

MINUTES

Special Council Meeting

17 August 2026

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

Commencing – 10:35 AM

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

CONTENTS

1	DECLARATION OF OPENING.....	5
1.1	Opening.....	5
1.2	Announcements by Shire President.....	5
2	REMOTE ATTENDANCE BY ELECTED MEMBERS.....	5
3	RECORD OF ATTENDANCE.....	6
4	DISCLOSURES OF INTEREST.....	6
5	PUBLIC QUESTION TIME	6
5.1	Public Questions with Notice.....	6
	Nil	
5.2	Public Question Without Notice.....	6
	N/A	
6	PRESENTATIONS AND DEPUTATIONS	7
6.1	Presentations	7
	Nil	
6.2	Deputations	7
	Nil	
7	APPLICATIONS FOR LEAVE OF ABSENCE.....	7
	Nil	
8	MINUTES OF MEETING.....	7
	N/A	
9	REPORTS REQUIRING DECISION	8
9.1	Proclamation and Deproclamation of Great Northern Hwy H006 – Batty Bog.....	8
9.2	Adoption of Shire of Victoria Plains Yued Heritage Agreement	12
10	MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	21
	Nil	
11	NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION.....	21
	Nil	
12	MEETING CLOSED TO PUBLIC.....	21
12.1	Meeting Closed to the Public re Item 12.2 and 12.3.....	22
12.2	Community Budget Submission Grant Applications (Confidential).....	24
12.3	Quarterly Update – CEO’s KPIs July 2026 (Confidential)	25
13	CLOSURE OF MEETING	27



MINUTES

Special Council Meeting of the Victoria Plains Shire Council

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

on 17 August 2026 commencing at 10:35 AM

1 DECLARATION OF OPENING

1.1 Opening

The Meeting was declared open by the Presiding Member at 10.35 AM

1.2 Announcements by Shire President

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

2 REMOTE ATTENDANCE BY ELECTED MEMBERS

THAT:

Under regulation 14C (2)(b) of the Admin Regulations, the Shire President can approve Elected Member attendance by electronic means;

In doing so, under r.14C (5) the Shire President must have regard as to whether the location that the Elected Member intends to attend the meeting, and the equipment intended to be used to attend the meeting, are suitable;

Electronic means includes, as per r.14CA(2) by telephone or video conference;

Suitable equipment would include an electronic device that can hold a Teams meeting, and perhaps, the use of headphones;

In accordance with r.14CA (5) the Elected Member must declare that they are able to maintain confidentiality during the meeting. Under r.14CA(7), the declaration by the Elected Member is recorded in the minutes of the meeting;

Summarily, according to Departmental guidance, a suitable location is one that is quiet and private e.g. a private room in your house. If there are other people at the location at the time of the meeting, an Elected Member may be required to close a door and wear headphones

N/A

3 RECORD OF ATTENDANCE

Members present	C P Bantock – Shire President Cr S Woods – Deputy Shire President Cr R Johnson Cr E Williams Cr N Smith
Staff attending	CEO – Mr S Fletcher DCEO – Mr C Ashe Council Support Officer – Mrs J Klobas Community Development Officer – Ms B Ralph
Apologies	Nil
Approved leave of absence	N/A
Visitors	Nil
Members of the public	Nil

4 DISCLOSURES OF INTEREST

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

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

CEO declared a Financial Interest in Item 12.3, Quarterly Update – CEO's KPIs July 2026 (Confidential), due to "*Financial Interest in this matter*".

5 PUBLIC QUESTION TIME

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

5.1 Public Questions with Notice

Nil

5.2 Public Question Without Notice

N/A

6 PRESENTATIONS AND DEPUTATIONS**6.1 Presentations**

Nil

6.2 Deputations

Nil

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8 MINUTES OF MEETING

N/A

PUBLIC UNCONFIRMED MINUTES

9 REPORTS REQUIRING DECISION

9.1 Proclamation and Deproclamation of Great Northern Hwy H006 – Batty Bog

File Reference	
Report Date	4 August 2026
Applicant/Proponent	Main Roads Western Australia
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Sean Flectcher, Chief Executive Officer
Senior Officer	N/A
Authorised by	Chief Executive officer
Attachments	1. Main Roads Western Australia correspondence dated 15 July 2026 and proclamation drawings 201421-0036-03, 202121-0007-00 and 202521-000012-00, contained in 260804 Main Roads WA - Proclamation and deproclamation of Great Northern Highway H006 - Batty Bog. Page 12

PURPOSE

Council is requested to endorse Main Roads Western Australia's proclamation drawings for the proclamation of the current Great Northern Highway H006 alignment and the deproclamation of the superseded Great Northern Highway H006 alignment in the Batty Bog area, within the Shire of Victoria Plains.

BACKGROUND

Main Roads Western Australia has written to the Shire regarding the "Proclamation and deproclamation of Great Northern Highway H006 – Batty Bog." The correspondence states that, as part of the Muchea to Wubin improvement works completed in 2016, Main Roads realigned sections of Great Northern Highway within the Shire of Victoria Plains between Batty Bog Road and the boundary with the Shire of Moora. At the time, proclamation of the new alignment and deproclamation of the superseded alignment did not occur.

Main Roads has advised that, to rectify this anomaly, and in accordance with section 13 of the *Main Roads Act 1930*, the Commissioner of Main Roads intends making a recommendation to the Minister for Transport to proclaim the new alignment as a highway and deproclaim the superseded alignment.

Main Roads has provided three proclamation drawings for Council endorsement:

- Drawing 201421-0036-03;
- Drawing 202121-0007-00; and
- Drawing 202521-000012-00.

The drawings show the sections of Great Northern Highway H006 to be proclaimed and deproclaimed. The overview and detailed proclamation plans are included in Attachment One.

Before making the recommendation to the Minister, the Commissioner requires endorsement of the proclamation drawings by Council, including details of the Council resolution number and meeting date.

Main Roads has advised that the proposed proclamation of the new alignment and deproclamation of the superseded section of Great Northern Highway will have no impact on the Shire of Victoria Plains, and that the actions are administrative in nature and serve solely to formalise the existing road configuration.

Main Roads has also advised that, if Council does not support the changes, section 13A(2) of the *Main Roads Act 1930* provides for Council to lodge an objection with the Commissioner of Main Roads, and that any objection must be lodged with Main Roads by 18 September 2026.

COMMENT

The request from Main Roads Western Australia is administrative in nature and seeks Council endorsement of the proclamation drawings to formalise the existing road configuration for Great Northern Highway H006 in the Batty Bog area.

The road realignment works have already been completed, and the request does not seek approval for new construction works or operational changes by the Shire. Main Roads has advised that the proposed proclamation and deproclamation will have no impact on the Shire of Victoria Plains.

Council endorsement will allow the Commissioner of Main Roads to proceed with the recommendation to the Minister for Transport to proclaim the current alignment and deproclaim the superseded alignment under the *Main Roads Act 1930*. Section 13 of the *Main Roads Act 1930* provides for the Governor, on the recommendation of the Commissioner, to declare by proclamation that a section or part of a road is a highway or main road, or ceases to be so.

Section 13A of the *Main Roads Act 1930* requires local government consultation before certain recommendations are made, including where a road is proposed to be declared a highway or main road, and provides for local government objections to be considered by the Commissioner before making a recommendation.

It is recommended that Council endorse the proclamation drawings, authorise the Chief Executive Officer to sign the drawings on behalf of the Shire with the relevant Council resolution details, and request that the original signed drawings be returned to Main Roads Western Australia. Main Roads has requested that the original signed drawings be returned to its East Perth office and that a duplicate copy be retained by the Shire pending formal proclamation.

CONSULTATION

Consultation has occurred with Main Roads Western Australia through its correspondence dated 15 July 2026 and a follow-up meeting between the author and Mr Gren Putland (Main Roads) on 28 July 2026. The author then briefed Council on this matter on 29 July 2026.

No broader community consultation is proposed, as Main Roads Western Australia has advised that the matter is administrative in nature, formalises the existing road configuration, and will have no impact on the Shire of Victoria Plains.

STATUTORY CONTEXT

Main Roads Act 1930

Section 13 of the *Main Roads Act 1930* provides that, on the recommendation of the Commissioner of Main Roads, the Governor may by proclamation declare that any section or part of a road is a highway or main road, or ceases to be so.

Section 13A of the *Main Roads Act 1930* requires local government to be consulted before the Commissioner makes certain recommendations, including a recommendation that a road be declared a highway or main road, or that the plans of a proposed new highway, main road or deviation be

approved. It also provides that a local government may make an objection before the date specified in the notification, which must be not less than 30 days from the date of notification.

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

There are no direct strategic or corporate plan implications arising from this matter. The request is administrative in nature (tactical) and relates to formalising the legal status of the existing Great Northern Highway H006 road configuration. Main Roads Western Australia has advised that the proposal will have no impact on the Shire of Victoria Plains.

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 If Council does not consider the request, the Shire may not provide a clear position to Main Roads Western Australia within the required timeframe..	Minor (2)	Possible (3)	Medium (6)	Operational Manager Risk acceptable with adequate controls	Council consideration of the matter provides a clear formal position. If endorsed, the signed drawings and resolution details can be returned to Main Roads Western Australia. If Council does not support the proposal, an objection must be lodged with Main Roads by 18 September 2026.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation / Council Resolution [SCM1608-01]**MOVED: Cr N Smith****SECONDED: Cr S Woods**

That Council:

1. **ENDORSES** Main Roads Western Australia proclamation drawings 201421-0036-03, 202121-0007-00 and 202521-000012-00 for the proclamation of the current Great Northern Highway H006 alignment and the deproclamation of the superseded Great Northern Highway H006 alignment in the Batty Bog area, within the Shire of Victoria Plains.
2. **AUTHORISES** the Chief Executive Officer to endorse the proclamation drawings on behalf of the Shire of Victoria Plains by inserting the Council resolution number and date of meeting and signing the drawings where required.
3. **REQUESTS** that the original signed proclamation drawings be returned to Main Roads Western Australia and that a duplicate copy be retained as Council's interim record pending formal proclamation.
4. **NOTES** that, following proclamation, Main Roads Western Australia will provide Council with final drawings showing gazettal details for the Shire's records.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

Voted For : Cr P Bantock, Cr S Woods, Cr R Johnson, Cr E Williams, Cr N Smith
Voted Against: Nil

9.2 Adoption of Shire of Victoria Plains Yued Heritage Agreement

File Reference	
Report Date	4 August 2026
Applicant/Proponent	Yued Aboriginal Corporation
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Ordinary Council Meeting, 29 April 2026, Item 9.11, Resolution 2604-12
Prepared by	Sean Flectcher, Chief Executive Officer
Senior Officer	N/A
Authorised by	Chief Executive officer
Attachments	1. Noongar Heritage Agreement for Local Government – Yued – Page 26 2. 260724 Yued_Heritage_Agreement_Advice – Page 91

PURPOSE

Council is requested to adopt the Noongar Heritage Agreement for Local Government - Yued between the Shire of Victoria Plains and Yued Aboriginal Corporation and authorise the Shire President and Chief Executive Officer to execute the agreement on behalf of the Shire, including use of the common seal where required. The agreement has been prepared following Council's April 2026 resolution to progress the Noongar Heritage Agreement for Local Government as the Shire's preferred framework and to return a final agreement and implementation approach to Council for consideration and execution.

BACKGROUND

Discussions between the Shire of Victoria Plains and Yued Aboriginal Corporation regarding an Aboriginal heritage agreement have been occurring since January 2025. In April 2025, discussions progressed directly with Rewi Lyall, Chief Executive Officer of Yued Aboriginal Corporation, who provided correspondence enclosing two agreement templates: the Yued Aboriginal Heritage Protection Agreement and the Noongar Heritage Agreement for Local Government. The correspondence identified Yued Aboriginal Corporation's preferred agreement position at that time and provided the Noongar Heritage Agreement for Local Government for comparison purposes.

Given the significance of selecting an agreement framework suitable for a local government, Council requested direct advice from the Department of Planning, Lands and Heritage. Glenn Shaw, Manager – Partnerships and Agreements, Heritage and Property Services, Department of Planning, Lands and Heritage, subsequently briefed Council on Aboriginal heritage agreement pathways on 30 July 2025, accompanied by a Senior Heritage Officer. The advice received was that while Regional Corporations may develop alternative agreements, the Noongar Standard Heritage Agreement and the Noongar Heritage Agreement for Local Government remain the Government-endorsed heritage agreement forms, and that local governments should seek independent advice to ensure any agreement aligns with governance, financial and operational requirements.

Council considered this matter at its Ordinary Council Meeting held on 29 April 2026. Council resolved to endorse, in principle, the Noongar Heritage Agreement for Local Government as the Shire's preferred agreement framework, support the application of the key principles of the NHALG as an interim governance and engagement framework, request the Chief Executive Officer to undertake the

necessary legal, financial and operational review, continue engagement with Yued Aboriginal Corporation in good faith, and return a final agreement and proposed implementation framework to Council for consideration and execution.

Following Council's decision, the Chief Executive Officer advised Rewi Lyall of Council's position and continued engagement with Yued Aboriginal Corporation. A formal letter was prepared confirming the outcome of the 29 April 2026 Ordinary Council Meeting and noting that the Shire would work with Yued Aboriginal Corporation in accordance with the values and principles reflected in the NHALG model, including good faith engagement, clear communication, proportionate and risk-based heritage processes, recognition of Aboriginal cultural heritage values, sound governance, and cooperation in relation to essential and emergency works.

Further engagement occurred during July 2026. Email correspondence records the Chief Executive Officer advised Council support staff that work with Rewi Lyall on the agreement would commence on 22 July 2026. The calendar record confirms a Teams meeting titled Proposed Aboriginal Heritage Agreement was held on 22 July 2026 between Sean Fletcher and Rewi Lyall. The meeting was not transcribed, but the event record identifies the related draft agreement file and related email correspondence.

A further Teams meeting titled Yued heritage agreement discussion was held on 24 July 2026. That meeting was also not transcribed. The event metadata confirms that the meeting was a Microsoft Teams meeting with Rewi Lyall as organiser and Sean Fletcher as invitee, with related emails including Shire of Victoria Plains - Draft Protection Heritage Agreement, Change of Time - Signing Of Yued Heritage Agreement, and RE: NSHA - Local Government and YHPA.

On 24 July 2026, the Chief Executive Officer advised Councillors in the weekly update that significant progress had been made on the proposed heritage protection agreement with Rewi Lyall, Chief Executive Officer of Yued Aboriginal Corporation, and that the draft agreement was effectively complete. That update also advised that, subject to final review and endorsement processes, the intention was for the agreement to be formally signed with Yued Aboriginal Corporation on 17 August 2026.

On 27 July 2026, correspondence was sent to Rewi Lyall proposing that the signing of the Yued Heritage Agreement occur at 11.00am on 17 August 2026. On 28 July 2026, the Chief Executive Officer sent the draft agreement to Rewi Lyall for information.

The final agreement now presented to Council is the Noongar Heritage Agreement for Local Government - Yued. It identifies Yued Aboriginal Corporation as Yued Aboriginal Corporation (ICN: 9579), the local government as the Shire of Victoria Plains, the NHALG reference number as YAC01, and the agreement date as 17 August 2026.

The agreement applies to the Agreement Area described in Schedule 3, being the Shire of Victoria Plains local government district.

COMMENT

The agreement provides a standing process for the Shire and Yued Aboriginal Corporation to engage in relation to proposed Shire activities within the Agreement Area. It is not an approval of individual works. Rather, it establishes the agreed process for identifying when Activity Notices are required, when heritage surveys may be required, how surveys are planned and costed, how survey reports are managed, and how statutory heritage processes are supported where required.

The agreement has been reviewed from an operational, governance and risk perspective. The core position remains that the agreement is suitable for the Shire because it recognises Aboriginal heritage, provides a transparent engagement process, preserves emergency response powers, allows many

routine and low-impact activities to continue, includes defined timeframes, includes termination rights, and provides delay protections that are important to local government service delivery.

A key operational feature of the agreement is that it does not apply to activities that are urgently required to secure life, health or property, or to prevent or address an imminent hazard to life, health or property. This preserves the Shire's ability to respond immediately to emergency and public safety matters.

The agreement also recognises Minimal Impact Activities and Low Ground Disturbance Activities. These categories are particularly important for local government because they include, among other things, activities such as environmental monitoring, use of existing tracks, maintenance within existing footprints, maintenance of existing roads, drains, culverts, bridges, fence lines and firebreaks, signage and barriers, revegetation, rehabilitation works and tourism operations involving minor disturbance.

Clause 8.1 provides that the Shire does not need to issue an Activity Notice where it has reasonable grounds to form the opinion that no survey is required, or where the proposed activities consist entirely of Minimal Impact Activities or Low Ground Disturbance Activities of a class that Yued Aboriginal Corporation has notified in writing need not be the subject of an Activity Notice. Where there is doubt, the agreement requires the Shire to issue an Activity Notice.

Where an Activity Notice is required, the agreement sets out the matters that must be included. These include information about the proposed activity, mapping, whether the activity is considered Low Ground Disturbance Activity, whether the Shire considers a survey is required, the preferred survey methodology, proposed fieldwork timing, and whether preliminary advice, a draft survey report, or statutory application support may be required.

A practical implementation issue is that clause 9 contains a non-binding presumption that a survey is required where no previous Aboriginal Heritage Survey has been undertaken in relation to the land and waters the subject of an Activity Notice, unless otherwise agreed or waived. The operational guidance prepared for the Shire identifies that this issue will require practical discussion with Yued Aboriginal Corporation in relation to established road reserves, existing gravel pits, previously cleared areas and routinely maintained infrastructure.

The agreement provides a process for survey team composition, including between 2 and 8 Yued Aboriginal Consultants, a Yued Aboriginal Heritage Liaison Officer where necessary and agreed, and anthropological or archaeological expertise where required and agreed. The number and composition of the survey team will affect costs and will need to be managed through the agreement's Activity Notice and survey planning process.

The agreement requires the Shire to pay survey costs at the rates set out in Schedule 5 where Yued Aboriginal Corporation elects to contract the Aboriginal Heritage Service Provider or perform that function itself. The Shire must pay 100% of the approved Estimated Survey Costs to Yued Aboriginal Corporation within the timeframes specified in the agreement, but Schedule 5 provides a more predictable local government cost framework, including an administration fee of 15% of total expenditure capped at \$5,000, indexed to CPI.

The agreement contains important delay protections. If Yued Aboriginal Corporation or its contracted provider does not meet applicable time limits, the Shire may issue a notice requiring rectification and, if non-compliance is not rectified, the Shire may no longer be bound by clauses 9 to 12 for the relevant Activity Program and may make alternative arrangements for Aboriginal heritage surveys, including

by appointing an independent anthropologist, archaeologist or other appropriately qualified professional after seeking advice from DPLH if appropriate.

The agreement also provides that either party may terminate the agreement for convenience by giving 30 days' written notice. This is a significant governance protection and provides Council with a practical safeguard if implementation issues arise over time.

Confidentiality will need to be actively managed. The agreement treats survey information, survey reports and Sensitive Heritage Information as confidential, subject to permitted disclosures. This has implications for Council agenda material, public reporting, record keeping and any future Freedom of Information request involving heritage information.

The implementation approach should therefore be practical and proportionate. Officers should use the agreement to support early discussion with Yued Aboriginal Corporation where heritage risk is uncertain, while also recognising that many routine, emergency, maintenance and low-impact activities can continue without unnecessary delay where the agreement allows. The practical guidance prepared for officers summarises this approach as: "If in doubt, discuss with YAC first."

It is recommended that Council now adopt the final agreement and authorise execution. This will complete the work requested through Council's April 2026 resolution and provide a consistent, transparent and locally appropriate framework for heritage engagement between the Shire and Yued Aboriginal Corporation.

CONSULTATION

Consultation has occurred with Rewi Lyall, Chief Executive Officer, Yued Aboriginal Corporation, including direct discussions with the Chief Executive Officer and the previous Council, correspondence over the course of 2025 and 2026, and Teams meetings on 22 July 2026 and 24 July 2026. The Teams meetings were not transcribed, so no transcript-based meeting content is available for this report.

Consultation also occurred with the Department of Planning, Lands and Heritage, including through the Council briefing provided by Glenn Shaw, Manager – Partnerships and Agreements, Heritage and Property Services, and a Senior Heritage Officer on 30 July 2025.

Department of Planning, Lands and Heritage (including Glenn Shaw) including with CEO and Council

Internal consultation: Deputy CEO, Planning, Works, Emergency Management / Ranger functions, Community Development Officer

Councillors have also been updated through the Chief Executive Officer's weekly update dated 24 July 2026, which advised that significant progress had been made, the draft agreement was effectively complete, and the intended signing date was 17 August 2026 subject to final review and endorsement processes.

STATUTORY CONTEXT

Aboriginal Heritage Act 1972

The *Aboriginal Heritage Act 1972* provides for the protection and preservation of Aboriginal heritage in Western Australia, makes it an offence to excavate, damage, destroy or alter an Aboriginal site unless authorised, and establishes the framework for consultation, investigation and approval where activities may impact Aboriginal heritage.

The Noongar Heritage Agreement for Local Government operates alongside the *Aboriginal Heritage Act 1972*. It does not displace the Act or remove the need for statutory approvals where required.

Rather, it supports compliance by clarifying consultation pathways, information flows and agreed procedures.

Local Government Act 1995

Section 3.1 of the Local Government Act 1995 establishes the general function of a local government to provide for the good government of persons in its district, and that in performing that function a local government must have regard to matters including the need to recognise the particular interests of Aboriginal people and the need to involve Aboriginal people in decision-making processes.

In this context, the Shire's engagement with Yued Aboriginal Corporation and its consideration of an Aboriginal heritage agreement are consistent with its general function and governance responsibilities.

Agreement Execution

The agreement signing pages provide for execution by Yued Aboriginal Corporation and by the Shire of Victoria Plains where applying the common seal, with execution by the Shire President and Chief Executive Officer by authority of a Council resolution.

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

The Heritage Agreement is applicable across the Shire's strategies:

STRATEGIC PRIORITIES		WE KNOW WE ARE SUCCEEDING WHEN	
1. COMMUNITY			
1.2 Inclusive community activities, events and initiatives		Community Development Officer jointly plans and works with local groups	
		We increase the number and diversity of sport, recreation, learning and cultural events	
1.3 Recreational, social and heritage spaces are safe and are activated		Shire owned community buildings and places of interest are well maintained and used	

STRATEGIC PRIORITIES		WE KNOW WE ARE SUCCEEDING WHEN	
2. ECONOMY			
2.1 We understand traditional and emerging industries across the Shire		Communities and opportunities are promoted by the Shire We forward plan for emerging industries	

STRATEGIC PRIORITIES		WE KNOW WE ARE SUCCEEDING WHEN	
3. ENVIRONMENT			
3.2 Conservation of our natural environment and resources		Responsive and a high standard of Ranger services	
		Nature reserves in our control are managed and protected	
		Shire water resources are efficient, equitable and we advocate for improvements in the network	

STRATEGIC PRIORITIES		WE KNOW WE ARE SUCCEEDING WHEN	
4. CIVIC LEADERSHIP			
4.2 Shire communication is regular, clear and transparent	Residents and community groups believe they are being listened to and fairly treated		

The agreement supports the Shire's strategic direction by providing a consistent process for recognising Aboriginal heritage interests, engaging with Yued Aboriginal Corporation, managing heritage risk, and supporting practical delivery of Shire activities across the district.

Delegation

Nil

Policy Implications

Nil

Other Corporate Document

The agreement should be supported by practical officer guidance, including the 260724 Yued_Heritage_Agreement_Advice, to assist staff in identifying when an Activity Notice may be required, how emergency works are managed, how routine works are treated, and when contact with Yued Aboriginal Corporation should occur.

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance / Business Disruption / Reputation If the Shire does not adopt and implement a consistent Aboriginal heritage agreement framework, there is a risk of inconsistent heritage engagement, non-compliance with heritage legislation, project delays, increased exposure to legal or regulatory challenge, and damage to the Shire's relationship with Yued Aboriginal Corporation and Noongar Traditional Owners.	Major (4)	Possible (3)	High (12)	Senior Management Team Existing controls include heritage due diligence on a project-by-project basis, engagement with DPLH and sector guidance, Council oversight, and inclusion of Aboriginal heritage risks within the Shire's governance and compliance risk profile	Adoption of the Noongar Heritage Agreement for Local Government - Yued will provide a consistent, transparent and legally aligned process for Aboriginal heritage engagement. It will assist early engagement with Yued Aboriginal Corporation, provide defined Activity Notice and survey processes, preserve emergency response capacity, support routine maintenance pathways, and reduce residual risk to a moderate level with routine monitoring.

FINANCIAL IMPLICATIONS

There is no immediate financial implication arising solely from Council's adoption and execution of the agreement, apart from officer time associated with implementation, administration and record keeping.

Future financial implications may arise where a Shire activity requires an Activity Notice, heritage assessment or survey. Where a survey is required, the agreement provides a cost framework through

Schedule 5. The agreement provides for survey-related costs, including Aboriginal Heritage Service Provider costs, Principal Aboriginal Heritage Consultant costs, Yued Aboriginal Heritage Liaison Officer costs where necessary and agreed, Yued Aboriginal Consultants, field expenses, travel expenses and incidental expenses.

The agreement's Schedule 5 includes an administration fee of 15% of total expenditure capped at \$5,000, indexed to CPI. This provides a more predictable and capped administration cost structure than the alternative proponent-style agreement previously considered by Council.

The agreement also requires the Local Government to pay 100% of approved Estimated Survey Costs to Yued Aboriginal Corporation within the timeframes set out in clause 11. This will need to be managed through project planning and budget processes where an Activity Notice or survey is required.

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation / Council Resolution [SCM1608-02]

MOVED: Cr R Johnson

SECONDED: Cr E Williams

That Council:

1. **NOTES** the previous consideration of this matter at the Ordinary Council Meeting held on 29 April 2026, at which Council endorsed, in principle, the Noongar Heritage Agreement for Local Government as the Shire's preferred agreement framework for progressing heritage engagement with Yued Aboriginal Corporation.
2. **NOTES** the consultation undertaken with Yued Aboriginal Corporation, including engagement with Rewi Lyall, Chief Executive Officer, Yued Aboriginal Corporation, and the Teams meetings held on 22 July 2026 and 24 July 2026.
3. **NOTES** that the final agreement presented to Council is the Noongar Heritage Agreement for Local Government - Yued, identifying Yued Aboriginal Corporation (ICN: 9579), the Shire of Victoria Plains as the Local Government, NHALG Reference Number YAC01, and agreement date 17 August 2026.
4. **ADOPTS** the Noongar Heritage Agreement for Local Government - Yued between the Shire of Victoria Plains and Yued Aboriginal Corporation, as set out in Attachment One.
5. **AUTHORISES** the Shire President and Chief Executive Officer to execute the Noongar Heritage Agreement for Local Government - Yued on behalf of the Shire of Victoria Plains, including affixing the common seal where required.
6. **AUTHORISES** the Chief Executive Officer to make any minor administrative, formatting or typographical amendments to the agreement prior to execution, provided those amendments do not materially alter the intent, obligations or effect of the agreement.
7. **SUPPORTS** the Chief Executive Officer's practical internal guidance for officers to support the operation of the agreement, including guidance on Activity Notices, emergency activities, Minimal

Impact Activities, Low Ground Disturbance Activities, confidentiality, survey cost management and engagement with Yued Aboriginal Corporation, as set out in Attachment Two.

8. **NOTES** that, subject to Council adoption and completion of execution arrangements, the agreement is proposed to be signed with Yued Aboriginal Corporation on 17 August 2026.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

Voted For : Cr P Bantock, Cr S Woods, Cr R Johnson, Cr E Williams, Cr N Smith
Voted Against: Nil

PUBLIC UNCONFIRMED MINUTES

10 MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION

Nil

11 MEETING CLOSED TO PUBLIC

PUBLIC UNCONFIRMED MINUTES

12.1 Meeting Closed to the Public re Item 12.2 and 12.3	
File Reference	
Report Date	5 August 2026
Applicant/Proponent	Sean Fletcher, CEO
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	Nil

PURPOSE

For Council to resolve to close the meeting to the public for Agenda Items 12.2 and 12.3 in accordance with the *Local Government Act 1995*.

BACKGROUND

Council is required to consider matters at this meeting that are of a confidential nature and are not appropriate for discussion in an open meeting.

COMMENT

Agenda Items 12.2 and 12.3 contains information that meets the criteria for confidential matters under Section 5.23(2) of the *Local Government Act 1995*.

In accordance with the Act and the *Shire of Victoria Plains Meeting Procedures Local Law 2018*, Council may resolve to close the meeting to members of the public for the consideration of those items.

The information to be considered under Items 12.2 and 12.3 relates to:

- Section 5.23(2)(a) – *a matter affecting an employee or employees;*
- Section 5.23(2)(c) – matters affecting the commercial or financial interests of the local government

CONSULTATION

N/A

STATUTORY CONTEXT

Local Government Act 1995

- Section 5.23(2)(a) – matters affecting employees
- Section 5.23(2)(c) – matters affecting the commercial or financial interests of the local government

Shire of Victoria Plains Meeting Procedures Local Law 2018 – provisions relating to the closure of meetings to the public.

CORPORATE CONTEXT**Strategic Business Plan/Corporate Business Plan**

N/A

Delegation

N/A

Policy Implications

N/A

Other Corporate Document

N/A

Risk Analysis

N/A

FINANCIAL IMPLICATIONS

N/A

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation / Council Resolution [SCM1608-03]**MOVED: Cr N Smith****SECONDED: Cr E Williams**

That Council, in accordance with Section 5.23(2)(a)(c) of the *Local Government Act 1995* and the Shire of Victoria Plains Meeting Procedures Local Law 2018, resolves to **CLOSE** the meeting at 10.42 am to members of the public for consideration of Agenda Item 12.2 and 12.3.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

Voted For : Cr P Bantock, Cr S Woods, Cr R Johnson, Cr E Williams, Cr N Smith

Voted Against: Nil

12.2 Community Budget Submission Grant Applications (Confidential)

File Reference	
Report Date	13 August 2026
Applicant/Proponent	Shire of Victoria Plains
Officer Disclosure of Interest	NIL
Previous Meeting Reference	29 July 2026 Ordinary Council Meeting
Prepared by	Bridget Ralph – Community Development Officer
Senior Officer	Sean Fletcher
Authorised by	CEO
Attachments	1. Updated Community Grant Submissions Package –

Voting Requirements

Simple Majority required: Yes / No

Officer Recommendation / Council Resolution [SCM1608-04]

Moved: Cr R Johnson

Seconded: Cr N Smith

Organisation	Project	AMT Requested	Organisation Input	GRP%	Total Project Cost	Grant Approval
Bolgart St John Ambulance	Ambulance Shed Extension	\$5,000.00	\$65,000	7.14%	\$70,000	\$5,000
Calingiri Golf	Calingiri Golf Seating	\$4,870.00	\$2,490	65.28%	\$7,460	\$4,870
Gillingarra Sport and Rec	Clothing Recycling Project	\$2,024.51	\$684.84	73.90%	\$2,739.35	\$2,024.51
Piawaning Progress	Piawaning Hall Patio	\$5,000.00	\$5,568.00	47.31%	\$10,568	\$5,000
Yerecoin P&C	School Camp (Year 4-6)	\$2,000.00	\$4,384.00	31.33%	\$6,384	\$2,000
Calingiri Football Club	Roller Door	\$5000.00	2025/26 Rollover			\$5,000
Mogumber Progress Association	Safety Railing for Disabled Ramp	\$5000.00	2025/26 Rollover			\$5,000
		\$28,894.51				\$28,894.51

CARRIED BY UNANIMOUS DECISION OF COUNCIL

Voted For : Cr P Bantock, Cr S Woods, Cr R Johnson, Cr E Williams, Cr N Smith

Voted Against: Nil

The Community Development Officer withdrew from the meeting at 10.47AM and did not return.

12.3 Quarterly Update – CEO's KPIs July 2026 (Confidential)

File Reference	
Report Date	5 August 2026
Applicant/Proponent	Sean Fletcher, Chief Executive Officer
Officer Disclosure of Interest	Financial
Previous Meeting Reference	Item 12.4 February 2026; Item 12.2 May 2026
Prepared by	Sean Fletcher, Chief Executive Officer
Senior Officer	N/A
Authorised by	Chief Executive officer
Attachments	1. CEO KPI Report July 2026

VOTING REQUIREMENTS

Absolute majority required: Yes Matter relates to the CEO's contract

Officer Recommendation / Council Resolution [SCM1608-05]

Moved: Cr S Woods

Seconded: Cr R Johnson

That Council:

- ACCEPTS** the July Quarter 2026 update on the Chief Executive Officer Key Performance Indicators for the 2026–2027 performance period.
- NOTES** that the following KPIs are recorded as completed as at the July 2026 reporting cycle:
 - KPI 1 – Balanced 2026–2027 Budget;
 - KPI 3 – Review of the Long-Term Financial Plan and Capital Works Program;
 - KPI 4 – Safety Performance Reporting;
 - KPI 10 – Annual Maintenance Schedules; and
 - KPI 11 – Customer Service Charter Review.
- NOTES** that KPI 2, relating to the 2025–2026 unqualified audit outcome, is not yet due and will be reported to Council following receipt of the Office of the Auditor General audit report.

4. **NOTES** that KPI 6 and KPI 7 are progressing toward the September 2026 reporting timeframe, including policy and local law review, Integrated Planning and Reporting, Workforce Plan review, Council Plan development and associated quarterly reporting activities.
5. That Council **OPEN** to the Public at 10.49 AM.

CARRIED BY ABSOLUTE MAJORITY AND BY UNANIMOUS DECISION OF COUNCIL

Voted For : Cr P Bantock, Cr S Woods, Cr R Johnson, Cr E Williams, Cr N Smith
Voted Against: Nil

PUBLIC UNCONFIRMED MINUTES

12 CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 10:52AM.

These minutes were confirmed at the Ordinary Council Meeting held on

2026

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.

PUBLIC UNCONFIRMED MINUTES