 27	25%	●				Northam & Goomalling first site preference	State Approvals	Alphachloralos e Trial
3.2	Water Strategy	MWS / CDO	Jul 26 – Jun 27	0%	●				Seeking CWSP for Mogumber Bore	Funding	Submit Application
3.2	Water Strategy	MWS / CDO	Jul 26 – Dec 26	50%	●				Monitoring bores completed: Gillingarra Hall & Gillingarra Glentromie Rd	Delivery sequencing	Develop Stage 2 – Standpipe, tanks, pipeworks and fittings, MRWA & ARC approvals
3.3	Energy Transition – Community Benefit Fund Plans	CEO	Jul 26 – Apr 27	25%	●				Mogumber Information Session 31 July 2027 held Pres and CEO working with Consultants	Stakeholder alignment	

3.3	Renewables Development	CEO	Jul 26 – Jan 28	15%	●				CEO meetings recommenced with Greenwind	SWIS Upgrade	Greenwind to Update Council
3.4	Mining & Resource Exploration	CEO	Jul 25 – Jun 26	100%	●				Caravel Copper Mine - Development & Water Management CEO met with Chantal Deputy Pres and CEO attended Spring Seed Collection	Breakdown in relationship	Still waiting on ERD to be released for public comment Definitive Feasibility Study (DFS) to be issued by December 2026

Civic Leadership

Ref	Action	Responsible	Timeframe	%	Status				Update	Risks / Issues	Next Steps
					S	D	J	M			
4.1	Strategic Community Plan Review	CEO	Jul 26 – Sep 26	90%	●				Adopted September OCM	Scheduling	Issue for public comment
4.1	Regional Advocacy	CEO	Jul 26 – Jun 27	25%	●				Active participation has continued including WALGA Week, WHM Visas	Capacity	Continue regional participation and wider advocacy
4.3	Implement final Changes to the Review of the Local Government Act	CEO	Jul 26 – Jun 27	25%	●				Council Code of Conduct updated re Inspector Provisions Government put other changes on hold	Legislation timetable	Monitor for implementation: • CEO KPIs • Communication Plan • Council Plan

4.3	Record Keeping Plan Review	DCEO	Jul 26 – Mar 27	50%	●				New Plan being developed	SRO Rejecting Updated Plan	Record Keeping Policy to Council October OCM
4.3	Local Laws Review	CEO	Jul – Dec 25	75%	●				Final documents drafted re Extractive Licence and Property Local Law	Council adoption	Submit to October OCM
4.3	Rates and Revenue Policy	DCEO	Jul 25 – Sep 26	50%	●				DCEO resigned	Council adoption	Rates Officer to make final changes
4.3	Review of Long Term Financial Plan	DCEO	Nov 25 – Jun 26	75%	●				Draft Completed	Council adoption	Submit to October OCM
4.3	Review Workforce Plan	CEO	Jul 26 – Sep 26	100%	●				Adopted September OCM	Council Plan adoption	Implementation
4.3	AI Policy & Strategy	DCEO	Jul 26 – Dec 26	100%	●				Policy Adopted August OCM	Capability	Implementation

4.3	Admin Storage Facility Improvements	MWS	Jul 26 – Aug 26	100%					Completed August	Builder behind schedule	NFA
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PUBLIC OCM AGENDA

Summary of Capital Program

Ref	Action	Responsible	Timeframe	%	Status				Update	Risks / Issues	Next Steps
					S	D	M	J			
1P	Capital Works Program: - Roads - Buildings - Parks and Gardens	SMT	Jul 26 – Jun 27	25%	●				Subject to Budget Adoption	Sequencing	See
2P	Staff Housing Development	SMT	Jul 26 – Jun 27	30%	●				Carried Forward 25/26	Build schedule	See
3P	Calingiri Caravan Park	SMT	Jul 26 – Jun 27	30%	●				Carried Forward 25/26	Build schedule	See
4P	ESA Tourism Precinct – Stage 1	SMT	Jul 26 – Jun 27	75%	●				Carried Forward 25/26	Contractor timing	See

Notes on Supporting Plans

- The Aged Friendly Plan outcomes are captured in the new Council Plan
- Maintain and Extend the Footpath Program is part of the Capital Program
- The Asset Management Strategy has been updated to reflect asset improvements

Attachments – Key Costs as at 30 August 2026

Note 7

Capital Acquisitions

Program/Sub-program	Non-Infrastructure						Infrastructure				TOTAL	
	Land & Buildings		Plant & Equipment		Furniture & Equipment		Roads		Other		Actual	Budget
	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27		
Law, Order and Public Safety												
New Norcia Emergency Services Building	-	28,666									-	28,666
Emergency Fuel Tank			-	5,000						-	-	5,000
Community Amenities												
Landfill Transfer Stations x3									-	402,690	-	402,690
Housing												
Staff Housing Development - HSP2	276,083	4,102,862									276,083	4,102,862
Staff Housing Development - HSP1	6,261	27,000									6,261	27,000
Regional Housing (RHSP)	-	3,200,000									-	3,200,000
13 Lambert - Ensuite	-	25,000									-	25,000
12 Harrington St - Laundry	5,000	15,000									5,000	15,000
Recreation and Culture												
Calingiri Sportsclub	-	25,000									-	25,000
Transport												
Heavy Vehicle Rest Area - Calingiri	-	320,000									-	320,000
New Roller			-	180,000							-	180,000
New Truck			-	330,000							-	330,000
New Road Broom			-	15,000							-	15,000
New Depot Utility - Works			-	50,000							-	50,000
New Depot Utility - Parks & Garden			-	50,000							-	50,000
New Deputy Utility - Works			-	60,000							-	60,000
New Depot Utility - Admin			-	70,000							-	70,000
Forklift			-	45,000							-	45,000
8x5 ft Tandem Trailer			-	4,000							-	4,000
8x5 ft Tandem Trailer			-	4,000							-	4,000
Footpaths									-	20,000	-	20,000
Roadworks - Regional Road Safety Program												
Piawanning Waddington Road (RRSP)							9,899	3,478,283			9,899	3,478,283
Roadworks - Roads to Recovery Funded												
Yerecoin Sth East Rd							-	654,717			-	654,717
Roadworks - RRG Funded												
Toodyay - Bindi Bindi Rd Nth							-	450,045			-	450,045
Economic Development												
Gillingarra Emergency Water CWSP									89,085	88,418	89,085	88,418
Gillingarra Community Water CWSP									45,180	84,583	45,180	84,583
Gillingarra Truckfill CWSP									26,981	109,683	26,981	109,683
ESA Tourism Development									-	183,012	-	183,012
Mogumber Bore									-	65,000	-	65,000
Totals	287,344	7,743,528	-	813,000	-	-	9,899	4,583,045	161,846	953,386	459,090	14,092,959
	TOTAL NON-INFRASTRUCTURE				287,344	8,556,528	TOTAL INFRASTRUCTURE		171,745	5,536,431		

Completed
Closed

Note 5**Cash Reserves**

Reserve	Opening Balance 1/07/2026	Transfer From		Interest Received		Transfer To		Closing Balance	
		Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 31/08/2026	Budget 30/06/2027
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Employee Entitlements	5,001	-	-	-	165	-	20,000	5,001	25,166
Plant	28,567	-	-	-	942	-	93,588	28,567	123,097
Housing	149,093	-	-	-	4,917	-	-	149,093	154,010
Sewerage Scheme - Calingiri	55,247	-	(6,000)	-	1,822	-	-	55,247	51,069
Refuse Site	283,674	-	(134,230)	-	9,278	-	-	283,674	156,371
Building Maintenance	2,791	-	-	-	92	-	-	2,791	2,883
Infrastructure	102,549	-	-	-	3,382	-	-	102,549	105,931
Gymnasium	8,432	-	-	-	278	-	-	8,432	8,710
Sewerage Scheme Reserve- Yerecoin	23,868	-	-	-	865	-	-	23,868	27,084
Unallocated Monies	7,851	-	-	-	259	-	-	7,851	8,110
Town Planning Scheme	-	-	-	-	-	-	5,000	-	5,000
Bi-Centennial Celebrations	-	-	-	-	-	-	10,000	-	10,000
Total Cash Reserves	667,072	-	(140,230)	-	22,001	-	128,588	667,072	677,430

Note 8
Borrowings

No.	Loan Details	Amount Outstanding 1/07/2026	New Loans		Interest Repayments		Principal Repayments		Principal Outstanding 31/08/2026
			Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	Actual 2026/27	Budget 2026/27	
		\$			\$	\$	\$	\$	\$
	Self Supporting Loans								
83	Calingiri Football Club	78,532	-	-	-	(1,855)	-	(23,682)	78,532
	Other Loans								
84	Piawaning Water Supply	9,816	-	-	(122)	(122)	(9,816)	(9,816)	-
85	Grader and Roller	20,383	-	-	-	(86)	-	(20,383)	20,383
87	Plant Replacement	909,802	-	-	(18,988)	(35,771)	(105,675)	(213,556)	804,127
88	Plant Replacement - Graders	750,000	-	-	-	(38,441)	-	(91,128)	750,000
	Total Borrowings	1,768,533	-	-	(19,110)	(76,275)	(115,492)	(358,565)	1,653,041
	Current Loan Liability	358,565							243,074
	Accrued Interest EOY Adj								-
	Non-Current Loan Liability	1,409,967							1,409,967
	Total Loan Liability	1,768,532							1,653,041

Note 11**Restricted Funding**

Description	External Funding Allocation	Project Opening Balance Funding	Receipts	Costs	Balance	Cash Backed
		1/07/2026			31/08/2026	
	\$	\$	\$	\$	\$	\$
Housing Support Program Stage 1	-	-	-	-	-	-
Housing Support Program Stage 2	-	-	-	-	-	-
Housing Support Program SOVP	4,129,862	2,734,105	109,916	276,083	2,458,022	2,640,956
Regional Housing	3,200,000	-	-	-	-	-
RRSP	3,478,283	-	-	-	-	-
Gillingarra Emergency Water CWSP	60,244	47,505	47,505	47,505	-	-
Gillingarra Community Water CWSP	58,729	46,403	-	45,180	1,223	46,403
Gillingarra Truckfill CWSP	70,834	52,942	-	26,981	25,961	52,942
Mitigation Activity Fund (MAF)	-	43,160	-	-	43,160	43,160
ESA Tourism Development	183,012	133,012	-	-	133,012	133,012
Roads to Recovery	654,717	-	327,358	-	327,358	327,358
					-	-
Totals	11,835,681	3,057,127	484,780	395,749	2,988,736	3,243,831

Restricted Savings \$ 3,243,831

To be transferred to (from) Muni account \$ 255,095

9.5 Proposal to Remove the Dadour Poll Provisions

File Reference	To be allocated
Report Date	8 October 2026
Applicant/Proponent	Shire of Victoria Plains
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Council Briefing Session - 7 October 2026
Prepared by	Sean Fletcher, Chief Executive Officer
Senior Officer	Not applicable
Authorised by	Sean Fletcher, Chief Executive Officer
Attachments	1. Explanatory Memorandum Local Government Amendment and Repeal Bill 2026 - Page 70

PURPOSE

For Council to establish a simple advocacy position supporting retention of the Dadour poll provisions until a better statutory system is developed and implemented.

BACKGROUND

On 17 September 2026, the Minister for Local Government announced proposed reforms to the *Local Government Act 1995*, including removal of the Dadour poll provisions. The State Government has stated that the proposed change is intended to remove barriers to voluntary local government boundary changes and amalgamations.

The Dadour provisions are contained in Schedule 2.1, clauses 8 and 10 of the Local Government Act 1995. In summary, they allow electors of an affected district to require a poll on a recommended amalgamation where the prescribed request threshold is met. If at least 50 per cent of electors in one affected district vote and a majority of those voting oppose the recommendation, the Minister must reject it.

The Shire of Waroona considered the matter at its September 2026 Ordinary Council Meeting and resolved unanimously to oppose amendment, deletion or meaningful change to the intent of the Dadour provisions. Waroona also supported the matter becoming a WALGA advocacy position and requested its Peel Zone representatives to progress that position.

The Shire of Chittering has also prepared an agenda report proposing support for retention of the Dadour provisions and advocacy through the WALGA Avon-Midland Country Zone and other regional channels. This indicates that the matter is being actively considered by other local governments within and outside the region.

Council discussed the matter at its briefing session on 7 October 2026. The preferred approach was to adopt a straightforward position supporting retention of the existing provisions until a better system is in place, without entering into a broader debate about amalgamation at this time.

The Bill regarding further amendments and repeal provisions to the Local Government Act including the repeal of the Dadour provisions has now entered the parliament. The explanatory memorandum regarding the proposed changes is provided in Attachment 1. The information regarding the Dadour Provisions can be found in the sections: Enabling Local Solutions to Sustainability (p3) and Part 4 – Creating, Changing the Boundaries Of, And Abolishing Districts (p29).

Other changes include the introduction of four-yearly full Council elections (general elections), the repeal of the *Local Government (Miscellaneous Provisions) Act 1960* (to be replaced by other amendments to the Act and other laws, and regulations operating as uniform local laws). This is mainly to do with managing animals and the ranger function. There are further changes regarding the responsibilities of CEOs in terms of rate assessments and the raising and implementation of fees and charges.

COMMENT

The immediate question for Council is not whether any particular structural reform proposal should proceed. There is no current boundary or amalgamation proposal identified as affecting the Shire of Victoria Plains. The issue is whether the existing statutory safeguard should be removed before a satisfactory replacement has been developed.

The Dadour provisions provide affected electors with a defined process and, where the statutory thresholds are met, a binding outcome. If the provisions are removed without an alternative mechanism, that safeguard would no longer be available.

Council can therefore support retention of the current provisions while remaining open to a better system in the future. For this purpose, a better system would need to be set out in legislation, be transparent and accessible, and preserve a meaningful and determinative role for affected electors before a recommended amalgamation is implemented.

This position is deliberately measured. It does not oppose reform, express a view on any particular amalgamation proposal or seek to pre-empt the detail of future legislation. It simply provides that the existing safeguard should remain until an alternative system offering at least equivalent democratic protection is enacted and operational.

CONSULTATION

Shire President and Councillors, Council Briefing Session - 7 October 2026.

STATUTORY CONTEXT

Local Government Act 1995 - Schedule 2.1 (Provisions about creating, changing the boundaries of, and abolishing districts)

Clause 8 - Electors may demand poll on recommended amalgamation

Where the Local Government Advisory Board recommends that two or more districts be abolished and amalgamated into one or more districts, the Board must give notice of the recommendation to affected local governments and electors. The notice to affected electors must advise them of their right to request a poll. If, within one month after the notice is given, the Minister receives a request made in accordance with the regulations and signed by at least 250 electors, or at least 10 per cent of the electors, of one of the affected districts, the Minister must require the Board's recommendation to be put to a poll of electors of that district. Clause 8 does not limit the Minister's power under clause 7 to require a recommendation to be put to a poll in any case.

Clause 10 - Minister may accept or reject recommendation

Subject to clause 10(2), the Minister may accept or reject a recommendation of the Local Government Advisory Board made under clause 3 or clause 6.

Where a poll is held under clause 8, the Minister must reject the recommendation if:

- (a) at least 50 per cent of the electors of one of the affected districts vote; and
- (b) a majority of the electors of that district who vote oppose the recommendation.

Together, clauses 8 and 10 provide the existing statutory mechanism through which affected electors may require a poll and, where the participation and voting thresholds are met, obtain a binding outcome on a recommended amalgamation.

CORPORATE CONTEXT

Council Plan 2026-2036

COUNCIL PLAN OBJECTIVE	RELEVANT ACTION / ROLE
4. CIVIC LEADERSHIP	
4.1 Effective leadership and regional collaboration	Foster strong partnerships with State and Federal agencies to advocate for strategic priorities and funding opportunities. Advocate: We lead and represent the community on key issues.

The matter aligns with the Civic Leadership pillar of the Council Plan 2026-2036, particularly effective leadership and regional collaboration. The Shire's advocacy role is to lead and represent the community on key issues.

Delegation

Nil.

Policy Implications

Nil.

Other Corporate Document

Nil.

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Reputation Failure to adopt and communicate a clear position on retention of the Dadour poll provisions may reduce community confidence that the Shire is representing affected electors on a significant democratic safeguard.	Minor (2) Substantiated, low impact and low news profile	Likely (4) The event will probably occur in most circumstances. At least once per year.	Moderate (8)	Operational Manager Chief Executive Officer Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring.	Council adoption and communication of a clear advocacy position will demonstrate that the Shire has considered the proposed change and is representing the community. Monitoring legislative developments and reviewing Council's position when an alternative statutory system is proposed will reduce the residual risk.

FINANCIAL IMPLICATIONS

There are no known meaningful financial implications beyond officer time and minor administrative costs associated with communicating Council's position.

VOTING REQUIREMENTS

Absolute Majority required: No

OFFICER RECOMMENDATION

That Council **SUPPORTS** retention of the Dadour poll provisions in Schedule 2.1 of the *Local Government Act 1995* until an alternative statutory system is enacted and operational that provides affected electors with a transparent, meaningful and binding role in determining a recommended local government amalgamation.

PUBLIC OCM AGENDA



Department of **Local Government,**
Industry Regulation and Safety

EXPLANATORY MEMORANDUM

**Local Government Amendment and
Repeal Bill 2026**

Local Government Amendment and Repeal Bill 2026

OVERVIEW

The *Local Government Act 1995* (Act) provides the framework for local governments within Western Australia (WA). Local government is an integral tier of government and makes a significant contribution to the Western Australian way of life. Local government is a provider of government services and infrastructure and supports economic development, community vibrancy and inclusiveness.

A modern, efficient and effective system of local government is vital to ensure the effective delivery of community services and the WA Government's priorities including:

- making WA the best place in the world to get a quality job;
- remaining a global leader in the resources industry;
- diversifying our economy;
- becoming a renewable energy powerhouse;
- making more things here;
- ensuring every Western Australian has a home; and
- delivering quality infrastructure and services across our State.

The Local Government Amendment and Repeal Bill 2026 (Bill) amends the Act and repeals the *Local Government Act (Miscellaneous Provisions) Act 1960* (LGMP Act) to implement the third phase of local government reform to:

- reinvigorate local government elections;
- enable local solutions to sustainability; and
- modernise how local government is run.

Reinvigorating local government elections

Parts 2, 3 and 6 of the Bill contain the reforms proposed to reinvigorate local government elections.

WA local government elections are currently held every two years in October. Council members are elected for a four-year term, with approximately half of the council positions becoming vacant every two years to align with the election cycle. The current system results in significant costs to local government and disruption to day-to-day operations, as well as contributing to voter fatigue which consequently affects voter turnout. The system is out of step with all other Australian jurisdictions, where four-year local government election cycles have been in place for some time.

The Act and regulations made under the Act currently make only limited provision for the assistance of a person who cannot vote without assistance. As a result, Western Australians with a disability may not currently have an equal opportunity to exercise their democratic rights and participate in local government elections.

Low voter turnout in elections affects the legitimacy and standing of local governments which make decisions that affect their entire community, including those that choose not to vote. In order to revitalise local government elections this Bill proposes to introduce three core reforms which provide for:

1. a general election, for all elected positions of a local government, once every four years, on the third Saturday of October, commencing in 2031;
2. for the Western Australian Electoral Commission to run all local government elections, commencing in 2031; and
3. providing for technology assisted voting for voters, like is provided for state elections.

Associated electoral reforms are also included to improve the local government election process. Amendments are made to:

- reduce the need for extraordinary elections through revised backfilling provisions for casual vacancies;
- provide for Commissioners to be appointed until the next general election day, or if that day is within 12 months of the appointment, the subsequent general election day;
- provide that the electoral roll for a local government election must be prepared prior to the opening of nominations;
- clarify that a Returning Officer must reject the nomination of a person as a candidate for election if they are not qualified to be elected; and
- clarify the timing and standing required for a person to dispute the result of a local government election at the Court of Disputed Returns.

Enabling local solutions to sustainability

Part 4 of the Bill contains the reforms proposed to enable local solutions to sustainability. It does this by amending the provisions around changes to local government boundaries to remove the key barrier that is preventing the amalgamation of local governments, the 'Dadour' poll provision.

Additionally, Part 4 of the Bill amends the criteria on which a boundary change is to be assessed by the Local Government Advisory Board (LGAB) to make the paramount considerations of the LGAB:

- the long-term financial viability of local governments; and
- the effective delivery of local government services.

Other matters, such as communities of interest, demographics and history, will still be considered. However, the paramount considerations will be the long-term financial viability of local governments and the effective delivery of local government services.

Modernising how local government is run

Parts 5 and 6 of the Bill contain provisions to modernise how local government is run.

Part 5 of the Bill delivers an important step towards modernising local government, by repealing the LGMP Act. This Bill repeals this historic legislation and provides modern powers for local governments to deal with straying livestock, with regulation making powers to deal with any residual matters.

Part 6 of the Bill contains reforms to modernise how local government is run. These reforms include:

- protecting the privacy of electors, ratepayers, candidates, council members and employees by better regulating the public disclosure of home address information;
- modernising how fees and charges are set by allowing amendments to fees and charges through the year by delegation to the local government administration rather than requiring a council decision;
- smoothing the budget adoption process by allowing earlier advertising of proposed differential rates and where a mistake is made in rates adoption, to quash the rate and adopt a new one without going to the State Administrative Tribunal;
- removing the need to appoint a deputy member to the independent chair of an audit, risk and improvement committee.

Part 7 of the Bill provides for transitional provisions.

PROBIDEN OCMA GENINDA

CLAUSE NOTES

Part 1 - Preliminary

Clause 1 Short title

This clause cites the short title of the legislation, the *Local Government Amendment and Repeal Act 2026*.

Clause 2 Commencement

This clause deals with the commencement.

Subclause (1) provides that:

- Part 1 comes into operation on the day on which this Act receives Royal Assent.
- Part 2 comes into operation on 1 January 2031.
- Sections 157, 158 and 172 in Part 6 come into operation on the day after Royal Assent.
- Part 7 comes into operation on the day after assent day.
- The rest of the Act comes into operation on a day fixed by proclamation and different days may be fixed for different provisions.

Subclause (2) provides that subject to subsection (3), if Part 3, or any provision of Part 3 remains un-commenced before 1 January 2031, commencement occurs on 1 January 2031.

Subclause (3) provides that if a provision of Part 3 listed in subsection (4) does not come into operation on a day fixed by proclamation under subsection (1)(e) before 1 January 2031, it does not come into operation and is deleted on 1 January 2031 as these sections are superseded by provisions of Part 2.

Subclause (4) lists the sections to which subclause (3) relates, including sections 109, 112(3), 113(1), 115, 124(1), (2), (3) and (4) and 125.

Part 2 - General Elections

Division 1 – Local Government Act 1995 amended

Clause 3 Act amended

This clause provides that Part 2, Division 1 amends the *Local Government Act 1995*.

Clause 4 Section 1.4 amended

This clause amends section 1.4 of the Act to replace the current definitions of councillor, councillor mayor or president, elector mayor or president, extraordinary election and member.

The terms election year, inaugural election, ordinary election and ordinary elections day are also deleted as they are no longer required.

This clause also introduces the following new definitions:

- General election, to reflect the new section 4.2;
- General election day, to reflect the new system of general elections, with notes that reflect the operation of sections 4.3, 4.1B and 4.4;
- General election year to reflect the meaning given in section 4.2(3); and

- Pre-general election period to mean the one-year period prior to a general election.

Clause 5 Section 1.4A amended

This clause amends section 1.4A of the Act by replacing the definition of relevant election for the purposes of a caretaker period in subsection (2). The new definition includes:

- a general election;
- an election under section 4.15(4)(a), 4.16(4)(a), 4.17(4)(a) or 4.18(1)(b); and
- an election under section 4.18A(1) held after an election referred to in paragraph (a), (b) or (c) of the definition is declared invalid.

Clause 6 Section 2.1 amended

This clause amends section 2.1 to insert a note pointing to section 4.18 in respect of council vacancies created through boundary changes.

Clause 7 Section 2.2 amended

This clause amends section 2.2 to insert a note pointing to section 4.18 in respect of council vacancies created through ward creation and realignments.

Clause 8 Section 2.6 amended

This clause amends section 2.6 to insert a note pointing to section 4.14 in respect of the first general election for the council of a local government.

Clause 9 Section 2.12B amended

This clause amends section 2.12B to reflect the new system of general elections and special general elections.

Clause 10 Section 2.13 amended

This clause amends section 2.13 to reflect the new system of general elections and to provide for when changes to the method of election of the mayor or president take effect. It also provides that certain decisions or polls to change the method of election must occur before the 120-day period preceding the next general election day.

Clause 11 Section 2.14 amended

This clause amends section 2.14 to reflect the removal of the table in section 2.28.

Clause 12 Section 2.16A amended

This clause amends section 2.16A to delete the definitions of election, election day and ordinary election day consistent with the changes made to section 1.4 by Clause 4, and change the title of the heading accordingly.

Clause 13 Section 2.16B amended

This clause amends section 2.16B to reflect the new system of general elections and special general elections in the place of biennial ordinary elections. Any changes needing to be made to the number of council members because of a population change will be effective from the next general election.

Clause 14 Section 2.17 amended

This clause amends section 2.17 to reflect the application of the new section 4.5 inserted by clause 30.

Clause 15 Section 2.17A amended

This clause amends section 2.17A to delete subsection (6) which refers to section 2.18A(5) which is deleted by clause 17.

Clause 16 Section 2.18 amended

This clause amends section 2.18 to insert a note in respect of councillor and ward numbers upon a new local government being established by the Governor.

Clause 17 Section 2.18A amended

This clause replaces subsections (3) to (9) of section 2.18A to reflect the new system of general elections for all offices on a council.

The new subsections (3) and (4) provide for change orders arising from a population order to be effective from the next general election day or if appropriate, a day specified in, or determined in accordance with, the change order.

Subsection (5) is the same as the existing subsection (7) providing that a change order may abolish the wards of a district to achieve the required change in the number of council members.

Clause 18 Section 2.28 replaced

This clause replaces section 2.28 in respect of the terms of office of members of a council, to reflect that all members of a council now share the same expiry date for their term of office.

Subsection (1) provides that a publicly elected mayor or president or a councillor elected at a general election has their term begin on the day after the general election day and end on the next general election day.

Subsection (2) provides that a councillor who is elected under Schedule 4.1A as a result of backfilling a casual vacancy has their term begin on the day that they are elected, under the schedule and ending on the next general election day.

Subsection (3) provides that an elector mayor or president or a councillor elected at an extraordinary election, or at a special general election, has their term of office begin on either:

- the day after the poll is held; or
- if no poll was held due to them being elected unopposed, the day of the declaration of nominations;

And in both instances, the term ends on the next general election day.

Subsection (4) provides that where a mayor or president is elected by the council, their term begins the day they are elected and ends:

- if the next mayor or president is publicly elected, on the next general election day; and
- if the next mayor or president is elected by the council, at the start of the first meeting of the council after a general election.

Subsection (5) provides for the purposes of subsection (4)(b)(ii) that the mayor or president continues to hold office, even if they are not elected as a councillor at the next election, until the new mayor or president is elected.

Subsection (6) provides that for a deputy mayor or president, their term of office begins when they are elected and ends at the start of the first meeting of the council after a general election.

Subsection (7) provides, for the purposes of subsection (6)(b), that the deputy mayor or deputy president continues to hold office, even if they are not elected as a councillor at the next election, until the beginning of that first meeting.

A note at the end of this clause refers to section 2.14 which provides for the extension of a term of office for a mayor or president in certain cases.

Clause 19 Section 2.30 deleted

This clause deletes section 2.30 to reflect the amended section 2.28 which provides for the terms of office of council members to end on the next general election day, which includes any deferred or postponed general election day.

Clause 20 Section 2.32 amended

This clause amends section 2.32(1)(f) by deleting the words “on the council” and inserting the words “of the local government at an election other than a general election”.

Clause 21 Section 2.34 amended

This clause amends section 2.34(1)(d) to reflect the new section 4.5 and deletes subsection (2) to reflect the replacement section 2.28.

Clause 22 Section 2.35 deleted

This clause deletes section 2.35 as all offices on the council now face election at the same time, there is no longer a potential need to spill an entire council at an ordinary election because of a restructure of districts, wards or membership.

Clause 23 Section 2.36A amended

This clause amends section 2.36A to clarify that the power to declare all the offices on a council vacant may be exercised despite other provisions of the Act relating to vacancies in the offices of council.

Clause 24 Section 2.37 amended

This clause amends section 2.37 to deal with several issues:

Subclause (1) inserts a new subsection (1A) which provides that the Governor may declare all offices of members of a council vacant where the council is suspended, the suspension begins during or continues into a pre-general election period, and the Minister is satisfied that the suspension will end, or is likely to end, after that period.

Subclause (2) inserts a note to reflect the new section 4.15 which relates to filling the offices on a council after all of its seats are declared vacant.

Subclause (3) deletes subsections (5) to (8) which are now dealt with in section 4.15 and inserts a new subsection (5) to clarify that the power to declare all the offices on a council vacant may be exercised despite other provisions of the Act relating to vacancies in the offices of a council.

Clause 25 Section 2.37A amended

This clause amends section 2.37A to reflect new section 4.16 relating to filling the offices of a council after all of its seats are declared vacant and to insert a new subsection to clarify that the power to declare all the offices on a council vacant may be exercised despite other provisions of the Act relating to vacancies in the offices of a council.

Clause 26 Section 4.1 amended

This clause amends section 4.1 to delete the existing definitions of election, election day and electoral officer, and insert new and replacement definitions being:

- *election* referring to election of a publicly elected mayor or president or election of a councillor or councillors;
- *election day* referring to the day on which the poll for the election will be held; and
- *electoral officer* – meaning an electoral officer appointed by a returning officer under section 4.23(b) and includes a returning officer and a deputy returning officer, except in sections 4.23(b) and 4.27(1)(b).

Subclauses (3) and (4) update references from section 4.61 to 4.35A.

Clause 27 Section 4.1AA inserted

This clause inserts new section 4.1AA addressing local government applications to the Electoral Commissioner to hold an election to fill a vacancy or vacancies in certain circumstances.

Subsection (1) provides that section 4.1AA applies if a local government makes an application to the Electoral Commissioner to hold an election under sections 4.6(3)(a), 4.7(4)(a), 4.8(4)(a), 4.57(2)(a), 4.57A(6)(a) or 4.58(2)(a).

Subsection (2) provides the application must contain any information prescribed by regulations.

Subsection (3) provides that the Electoral Commissioner may consider any prescribed matter and any other relevant matter in deciding whether to give the local government approval to hold the election.

Subsection (4) provides that the Electoral Commissioner must refuse an application to hold the election if the application is made during an excluded period as defined in subsection (5), or if the Electoral Commissioner is of the view that it is not practicable for the election to be held before the excluded period begins.

Subsection (5) defines the excluded period as the period beginning 120 days before the next general election and ending on the next general election day after the application is made.

Subsection (6) provides that subsection (4) does not apply if the application is made under section 4.57A(6)(a) and the election at which not all offices were filled was a general election.

Clause 28 Section 4.1B replaced

This clause deletes existing section 4.1B and replaces it with a new provision which allows the Governor to postpone a local government election if it conflicts with a Commonwealth or State election or referendum.

Subclause (2) provides that where there is such a conflict, the Governor may make an order before the original date for the election to set a new polling day.

Subclause (3) provides that the new polling day set by the Governor must be no later than 14 days after the original date for the election.

Subsection (4) provides that this section applies despite any other provision of the Act relating to a day on which an election is to be held.

Clause 29 Sections 4.1C and 4.1D deleted

This clause deletes sections 4.1C and 4.1D which deal with orders which the Governor may make in relation to the method of conducting elections. These provisions are replaced by new sections 4.35B and 4.35C, which are inserted by clause 38.

Clause 30 Part 4 Divisions 2 to 6 replaced

This clause replaces Part 4 Divisions 2 to 6 to provide for general elections for every office of councillor, conducted once every four years.

Division 2 – General Elections

New section 4.2 (Local governments to hold general elections every 4 years)

The new section 4.2 provides for general elections for every publicly elected office on the council to be held once every four years starting in 2031 and every 4 years thereafter. It also contains a definition for a general election linked to this section.

New section 4.3 (Polling day for general elections)

The new section 4.3 provides for local government general elections to be held on the 3rd Saturday of October in a general election year.

New section 4.4 (Deferment of polling day for general elections)

The new section 4.4 provides powers for the Electoral Commissioner to defer polling day for general elections in all local governments, one or more local governments or one or more classes of local governments.

Subsection (1) provides for the Electoral Commissioner to, by notice published in the *Government Gazette*, fix either another later Saturday in October or one of the first three Saturdays in November as the day on which a general election is to be held instead of the third Saturday of October.

Subsection (2) provides that the Electoral Commissioner's power –

- can only be exercised if the Commissioner is satisfied it would not be in the public interest to hold polls on the third Saturday in October of that general election year; and
- may be exercised in respect of all local governments, one or more local governments, or one or more classes of local government.

Subsection (3) clarifies that the notice issued by the Commissioner may also adjust any other time period or date fixed under this Act to take into account the deferment under subsection (1).

Division 3 – Extraordinary vacancies and extraordinary elections

Subdivision 1 – Extraordinary vacancies

New section 4.5 (Elector mayor or president)

The new section 4.5 alters the way that an extraordinary vacancy in the office of a publicly elected mayor or president is to be filled by providing that the council is to elect one of its members to hold the office of mayor or president for the unfinished part of the mayor or president's term of office in conjunction with their office of councillor. This election process is to be held in accordance with Schedule 2.3, Division 1 of the Act.

New section 4.6 (Councillor: vacancy during pre-general election period)

The new section 4.6 deals with a vacancy in the office of councillor during the pre-general election period by providing the office is not to be filled unless the local government applies to the Electoral Commissioner and the Commissioner approves the holding of an election to fill the vacancy in that period.

Where a local government applies to the Electoral Commissioner, the Commissioner will need to consider any prescribed matter or any other matters the Commissioner considers relevant under new section 4.1AA.

New section 4.7 (Councillor: vacancy in district not divided into wards and s.4.6 does not apply)

The new section 4.7 deals with a vacancy in the office of councillor elected in a district without wards.

Subsection (1) provides that this section applies if a district is not divided into wards.

Subsection (2) provides that where an office of councillor falls vacant under section 2.32 and section 4.6 does not apply because the vacancy has not occurred during the pre-general election period, Schedule 4.1A is to be applied to backfill the vacancy.

Subsection (3) then provides that if the vacancy cannot be filled under Schedule 4.1A, it is to be left vacant until the next general election.

Subsection (4) provides that despite subsection (3) a local government can apply to the Electoral Commissioner for approval to hold an election to fill the vacancy.

Subsection (5) provides that if more than a quarter of the offices of councillor are vacant under subsection (3), then an election must be held to fill the vacancies. An example is subsequently provided at the end of this subsection of the application of this requirement. A note is included referencing section 4.57A(7), which outlines how this subsection operates where a local government district is not divided into wards.

Subsection (6) provides that if the local government is required to hold an election under subsection (5), the CEO must notify the Electoral Commissioner in writing of the requirement to hold an election.

New section 4.8 (Councillor: vacancy in district divided into wards and s.4.6 does not apply)

The new section 4.8 deals with a vacancy in the office of councillor in a district divided into wards.

Subsection (1) provides that this section applies if a district is divided into wards.

Subsection (2) provides that where an office of councillor falls vacant under section 2.32 and section 4.6 does not apply, Schedule 4.1A is to be applied to backfill the vacancy.

Subsection (3) then provides that if the vacancy cannot be filled under Schedule 4.1A, the local government must hold an election to fill the vacancy if the number of offices of councillor in the ward, including the vacant office, is 1, 2 or 3. Otherwise, the office is to remain vacant for the remainder of the councillor's term.

Subsection (4) provides that despite subsection (3)(b) a local government can apply to the Electoral Commissioner for approval to hold an election to fill the vacancy.

Subsection (5) provides that if more than a quarter of the offices of councillor in the ward are vacant under subsection (3)(b), then an election must be held to fill the vacancies. An example is subsequently provided at the end of this subsection of the application of this requirement. A note is included referencing section 4.57A(7), which outlines how this subsection operates where a local government district is divided into wards.

Subsection (6) provides that if the local government is required to hold an election under subsections (3)(a) or (5)(b), the CEO must notify the Electoral Commissioner in writing of the requirement to hold an election.

Subdivision 2 – Extraordinary elections

New section 4.9 (Term used: extraordinary election)

The new section 4.9 defines an extraordinary election as an election that a local government must hold under various sections of the Act to fill an extraordinary vacancy.

New section 4.10 (Polling day for extraordinary election)

The new section 4.10 provides that the Electoral Commissioner must fix the polling day for an extraordinary election after consulting the CEO of the local government and must notify the CEO of the day fixed.

New section 4.11 (Consolidation of extraordinary elections)

The new section 4.11 deals with the consolidation of extraordinary elections.

Subsection (1) applies where a district is not divided into wards and an election is being held to fill offices of councillor. It provides that if two or more extraordinary elections to fill offices of councillor in the district have the same election day, Division 9 is to apply as if those elections were a single election for all offices.

Subsection (2) applies where a local government is holding an election to fill two or more councillor offices within the same ward. It provides that if two or more extraordinary elections in that ward are scheduled for the same day, Division 9 is to apply as if those elections were a single election for all offices.

Subsection (3) clarifies that an election under section 4.18(1)(b) is an extraordinary election for the purposes of subsections (1) and (2).

Subdivision 3 – Cases in which Division does not apply**New section 4.12 (All offices of council vacant)**

The new section 4.12 deals with where all the offices on a council are vacant.

Subsection (1) provides that where a declaration is made under sections 2.36A or 2.37 declaring all the offices on the council vacant, any vacancy that already exists when the declaration is made cannot be filled, including under Schedule 4.1A. A note points to section 4.15 that deals with when the vacancies will be filled again.

Subsection (2) provides that where a declaration is made under section 2.37A, all the offices of the council which are vacant or going to be vacant cannot be filled, including under Schedule 4.1A. A note points to section 4.16 that deals with when the vacancies will be filled again.

Subsection (3) provides that where a council has been dismissed, all the offices of the council which are vacant or going to be vacant cannot be filled, including under Schedule 4.1A. A note points to section 4.17 that deals with when the vacancies will be filled again.

New section 4.13 (Council suspended)

The new section 4.13 deals with elections where a council is suspended.

Subsection (1) provides that while a council is suspended, vacancies in the council are not to be filled, including under Schedule 4.1A.

Subsection (2) provides that when the suspension ends, the provisions of Division 3 apply as though the vacancies arose on the day the suspension ended.

Subsection (3) provides that subsection (2) does not apply where the suspension ends due to dismissal of the council or under section 8.28(2A).

Division 4 – Other cases where vacancies are to be filled**New section 4.14 (Newly established local government)**

The new section 4.14 provides that the first general election for a newly established local government is to be held on the next general election day.

New section 4.15 (Offices declared vacant under s. 2.37)

The new section 4.15 deals with elections where a council has been declared vacant under section 2.37.

Subsection (1) provides that where all the remaining offices on a council have been declared vacant under section 2.37, all the offices on the council are to be filled again on the next general election day. An example is provided beneath the subsection.

Subsection (2) however provides that where the declaration takes effect during the pre-general election period, the Governor may, by order, cancel the general election or general elections which would be held under subsection (1), even if steps have already been taken under the electoral requirements in relation to them. An example is provided beneath the subsection.

Subsection (3) provides that if an order is made under subsection (2), the offices on the council are to be filled at the subsequent general election instead. An example is provided beneath the subsection.

Subsection (4) provides that despite subsection (3), an order under subsection (2) may provide for a special general election to be held earlier. An example is provided beneath the subsection.

Subsection (5) clarifies that an order under subsection (2) may be included in the declaration under section 2.37.

New section 4.16 (Commissioner appointed under s. 2.37A(1))

The new section 4.16 deals with elections where a commissioner has been appointed under section 2.37A(1) due to all the offices on the council being vacant.

Subsection (1) provides that where a commissioner has been appointed under section 2.37A(1), all the offices on the council are to be filled again on the next general election day. An example is provided beneath the subsection.

Subsection (2) however provides that where an appointment takes effect during the pre-general election period, the Governor may, by order, cancel the general election or general elections which would be held under subsection (1), even if steps have already been taken under the electoral requirements in relation to them. An example is provided beneath the subsection.

Subsection (3) provides that if an order is made under subsection (2), the offices on the council are to be filled at the subsequent general election instead. An example is provided beneath the subsection.

Subsection (4) provides that despite subsection (3), an order under subsection (2) may provide for a special general election to be held earlier. An example is provided beneath the subsection.

Subsection (5) clarifies that an order under subsection (2) may be included in the order that appoints the commissioner.

New section 4.17 (Dismissal of council)

The new section 4.17 deals with elections where a council has been dismissed.

Subsection (1) provides that where a council has been dismissed, all the offices on the council are to be filled again on the next general election day. An example is provided beneath the subsection.

Subsection (2) provides that where a dismissal occurs during the pre-general election period, the Governor may, by order, cancel the general election or general elections which would be held under subsection (1), even if steps have already been taken under the electoral requirements in relation to them. An example is provided beneath the subsection.

Subsection (3) provides that if an order is made under subsection (2), the offices on the council are to be filled at the subsequent general election instead. An example is provided beneath the subsection.

Subsection (4) provides that despite subsection (3), an order under subsection (2) may provide for a special general election to be held earlier. An example is provided beneath the subsection.

Subsection (5) clarifies that an order under subsection (2) may be included in the order that dismisses the council.

New section 4.18 (Vacancies and election on restructure of districts, ward or membership)

Section 4.18 provides that directions may be given under section 9.62 to give effect to orders that may direct which offices of council are to become vacant and when and require a local government to hold an election to fill one or more offices of the council and fix the polling day for the election.

The directions relate to orders under section 2.1, changing the boundaries of a district, section 2.2 and section 2.18.

New section 4.18A (Fresh election after election declared invalid)

The new section 4.18A deals with elections where the Court of Disputed Returns has ordered a fresh election. This section provides that where an election has been declared invalid by the Court under section 4.81(3), a fresh election must be held on the day fixed by the court.

A note provides that the description of Part 4 is updated to reflect the amendments made by this clause.

Clause 31 Sections 4.19 to 4.21 replaced

This clause replaces sections 4.19, 4.20 and 4.21 with a new section 4.19, which provides that the Electoral Commissioner is responsible for conducting all elections that a local government must hold and must appoint, for each election, a returning officer for the local government and one or more deputy returning officers.

Clause 32 Section 4.22 amended

This clause amends section 4.22 to reflect the amendments to section 4.20 and to reflect that a returning officer appointed by the Electoral Commission is appointed for that local government.

A new power is inserted to enable the Electoral Commissioner to perform the function of a returning officer in instances where the returning officer is absent or cannot perform the function or it is necessary or convenient for conducting the election.

Clause 33 Section 4.23 amended

This clause makes consequential amendments to section 4.23 arising from the replacement of sections 4.19 to 4.21.

Clause 34 Section 4.24 replaced

This clause replaces section 4.24 to reflect the Electoral Commissioner being responsible for the conduct of all local government elections.

Clause 35 Section 4.27 amended

This clause amends section 4.27 to reflect that all returning officers are appointed by the Electoral Commissioner.

Clause 36 Section 4.28 amended

This clause amends section 4.28(1)(c) to require a local government to meet the expenses of the Electoral Commissioner in connection with an election in accordance with regulations.

Clause 37 Section 4.33 amended

This clause amends section 4.33 to address changes to the electoral timeline.

Subclause (1) provides for the expiry of occupier enrolments 6 months after a general election day at which they could vote, maintaining the existing 4 years and 6 months maximum enrolment period.

Subclause (2) reflects the change to the enrolment period and updates references to ordinary elections to general elections.

Subclause (3) replaces subsection (2) to reflect that the expiry of enrolments still occurs if a general election has been cancelled in the district on the day that it was scheduled to occur, as is currently provided in relation to ordinary elections.

Clause 38 Part 4 Division 8A inserted

This clause inserts a new Part 4 Division 8A to deal with the method of conducting elections, replacing the existing sections 4.1C, 4.1D and 4.61.

New section 4.35A (Choices of methods of conducting election)

The new section 4.35A provides for the local government to decide its method of election.

Subsection (1) provides that local government elections can be conducted as a postal election or a voting in person election.

Subsection (2) provides the definitions of:

- a postal election, being an election at which votes are cast by posting or delivering them to an electoral officer on or before election day; and
- a voting in person election, being one in which the main method of voting is by voting in person on the election day, but votes can still be cast early or via post in accordance with regulations.

Subsection (3) provides that a local government council by absolute majority may decide that elections in the local government are to be postal elections.

Subsection (4) provides that a local government council by absolute majority may revoke that decision.

Subsection (5) clarifies that a decision to hold postal elections under subsection (3) applies to every election in the local government until the decision is revoked.

Subsection (6) provides that a decision to change the method of conducting an election does not apply to an election if the election day is on or before the 120th day after the decision is made.

Subsection (7) clarifies that the poll for an election is regarded as being held on the election day even if it is a postal election.

Subsection (8) provides that, if a decision to conduct postal elections is not in effect, the election must be conducted as a voting in person election.

Subsection (9) provides that where the local government makes a resolution under subsections (3) or (4), the local government must notify the Departmental CEO and Electoral Commissioner of this decision.

New section 4.35B (Orders mandating method of conducting elections: postal elections)

The new section 4.35B provides for the Governor to make orders mandating that postal elections must be held in a district. This substantially replicates current section 4.1C of the Act.

Subsection (1) provides that the Governor may, on the Minister's recommendation, make an order providing that until the order is revoked, each election for a specified local government is to be a postal election.

Subsection (2) clarifies specified in subsection (1) means specified in the order.

Subsection (3) provides that an order under this section applies despite section 4.35A, but does not require an election to be conducted as a postal election if the election day is on or before the 120th day after the order is published in the *Government Gazette*. The order may also include other exceptions to the requirement that each election be conducted as a postal election.

Subsection (4) provides that the Minister may only make the recommendation to the Governor in relation to a local government if the Minister is satisfied that:

- a postal election will be more suitable for promoting participation in elections for that local government; and
- because of the particular circumstances of that local government, it is appropriate to make postal election mandatory for that local government.

Subsection (5) clarifies that subsection (4) does not apply to a recommendation to revoke the order mandating a postal election.

Subsection (6) requires the Minister to consult with the Electoral Commissioner before making a recommendation to the Governor.

Subsection (7) provides that section 42 of the *Interpretation Act 1984* applies to these orders. This means that the orders must be laid before each House of Parliament and may be disallowed by Parliament.

New section 4.35C (Orders mandating method of conducting elections: voting in person elections)

The new section 4.35C provides for the Governor to make orders mandating that a voting in person election must be held in a district. This substantially replicates current section 4.1D of the Act.

Subsection (1) provides that the Governor may, on the Minister's recommendation, make an order providing that until the order is revoked, each election for a specified local government is to be a voting in person election.

Subsection (2) clarifies specified in subsection (1) means specified in the order.

Subsection (3) provides that an order under this section applies despite section 4.35A, but does not require an election to be conducted as a voting in person election if the election day is on or before the 120th day after the order is published in the *Government Gazette*. The order may also include other exceptions to the requirement that each election be conducted as a voting in person election.

Subsection (4) provides that the Minister may only make the recommendation to the Governor in relation to a local government if the Minister is satisfied that:

- a voting in person election will be more suitable for promoting participation in elections for that local government; and
- because of the particular circumstances of that local government, it is appropriate to make voting in person election mandatory for that local government.

Subsection (5) clarifies that subsection (4) does not apply to a recommendation to revoke the order mandating a voting in person election.

Subsection (6) requires the Minister to consult with the Electoral Commissioner before making a recommendation to the Governor.

Subsection (7) provides that section 42 of the *Interpretation Act 1984* applies to these orders. This means that the orders must be laid before each House of Parliament, and may be disallowed by Parliament.

A note at the end of this clause notes that the description of Part 4 will be updated to reflect the insertion of this new division.

Clause 39 Section 4.37 amended

This clause amends section 4.37 to reflect the Electoral Commissioner being responsible for all local government elections.

Clause 40 Section 4.39 amended

This clause amends section 4.39 to move the deadlines for roll preparation and the closure of enrolments back to facilitate preparation of the non-resident owners and occupiers roll prior to the opening of nominations.

Clause 41 Section 4.40 amended

This clause amends section 4.40 to:

- reflect that the Electoral Commissioner is responsible for all local government elections; and
- move the deadlines for roll preparation and closure back to facilitate preparation of the non-resident owners and occupiers roll prior to the opening of nominations.

Clause 42 Section 4.43 amended

This clause amends section 4.43 to reflect that the Electoral Commissioner is responsible for all local government elections.

Clause 43 Section 4.44A amended

This clause amends section 4.44A to reflect that the Electoral Commissioner is responsible for all local government elections.

Clause 44 Section 4.46A amended

This clause deletes subsection (9) to reflect amendments to section 4.97.

Clause 45 Section 4.47 amended

This clause amends section 4.47 to reflect that the Electoral Commissioner is responsible for all local government elections and amendments to the enrolment period so that the preparation of the non-resident owners and occupiers roll is completed prior to the opening of nominations.

Clause 46 Section 4.52 amended

This amendment updates references to section 4.57 with a reference to section 4.57A.

Clause 47 Sections 4.57 and 4.58 replaced

This clause replaces sections 4.57 and 4.58 to reflect the amendments made by this Bill.

New section 4.57 (No candidates)

This section applies where there are no candidates for a vacancy.

Subsection (1) provides that, generally, where this occurs a further extraordinary election must be held.

Subsection (2) provides that if the election is not a general election and the close of nominations fell during the pre-general election period, another election is not to proceed unless the local government applies to the Electoral Commissioner to hold an extraordinary election and approval to hold that election is granted.

Subsection (3) provides that if another election is not to be held because of subsection (2), the position is to remain vacant until the term of the vacant office would have ended.

New section 4.57A (Less candidates than vacancies)

The new section 4.57A deals with where the number of nominations received is less than the number of vacancies to be filled.

Subsection (1) provides that this section applies to elections for two or more councillors and the number of declared nominations is less than the number of vacancies.

Subsection (2) provides that the candidate(s) who have nominated are elected.

Subsection (3) provides that where more than 25% of the offices remain vacant, an extraordinary election must be held.

Subsection (4) then provides that subsection (3) does not apply if the election is not a general election and the declaration of nominations occurs during a pre-general election period.

Subsection (5) provides that if the threshold in subsection (3)(a) or (b) is not met, or subsection (3) does not apply because of subsection (4), each remaining office is to remain vacant until the time when the term of a person elected to fill the office would have ended.

Subsection (6) provides that a local government may apply to the Electoral Commissioner to hold an extraordinary election for a vacancy or vacancies and if the Electoral Commissioner approves, the local government must hold another election to fill the vacancy or vacancies.

Subsection (7) then links the vacancies to sections 4.7 and 4.8 to ensure that if additional vacancies subsequently arise, an extraordinary election must be held.

New section 4.58 (Death of a candidate after the declaration of nominations begins)

The new section 4.58 deals with the death of a candidate once nominations have been declared.

Subsection (1) provides that where a candidate dies between the declaration of nominations and filling of the offices at the election, the election is void and another election, an extraordinary election, must be held.

Subsection (2) provides that despite subsection (1), if the election is not a general election, and the candidate dies during the pre-general election period, another election is not to be held unless the local government applies to the Electoral Commissioner and the Commissioner approves the holding of an election.

Subsection (3) provides that if another election is not to be held under subsection (1) because of subsection (2), each office is to remain vacant until the expiry of the term of office had a person been elected to fill the vacancy.

Subsection (4) provides that where a candidate who has been elected as the publicly elected mayor or president dies before their term of office begins, an extraordinary election must be held to fill the office.

Subsection (5) provides that where a candidate who has been elected as a councillor dies before their term of office begins, Division 3, including Schedule 4.1A, applies to fill the vacancy.

Clause 48 Section 4.61 deleted

This clause deletes section 4.61 which has been replaced by section 4.35A.

Clause 49 Section 4.63 amended

This clause amends section 4.63(2) to clarify that a returning officer can appoint themselves or a deputy returning officer as the presiding officer of a polling place.

Clause 50 Section 4.64 amended

This clause amends section 4.64 to reflect that the Electoral Commissioner is to be responsible for the conduct of all local government elections.

Clause 51 Section 4.73 amended

This clause amends section 4.73 to reflect the deletion of Schedule 4.2 as a result of all council members having the same term of office.

Clause 52 Section 4.73A deleted

This clause deletes section 4.73A to reflect the deletion of Schedule 4.1B as a result of all council members having the same term of office.

Clause 53 Section 4.75 amended

This clause amends section 4.75(2) by deleting the reference to a returning officer appointed under section 4.20(4), since section 4.20 was deleted by clause 31.

Clause 54 Section 4.77 amended

This clause amends section 4.77 to reflect the new section 4.57A and the deletion of Schedule 4.1B as a result of all council members having the same term of office.

Clause 55 Section 4.78 deleted

This clause deletes section 4.78 to reflect the deletion of Schedule 4.2 as a result of all council members having the same term of office.

Clause 56 Section 4.79 amended

This clause amends section 4.79 to reflect that the Electoral Commissioner is responsible for all local government elections, including reporting on those elections to the Minister.

Clause 57 Section 4.80 amended

This clause amends section 4.80 to amend the definition of an invalidity complaint to reflect the deletion of Schedule 4.1B.

Clause 58 Section 4.81 amended

This clause amends section 4.81 to reflect the deletion of Schedule 4.1B.

Clause 59 Section 4.96 amended

This clause amends section 4.96 regarding the investigation of electoral misconduct to reflect that all elections are conducted by the Electoral Commission.

Clause 60 Section 4.97 replaced

This clause replaces section 4.97 regarding the prosecution of electoral offences.

Subsection (1) provides that offences against this part of the Act may be commenced only by:

- the Electoral Commissioner or a person authorised by the Electoral Commissioner; or
- the Local Government Inspector or a person authorised by the Local Government Inspector.

Subsection (2) clarifies that subsection (1) does not affect the ability of an authorised officer, as defined in section 80(1) of the *Criminal Procedure Act 2004*, to commence a prosecution of an offence under this Part of the Act, or the functions of the Director of Public Prosecutions under the *Director of Public Prosecutions Act 1991*.

Subsection (3) applies where the Electoral Commissioner, or a person authorised by the Electoral Commissioner, commences a prosecution for an offence against Part 4 that is connected with an election of a local government. It provides that:

- expenses incurred and costs awarded against the Electoral Commissioner or authorised person in connection with the proceedings are expenses of the Electoral Commissioner in connection with the election for the purposes of section 4.28(1)(c); and
- any fees or costs paid to the Electoral Commissioner or authorised person in respect of the proceedings must be paid to the local government.

Subsection (4) clarifies that subsection (3)(a) does not limit section 4.28(1)(c).

Clause 61 Section 5.11 amended

This clause amends section 5.11 to replace references to ordinary elections with references to a general election.

Clause 62 Section 5.128 amended

This clause amends section 5.128 to replace references to ordinary elections with references to a general election.

Clause 63 Section 8.15C amended

This clause amends section 8.15C to insert a note pointing to section 8.28(2A).

Clause 64 Section 8.28 amended

This clause amends section 8.28 to insert a new subsection (2A) to clarify that a suspension order ends where a declaration made under sections 2.36A or 2.37 in relation to the local government takes effect or a commissioner is appointed under section 2.37A, as there is no council to suspend.

Clause 65 Section 8.29 amended

This clause amends section 8.29 to delete subsections (3) and (4) and insert a new subsection (3) which clarifies that the suspension of a council does not prevent the making of a declaration under sections 2.36A or 2.37 or a commissioner being appointed under section 2.37A.

Clause 66 Section 8.30B amended

This clause makes a minor consequential amendment to section 8.30B(3).

Clause 67 Section 8.30C amended

This clause amends section 8.30C to reflect amendments to sections 2.28 and 2.37.

Clause 68 Section 8.33 amended

This clause amends section 8.33 to insert a note pointing to the new section 4.17 regarding filling the offices on a council following dismissal.

Clause 69 Section 8.34 deleted

This clause deletes section 8.34 as this section is replaced by the new section 4.17.

Clause 70 Section 8A.25 amended

This clause provides a consequential amendment to section 8A.25 as it relates to changes to section references to general elections under Part 2 of this Bill.

Clause 71 Section 9.24 amended

This clause amends section 9.24 to insert a new subsection (1A) to clarify that subsection (1) does not apply to an offence to which section 4.97(1) applies.

Clause 72 Section 9.63A amended

This clause amends section 9.63A to delete references to Schedules 4.1B and 4.2, which are deleted by clauses 102 and 103 respectively.

Clause 73 Schedule 2.3 amended

This clause amends Schedule 2.3 to add a reference to the new section 4.5.

Clause 74 Schedule 2.3 clause 1 amended

This clause amends the definition of extraordinary vacancy in Schedule 2.3 clause 1 to reflect the new section 4.5.

Clause 75 Schedule 2.3 clause 2 amended

This clause amends Schedule 2.3 clause 2(1)(a) to reflect the system of general elections and special general elections and section 4.5.

Clause 76 Schedule 2.3 clause 7 amended

This clause amends Schedule 2.3 clause 7 to reflect the system of general elections and special general elections.

Clause 77 Schedule 4.1A amended

This clause amends the reference following the heading to Schedule 4.1A to refer to sections 4.7 and 4.8.

Clause 78 Schedule 4.1A clause 1 amended

This clause amends Schedule 4.1A to replace the definition of former member with former councillor to reflect that this schedule only applies to fill a vacancy in the office of councillor.

Clause 79 Schedule 4.1A clause 1A inserted

This clause inserts a new clause 1A into Schedule 4.1A to provide that, where more than half of the offices of members of a council are vacant, none of those vacancies can be filled under Schedule 4.1A.

Clause 80 Schedule 4.1A clause 2 amended

This clause amends Schedule 4.1A clause 2 to reflect that this schedule now only applies to fill a vacancy in the office of councillor and that all council members share the same term of office.

Clause 81 Schedule 4.1A clause 3 amended

This clause amends Schedule 4.1A clause 3 to reflect that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 82 Schedule 4.1A clause 4 amended

This clause amends Schedule 4.1A clause 4 to reflect that vacancies are now to be filled once the position is vacant and to reflect that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 83 Schedule 4.1A Division 3 Subdivision 2 heading amended

This clause amends the heading to Schedule 4.1A Division 3, Subdivision 2 to reflect that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 84 Schedule 4.1A clause 5 amended

This clause amends Schedule 4.1A clause 5 to:

- reflect that this schedule now only applies to fill a vacancy in the office of councillor;
- reflect the deletion of Schedule 4.1B; and
- simplify the definition of second placed candidate.

Clause 85 Schedule 4.1A clause 6 amended

This clause amends Schedule 4.1A clause 6 to reflect that vacancies are now to be filled once the position is vacant and to reflect that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 86 Schedule 4.1A clause 7 amended

This clause amends Schedule 4.1A clause 7 to reflect that vacancies are now to be filled once the position is vacant and to reflect that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 87 Schedule 4.1A Division 3 Subdivision 3 heading amended

This clause amends the heading to Schedule 4.1A Division 3, Subdivision 3 to reflect that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 88 Schedule 4.1A clause 8 amended

This clause amends Schedule 4.1A clause 8 to:

- reflect that vacancies are now to be filled once the position is vacant;
- reflect the deletion of Schedule 4.1B; and
- reflect that this schedule now only applies to fill a vacancy in the office of councillor; and
- delete subsection (4) as it is not required.

Clause 89 Schedule 4.1A clause 9 amended

This clause amends Schedule 4.1A clause 9 to reflect that vacancies are now to be filled once the position is vacant and to reflect that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 90 Schedule 4.1A clause 10 amended

This clause amends Schedule 4.1A clause 10 to reflect that vacancies are now to be filled once the position is vacant and to reflect that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 91 Schedule 4.1A clause 11 amended

This clause amends Schedule 4.1A clause 11 to:

- reflect that this schedule now only applies to fill a vacancy in the office of councillor; and
- provide for a third person who can backfill a vacancy as the third unelected candidate as the person who was the third closest to election at the point at which the count was completed.

Clause 92 Schedule 4.1A clause 12 amended

This clause amends Schedule 4.1A clause 12 to reflect that vacancies are now to be filled once the position is vacant and delete subsection (4)(a)(i) which is not required.

Clause 93 Schedule 4.1A clause 13 amended

This clause amends Schedule 4.1A clause 13 to reflect that vacancies are now to be filled once the position is vacant.

Clause 94 Schedule 4.1A clause 13A inserted

This clause inserts the new clause 13A into Schedule 4.1A to provide for a third person who can backfill a vacancy as the third unelected candidate.

Subclause (1) provides that this clause only applies where clauses 12 and 13 (which provide for the first unelected candidate or second unelected candidate to fill the vacancy) cannot be applied to fill the vacancy.

Subclause (2) provides that within 25 working days after the position became vacant, the CEO must notify the third unelected candidate that the office has become vacant and that they may fill the vacancy.

Subclause (3) provides that if the third unelected candidate is notified, they have five working days to notify the CEO that they wish to fill the vacancy and consider that they are qualified to be elected to the council under section 2.19.

Subclause (4) provides that if the third unelected candidate notifies the CEO under subclause (3), they are taken to have been elected to the vacant office of councillor on the day after the day that they notified the CEO.

Subclause (5) provides that despite subclauses (2) to (4) this clause cannot be used to fill a vacancy where:

- there is no third unelected candidate;
- on the vacancy day, the third unelected candidate is already a council member;
- the third unelected candidate has died;
- the third unelected candidate does not, or cannot because of subclause (6), notify the CEO that they wish to fill the vacancy;
- the third unelected candidate dies before they can fill the vacancy under subclause (4); or
- circumstances prescribed in regulations occur.

Subclause (6) provides that the third unelected candidate cannot notify the CEO under subclause (3) if the candidate notifies, or has previously notified, the CEO under that subclause in relation to another vacancy.

Clause 95 Schedule 4.1A Division 5 heading replaced

This clause replaces the heading to Schedule 4.1A Division 5 to reflect the clauses under which a former councillor may have been elected.

Clause 96 Schedule 4.1A clause 14 replaced

This clause replaces clause 14 of Schedule 4.1A to update the definitions of original former councillor and original vacancy to reflect the amendments to Schedule 4.1A, including the circumstances in which a former councillor was elected under clause 6, 9, 12 or 13.

Clause 97 Schedule 4.1A clause 15 amended

This clause amends Schedule 4.1A clause 15 to reflect that vacancies are now to be filled once the position is vacant and that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 98 Schedule 4.1A clause 16 amended

This clause amends Schedule 4.1A clause 16 to reflect that vacancies are now to be filled once the position is vacant and that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 99 Schedule 4.1A clause 17 amended

This clause amends Schedule 4.1A clause 17 to reflect that vacancies are now to be filled once the position is vacant and that this schedule now only applies to fill a vacancy in the office of councillor.

Clause 100 Schedule 4.1A clauses 17A and 17B inserted

This clause inserts new clauses 17A and 17B into Schedule 4.1A.

New clause 17A Former councillor elected under cl. 12: filling vacancy by third placed candidate

The new clause 17A provides for the filling of a vacancy by the third unelected candidate, where the first unelected candidate previously had filled the vacancy.

Subclause (1) provides that this clause applies where the former councillor was the first unelected candidate who filled the vacancy under clause 12, this position has now fallen vacant and the second unelected candidate cannot fill the vacancy under clause 13.

Subclause (2) provides that clause 13A applies to the filling of the vacancy as if:

- The vacancy could not be filled by the first and second unelected candidates under clauses 12 and 13.
- The vacancy day is considered to be the day the first unelected candidate who had become a councillor had vacated their office.
- The number of working days in subclause (2) of clause 13A is 15.

New clause 17B Former councillor elected under cl. 13

The new clause 17B provides for the filling of a vacancy by the third unelected candidate, where the second unelected candidate previously had filled the vacancy.

Subclause (1) provides that this clause applies where the former councillor was the second unelected candidate who filled the vacancy under clause 13, this position has now fallen vacant.

Subclause (2) provides that clause 13A applies to the filling of the vacancy as if:

- The vacancy could not be filled by the first and second unelected candidates under clauses 12 and 13.
- The vacancy day is considered to be the day the second unelected candidate who had become a councillor had vacated their office.
- The number of working days in subclause (2) of clause 13A is 5.

Clause 101 Schedule 4.1A clause 19 amended

This clause makes consequential amendments to Schedule 4.1A clause 19 to reflect the new provisions for a third unelected candidate to backfill a vacancy.

Clause 102 Schedule 4.1B deleted

This clause deletes Schedule 4.1B as it is no longer required since the office of publicly elected mayor will be elected at the same time as the election of all councillors at a general election.

Clause 103 Schedule 4.2 deleted

This clause deletes Schedule 4.2 as it is no longer required to elect half of the councillors each election as all councillors will face election at the same time.

Division 2 – *City of Perth Act 2016* amended**Clause 104 Act amended**

This clause provides that this Division amends the *City of Perth Act 2016*.

Clause 105 Section 20 amended

This clause amends section 20(3) of the *City of Perth Act 2016* to align with amendments to section 4.5.

Part 3 – Election timetable, nominations and invalidity complaints**Clause 106 Act amended**

This clause provides that this Part amends the *Local Government Act 1995*.

Clause 107 Section 1.4 amended

This clause inserts the definition of the declaration of nominations under section 1.4.

Clause 108 Section 1.4A amended

This clause amends the definition of caretaker period under section 1.4A to provide that the caretaker period for a relevant election starts when the declaration of nominations for a relevant election begins.

Clause 109 Section 2.28 amended

This clause makes amendments to the election timetable under section 2.28 as they relate to the declaration of nominations for elections.

Clause 110 Section 4.32 amended

This clause amends section 4.32 to alter the deadline for deciding on enrolment eligibility claims for the owners and occupiers roll, with this deadline now being the 57th day before the election day. These changes ensure the owners and occupiers roll is prepared prior to the opening of nominations.

Clause 111 Section 4.33 amended

This clause reflects the change to the close of enrolments from 57 to 66 days before an election.

Clause 112 Section 4.39 amended

This clause amends section 4.39 to move the deadlines for the notice of close of enrolments.

Clause 113 Section 4.40 amended

This clause amends section 4.40 to move the deadlines for preparation of the residents roll prior to the opening of nominations.

Clause 114 Section 4.41 amended

This clause amends section 4.41 to move the deadlines for roll preparation and closure back to facilitate preparation of the non-resident owners and occupiers roll prior to the opening of nominations.

Clause 115 Section 4.47 amended

This clause amends section 4.47 to revise the period for giving public notice calling for nominations, with notice to be given between the 64th and 53rd days before election day.

Clause 116 Section 4.49 amended

This clause amends section 4.49 to alter the day and time for the close of nominations, providing for nominations to open a day earlier and close at 12 noon, rather than 4pm, on the 45th day before election day.

Clause 117 Section 4.51 amended

This clause amends section 4.51 to provide that the returning officer must reject a nomination if satisfied that the candidate is not eligible under section 4.48(1) or (2), as the case requires, or that the nomination is not effective under section 4.49. Otherwise, the returning officer must accept the nomination.

Clause 118 Section 4.52 amended

This clause amends section 4.52 and the definition of relevant information by reference to section 4.53A which provides for the cancellation of nominations.

Clause 119 Section 4.53 amended

This clause amends section 4.53 to replace references to the 'close of nominations' with the 'declaration of nominations'.

Clause 120 Section 4.53A inserted

This clause inserts a new section 4.53A to provide powers for the returning officer to cancel a nomination.

Subsection (1) provides that the returning officer must cancel the nomination of a candidate if, after accepting a nomination, but before the declaration of nominations begins, the returning officer is satisfied that the candidate is not eligible for election or the nomination is ineffective.

Subsection (2) clarifies that a nomination cannot be cancelled once the nominations have been declared.

Subsection (3) provides that where the defect in the nomination relates to the candidate profile, the returning officer may amend the profile to meet the requirements of the regulations rather than cancelling the nomination.

Subsection (4) provides that where the returning officer cancels a nomination or amends a profile, they must give written notice of that decision and their reasons to the candidate as soon as possible.

Subsection (5) provides that if the returning officer cancels a nomination, the returning officer must ensure that the candidate's information is removed from the local government's website and notice of the cancellation is published instead and remains on that website until the declaration of nominations.

Clause 121 Section 4.54 amended

This clause amends section 4.54 to provide for the declaration of nominations and subsequent ballot draw to happen 44 days before election day.

Clause 122 Section 4.55 amended

This clause amends section 4.55 to replace references to the 'close of nominations' with the 'declaration of nominations'.

Clause 123 Section 4.56 amended

This clause amends section 4.56 to reflect the amendments to provide for the declaration of nominations to occur the day after the close of nominations.

Clause 124 Section 4.57 amended

This clause amends section 4.57 to replace references to the 'close of nominations' with the 'declaration of nominations'.

Clause 125 Section 4.58 amended

This clause amends section 4.58 to replace references to the 'close of nominations' with the 'declaration of nominations'.

Clause 126 Section 4.80 amended

This clause amends section 4.80 to clarify who has standing to dispute the result of the election. A candidate, a person whose nomination was rejected or cancelled, two electors acting jointly, the CEO of the local government, the Electoral Commissioner and the Inspector have standing to make an invalidity complaint.

Clause 127 Section 4.81 amended

Subsection (1) amends section 4.81 to:

- clarify that an invalidity complaint to the court of disputed returns must describe the complaint and the basis for it, including the facts relied upon;
- clarify that a complaint must be lodged within 28 days of the declaration of the result of the election; and
- clarify that in the case of an election where no nominations were declared under section 4.54, within 28 days of the day on which the close of nominations fell.

Subsection (2) replaces the existing subsection (4) with new subsections (4) and (4A).

The replacement subsection (4) addresses where the court declares an unsuccessful candidate ought to have been elected, that they are regarded as elected and notice is to be published in accordance with regulations.

New subsection (4A) is inserted to include a new definition of an unsuccessful candidate to include:

- a candidate who was not elected; or
- a person whose nomination for candidate in the election was rejected or cancelled under section 4.51 or 4.53A.

Part 4 – Creating, changing the boundaries of, and abolishing districts**Clause 128 Act amended**

This clause provides that Part 4 amends the *Local Government Act 1995*.

Clause 129 Schedule 2.1 clause 5 amended

This clause amends clause 5 of Schedule 2.1 to change the priority of the matters considered by the Advisory Board when conducting a formal inquiry into a major boundary change.

The new subclause (2) makes the paramount considerations of the Advisory Board in its inquiry:

- the long-term financial viability of local governments; and
- the effective delivery of local government services.

The new subclause (3) then provides as other considerations to the extent relevant:

- community of interest;
- physical and topographic features;
- demographic trends;
- economic factors;
- planning and development;
- the history of the area;
- transport and communication; and
- any other matters the Advisory Board considers relevant in its inquiry.

Clause 130 Schedule 2.1 clauses 7 to 9 deleted

This clause amends Schedule 2.1 to delete the provisions relating to polls on proposed boundary changes or amalgamations.

Clause 131 Schedule 2.1 clause 10 amended

This clause amends clause 10 of Schedule 2.1 to delete the provisions relating to polls on proposed boundary changes or amalgamations.

Part 5 – Impounding goods and related matters**Division 1 – *Local Government Act 1995* amended****Clause 132 Act amended**

This clause provides that this Division amends the *Local Government Act 1995*.

Clause 133 Part 3 Division 3 Subdivision 4 heading replaced

This clause replaces the heading of Part 3 Division 3 Subdivision 4 to reflect the wider functions now contained in this subdivision.

Clause 134 Section 3.38 amended

This clause inserts definitions of authorised person for this subdivision which links to the authorisation of persons under section 9.10, and the new term stock which links to regulations made under the *Biosecurity and Agriculture Management Act 2007* but does not include a dog or cat.

Clause 135 Section 3.39 amended

This clause amends section 3.39 to replace references to employees authorised by the local government with authorised person.

Clause 136 Section 3.40 amended

This clause amends section 3.40 to replace references to employees authorised by the local government with authorised person in subsection (1) and replace references in subsections (2) and (3) to the local government with authorised person.

Clause 137 Section 3.40A amended

This clause amends section 3.40A to replace references to employees authorised by the local government with authorised person.

Clause 138 Section 3.40B inserted

This clause inserts a new section 3.40B to deal with the impounding of straying livestock (stock).

Subsection (1) allows an authorised person to remove and impound stock if the stock is in a public thoroughfare or public place and the authorised person is of the opinion that the stock is stray, at large, tethered or grazing.

Subsection (2) provides that an authorised person may remove and impound any trespassing stock at the request of the owner or occupier of the land.

Subsection (3) provides the local government must take reasonable steps to identify the owner of the removed stock within seven days.

Subsection (4) provides that, if the owner is identified within seven days, an authorised person must notify the owner that the stock may be collected from the place and during the hours specified in the notice.

Subsection (5) provides that the notice under subsection (4) must include a short statement of the effect of subsection (6)(b) and the relevant provisions of sections 3.46 and 3.47.

Subsection (6) enables an authorised person to declare stock abandoned where the owner cannot be identified within seven days after removal, or where the owner does not collect the stock within seven days after receiving notice.

Clause 139 Section 3.41 amended

This clause amends section 3.41 to replace references to employees authorised by the local government with authorised person.

Clause 140 Section 3.46 amended

This clause amends section 3.46 to include reference to the new section 3.40B to provide that the release of impounded things may be refused until the costs of removing, impounding and keeping the impounded things have been repaid.

Clause 141 Section 3.47 amended

This clause amends section 3.47 to deal with the disposal of abandoned livestock.

Subclause (1) inserts a new subsection (2AA), which provides that a local government may sell or otherwise dispose of livestock that has not been collected within seven days after the livestock is declared to be abandoned stock under section 3.40B(6).

Subclause (2) amends section 3.47(3) to capture anything under section 3.47.

Subclause (3) inserts a new subsection (5A) that provides that any money received from the sale of livestock under the new subsection (2AA) must be credited to the trust fund of the local government except to the extent required to meet the costs of the local government under section 3.46 of removing, impounding and keeping the livestock and the costs of the sale of the livestock.

Subclause (4) amends section 3.47(6) to apply to anything under section 3.47.

The heading to the section is updated.

Clause 142 Section 3.47A amended

This clause amends section 3.47A to replace references to a local government with references to an authorised person.

Clause 143 Section 3.47B inserted

This clause inserts a new section 3.47B that addresses the destruction of livestock providing that an authorised person may humanely destroy any livestock and dispose of its carcass if the local government is authorised to sell or dispose of the livestock and has not been able to do so.

Clause 144 Section 9.11 amended

This clause inserts a definition of authorised person for this section which links to the authorisation of persons under section 9.10 and replaces references to employees authorised by the local government with authorised person.

Clause 145 Schedule 9.1 amended

This clause amends Schedule 9.1 to insert a new clause 13.

New clause 13 defines stock to mean the various forms of livestock (stock) prescribed for the purposes of the definition of 'stock' in section 6 of the *Biosecurity and Agriculture Management Act 2007* by regulations made under that Act.

This provides for regulations operating as uniform local laws to create offences or make other provision for preventing or dealing with:

- the trespass of stock on land;
- the escape of stock from land;
- the straying of stock, or stock being at large, in a public thoroughfare or other public place; and
- the tethering or grazing of stock in a public thoroughfare or other public place.

Offences created under this clause may include offences for acts or omissions that allow, or are done or made for the purpose of allowing, the following to occur:

- trespass of stock on land;
- escape of stock from land;
- straying of stock, or stock being at large, in a public thoroughfare or other public place; and
- tethering or grazing of stock in a public thoroughfare or other public place.

Regulations may also include provisions corresponding to, or similar to, those formerly contained in Part XX of the *Local Government (Miscellaneous Provisions) Act 1960*, and provisions dealing with the rights and obligations of owners and occupiers of land in relation to trespassing stock.

Division 2 – *Local Government (Miscellaneous Provisions) Act 1960* repealed

Clause 146 Repeal

This clause repeals the *Local Government (Miscellaneous Provisions) Act 1960*.

Division 3 – Related and consequential amendments to other Acts

Subdivision 1 – *Conservation and Land Management Act 1984* amended

Clause 147 Act amended

This clause provides that the subdivision amends the *Conservation and Land Management Act 1984*.

Clause 148 Section 108B replaced

This clause replaces section 108B of the *Conservation and Land Management Act 1984* to remove the reference to the *Local Government (Miscellaneous Provisions) Act 1960* and provide that section 3.40B of the *Local Government Act 1995*, and regulations made under Schedule 9.1 clause 13 of that Act, apply to stock trespassing on land to which the relevant Part applies. For this purpose, the CEO is taken to be the owner of the land and authorised officers are taken to be the CEO's agents.

Subdivision 2 – *Government Railways Act 1904* amended

Clause 149 Act amended

This clause provides that the subdivision amends the *Government Railways Act 1904*.

Clause 150 Section 53 replaced

This clause updates section 53 of the *Government Railways Act 1904* to remove the reference to the *Local Government (Miscellaneous Provisions) Act 1960* (repealed by clause 146) and provide that trespassing stock on a railway is dealt with under the *Local Government Act 1995*, including section 3.40B and relevant regulations. It also clarifies that any functions or powers conferred on an owner or occupier of land for these purposes may be exercised by a person authorised by the Authority.

Subdivision 3 – *Planning and Development Act 2005* amended

Clause 151 Act amended

This clause provides that this subdivision amends the *Planning and Development Act 2005*.

Clause 152 Section 99 amended

This clause removes the reference to the *Local Government (Miscellaneous Provisions) Act 1960* from section 99(2)(f) of the *Planning and Development Act 2005*.

Clause 153 Section 103 amended

This clause removes the reference to the *Local Government (Miscellaneous Provisions) Act 1960* from section 103(2)(g) of the *Planning and Development Act 2005*.

Clause 154 Section 129 amended

This clause amends section 129 of the *Planning and Development Act 2005* to remove references to the *Local Government (Miscellaneous Provisions) Act 1960*.

Clause 155 Section 262 amended

This clause amends section 262 of the *Planning and Development Act 2005* to update references to local laws made under the *Local Government Act 1995*. It introduces the defined term “planning and development local law” and provides that such local laws may be repealed by the Governor.

Consequential amendments replace outdated references to by-laws made under the *Local Government Act 1960* with references to planning and development local laws.

Clause 156 Part 19 Division 4 inserted

This clause inserts a new Division 4 into Part 19 of the *Planning and Development Act 2005* to provide transitional arrangements for amendments made by the *Local Government Amendment and Repeal Act 2026*.

The new section 314 ensures that section 262(6), as in force immediately before the amendment day, continues to apply to resolutions made before that day, while the amended provision applies only to resolutions made on or after that day. This preserves the operation of the previous law for existing matters.

Part 6 – Other matters**Clause 157 Act amended**

This clause provides that this Part amends the *Local Government Act 1995*.

Clause 158 Section 4.28 amended

This clause amends section 4.28 to clarify that:

- the Electoral Commissioner may recover expenses that a local government is to meet under subsection (1)(c) as a debt due from the local government to the State; and
- the Electoral Commissioner may certify in writing that specified expenses were expenses of the Electoral Commissioner in connection with a specified election and the amount of the specified expenses; and
- a certificate given by the Electoral Commissioner is sufficient evidence, unless the contrary is shown, that the specified expenses were expenses of the Electoral Commissioner in connection with the specified election and of the amount of those expenses.

Clause 159 Part 4 Division 10A inserted

This clause inserts new Part 4 Division 10A which deals with technology assisted voting.

New section 4.84A (Terms used)

The new section 4.84A provides for definitions of approved procedures, eligible elector and technology assisted voting for the purposes of this Part.

New section 4.84B (Electoral Commissioner may approve procedures for technology assisted voting)

The new section 4.84B provides for the Electoral Commissioner to set out the procedures for technology assisted voting.

Subsection (1) empowers the Commissioner to approve procedures to facilitate voting by eligible electors in an election by technology assisted voting.

Subsection (2) provides that these procedures must be in writing and published on the Electoral Commission's website.

Subsection (3) provides that these procedures must provide for the:

- registration of eligible electors before the elector casts a technology assisted vote;
- recording of each eligible elector having voted by technology assisted means;
- authentication of the elector's vote;
- secrecy of each elector's vote;
- means of ensuring the secure transmission of the vote to the Electoral Commissioner and the secure storage of that vote by the Commissioner; and
- scrutiny and counting of the technology assisted vote.

Subsection (4) provides that the validity of a vote cast by technology assisted means cannot be disputed on the grounds that the elector could have voted without assistance.

New section 4.84C (Voting under approved procedures)

The new section 4.84C provides for technology assisted voting to be provided in elections.

Subsection (1) provides for technology assisted voting by eligible electors in accordance with the procedures approved under section 4.84B at all elections in addition to voting in person or postal voting.

Subsection (2) provides that, subject to subsection (5) and relevant regulations, the Electoral Commissioner must ensure that technology assisted voting in accordance with the approved procedures is available to eligible electors at all elections.

Subsection (3) provides that where an elector casts a vote in accordance with the approved procedures the requirements of the Act relating to receiving and marking a ballot paper are satisfied.

Subsection (4) provides that subsections (1) to (3) apply despite any other provision of the Act, subject to subsection (5) and regulations made for the purposes of section 4.84D(1).

Subsection (5) provides that the Electoral Commissioner may determine that technology assisted voting is not permitted at elections or elections of a class specified in the determination.

Subsection (6) provides that a determination under subsection (5) must be in writing and published on the Electoral Commission's website.

New section 4.84D (Regulations)

The new section 4.84D provides for regulations regarding technology assisted voting to be made.

Subsection (1) provides that regulations may make provision in relation to technology assisted voting by eligible electors and otherwise give effect to subsections (1) to (3) of section 4.84C.

Subsection (2) provides that without limiting subsection (1) regulations may provide:

- for any of the matters which must be addressed in the approved procedures;
- for a provision of the Act relating to voting at elections, not to apply or apply in a modified form in the case of technology assisted voting in accordance with the approved procedures; and
- that voting in accordance with the approved procedures is not permitted at prescribed elections or elections of a prescribed class.

Subsection (3) provides that to the extent that the approved procedures are inconsistent with the regulations, the regulations prevail.

New section 4.84E (Independent review of methods of technology assisted voting)

The new section 4.84E provides for the independent review of the technology used for technology assisted voting.

Subsection (1) requires the Electoral Commissioner to engage an independent reviewer who will examine the security, accuracy and secrecy of the technology assisted voting method used under the approved procedures and prepare a report of that review.

Subsection (2) provides that the report may include recommendations to the Electoral Commissioner to reduce or eliminate any risks that could affect the security, accuracy or secrecy of the method of technology assisted voting.

Subsection (3) requires this report to be published on the Electoral Commission's website.

A note at the end of this clause notes that the description of Part 4 will be updated to reflect the insertion of this new division.

Clause 160 Section 4.87 amended

This clause amends section 4.87 regarding the authorisation of election material to:

- remove the limitation on using a post office box;
- remove the requirement to include the details of the printer; and
- apply section 187B of the *Electoral Act 1907* regarding advertising on the internet to local government elections.

Clause 161 Section 4.92A inserted

This clause inserts the new section 4.92A to establish new offences relating to technology assisted voting.

Subsection (1) provides that the terms used in section 4.84A have the same meaning in this section.

Subsection (2) provides that it is an offence for a candidate, or a person authorised to act on behalf of a candidate in connection with an election, to:

- apply undue influence or pressure on an elector to register for technology assisted voting;

- interfere with an elector while the elector is registering for technology assisted voting.

This new offence carries a maximum penalty of 24 months imprisonment and a fine of \$24,000.

Subsection (3) clarifies that for the purposes of subsection (2) it does not matter if the person authorised to act on behalf of a candidate in connection with an election was not authorised to do the acts referred to in subsection (2).

Subsection (4) provides that it is an offence for a person to unlawfully communicate with, assist or interfere with an elector while the elector is casting their vote by technology assisted means. The maximum penalty for this offence is 12 months imprisonment and a fine of \$12,000.

Subsection (5) provides that it is an offence if a person:

- becomes aware of how an elector, who voted by technology assisted means, cast their vote; and
- gives that information to any other person, other than in accordance with the approved procedures or regulations regarding technology assisted voting.

The maximum penalty for this offence is 12 months imprisonment and a fine of \$12,000.

Subsection (6) clarifies that it is not an offence under section 4.93(c) for a person to disclose the vote of an elector who votes by technology assisted means, if that disclosure is in accordance with the approved procedures or regulations regarding technology assisted voting.

Subsection (7) provides that it is a crime if a person:

- discloses to any other person the source code or other computer software that is used or intended to be used by the Electoral Commissioner in connection with voting by technology assisted means; and
- that disclosure is not made in accordance with the approved procedures or regulations regarding technology assisted voting, or an arrangement the person has entered into with the Electoral Commissioner.

The maximum penalty for this subsection is imprisonment for 5 years. The summary conviction penalty is imprisonment for 24 months and a fine of \$24,000.

Subsection (8) provides that it is a crime if a person, without reasonable excuse, destroys or interferes with any computer program, data file or electronic device used or intended to be used by the Electoral Commissioner, for or in connection with technology assisted voting.

The maximum penalty for this subsection is imprisonment for 5 years. The summary conviction penalty is imprisonment for 24 months and a fine of \$24,000.

Clause 162 Section 5.74 amended

This clause amends section 5.74 to limit the employees that need to complete financial returns to the CEO and senior employees.

Clause 163 Section 5.94 amended

This clause amends section 5.94 to remove the automatic right for the public to inspect the rate record, register of owners and occupiers and electoral rolls at the office of the local government.

Clause 164 Section 5.95 amended

This clause amends section 5.95 to:

- provide that, when a register of financial interests is made available for inspection, the right of inspection in relation to the address of real property extends only to the town or suburb;
- delete the reference to section 5.94(m), which is deleted by clause 163; and
- delete subsection (8), which is replaced by the arrangements in new section 5.96AA.

Clause 165 Section 5.96 amended

This clause amends section 5.96 to link the requirements of this section to section 5.94.

Clause 166 Section 5.96AA inserted

This clause inserts the new section 5.96AA to address public access to the rate record and owners and occupiers roll.

Subsection (1) provides that a person may request from the CEO of the local government, information contained in the rate record or register of non-resident owners and occupiers.

Subsection (2) provides that the person's request must state the purpose for which the person intends to use the requested information and include a statutory declaration in accordance with regulations.

Subsection (3) provides that the CEO of the local government must not provide the requested information unless the CEO considers that the public interest in providing the information outweighs the public interest in protecting the privacy of personal information.

Subsection (4) provides that regulations may prescribe information that the CEO must not provide under this section.

Subsection (5) provides that the CEO of the local government must inform the person of the purpose for which they have agreed to provide the information.

Subsection (6) provides that the purpose for which the CEO provides the information must be the stated purpose in the person's request or the narrower purpose determined by the CEO, having regard to the public interest.

Subsection (7) provides that it is an offence for a person who was provided with information under this section to use the information for a purpose other than the agreed purpose.

The penalty for the offence in this subsection is a fine of \$10,000.

Subsection (8) provides that a person commits an offence if the CEO provides the person with information and the person discloses the information to another person.

The penalty for the offence in this subsection is a fine of \$10,000.

Subsection (9) provides an exemption from the prohibition on disclosure of information under subsection (8) if the disclosure is authorised under regulations made for the purposes of subsection (12).

Subsection (10) provides that a person commits an offence if the CEO provides the person with information and the person does not either destroy or return the information to the CEO as soon as practicable after using it for the agreed purposes.

The penalty for the offence in this subsection is a fine of \$10,000.

Subsection (11) provides an exemption from the requirement to destroy or return information under subsection (10) if the CEO provides authorisation under regulations made for the purposes of subsection (12).

Subsection (12) provides a regulation-making power to enable a CEO to authorise a person to disclose or retain information provided under section 5.96AA.

Without limiting that power, regulations may impose duties on, or otherwise make provision in relation to:

- a person authorised by the CEO to disclose or retain information;
- a person to whom information is disclosed under such an authorisation; and
- another person to whom the information is subsequently disclosed.

Clause 167 Section 6.3 amended

This clause provides that a local government is required to prepare and adopt a new budget where it has revoked a rate or service charge under the new section 6.32(3A).

Clause 168 Section 6.16 amended

This clause amends section 6.16 to remove the requirement for an absolute majority for imposing or amending fees and charges, to enable this function to be delegated to the CEO.

Subsection (1) deletes the absolute majority requirement relating to the imposition of fees and charges for the provision of goods and services by a local government.

Subsection (2) replaces the existing section 6.16 subsection (3) with two new subsections providing that fees and charges must be imposed with the local government's annual budget, and they may also be imposed or amended during the financial year.

Clause 169 Section 6.19 amended

This clause amends section 6.19 to clarify that public notice is also required when local government fees and charges are amended.

Clause 170 Section 6.32 amended

This clause amends section 6.32 to insert a new subsection (3A) that allows a local government to revoke a rate or service charge that has been imposed by the local government in error or not in accordance with the Act and impose a new rate or service charge to replace that revoked charge.

New subsection (3B) clarifies that the revocation of a rate or service charge under subsection (3A)(a) has the same effect as if the rate had been quashed by the State Administrative Tribunal.

Clause 171 Section 6.36 amended

This clause amends section 6.36 to increase the amount of notice a local government must give in relation to differential rates and minimum payments from two to four months before the commencement of the financial year.

Clause 172 Section 7.1B deleted

This clause deletes section 7.1B to remove the requirement for the appointment of a deputy member to the presiding member of an audit, risk and improvement committee.

Clause 173 Section 9.25 amended

This clause amends the table of prosecutions under section 9.25 to include offences related to technology assisted voting under section 4.92A and the similar offence in section 4.93.

Part 7 – Transitional provisions**Clause 174 Act amended**

This clause provides that this Part amends the *Local Government Act 1995*.

Clause 175 Section 2.37 amended

This clause amends section 2.37 to provide that special elections to fill councils declared vacant after the transition day will be held with the first general election in 2031. This clause defines the transition day as the later of 1 January 2028 or the day after assent day.

Clause 176 Section 2.37A amended

This clause amends section 2.37A to provide that special elections to fill councils which are wholly vacant after the transition day will be held with the first general election in 2031. This clause defines the transition day as the later of 1 January 2028 or the day after assent day.

Clause 177 Section 8.34 amended

This clause amends section 8.34 to provide that special elections to fill councils which are dismissed after the transition day will be held with the first general election in 2031. This clause defines the transition day as the later of 1 January 2028 or the day after assent day.

Clause 178 Section 9.71 amended

This clause provides amendments to section 9.71(6) to reflect transitional provisions inserted by Part 7.

Clause 179 Schedule 9.3 Division 8 inserted

This clause inserts transitional provisions for this Bill into Schedule 9.3 of the Act.

Subdivision 1 - Preliminary

New clause 82 provides definitions for the purposes of these transitional provisions of the 1960 Act, being the *Local Government (Miscellaneous Provisions) Act 1960* and 2026 Amendment Act, being this Bill.

Subdivision 2 - Elections

New clause 83 clarifies that for the purposes of applying subdivision 2 before 1 January 2031, the definitions for general election and general election day have the same meaning as they will continue to have on and after 1 January 2031.

New clause 84 provides that when the amended definition of elector mayor or president takes effect, it still includes a person who was elected as a mayor or president by backfilling, despite backfilling being removed.

New clause 85 provides that the terms of office of council members holding office at the beginning of 1 January 2031 end on the general election day in 2031. It also provides for the terms of a councillor mayor or president and a deputy mayor or president to end in accordance with the arrangements set out in that clause.

New clause 86 applies to a vacancy in the office of an elector mayor or president or councillor that exists at the beginning of 1 January 2031. It provides that the new Part 4 Division 3 applies to the vacancy as if it arose at the beginning of that day, unless the vacancy is covered by clause 87.

New clause 87 provides transitional arrangements where, during the transition period:

- all offices of members of a council are declared vacant under section 2.37;
- a commissioner is appointed under section 2.37A(1); or
- a council is dismissed.

In those circumstances, new sections 4.15, 4.16 or 4.17, as applicable, operate as if they were in force throughout the transition period. The transition period begins on the later of 1 January 2028 and the day after assent day and ends on 31 December 2030.

New clause 88 provides that a Governor's power to declare all the offices of a council to be vacant under section 2.37(1A) may be exercised in the case of a suspended council whether the period of suspension begins before, on or after 1 January 2031.

New clause 89 provides that any existing enrolment eligibility claim based upon occupation expires 6 months after the first general election under the new provisions.

New clause 90 continues any orders under sections 4.1C and 4.1D as though they were orders under sections 4.35B and 4.35C.

New clause 91 continues any investigation under section 4.96 that was occurring into electoral misconduct under the previous provisions that applied prior to the amendment day.

New clause 92 continues any prosecution that was underway for an electoral offence prior to the amendment day as though the amendments to section 4.97 had not been made.

Subdivision 3 – Creating, changing the boundaries of, and abolishing districts

New clause 93 provides that Schedule 2.1 clause 5, as in force immediately before section 129 of the Amendment Act commences, continues to apply to a proposal made under Schedule 2.1 clause 2 before that commencement.

New clause 94 provides that Schedule 2.1 clauses 7 to 10, as in force immediately before sections 130 and 131 of the Amendment Act commence, continue to apply to a proposal made under Schedule 2.1 clause 2 before that commencement.

Subdivision 4 – Impounding goods and related matters

New clause 95 provides that repeal day in this subdivision means the day that the repeal of the *Local Government (Miscellaneous Provisions) Act 1960* comes into operation under Part 5 of this Bill.

New clause 96 preserves any new street alignment and existing street alignment local law as though the repeal of section 364 had not occurred.

New clause 97 preserves the application of the *Local Government (Miscellaneous Provisions) Act 1960* and the former provisions of the *Conservation and Land Management Act 1984* and *Government Railways Act 1904* in relation to animals impounded or found trespassing before repeal day.

New clause 98 provides for proceedings for offences committed under the *Local Government (Miscellaneous Provisions) Act 1960* before repeal day, or under that Act as it continues to apply on or after repeal day, to be commenced or continued after repeal day.

Subdivision 5 – Other matters

New clause 99 provides that section 4.28(2) and (3), as inserted by section 158(2) of the Amendment Act, apply only to expenses of the Electoral Commissioner incurred on or after the day on which section 158 commences.

New clause 100 provides that offences related to technology assisted voting may be commenced before 1 January 2031 if section 161 of the 2026 Amendment Act comes into operation before that time.

New clause 101 clarifies that the deletion of section 7.1B does not terminate the appointment of any existing deputy member to a presiding member of an audit, risk and improvement committee or prevent the local government from terminating their appointment.

Subdivision 6 – Regulations

New clause 102 allows for transitional regulations to be made to address any transitional matter that may arise as a result of this Bill.

9.6 Heavy Vehicle and Major Freight Use of Shire Roads

File Reference	
Report Date	9 October 2026
Applicant/Proponent	Shire of Victoria Plains
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Council Briefing Session - October 2026; no formal Council decision
Prepared by	Sean Fletcher, Chief Executive Officer
Senior Officer	N/A
Authorised by	Sean Fletcher, Chief Executive Officer
Attachments	- Existing Policy 16.1 Restricted Access Vehicles on Shire Roads – Page 119 - Draft Policy 16.1 - Heavy Vehicle and Major Freight Use of Shire Roads – Page 130 - Road Impact Assessment and Management Requirements for Major Developments – Page 134

PURPOSE

For Council to revoke the existing Policy 16.1 - Restricted Access Vehicles on Shire Roads, adopt replacement Policy 16.1 - Heavy Vehicle and Major Freight Use of Shire Roads, and endorse the supporting Road Impact Assessment and Management Requirements for Major Developments.

BACKGROUND

Existing Policy and Main Roads WA Changes

The existing Policy 16.1 (Attachment 1) was adopted on 18 July 2018. It is structured around Restricted Access Vehicle access, the former CA07 written approval process, four policy schedules and negotiated user contributions. Those schedules address application information, CA07 conditions, road use agreement components and calculation of contributions.

The existing policy contains sound principles concerning road safety, protection of Shire infrastructure, developer-funded construction and maintenance, security and cost recovery. However, it also contains dated legislative and technical references, combines Council policy with detailed administrative and agreement provisions, and records that it requires review.

In November 2025, Main Roads Western Australia changed CA07 from an approval process to a notification process. Main Roads Heavy Vehicle Services advised that the change responded to legal implications associated with directly linking road maintenance fees to RAV access approvals and allowing third parties to effectively switch Main Roads access approvals on and off.

On 2 October 2026, Main Roads Heavy Vehicle Services released the proposed Accredited Mass Management Scheme (AMMS) Network Sustainability approach for consultation. The proposal has been developed with WALGA and a reference group of Local Government representatives and is intended to enable Road Managers to recover road maintenance costs associated with RAV access while avoiding legal implications for Main Roads. It proposes that Transport Operators obtain a Road Maintenance Agreement Confirmation Letter from the relevant Road Manager.

Road Manager Responsibilities

For the purposes of the proposed AMMS Network Sustainability framework, the Road Manager is the organisation with responsibility for the care, control or management of the road concerned. Generally:

- for a local government road, the Road Manager is the local government responsible for that road;
- for a highway or main road forming part of the State Road Network, the Road Manager is the Commissioner of Main Roads, acting through Main Roads Western Australia;
- for a road managed by another government authority, the Road Manager is the authority having responsibility for that road; and
- for a private road, the relevant owner or entity having effective management and control of the road would need to be identified.
- A transport route may include roads managed by more than one Road Manager. Any Road Maintenance Agreement, confirmation letter or equivalent AMMS documentation would therefore need to be obtained from, or coordinated with, each relevant Road Manager for the roads affected by the transport task.

The AMMS proposal supports the direction of the Shire's review but requires the replacement framework to accommodate transport operators and recurring freight movements, Road Maintenance Agreements and any confirmation process ultimately adopted by Main Roads. It does not remove the need for the broader policy or the technical assessment framework, which also address major developments, new or upgraded infrastructure, monitoring, rectification and decommissioning.

At the date of this report, the AMMS Network Sustainability framework remains a proposal under consultation and has not been implemented by Main Roads Western Australia. Until formal implementation, the Shire will continue to administer heavy vehicle and major freight matters under applicable legislation, existing Main Roads access arrangements, Policy 16.1, development approvals and project-specific agreements.

The supporting technical requirements have also been informed by work initiated by the Shire of West Arthur in response to concerns about the effects of major developments, including renewable energy projects, on local road networks. West Arthur's Manager of Works and Services, Gary Rasmussen, worked with Siva Thillainath to prepare draft road-reporting requirements setting out minimum information for developers proposing heavy industrial use of Shire roads. The draft was designed to assist local governments to assess pavement condition, traffic impacts and maintenance costs and to provide an objective basis for identifying project-attributable deterioration and rehabilitation requirements.

On 17 September 2026, West Arthur Chief Executive Officer Vin Fordham Lamont circulated the draft to the Chief Executive Officers of Victoria Plains, Dandaragan and Narrogin for comment. On 22 September 2026, the Shire's Chief Executive Officer advised that the proposed baseline, construction monitoring and completion assessment framework was practical and useful from a governance and risk perspective. The Chief Executive Officer also recommended that the document state more explicitly the responsibilities of the proponent where additional road wear, monitoring or maintenance requirements arise.

The West Arthur work and the Chief Executive Officer's input provided the starting point for the Road Impact Assessment and Management Requirements for Major Developments. The document has since been adapted for Victoria Plains and expanded to address the proposed policy hierarchy, project-specific Road Use and Maintenance Agreements, new or upgraded infrastructure, responsible-party cost allocation, security, rectification and decommissioning.

Council considered a briefing on the proposed replacement framework in October 2026. The draft policy and supporting technical requirements are now presented for formal determination.

COMMENT

The proposed framework separates Council policy, technical requirements and project-specific contractual obligations. This provides clearer governance and allows each document to perform a distinct function.

Document hierarchy

Policy 16.1 establishes Council's strategic position, the circumstances in which the framework applies and the principle that ordinary ratepayers should not fund costs reasonably attributable to a private development or major freight task.

The Road Impact Assessment and Management Requirements establish the minimum technical framework for route assessment, baseline condition, infrastructure works, monitoring, maintenance, completion and decommissioning.

A project-specific Road Use Agreement, Road Maintenance Agreement or other suitable agreement, based on the current WALGA model and adapted with engineering and legal advice, gives contractual effect to maintenance, payment, security, default and rectification obligations and may support any confirmation required under the AMMS Network Sustainability framework.

Key changes

The policy is renamed Heavy Vehicle and Major Freight Use of Shire Roads and is triggered by material impact from a development, freight task, transport operation or recurring heavy vehicle movement, rather than only RAV classification or the existence of CA07.

The framework applies to construction, operation, maintenance, expansion and decommissioning traffic and to existing, new or upgraded infrastructure.

The CEO determines whether an assessment is required, having regard to traffic volumes, vehicle configurations, axle loading, freight tonnage, duration, route condition, road capacity, safety, amenity and cumulative effects.

Proponents, freight generators, transport operators and other responsible parties may be required to fund technical investigations, new or upgraded infrastructure, additional monitoring and maintenance, emergency works, rehabilitation, rectification and reasonable professional costs.

Where ongoing maintenance, cost recovery, infrastructure, security or rectification obligations are required, a Road Use Agreement, Road Maintenance Agreement or other suitable agreement is to be entered into before material traffic commences. Where the AMMS Network Sustainability framework applies, the agreement may support the Shire issuing a Road Maintenance Agreement Confirmation Letter or equivalent confirmation.

Main Roads access requirements and the proposed AMMS Network Sustainability framework operate alongside, but do not replace, the Shire's policy, technical requirements, planning conditions or contractual arrangements.

The Shire will act as Road Manager only for roads under its care, control or management. Where a route also uses State Roads, roads managed by neighbouring local governments or roads under another entity's management or control, the relevant Road Manager must separately administer its responsibilities and any AMMS requirements.

Governance and administration

Council determines the policy position. The CEO applies and administers the policy, determines assessment scope, obtains technical and legal advice, negotiates project agreements and monitors compliance within statutory functions, delegated authority and adopted budgets. Any project agreement or commitment requiring a Council decision by law, or falling outside the CEO's authority, would be reported separately to Council.

The current 2026 Register of Delegations does not contain a specific delegation numbered 16.1 for Restricted Access Vehicles. Accordingly, adoption of the replacement policy does not itself require amendment of the

Delegations Register. Operational authority must continue to be exercised within existing statutory functions, delegations, Council decisions and budget authority.

Formal implementation of the AMMS Network Sustainability framework would not, of itself, expand the Chief Executive Officer's delegated authority. Any agreement, financial commitment, security arrangement or other matter requiring a Council decision by law or falling outside existing authority would continue to be referred to Council.

Technical requirements

The supporting requirements establish four stages: route, baseline and infrastructure assessment; construction and operational monitoring; completion assessment and rectification; and decommissioning. They also address existing assets, new or upgraded infrastructure, data standards, independent certification and security. Endorsement by Council provides a transparent technical framework while leaving project-specific scope and implementation to administration and appropriately qualified advisers.

CONSULTATION

- Council Briefing Session - October 2026.
- Internal review by the Chief Executive Officer.
- The framework draws on the WALGA model approach to road use and maintenance agreements, the proposed Main Roads AMMS Network Sustainability framework, and technical input previously received regarding pre- and post-assessment of road networks for major developments.
- Project-specific engineering and legal advice will be obtained when the framework is applied.

STATUTORY CONTEXT

Local Government Act 1995

s.2.7 - provides that the council governs the local government's affairs, is responsible for the performance of the local government's functions and oversees the allocation of finances and resources.

s.3.18 - requires a local government to administer its local laws and perform its executive functions; in doing so, it may provide services and facilities and manage its property and operations.

s.5.41 - sets out the CEO's functions, including advising Council, implementing Council decisions and managing the day-to-day operations of the local government.

s.6.8 - governs expenditure from the municipal fund where expenditure is not included in the annual budget.

s.9.49A - governs execution of documents by a local government. Its application to any Road Use Agreement will depend on the form of the agreement and the authority relied upon.

Road Traffic (Administration) Act 2008, Road Traffic (Vehicles) Act 2012 and Road Traffic (Vehicles) Regulations 2014

These instruments form part of the statutory framework for Restricted Access Vehicle operations and heavy-vehicle access in Western Australia. Main Roads Western Australia administers RAV networks, permits, orders and access requirements. Main Roads Heavy Vehicle Services has proposed separate AMMS Network Sustainability provisions to support road maintenance cost recovery through Road Maintenance Agreements and Road Manager confirmation. The proposed Shire policy and agreements do not replace statutory access requirements.

Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015 and Local Planning Scheme No. 5

Where a major development requires planning approval, road impact requirements may also be addressed through the applicable development assessment and approval process. The policy and technical requirements operate alongside, and do not replace, planning approvals. The policy must however also be prepared and adopted in accordance with the procedural requirements prescribed in Part 2, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* in order to be legally enforceable under the *Planning and Development Act 2005*.

CORPORATE CONTEXT

Council Plan/Corporate Business Plan

STRATEGY	ACTION
2. ECONOMY 2.3 A safe and efficient transport network that supports economic growth	(b) Review and implement Council's 10-Year Road Plan, including the Restricted Access Vehicle (RAV) Network.

The proposed policy supports Economy Strategy 2.3 of the Council Plan 2026-2036 by establishing a risk-based framework for heavy vehicle and major freight use of Shire roads, supporting implementation of Council's 10-Year Road Plan and management of the Restricted Access Vehicle Network. It reflects the Shire's roles in delivering road infrastructure and regulating applicable requirements.

Delegation

2026 Register of Delegations - no current specific delegation for Restricted Access Vehicles or Policy 16.1. Relevant project matters may engage existing delegations concerning planning, contracts, financial management, works and temporary road closures. Any matter outside the CEO's authority will be referred to Council.

Policy Implications

Adoption of the recommendation will:

- revoke Policy 16.1 - Restricted Access Vehicles on Shire Roads, adopted 18 July 2018;
- adopt replacement Policy 16.1 - Heavy Vehicle and Major Freight Use of Shire Roads; and
- endorse the Road Impact Assessment and Management Requirements for Major Developments as the supporting technical framework.

Other Corporate Document

- Road hierarchy and asset-management documents;
- Annual Road Maintenance Operating Framework;
- 2026 Register of Delegations; and
- project-specific development approvals, traffic-management plans, Road Use Agreements, Road Maintenance Agreements and AMMS Network Sustainability documentation.

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome

Property	Moderate (3)	Possible (3)	Moderate (9)	Operational Manager	Policy 16.1, the technical assessment framework, project-specific Road Use and Maintenance Agreements, engineering review, baseline assessment, monitoring, security, rectification and cost-recovery arrangements provide the specific controls required to reduce the likelihood and financial impact of project-attributable road damage
Failure to establish and apply an adequate framework for major freight use may result in accelerated deterioration or damage to Shire roads and associated infrastructure, without appropriate assessment, maintenance or cost allocation	Localised damage requiring external resources to rectify.	The event should occur at some time; at least once in three years.		Monitor - Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	

FINANCIAL IMPLICATIONS

There are no known material financial implications arising solely from adopting the policy and technical requirements, other than officer time and minor administrative cost.

When the framework is applied, reasonable engineering, legal, assessment, monitoring, maintenance and rectification costs may be allocated to the proponent, freight generator, transport operator or other responsible party where supported by an applicable fee, approval or agreement.

If implemented, the proposed AMMS Network Sustainability framework is intended to support Road Managers recovering maintenance costs associated with RAV access through Road Maintenance Agreements.

No AMMS-specific cost recovery or confirmation process will apply until the framework is formally implemented by Main Roads Western Australia. Any Shire expenditure or commitment outside the adopted budget or delegated authority will require separate approval.

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation

That Council

1. **REVOKES** Policy 16.1 - Restricted Access Vehicles on Shire Roads (Attachment 1), adopted by Council on 18 July 2018, including Policy Schedules 16.1(a) to 16.1(d);
2. **ADOPTS** Policy 16.1 - Heavy Vehicle and Major Freight Use of Shire Roads, as contained in Attachment 2, as an operational policy under the *Local Government Act 1995* as well as a local planning policy under the *Planning and Development (Local Planning Schemes) Regulations 2015* and authorise the Chief Executive Officer to advertise the policy in accordance with the specific requirements of clause 4(4), Part 2 and clause 87, Part 12 of the abovementioned Regulations for the minimum required period of twenty-one (21) days;
3. **NOTES** the Road Impact Assessment and Management Requirements for Major Developments, as contained in Attachment 3, which will be approved and maintained administratively by the Chief Executive Officer as the supporting technical framework for Policy 16.1; and
4. **NOTES** that the replacement framework is to be administered within applicable legislation, existing delegated authority, adopted budgets and project-specific approvals and agreements, with any matter requiring a Council decision by law or falling outside the Chief Executive Officer's authority to be referred separately to Council; and
5. **AUTHORISES** the Chief Executive Officer, following formal implementation by Main Roads Western Australia of the AMMS Network Sustainability framework, to incorporate the final requirements of that framework into Road Use Agreements, Road Maintenance Agreements, confirmation letters and related operational documentation, provided those requirements are consistent with Policy 16.1 and can be administered within existing statutory functions, delegated authority and adopted budgets.

Council Policy Manual 2018

Part 16 – Heavy Haulage - Unclassified

The policies in this document require a review. Should be in Infrastructure

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PUBLIC OCM AGENDA

16.1 Restricted Access Vehicles on Shire Roads

STATUTORY CONTEXT

Local Government Act 1995 –

Road Traffic (Vehicle Standards) Regulations 2002 Local Planning

Scheme and relevant policies

Public Places and Local Government Property Local Law 2018

CORPORATE CONTEXT

Delegations Register –

- 16.1 – Restricted Access Vehicle on Shire roads

POLICY STATEMENT

1. The following Policy Schedules are adopted, and form part of this Statement – 16.1(a) – Information for application to Use Shire Roads
16.1(b) – CA07 Conditions that may be applied
16.1(c) – Components for Agreements to Use Shire Roads 16.1(d) – Calculation of User Contributions
2. Vehicle combinations 2 (truck and trailer) over 19 metres, 3 (B-double) and 4 (pocket road train) but not exceeding 27.5 metres in length (Restricted Access Vehicles) may be permitted on local roads subject to approval by the Shire.

APPLICATION

3. CA07 conditions as per Policy Schedule 16.1(b) CA07 Conditions that may be applied will be applied where considered necessary or appropriate to manage RAV access in order to –
 - a) preserve the condition of the road infrastructure,
 - b) improve the road to a standard appropriate for the proposed vehicle movement,
 - c) reduce the economic cost to the community caused through heavy vehicle damage, and
 - d) mitigate impact on community amenity of noise, dust, hours of operation, public safety etc.
4. Where a CA07 condition exists, RAV operators must –
 - a) complete and lodge a written application, providing all necessary information in accordance with Policy Schedule 16.1(a) Information for Application to Use Shire Roads,
 - b) details of proposed contributions, if any, towards road improvement / replacement / maintenance, community benefit etc, in accordance with Policy Schedule 16.1(d) – Calculation of Contributions,
 - c) provide any other relevant information requested,
 - d) pay the CA07 application/assessment fee as determined by the Annual Budget.
5. Where road users apply for a CA07 authority to operate Restricted Access Vehicles on roads in the Shire that are classified under the Main Roads WA permit network, the user may be required to enter into a Road Use (Restricted Access Vehicle Haulage) Agreement with the Shire.

Where a user requests sections of road to be upgraded to a standard higher than Council considers necessary for the surrounding or usual usage, Council will apply the principles of Policy Schedule 16.1(c) Components for Agreement to Use Shire Roads to the proposal

1. The Agreement will be a legally binding contract addressing the matters in Policy Schedule 16.1(c) Components for Agreement to use Shire Roads in a standard format that will be developed and updated from time to time under professional advice from the Shire's engineers and lawyers.
2. Council will require the other party to the Agreement to bear all costs associated with the Agreement including but not limited to legal fees involved in entering into the agreement, and the cost of all professional and engineering advice.
3. The Agreement is to address matters in accordance with Policy Schedule 16.1(c) Components for Agreement to Use Shire Roads:
4. Where considered appropriate, the Shire may convene, or request the user to convene, user groups for the purpose of establishing forward works programs on the affected roads and to identify and address safety issues.
5. Prior to the approval being issued –
 - a) agreement in writing by both the user and the Shire is required (formal contract/agreement or exchange of letters)
 - b) agreed contributions for road use and community benefit to be paid
 - c) Main Roads WA advised.
6. Approval to operate is subject to an annual licence.
7. Non-compliance with Council requirements may result in withdrawal of approval for use of the road.

HISTORY

Adopted 18 July 2018

NOTES

Note – requirements are intended to be consistent with relevant provisions of the Extractive Industries Local Law, and maintenance of road assets in accordance with the integrated long term financial and asset management plans

Main Roads WA issues road network use permits for RAV (restricted access vehicles). Where the road network includes Shire roads, a local government can impose a CA07 conditions for RAVs that requiring the operator to carry written approval from the Shire permitting use of the road.

RAV traffic (ie: multi-trailer heavy vehicles) results in significantly increased cost to maintain the road asset, particularly if the road construction is not designed or intended to sustain such traffic. Wear and tear increases proportionally with the vehicle length, number of trailers, axle combinations and weight of the load carried.

It is important that the Shire receives adequate compensation from users to ensure the construction, maintenance and renewal of affected road assets. The Shire constructs, maintains and renews road assets generally in line with expectations or requirements of local users, with funding from rates, financial assistance grants, regional roads group funding and federal funding, and does not have funding to construct or maintain road assets for heavy haulage by Restricted Access Vehicles (RAV).

Policy Schedule 16.1(a) – Information for Application to Use Shire Roads

The information is to cover the following minimum provisions where relevant to the application –

- a) Applicant details –
 - Applicant details – name, mail & street address, phone etc
 - Contact person – name, position, phone, email etc
- b) Haulage contractors (required for each contractor having a significant freight task) –
 - Contractor details – name, mail & street address, phone etc
 - Contact person – name, position, phone, email etc
- c) Term of application –
 - Commencing date
 - Termination date (estimated)
- d) Route (required for each different route) –
 - Origin and Terminus
 - Journey / route
 - Distances
- e) Vehicles and combinations (required for each route) –
 - class of vehicle and configurations,
 - number of vehicles,
 - frequency and hours of operation,
 - estimated tonnages and concessional loadings
- f) Dangerous goods (in order to advise local emergency services) –
 - Type
 - Frequency
 - Quantities
 - Emergency contact details
- g) Other relevant information, such as –
 - Maps
 - Engineering assessment if held
- h) Authorisation of application –
 - Name, signature of authorised person and date

Applicants to note –

- Approvals will be assessed in accordance with any Planning Policy Developer Contributions – Local Roads, and may take up to 8 weeks to process depending on the timing of receipt.
- Operation of a Restricted Access Vehicle on any road in the Shire constitutes an offence under the Road Traffic (Vehicle Standards) Regulations 2002 unless the operator holds a valid permit issued by Main Roads WA and a valid letter of authority from the Shire to comply with a CA07 condition.
- The operator must adhere to all conditions imposed by Main Roads WA and additional conditions if imposed by the Shire:
- Approval of application constitutes a letter of authority in compliance with the CA07 requirement of a valid RAV permit.

- Letter of authority does NOT constitute a permit. The holder must only operate a restricted access vehicle on any road in accordance with a valid permit issued by Main Roads WA

Note – requirements are intended to be consistent with relevant provisions of the Extractive Industries Local Law.

– *End of Schedule* –

PUBLIC OCM AGENDA

Policy Schedule 16.1(b) – CA07 Conditions that may be applied

<https://www.mainroads.wa.gov.au/UsingRoads/HeavyVehicles/ravnetworkaccess/Pages/default.aspx> on 5 March 2017

Main Roads Heavy Vehicle Services (HVS) is responsible for administering road access for Restricted Access Vehicles (RAVs).

RAVs are vehicles that exceed any of the following –

- a width of 2.5 metres;
- a height of 4.3 metres;
- a length of 19 metres for a vehicle combination;
- a length of 12.5 metres for a rigid vehicle;
- a gross mass of 42.5 tonnes;
- any other mass or dimension limit prescribed in the Road Traffic (Vehicles) Regulations 2014.

RAVs must only operate on roads approved by Main Roads, under either an order (notice) or a permit.

There are many types of RAVs and each of them has different performance characteristics, require a different amount of road space when operating and have a different impact on the road infrastructure. For this reason, it is necessary to assess the roads these RAVs operate on to ensure the road is suitable for the particular type of vehicle and the safety of other road users is not compromised.

Main Roads Heavy Vehicle Services (HVS) works collaboratively with the relevant road asset owner to ensure roads are suitable for RAV access. RAV Networks are maintained for the various types of RAVs and are published in the form of Road Tables and a RAV Mapping Tool.

Extract from – Main Roads WA Heavy Vehicle Operations
Standard Restricted Access Vehicle (RAV) – Route Assessment Guidelines Version 3 – October 2016

APPENDIX H – OPERATING CONDITIONS

Main Roads will apply the operating conditions below, as a condition of permit, to very low traffic volume roads when the road's width does not meet the minimum requirements in Appendix B.

These and other similar operating conditions may be applied to the assessment of other roads.

1. When travelling at night, the RAV must travel at a maximum speed of 40km/h and display an amber flashing warning light on the prime mover.
2. No operation on unsealed road segment when visibly wet, without Road Owners approval.
3. Headlights must be switched on at all times.
4. Speed restrictions. *
5. Direct radio contact must be maintained with other RAVs to establish their position on or near the road (suggested UHF Ch 40).
6. Road not to be entered until driver has established by radio communication that there is no other RAV on the road travelling in the opposing direction.
7. Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school dropoffs/ pick-ups have been completed on the road.
8. Current written approval from the Road Owner, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request.

These conditions are applied in the Prime Mover, Trailer Combinations and Truck, Trailer Combinations Operating Conditions. The applicable roads must be clearly identified as either a "Type A" Low Volume Road or a "Type B" Low Volume Road as a road condition.

*40 km/h or 60 km/h as determined from Appendix C.

– End of Schedule

Policy Schedule 16.1(c) – Components for Agreement to Use Shire Roads

The Agreement may include but is not limited to the following provisions, as appropriate and as determined by the Shire –

- a) Principles –
 - The safety of road users is paramount, and takes priority over developer activity
 - residents should appropriately contribute to assessed public maintenance of the road
 - residents should not fund construction or maintenance required for private benefit
- b) Safety Management –
 - The developer will be required to prepare and lodge a road safety risk assessment and management plan with the Shire for whole route that is in the Shire, including roads under control of MRWA.
 - Shire to action matters advised as a priority, subject to seriousness of issue
- c) Construction, or upgrade/renewal as required–
 - As per Policy Schedule 16.1(d) clause 1 Construction, upgrade and renewal.
- d) Road Design –
 - When giving consideration to the construction of a road, the Austroads standards should be applied
 - MRWA Heavy Vehicle Operations (HVO) requires inspection of a road to ascertain its ability to support RAV traffic.
 - Dependant on the category of vehicle (category 1 to 10, RAV class 2) will determine the depth of base, maximum allowable grades, width of seal, seal design and intersection treatments.
 - Vehicles should not be on a road unless it is constructed appropriately or agreement reached on upgrade overtime.
- e) Guidelines –

Reference should be made to appropriate guidelines for the design of the works required, such as –

 - Roads –
 - o Australian Standards as are applicable,
 - o Relevant documentation supported by applicable professional associations
 - o Austroads – Vehicle Classification System, Designs and Guides
 - o MRWA – Specifications for Pavements
 - o MRWA – Restricted Access Vehicles, Permit Networks, Heavy Vehicle Access Road Maps
 - o MRWA, Heavy Vehicle Operations, Guidelines for Assessing the Suitability of Routes for RAV
 - Drainage catchment, and structural design–
 - o Australian Standards as are applicable – e.g. Loads on Buried Concrete Pipes, Precast Concrete Pipes
 - o Institute of Engineers – Australian Rainfall and Runoff – A quick guide to flood estimation Aug 1987
 - o Austroads – Design Codes and Guides for Bridges, Culverts and Floodways etc
 - o Concrete Pipe Association of Australia – guides and charts etc
 - o Australian Road Research Board – Guides for Stormwater drainage design in small urban catchments.
- f) Maintenance –
 - As per Policy Schedule 16.1(d) clause 2 Road Maintenance
- g) Adverse Conditions –
 - Developer to manage/restrict/cease operations voluntarily as appropriate
 - Adverse weather conditions, or other circumstances requiring temporary closure of the route
 - Claim to be made on MRWA by Shire for storm damage etc
 - Any gap not funded by MRWA remedial grants will be funded in equal shares by developer and Shire

- h) Security for road restoration and reinstatement –
- i) For the purpose of ensuring that a road is maintained in an appropriate condition and standard, Council may require that a bond, bank guarantee or other security, in or for a sum determined by Council to be paid.
 - ii) A bond required under subclause (1) is to be paid into a fund established by the Shire for the purposes of road maintenance. If a bank guarantee or other security required ceases to be current, operations may be required to cease until a further security has been provided.
- i) Payment –
- The user will calculate and pay the amount to the Shire in advance at intervals of no less than quarterly.
 - The first payment will be non-refundable in its entirety.
- j) Community Amenity –
- As per Policy Schedule 16.1(d) clause 3 Community Amenity
- k) Cessation of development / operations–
- Any funds remaining to be directed to bringing the road up to a standard where renewal / upgrade for local use will not be required for at least 5 years
 - determination of standard required for 5 years by negotiation
 - assessment of required works to be certified by a mutually agreed qualified engineer as being adequate to the task
 - if after bringing up to the standard required for 5 years there is insufficient funds, invoice to be issued.
- l) Administration –
- Engagement of external professional services to advise the Shire on matters relating to the agreement will be charged against the agreed developer maintenance contribution.
 - Engagement of external professional services is at the discretion of the Shire, and may include –
 - o Consulting engineer and other similar services directly related to the agreed route
 - o Legal advice deemed necessary for interpretation of the Agreement
 - o Other matters specifically relating to the Agreement or the agreed route
- m) Accountability –
- Shire to provide an annual report to the funding organisation of –
 - o funds received and expended
 - o Reserve Account activity
 - Developer to notify of –
 - o significant changes in traffic type or volume ,
 - o any safety issues on the road in a timely manner
- n) Dispute –
- Priority is for resolution through direct negotiation
 - Should direct negotiation fail, a mutually agreed independent person to be appointed to make determination
 - Determination to be binding except in the case of manifest error

Note – requirements are intended to be consistent with relevant provisions of the Extractive Industries Local Law.

End of Schedule

Policy Schedule 16.1(d) – Calculation of User Contributions

1. Road construction, upgrade, improvement–

To be addressed –

- a) Joint assessment and agreement in writing of the construction/renewal gap,
- b) Assessment of required works to be certified by a mutually agreed qualified engineer as being adequate to the task,
- c) Applicant/user/developer to fully fund the gap,
- d) Agreement as to who will carry out the construction works – Council responsibility or developer responsibility,
- e) On completion of works, prior to issue of approval, the works are to be –
 - i) inspected by an appropriate person appointed by the Shire,
 - ii) certified by mutually agreed qualified engineer, and
 - iii) formally resolved by Council,
- f) Should MRWA / RRG / RTR fund a portion, developer funds the reduced gap.

2. Road maintenance –

To be addressed –

- a) Maintenance requirements to be negotiated, and agreed in writing –
 - i) standards including frequency of completion of maintenance tasks,
 - ii) obligations to notify of change, matters for public safety etc.,
 - iii) regular inspection to ensure adequacy of conditions,
- b) Agreement as to who will carry out the maintenance works – Council responsibility or developer responsibility,
- c) Unspent developer maintenance contributions to be retained in a Reserve Account specifically for the road,
- d) If annual maintenance contribution is insufficient –
 - i) Shire to draw on Reserve, or
 - ii) issue an invoice.

Option 1 – Reference amount –

- Year 1 –
 - o Previous 5 years average maintenance for this or similar road (traffic, construction etc), each year CPI adjusted
 - o Add estimated increased annual maintenance cost
- Year 2 and following –
 - o Previous year's figure to increase annually by rural rate increase
 - o Maintenance in addition to annual reference amount resulting from road traffic damage (not wear & tear or storm damage etc) to be recovered from user.

Option 2 – Charge per tonne

- Year 1 –
 - o An agreed cents per tonne per kilometre
- Year 2 and following –
 - o Previous year's rate to increase annually by rural rate increase
 - o Maintenance in excess of the calculated figure for the year figure resulting from road traffic damage (not wear & tear or storm damage etc) to be recovered

3. Community amenity

An agreed contribution to mitigate impacts on community amenity as a contribution to the Shire's community programs and/or community infrastructure for the long term benefit of residents of the Shire –

- community safety – such as crosswalk / lights, advisory / warning signage, fencing of public areas
- noise, particularly at night – such as noise barriers, vegetation buffers
- dust or windblown materials in townsites – such as road sweeping or watering down, wash down bays
- inconvenience or congestion to other road users.

Note – requirements are intended to be consistent with relevant provisions of the Extractive Industries Local Law.

–End of Schedule

PUBLIC OCM AGENDA

Responsible Area	Works and Services
Responsible Officer	Chief Executive Officer
Affected Staff	Chief Executive Officer; Manager Works and Services; Works and Services staff; planning, asset management, contract management and finance staff

1. Purpose

To protect Shire road infrastructure, road safety and community amenity where a major development, freight task, transport operation or recurring heavy vehicle movement materially increases traffic volumes, vehicle mass, axle loading, pavement consumption or associated impacts on roads under the care, control or management of the Shire.

2. Statutory and Corporate Context

- *Local Government Act 1995*;
- *Road Traffic (Administration) Act 2008 and Road Traffic (Vehicles) Act 2012*;
- *Road Traffic (Vehicles) Regulations 2014*;
- Shire of Victoria Plains Local Planning Scheme and relevant planning instruments;
- Shire local laws, delegations, asset-management documents and Annual Road Maintenance Operating Framework;
- current Main Roads Western Australia heavy-vehicle access requirements; and
- the Accredited Mass Management Scheme Network Sustainability framework and associated Main Roads Western Australia requirements, if and when formally implemented.

3. Policy Statement

Council supports productive and safe freight access while ensuring that ordinary ratepayers are not required to fund road construction, upgrading, maintenance, rehabilitation or rectification reasonably attributable to a private development, significant freight task, transport operation or other activity that materially affects the Shire road network.

Council supports lawful arrangements that enable the recovery of reasonable road construction, maintenance, rehabilitation and rectification costs attributable to those activities.

The Shire will apply a risk-based and evidence-based approach. Requirements will be proportionate to the scale, duration and effect of the proposed activity and the condition, function and capacity of the affected road network.

4. Application and Trigger

This policy applies where the CEO determines that a proposed development, freight task, transport operation or recurring heavy vehicle movement may materially affect Shire roads or associated infrastructure. It may apply to one-off, periodic or ongoing movements and to construction, operation,

maintenance, expansion and decommissioning traffic, whether or not the road is on a Restricted Access Vehicle network or a CA07 or other access condition applies.

In determining whether the policy applies, the CEO may consider traffic volumes, vehicle configurations, axle loading, freight tonnage, duration, route condition and capacity, bridges and drainage, road safety, community amenity and cumulative impacts.

5. Information and Assessment

The proponent, freight generator, transport operator or other responsible party may be required to provide:

- applicant, contractor and responsible contact details;
- commencement, duration, routes, vehicle configurations, frequency, operating hours, tonnages and load information;
- maps, dangerous-goods and emergency information where relevant;
- a road safety and traffic-management assessment;
- a road impact, baseline and infrastructure assessment in accordance with the Shire's Road Impact Assessment and Management Requirements for Major Developments; and
- any other information reasonably required to assess road, safety, amenity or asset impacts.

The responsible party must meet the Shire's reasonable engineering, legal and other professional costs associated with assessment, negotiation, monitoring and enforcement, where provided for by an applicable fee, approval or agreement.

6. Road Use and Maintenance and Infrastructure Agreements

Where the CEO determines that ongoing maintenance, cost recovery, infrastructure works, security or rectification obligations are required, the proponent, freight generator, transport operator or other responsible party must enter into an agreement acceptable to the Shire before material traffic commences.

The agreement may take the form of a Road Use Agreement, Road Maintenance Agreement or other suitable agreement. It will be based on the current WALGA model where applicable and adapted to the project or freight task on engineering and legal advice. It may address approved routes, baseline condition, traffic records, road safety, monitoring, maintenance, new or upgraded infrastructure, cost calculation and payment, security, insurance, default, step-in, rectification, completion, decommissioning and dispute resolution.

Following formal implementation by Main Roads Western Australia of the AMMS Network Sustainability framework, an agreement may also support the Shire issuing a Road Maintenance Agreement Confirmation Letter or equivalent confirmation for roads for which the Shire is the Road Manager.

7. Responsible Party Cost Responsibility

Unless otherwise approved by Council or agreed in writing under lawful authority, the proponent, freight generator, transport operator or other responsible party is responsible for:

- new roads, upgrades and associated infrastructure required to accommodate the applicable project or freight task;
- additional inspection, monitoring, routine and periodic maintenance, emergency works, rehabilitation and rectification reasonably attributable to the applicable project or freight traffic;
- project- or freight-specific safety and amenity mitigation measures;
- independent assessment, certification and asset information required by the Shire; and
- any required bond, bank guarantee or other security.

The Road Use Agreement, Road Maintenance Agreement or other applicable agreement must distinguish the Shire's underlying ordinary maintenance program from additional attributable costs and prescribe the delivery, calculation, verification, invoicing, payment, reconciliation and review arrangements.

8. Road Construction and Upgrading

Material project or freight traffic must not use a route until required pre-construction works are completed or an alternative arrangement acceptable to the Shire is in place. New or upgraded infrastructure must comply with nominated standards and be inspected, certified and accepted before use. Ownership, handover, defects liability, ongoing maintenance and asset data must be addressed in the applicable agreement.

9. Main Roads Access and Network Sustainability Arrangements

The Shire will provide road-owner comments and engage with Main Roads Western Australia regarding Restricted Access Vehicle networks, permits, orders, notices and operating conditions.

The existence, absence or form of CA07 or another Main Roads access condition does not replace obligations arising under this policy, a development approval, the Road Impact Assessment and Management Requirements for Major Developments or an applicable Road Use or Road Maintenance Agreement. A Shire response or agreement does not itself constitute a Main Roads permit or other statutory heavy-vehicle access authority.

At the date of adoption of this policy, the AMMS Network Sustainability framework remains subject to formal implementation by Main Roads Western Australia. No AMMS-specific confirmation process will apply until that implementation occurs.

Following formal implementation, the Shire may issue a Road Maintenance Agreement Confirmation Letter or equivalent documentation where the requirements of this policy, the applicable agreement and the final Main Roads framework have been satisfied.

The Shire will act as Road Manager only for roads under its care, control or management. Where a transport route also uses State Roads, roads managed by neighbouring local governments or roads under another entity's management or control, the relevant Road Manager must separately administer its responsibilities and any AMMS requirements.

Nothing in this policy limits the ability of the Shire to require planning conditions, development approval conditions, infrastructure agreements or other lawful mechanisms in addition to any AMMS-related requirements.

10. Governance and Administration

Council sets the policy position. The CEO is responsible for applying and administering this policy, determining assessment scope, negotiating agreements, obtaining technical and legal advice, monitoring compliance and taking action within delegated authority and adopted budgets.

Formal implementation of the AMMS Network Sustainability framework does not, of itself, expand the CEO's delegated authority.

A matter must be referred to Council where the proposed agreement, expenditure, revenue treatment, land transaction, security arrangement or other commitment is outside the CEO's delegated authority or requires a Council decision by law.

11. Non-Compliance

Non-compliance will be managed under the applicable legislation, approval, Road Use Agreement, Road Maintenance Agreement or other applicable agreement, security and other lawful mechanisms. The Shire may undertake urgent safety work and recover costs where authorised by the applicable agreement or law.

12. Related Documents

- Road Impact Assessment and Management Requirements for Major Developments;
- WALGA model Road Use Agreement and any applicable Road Maintenance Agreement or AMMS Network Sustainability documentation;
- Annual Road Maintenance Operating Framework;
- Shire asset-management documents and road hierarchy;
- Shire of Victoria Plains Local Planning Scheme No.5; and
- relevant planning/development approvals, traffic-management plans and Main Roads access requirements.

13. History

This policy replaces Policy 16.1 - Restricted Access Vehicles on Shire Roads, adopted 18 July 2018. Adoption and review details are to be inserted following Council determination.

Office Use Only				
Relevant delegations Initial Council adoption Last reviewed Next review due				
	Date	28 October 2026	Resolution #	
	Date		Resolution #	
	Date	XX October 2028		

Supporting Technical Framework for Council Policy 16.1: Heavy Vehicle and Major Freight Use of Shire Roads

1. Purpose

These requirements are the supporting technical framework for Council Policy 16.1: Heavy Vehicle and Major Freight Use of Shire Roads. They establish the minimum assessment, design, construction, monitoring, maintenance, completion, rectification and decommissioning requirements where a major development or freight task may materially affect Shire roads or associated infrastructure.

2. Governance and Document Hierarchy

As the supporting technical framework for Policy 16.1, these requirements operate within the following hierarchy:

- Council Policy 16.1 - Heavy Vehicle and Major Freight Use of Shire Roads establishes the Shire's policy position, assessment triggers and cost-responsibility principles.
- These requirements provide the minimum technical framework for route assessment, baseline investigation, infrastructure works, monitoring, maintenance and rectification.
- A project-specific Road Use Agreement, based on the WALGA model and adapted on engineering and legal advice, gives contractual effect to the policy and these requirements.

Development approvals, Main Roads Western Australia access arrangements and other statutory approvals operate alongside this hierarchy. They do not replace a Road Use Agreement where the Shire determines that ongoing maintenance, cost recovery, security or rectification obligations are required.

3. Application

The Shire may apply these requirements where a development or freight task is expected to materially increase traffic volumes, vehicle mass, axle loading, oversize movements or other road impacts during construction, operation, maintenance, expansion or decommissioning. The Shire will determine the affected routes and assessment scope having regard to project risk and suitably qualified engineering advice.

The requirements apply to existing assets and to new or upgraded roads and associated infrastructure required to accommodate project traffic.

4. Proponent Responsibilities

Unless otherwise agreed in writing, the proponent is responsible for:

- funding all investigations, surveys, designs, approvals, assessments, monitoring, reporting and independent technical reviews required by the Shire and final Road Use Agreement;
- funding or undertaking new roads, upgrades and associated infrastructure required for the project;

- funding all additional inspection, monitoring, routine and periodic maintenance, emergency works, rehabilitation and rectification reasonably attributable to project traffic;
- ensuring compliance by its employees, contractors, transport operators and suppliers;
- providing data, certifications and asset information in the Shire's required format at no cost to the Shire; and
- providing any bond, bank guarantee or other security required under the Road Use Agreement.

5. Stage 1 - Route, Baseline and Infrastructure Assessment

Before material project traffic commences, the proponent must submit an assessment prepared by a suitably qualified and experienced professional engineer using a scope and methodology accepted by the Shire. The assessment must:

- identify construction, operational, maintenance and decommissioning routes, traffic volumes, vehicle types, axle configurations and oversize or overmass movements;
- record the condition and structural capacity of affected sealed and unsealed roads, bridges, culverts, drainage, intersections, signs and roadside infrastructure;
- include pavement depths, appropriate strength testing, photographic and video records, lidar or laser survey where required, traffic counts and Equivalent Standard Axle analysis;
- identify existing defects, remaining pavement life, safety constraints and pre-construction works; and
- determine whether existing routes are suitable or new or upgraded infrastructure is required.

6. New or Upgraded Roads and Associated Infrastructure

Where the existing network cannot safely or efficiently accommodate project traffic, the proponent may be required to construct or fund new roads, road realignments, pavement strengthening or sealing, intersections, bridges, culverts, drainage, shoulders, turning lanes, staging areas, signage, barriers, line marking, utility relocations and other associated works.

Designs must comply with standards nominated by the Shire and other relevant authorities. Project use must not commence until required works are completed, certified and accepted. The Road Use Agreement or a related infrastructure agreement must address land and approvals, ownership, handover, asset data, defects liability, ongoing maintenance and security.

7. Stage 2 - Construction and Operational Monitoring

The proponent must implement an approved monitoring plan proportionate to project risk. It must provide for:

- continuous or otherwise approved traffic and project-vehicle records;
- condition inspections at nominated intervals and following significant traffic, damage, weather or safety events;
- prompt reporting of defects, deterioration and use of unapproved routes;
- intervention thresholds for safety, pavement performance, gravel loss, drainage, structures and traffic volumes; and
- prompt funding or completion of project-attributable maintenance, emergency works and rectification in accordance with the Road Use Agreement.

Routine maintenance by the Shire does not release the proponent from responsibility for additional impacts attributable to the project. The Road Use Agreement will prescribe the maintenance standard, delivery responsibility, calculation method, verification, invoicing, payment and review arrangements.

8. Stage 3 - Completion Assessment and Rectification

At completion of construction, the proponent must submit an independently certified comparison with the accepted baseline. It must report actual traffic and Equivalent Standard Axles, changes in condition and pavement life, gravel or seal loss, structural or drainage damage, additional maintenance and outstanding rectification.

Required works must be completed and accepted by the Shire before construction-phase obligations are discharged or relevant security is released. Operational monitoring may continue while project traffic remains material.

9. Stage 4 - Decommissioning

Before decommissioning, the proponent must update the route, traffic and condition assessments. Monitoring must continue during decommissioning, followed by a final comparative report and completion of all required reinstatement and rectification to the Shire's satisfaction.

10. Administration and Enforcement

All reports and data must be suitable for incorporation into the Shire's asset or project-management systems. The Shire may require access to relevant records and infrastructure, independent verification at the proponent's cost, and appropriate security.

Failure to comply may be managed under the applicable approval, Road Use Agreement, security and lawful compliance mechanisms. Acceptance of works does not release the proponent from incomplete work, defects or continuing contractual obligations.

11. Relationship with Other Requirements

These requirements must be read with Council Policy 16.1, the project-specific Road Use Agreement, the Shire's road and asset-management requirements, all relevant approvals, and the Shire's local planning scheme. Where another authority determines an application or controls heavy-vehicle access, the Shire will seek coordinated conditions and arrangements that give effect to this framework.

Control and Version History

Document Control	Details
Responsible Area	Works and Services
Responsible Officer	Chief Executive Officer
Approved by	Chief Executive Officer
Approval Date	[Insert date]
Effective Date	[Insert date]
Review	As required following material legislative, regulatory, technical or operational change
Related Policy	Policy 16.1: Heavy Vehicle and Major Freight Use of Shire Roads

Version	Date	Description	Approved by
1.0	[Insert date]	Initial issue as the supporting technical framework for Policy 16.1	Chief Executive Officer

- 10. MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11. NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION**

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12. MEETING CLOSED TO PUBLIC

12.1 Meeting Closed to Public

File Reference	
Report Date	9 October 2025
Applicant/Proponent	Sean Fletcher – Chief Executive Officer
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Sean Fletcher – Chief Executive Officer
Senior Officer	Sean Fletcher – Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	Nil

Section under the Act	Section 5.23(2)(b)(ii) of the <i>Local Government Act 1995</i> .
Sub-clause and Reason:	A matter relating to the employment of the CEO, including a review of performance under section 5.38. The Council must close the meeting to members of the public to the extent necessary to ensure that the matter is dealt with on a confidential basis.

PURPOSE

For Council to close the meeting to members of the public, as required by section 5.23(2)(b)(ii) of the *Local Government Act 1995*, to consider the CEO Performance Review under item 12.2 on a confidential basis.

BACKGROUND

Section 5.23(2)(b) of the *Local Government Act 1995* requires a council or committee to close a meeting to members of the public, to the extent necessary to ensure that a matter relating to the recruitment or employment of the CEO or a senior employee is dealt with on a confidential basis. Section 5.23(2)(b)(ii) expressly includes a review of the CEO's performance under section 5.38.

COMMENT

Section 5.38 of the *Local Government Act 1995* requires a local government to review the performance of the CEO at least once in relation to each year of the CEO's employment. The review is to be undertaken in accordance with the applicable standards for the review of the performance of CEOs prescribed under the *Local Government (Administration) Regulations 1996* and the Shire's Policy 2.6 "Standards for CEO Recruitment, Performance and Termination".

CONSULTATION

N/A

STATUTORY CONTEXT

Local Government Act 1995:

- Section 5.23(2)(b)(ii) requires the Council to close the meeting to members of the public, to the extent necessary to ensure that a review of the CEO's performance under section 5.38 is dealt with on a confidential basis.
- Section 5.38 requires the local government to review the performance of the CEO at least once in relation to each year of the CEO's employment.

Local Government (Administration) Regulations 1996:

- Regulation 18D and Schedule 2, Division 3, clauses 17 to 20 prescribe the requirements for agreeing the CEO performance review process, carrying out the review, Council endorsement of the review and notifying the CEO of the results.

CORPORATE CONTEXT

N/A

FINANCIAL IMPLICATIONS

N/A

VOTING REQUIREMENTS

Simple Majority

Officer Recommendation

That Council, as required by section 5.23(2)(b)(ii) of the *Local Government Act 1995*, **CLOSE** the meeting to members of the public to the extent necessary to ensure that item 12.2, concerning the CEO's annual performance review under section 5.38, is dealt with on a confidential basis.

12.2 Commencement of CEO Performance Review Cycle

File Reference	
Report Date	1 October 2026
Applicant/Proponent	Shire of Victoria Plains - Council
Officer Disclosure of Interest	Financial - the report concerns the performance and remuneration of the Chief Executive Officer.
Previous Meeting Reference	Item 12.2, Ordinary Council Meeting, 29 October 2025; Item 12.4, Ordinary Council Meeting, 25 February 2026
Prepared by	Sean Fletcher, Chief Executive Officer
Senior Officer	N/A
Authorised by	Sean Fletcher, Chief Executive Officer
Attachments	1. Policy 2.6 Standards for CEO Recruitment, Performance and Termination – Confidential

VOTING REQUIREMENTS

Absolute majority required - No

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13. CLOSURE OF MEETING

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

These minutes were confirmed at the Ordinary Council Meeting held on

Date_____

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

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

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