



CEO ATTACHMENT BOOKLET FOR ORDINARY COUNCIL MEETING

17 August 2022 at 5:00pm

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FORM OF APPLICATION FOR PLANNING APPROVAL

(PLEASE COMPLETE ALL BOXES)

OWNER DETAILS:

Name(s): Western, Margaret
 Postal Address: PO Box 151 MINGENEW WA Postcode: 6522
 Contact Person: Margaret
 Phone: [REDACTED] Email: [REDACTED]
 Signature: [Signature] Date: 15/3/21
 Signature: _____ Date: _____

NOTE: The signatures of ALL the owner(s) is required to process this application.

APPLICANT DETAILS: (if different from owner)

Name: as above
 Postal Address: _____ Postcode: _____
 Contact Person: _____
 Phone: _____ Email: _____
 Signature: _____ Date: _____

PROPERTY DETAILS:

Lot/Location No: _____ House/Street No: 10
 Street Name: Ikewa Street Locality/Suburb: Mingenew
 Diagram/Plan No: _____ Volume No: _____ Folio No: _____

EXISTING DEVELOPMENT/LAND USE:

Nature of any Existing Development/Land Use: Residential

PROPOSED DEVELOPMENT/LAND USE:

Description of Proposed Development/Land Use: Replace shed

Approximate Cost: \$40,000

Estimated Time of Completion: May 2022

REQUIRED INFORMATION & FEES:

Please refer over for the information required to be submitted with this application and the schedule of fees. This application will not be processed without all required information including payment of the appropriate fee.

OFFICE USE ONLY:

Date Received: _____ Application No: _____

Accepting Officer's Initials: _____ File Number: _____

Required Fee: \$ _____ Date Paid: _____

30.5.22

Please find enclosed plans for application of approval to replace and extend our shed due to cyclone damage. Part of the shed was destroyed in the cyclone.

We would also like approval to have the shed 300m of the fence which will be concreted from fence to shed wall, so that no weeds etc can grow and fire hazards there

As at the moment behind and at the side of the is basically a fire hazard with the weeds and ryegrass and is of no use. We also have no neighbouring adjoining fences.

You can see that the old existing shed was 20m width and the replacement would only be 21.5 mtrs

The shed is to be mainly used storage for caravan, camper trailer and my vintage truck, which is the reason for a slightly higher apex in shed

I hope you will consider my application

Yours Sincerely

Margaret Western

M West

any more info required feel free to contact me on [REDACTED]

Application for building permit – uncertified

Building Act 2011, section 14, 16
Building Regulations 2012, regulation 4, 16

PERMIT AUTHORITY
USE ONLY

Reference number

Permit authority

Shire of Mingenew

1. Property this application relates to

Property street
address (provide lot
number where street
number is not
known)

Unit no	Street no 10	Level	Lot no
Street name IKEWA		Street type ST	Street suffix
Suburb Mingenew		State W.A.	Postcode 6522
Volume		Folio	

Certificate of title
(if known)

Local government area (if different
from permit authority)

Is this lot vacant?

☐ Yes

☒ No

2. Details of building work

Project name (if any)

Description of the
building(s) and
building work

Main use of
building(s)

Building Code of
Australia (BCA)
class of the
building(s)

Replacing and extending cyclone
damage to shed

Storage / Workshop (HOUSEHOLD)

Main BCA class

- ☐ Class 1a single dwelling (including detached house, row house, terrace house, town house or villa unit)
- ☒ Class 10a (garage, carport, shed or the like)
- ☐ Class 10b (fence, mast, antenna, retaining or free standing wall, swimming pool or the like)
- ☐ Class 10c (private bushfire shelter)

Secondary BCA
class (for multi-
purpose buildings)

Third BCA class (for
multi-purpose
buildings)

Type of work

- ☐ New building/structure
 ☒ Alteration/addition
 ☐ Refurbishment/fit out
☐ Relocation of a building to this site
 ☐ Change of use/conversion

Type of building or incidental structure (if a Class 10)

- ☐ Swimming pool/spa
 ☐ Garage
 ☐ Patio
☐ Carport
 ☒ Shed
 ☐ Fence/wall
☐ Retaining wall
 ☐ Water tank
 ☐ Other

Number of dwellings relocated TO this site from another site

Type of structure

- ☐ Detached (free standing)
 ☐ Attached to another structure

Number of residential dwellings to be created

Number of storeys of the highest building (above ground)

Number of basement storeys of the building (below ground)

Estimated value of building work (including GST)

Floor area to be created (m²)
Site (lot) area (m²)

What are the main materials used in the building work?

Floor	Exterior walls	Roof cover	Wall frame
<input checked="" type="checkbox"/> Concrete <input type="checkbox"/> Timber <input type="checkbox"/> Steel <input type="checkbox"/> Other	<input type="checkbox"/> Brick (double) <input type="checkbox"/> Brick (veneer) <input type="checkbox"/> Concrete/stone <input type="checkbox"/> Fibre cement <input type="checkbox"/> Timber <input type="checkbox"/> Curtain glass <input type="checkbox"/> Steel <input type="checkbox"/> Aluminium <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Tiles <input type="checkbox"/> Concrete <input type="checkbox"/> Fibre cement <input type="checkbox"/> Steel <input type="checkbox"/> Aluminium <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Brick/block <input type="checkbox"/> Concrete <input type="checkbox"/> Timber <input type="checkbox"/> Steel <input type="checkbox"/> Aluminium <input type="checkbox"/> Other

If 'other' please specify

	coburbond	coburbond	
--	-----------	-----------	--

Intended owner of the completed building

- ☒ Private sector
☐ Government sector

Is this application for a stage of a multi-stage building project?



- ☐ Yes
☐ No

Is an alternative solution to a building standard proposed for the building work?

- ☐ Yes
 ☒ No

3. Owner details

Where there are multiple owners, please attach a list with the names and signatures of each owner. If each of those owners requires a copy of the building permit, please also provide forwarding details for each owner.

Owner's name	Western Margaret			
Street address (provide lot number where street number is not known)	Unit no	Street no 10	Level	Lot no
	Street name IKEWA		Street type ST	Street suffix ST
	Suburb Mingenew	State W.A	Postcode 6522	Country (if not Australia)
OR				
PO Box address	PO Box no P.O Box 151			
	Suburb Mingenew	State W.A	Postcode 6522	Country (if not Australia)
Email address				
Phone/fax	Phone no 		Fax	
Owner's signature*	M. West			Date 30/5/22

*If you are authorised to sign on behalf of the owner, please provide your written legal authorisation with your application. Owner's signature is not required for Class 1 or Class 10 buildings or incidental structures with applications lodged before 31 December 2016.

4. Builder details

Builder's name				
Street address (provide lot number where street number is not known)	Unit no	Street no	Level	Lot no
	Street name		Street type	Street suffix
	Suburb	State	Postcode	Country (if not Australia)
OR				
PO Box address	PO Box no			
	Suburb	State	Postcode	Country (if not Australia)
Email address				
Phone/fax	Phone no		Fax	

Type of builder	<input type="checkbox"/> Registered building contractor (provide registration number below) <input type="checkbox"/> Approved owner-builder (attach owner-builder approval from the Building Services Board and provide owner-builder approval number below) <input type="checkbox"/> Public Authority <input type="checkbox"/> Other (building work under \$20,000, or where registered building contractor not required)	
Registration number or owner-builder approval number	Registration / approval number (if relevant)	
Builder's signature	Name (print)	
	Signature	Date

5. Applicant details

Who is the applicant?
(Tick one box)

☒ Owner ☐ Builder ☐ Other

If 'Other' was selected above, complete the following details:

Applicant's name

--

Street address
(provide lot number where street number is not known)

Unit no	Street no	Level	Lot no
Street name		Street type	Street suffix
Suburb	State	Postcode	Country (if not Australia)

OR

PO Box address

PO Box no			
Suburb	State	Postcode	Country (if not Australia)

Email address

--

Phone/fax

Phone no	Fax
----------	-----

6. Statement by applicant

I understand that a building permit cannot be granted unless:

1. All the prescribed information is provided with this application.
2. All consents or court orders have been obtained if part of a building or incidental structure is proposed to be placed beyond the boundaries of the works land.

Does the proposed work encroach on other land? ☐ Yes ☒ No

If yes, has consent or a court order been obtained? ☐ Yes ☐ No

Attach a copy of each consent (form BA20) or court order obtained.

3. All consents or court orders have been obtained if the building work may adversely affect land beyond the boundaries of the works land.

Does the proposed work adversely affect other land? ☐ Yes ☒ No

If yes, has consent or a court order been obtained? ☐ Yes ☐ No

Attach a copy of each consent (form BA20) or court order obtained.

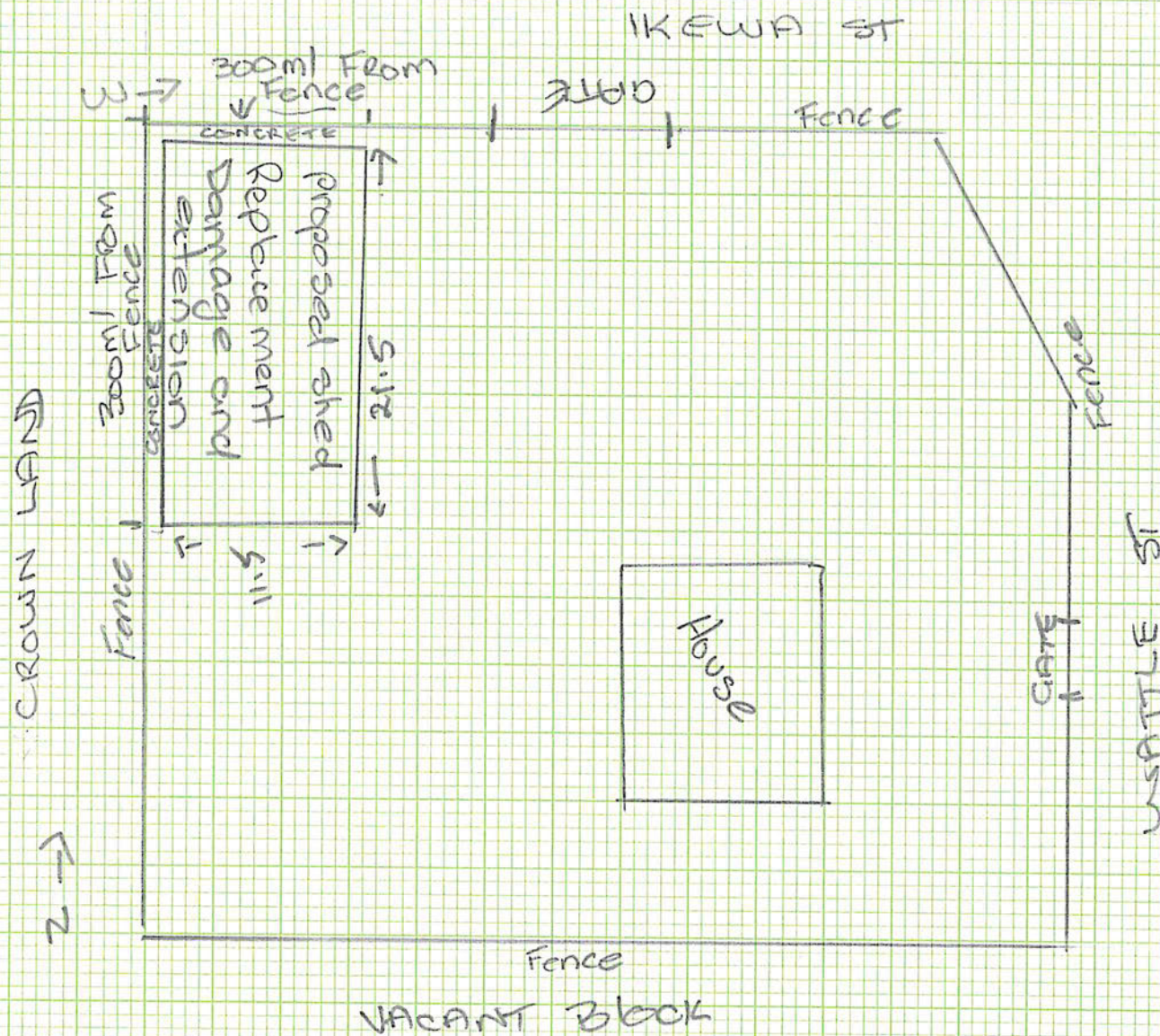
4. If the proposed building work is for a Class 1 or Class 10 building or incidental structure that includes alternative solutions to building standards, details have been provided with this application.

Provide details of each alternative solution not shown on the plans and specifications.

Applicant's
signature

Name (print) <i>margaret Western</i>	
Signature <i>M. Western</i>	Date <i>30/5/22</i>





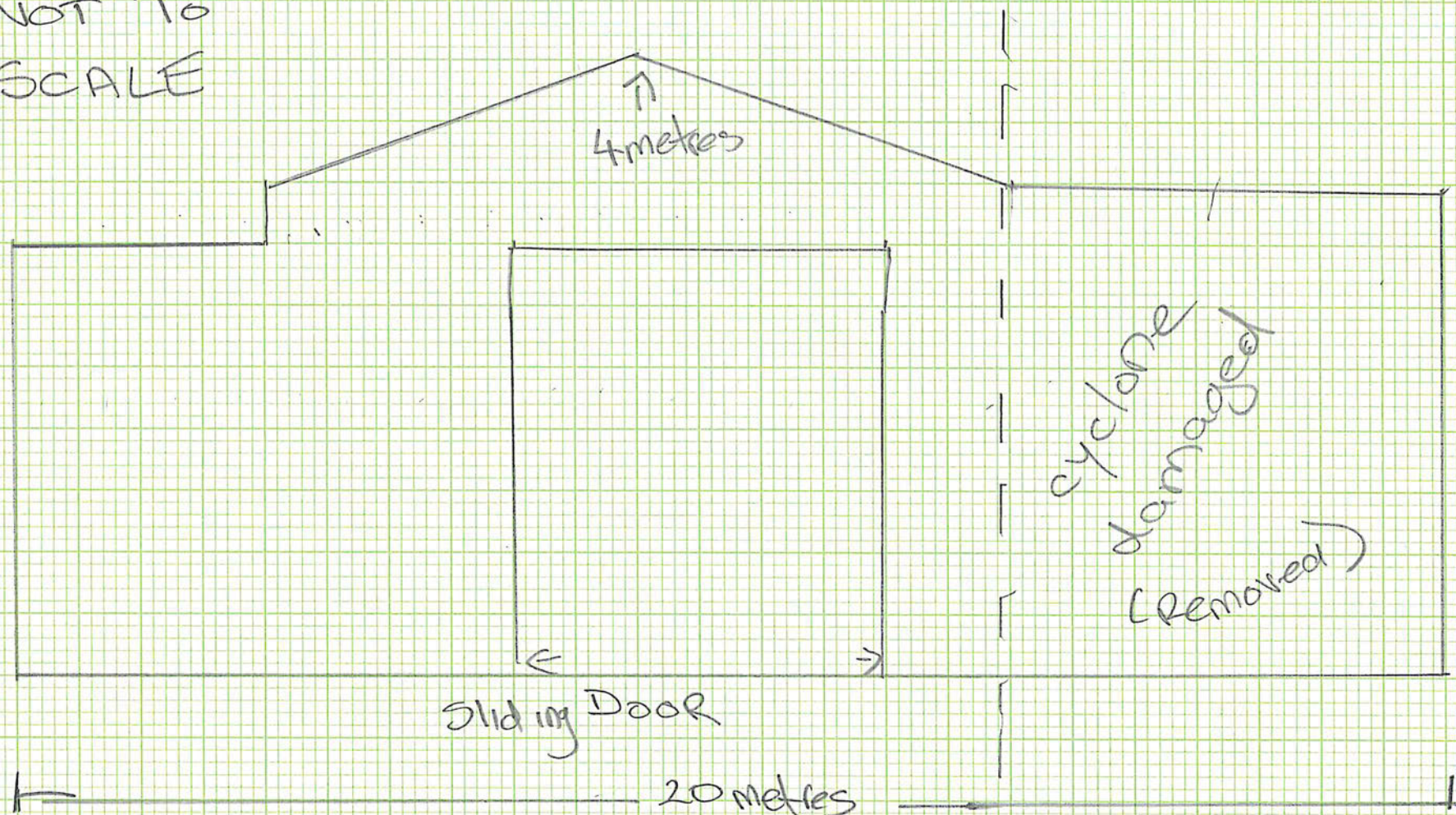
NOT TO
SCALE

10 IKAWA ST
Mingenew

OLD SHED
8 X 20

NEW & EXISTING
11.5 X 21.5

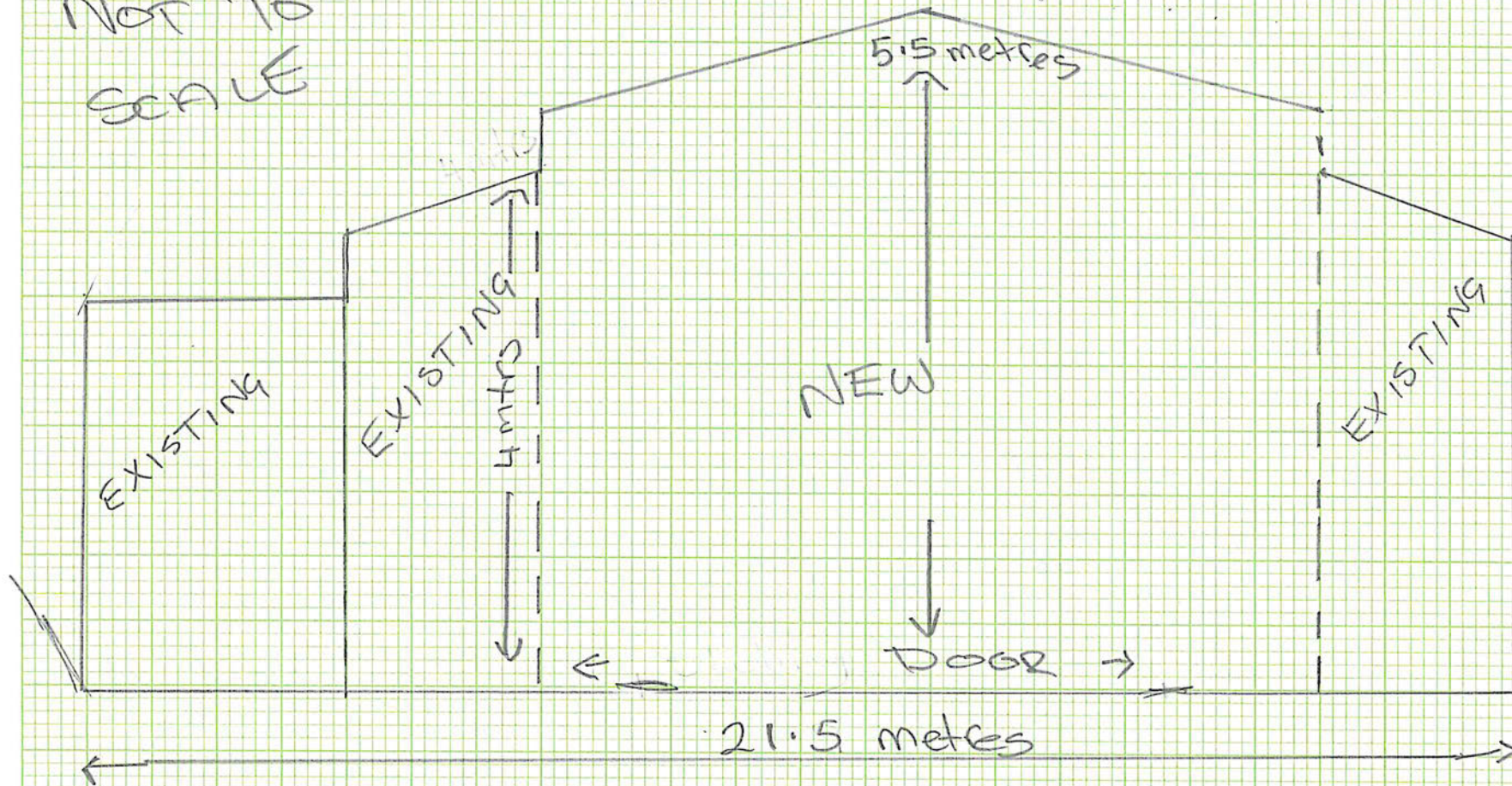
NOT To
SCALE



existing shed

proposed Shed

NOT TO
SCALE

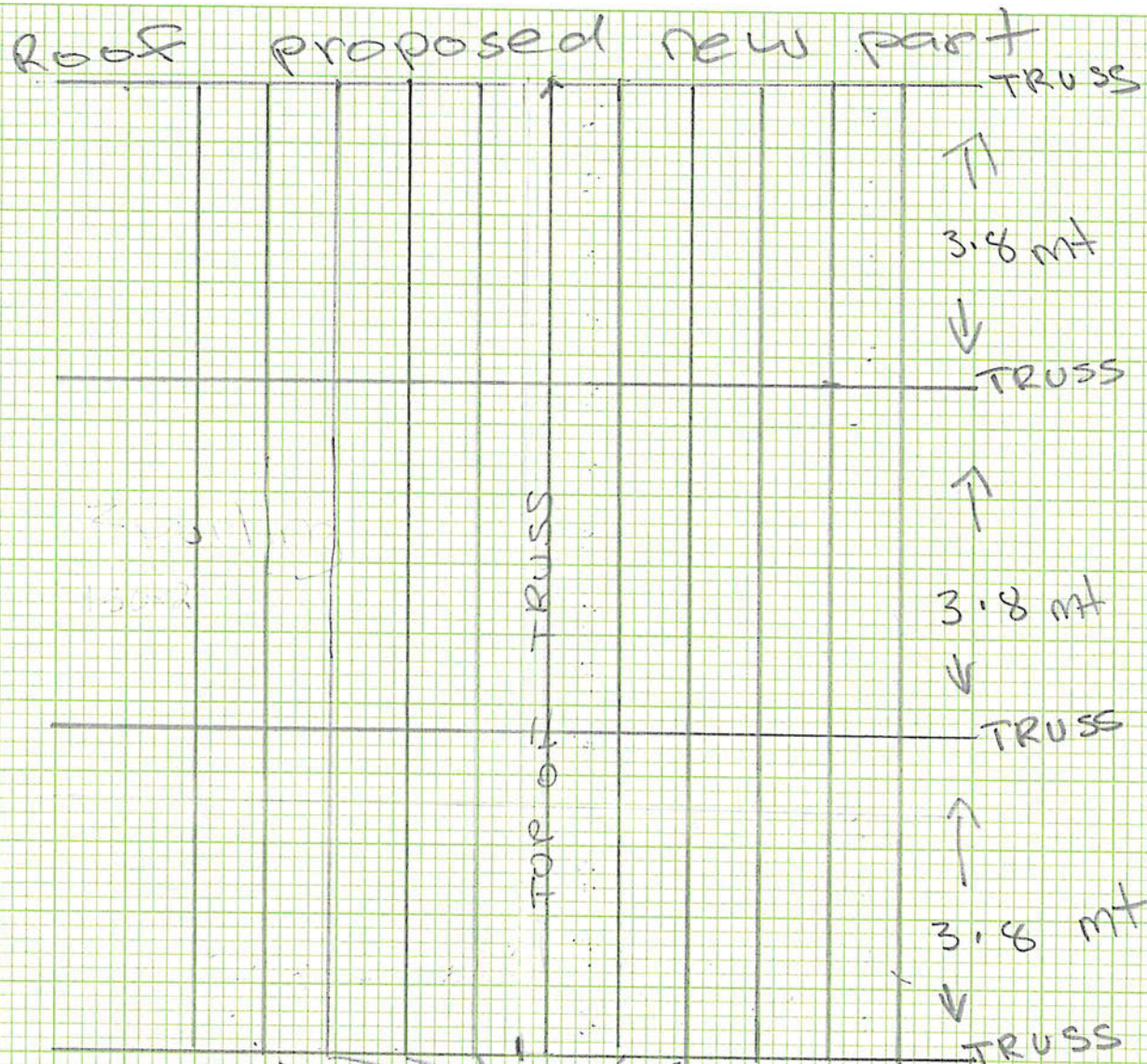


11.5 metres Deep

Footings
800 X 800
X 800
FOR ALL
UPRIGHTS

NOT
TO
SCALE

2 Purling
150 x 2 m



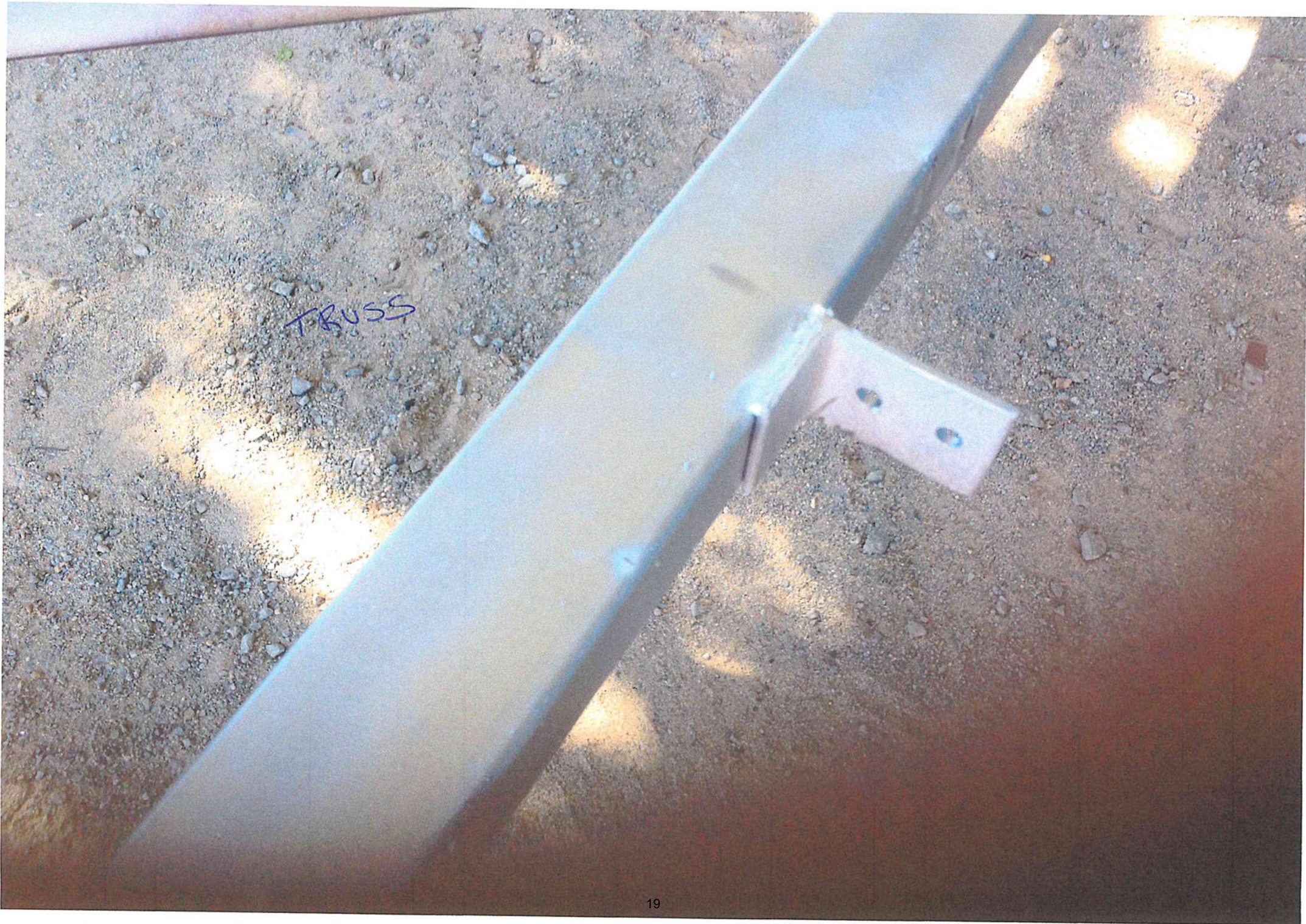
5 purlings either side
approx 1 mtr apart

















OUTBUILDINGS

LOCAL PLANNING POLICY

PURPOSE

Local Planning Policies assist the local government in making decisions under the Scheme.

It is not intended that a policy be applied rigidly, but each planning application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, will be limited to the policy provisions and that mere compliance will result in an approval.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances, the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

SCOPE

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

OBJECTIVES

1. To provide development standards for outbuildings specific to the Shire of Mingenew, as appropriate.
2. To provide a clear definition of what constitutes an “outbuilding”.
3. To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.
4. To limit the visual impact of outbuildings.
5. To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.
6. To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property.

DEFINITIONS

‘Outbuilding’ means an enclosed non-habitable structure that is detached from any dwelling. For the purpose of this policy an open sided, roofed patio completely detached from the dwelling is also considered an outbuilding. For the purpose of this policy a non-enclosed addition to an existing outbuilding (e.g. veranda, patio, lean-to or carport etc.) shall constitute an extension to that outbuilding.

‘Front Building Line’ means the closest point of a house to the front boundary, drawn parallel to the that boundary. In the case of a corner lot, the front building line applies to both streets.

POLICY PROVISIONS

General

1. Pre-fabricated garden sheds, “cubby houses”, kennels and other animal enclosures (such as aviaries, stables) less than 9m² in total aggregate area and less than 2.5m in height (measured from natural ground level) are exempt from this policy provided they are located to the rear of the house, and of a design and colour considered in keeping with the amenity of the area by the local government.
2. Other than for general storage and/or agricultural purposes an outbuilding shall not be used for any commercial or industrial use without prior approval from Council.
3. The storage of accumulated personal items and any items in connection with a commercial or industrial operation (e.g. building materials, earthmoving equipment etc.) is considered contrary to the objectives of this policy and is therefore not considered sufficient justification for an increase in the maximum standards prescribed.

Height, Size and Setbacks

Outbuildings within the Residential, Rural Townsite or Tourism zones shall;

- (a) be single storey;
- (b) be located behind any dwelling on site;
- (c) meet all setback requirements set out in the Local Planning Scheme and this policy;
- (d) not be approved by the local government on a lot not containing a dwelling;
- (e) be attached to, or setback 1.8m from any dwelling and 1.2m from any septic tank.

The following maximum standards apply to outbuildings:

Zone / Lot Size	Maximum area (m ²)	Maximum wall length (m)	Maximum wall height (m) <i>(to be measured at natural ground level)</i>	Maximum roof height (m)
Rural, Rural Residential	Exempt from the area and height requirements of this policy			
All other zones - on lots under 1,500m ²	80	10	4	5
All other zones - on lots over 1,500m ²	200	N/A	4	5

(Table 1 – Site layout requirements)

Materials

The use of uncoated metal sheeting (i.e. zincalume or corrugated iron) is only permitted upon land zoned ‘Rural Residential’ or ‘Rural’.

Consultation

Applications that propose variation to any part of the Policy may require consultation with effected owners and/or occupiers, by means of the Shire writing directly to the surrounding landowners inviting comment, and placement of an advisory sign on-site for a period of not less than 14 days, prior to the application and any received submissions being placed before a meeting of Council for consideration.

Note: The advertising of a received application that proposes variation to any part of the Policy is undertaken to make the proposal available for inspection in order to provide opportunity for public comment and it should not be construed that final approval will be granted.

The local government in determining the application will take into account the submissions received but is not obliged to support those views.

ADMINISTRATION

REFERENCES

Shire of Mingenew Local Planning Scheme No.4

Residential Design Codes Western Australia

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

ADOPTION

VERSION	STATUS	DATE	REFERENCE
DRAFT V1	Advertising	21/2/18	Minute Ref: 9.4.1
FINAL	Adoption	17/4/19	Minute Ref: 17041908
REVISION 1	Adoption	21/8/19	Minute Ref: 11.1

REVIEW

Review timeframe: Annually

Review responsibility: Chief Executive Officer



DEVELOPMENT APPLICATION SUBMISSION FORM

Proposed Outbuilding – 10 (Lot 87) Ikewa Street, Mingenew

Name: [REDACTED]
Postal Address: [REDACTED]
Phone Number: [REDACTED]

SUBMISSION: ☒ Support ☐ Object ☐ Indifferent

Please give in full your comments and any arguments supporting your comments
(if insufficient space, please attach additional sheets) -

No OBJECTIONS AT ALL

Signature: [REDACTED] Date: *09/07/2022*

Please return to either: Shire of Mingenew or (fax) 9928 1128
PO Box 120
MINGENEW WA 6522 or enquiries@mingenew.wa.gov.au

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Thursday 7th July 2022



DEVELOPMENT APPLICATION SUBMISSION FORM

Proposed Outbuilding – 10 (Lot 87) Ikewa Street, Mingenew

Name: [REDACTED]

Postal Address: [REDACTED]

Phone Number: [REDACTED]

SUBMISSION: ☒ Support ☐ Object ☐ Indifferent

Please give in full your comments and any arguments supporting your comments
(if insufficient space, please attach additional sheets) -

ALL GOOD.

Signature: [REDACTED] Date: 9/7/2022

Please return to either: Shire of Mingenew or (fax) 9928 1128
PO Box 120
MINGENEW WA 6522 or enquiries@mingenew.wa.gov.au

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Thursday 7th July 2022



DEVELOPMENT APPLICATION SUBMISSION FORM

Proposed Outbuilding – 10 (Lot 87) Ikewa Street, Mingenew

Name:

Postal Address:

Phone Number:

SUBMISSION:

☒ Support

☐ Object

☐ Indifferent

Please give in full your comments and any arguments supporting your comments
(if insufficient space, please attach additional sheets) -

Signature:

Date:

13/7/2021

Please return to either:

Shire of Mingenew
PO Box 120
MINGENEW WA 6522

or (fax) 9928 1128

or enquiries@mingenew.wa.gov.au

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Thursday 7th July 2022



DEVELOPMENT APPLICATION SUBMISSION FORM

Proposed Outbuilding – 10 (Lot 87) Ikewa Street, Mingenew

Name:

Postal Address:

Phone Number:

SUBMISSION:

☒ Support

☐ Object

☐ Indifferent

Please give in full your comments and any arguments supporting your comments
(if insufficient space, please attach additional sheets) -

Signature:

Date:

18-7-2022

Please return to either:

Shire of Mingenew

or

(fax) 9928 1128

PO Box 120

or

MINGENEW WA 6522

or

enquiries@mingenew.wa.gov.au

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

28 Submissions Close: 4:00pm Thursday 7th July 2022



DEVELOPMENT APPLICATION SUBMISSION FORM

Proposed Outbuilding – 10 (Lot 87) Ikewa Street, Mingenew

Name: _____

Postal Address: _____

Phone Number: _____

SUBMISSION:

☐ Support

☒ Object/Resolution

☐ Indifferent

Please give in full your comments and any arguments supporting your comments
(if insufficient space, please attach additional sheets) -

Please find attached letter

Signature: _____

Date: _____

22/07/2022

Please return to either:

Shire of Mingenew

or

(fax) 9928 1128

PO Box 120

or

MINGENEW WA 6522

enquiries@mingenew.wa.gov.au

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Thursday 7th July 2022



To

Mingenew Shire

Governance and Community Manager

Erin Greaves

Concerning

Lot 10 Ikewa Street, Outbuildings Redevelopment

As a Owner Occupier since March 2003

Lot 10 Development History since about 2003 (subject to verification)

The North of the Shed is now back to pre-2006 on the North side of Ikewa Street .

I have purused the information provided in relation to the application; both as a owner occupier and also Proffessional (Past Real-Estate Industry WA/licence; no longer current.)

The Point to consider in this application; where the outbuilding construction stages since 2003 or thereabouts, prior owner, is either 2-3 stages.

Prior to 2006 (last sale date)

Stage One: Main Shed Constructed, by a past owner; about 2003-2006; presumeably with Engineers Certificate. Which if the shed is cut in half is no longer valid.

Stage Two: South Wing, check for accuracy, as to if part of Stage one or Stage 2, in relation to Planning approvals and Engineers Certificate.

Stage Three/Final : Constructed Post -2006 and Damaged by cyclone; Owner/builder construction , presumeably Uncertified

In relation to Mingeneu Local Planning Scheme#4 and out building Lot 10 Does not have a Residence and cannot be further Developed as I understand that matter.

In relation to Ikewa Street Precinct of Intersection of Lockier Street to Midland road, Lots 7 and 5 are also Lots that are Non-Compliant, with the Absence of a Primary Residence; The significant difference is Lots 7 and 5 Ikewa Street Building is ,they in line with the Established Build/residential Building Setback , being Preserved.

However ; Lets talk about Scheme#4 Residential 125 Zoning , Residential Frontage setback of Residence.

Page 2

The Lot 9 Ikewa Street Residential Setback is 10.5 metre, which is from front fence to Closest Front house wall.

Residential Building Established Set back line 10.5 metres give or take one metre.

Applying the Rule of Majority and Precedence, I fail to see how this should be varied, inparticular to further oversized outbuilding on lot 10, which is now in line with the Ikewa Stree Residential Building setback, yet we are talking about the construction proposal of an Industrial Sized Shed, without an Engineers Certificate, being proposed in a R125 Residential Zone. What is the BUILDING Code of Australia interpretation on the matter?

Summary and Conclusion

This is the first time since March 2003, I have been consulted, as a owner occupier concerning , Lot 10 Outbuilding multiple construction proposals, absence of a Primary Residence.

As mentioned, in your correspondence; even Amaglamation of Lot 10 and 12 Ikewa street the proposal is still Over-sized. Both in area and height.

In the Precinct of Ikewa Street , Wattle Street, View Street and Yandanuka Street, there are 14 or 15 R12.5 residential Allotments, some privately owned, others vested in the Crown, which I forsee titles being issued and the area sold as Prime Real-Estate; within next 2-5 years; With New Roothing infrastructure invested 2022, these lots simply need power and water to be reticulatèd to point of connection, footpaths construction around the precinct, resurvey and issue of Allotment titles ;Estimating; would set the pricing at between \$25,000 - \$35,000 per lot depending on the square metreage an other with the current High demand on supply and demand for real-estate n Western Australia. Post COVID19 markets.

Objection/Resolution

10 Ikewa Street Redevelopment/ Within a 12.5 Residential Zoning / Map NOTE: Attachment " 10 Ikewa Street – One"

Ikewa Street Frontage Setback for Residential Building 10.5 metres , with flexibility of say 1 to 1.5 metre. Redevelopment, subject to Title Amalgamation of Lot's 10 and 12 Redevelopment proposal to be Certified or in other words a Engineers Certificate, complete with plans, inclusive of entire Proposal; including Fastener and Fixing Systems to be used Redevelopment to be to the Rear (Not 300mm from the Front of 10 Ikewa Street) of existing lot 10, behind existing Shed/out build, This would overcome both Ikewa Street Building setback established by both Majority and Precedence. Boundary Fence line firewalls to apply where applicable. The redevelopment not to infringe Legal Right of adjoining properties, be they Private or Vested in the Crown Land Department. I trust that my Professional contributions are both useful and Valued Added, to All of the Interested Parties above mentioned.

Your faithfully,



OWNER/OCCUPIER

Dear Councillors

in response to the objection of our proposal to extend the shed, we have weighed out other possibilities but have come to the conclusion that where the shed is now, it has the cement pad, power and water connected already to the site, so it seems feasible to us that we should extend the existing shed in the front/nw corner, where the shed is already established.
hope you will take this into consideration

Yours Sincerely

M. West

Margaret Western

22.7.22
Re-Proposed Outbuilding 10 (Lot 87) Kew St

Dear Council,

I am writing to you in appreciation that you will reconsider the condition of amalgamating our 2 blocks, for approval of replacement of existing shed, due to damage from cyclone

I have contacted HTD Surveys and spoke to Brad Collard, who advised me it would be \$7,000 to amalgamate the blocks, and at least 6mth before all finalised

We cannot afford this, plus when insurance money came through, we purchased the steel and materials and this is now, although tarped up, is out in the weather, along with other things that should be under cover

As part of the house is on the other block, the shed is close to the house so there is no way we would ever sell as a separate block, as we have no intention of moving

I hope you will give this matter your consideration

Yours Sincerely



Margaret Western



TERMS OF REFERENCE

Audit and Risk Committee

1.0.1

Title:	1.0.1 – AUDIT AND RISK COMMITTEE TERMS OF REFERENCE
Adopted:	19 December 2018
Last Reviewed:	17 February 2021
Associated Legislation:	Sections 7.1A, of the Local Government Act A1995. Regulations 16 of the Local Government (Audit) Regulations 1996
Associated Documents:	Shire of Mingenew Standing Orders Local Law 2017 1.2.2 Risk Management Policy v1 Risk Management Framework & Procedures v1 Shire of Mingenew Risk Profile 1.2.8 Code of Conduct
Review Responsibility:	Audit & Risk Committee
Delegation:	-

OBJECTIVES

The primary objective of the Audit and Risk Committee “the Committee” is to accept responsibility for the annual external audit and liaise with the local government’s auditor so that Council can be satisfied with the performance of the local government in managing its statutory and fiscal affairs.

Reports from the Committee will assist Council in discharging its legislative responsibilities of controlling the local government’s affairs, determining the local government’s policies and overseeing the allocation of the local government’s finances and resources. The Committee will ensure transparency in the Local Government’s reporting and will liaise with the CEO to ensure the effective and efficient management of the local government’s systems and processes.

The Committee is to facilitate –

- the enhancement of the credibility and objectivity of internal and external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance;
- the coordination of the internal audit function with the external audit; and
- the provision of an effective means of communication between the external auditor, any internal auditor/s, the CEO and the Council.

POWERS OF THE AUDIT AND RISK COMMITTEE

The Audit and Risk Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The Committee is a formally appointed Committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the



CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and cannot involve itself in management processes or procedures.

MEMBERSHIP

- The Committee will consist of at least four members including one external member, with a recommended four elected members and one external person. All Council-appointed members shall have full voting rights.
- The CEO and employees are not members of the Committee.
- The CEO or his/her nominee is to be available to attend meetings to provide advice and guidance to the Committee.
- The local government shall provide secretarial and administrative support to the Committee.

QUORUM

A quorum shall consist of at least 50% of the number of offices of Committee members, unless a reduction is approved by the local government under s5.15 of the *Local Government Act 1995*.

INDEPENDENT MEMBERS

Appointments of external independent persons will be made following a public advertisement/expressions of interest process or as otherwise determined by Council and be for a maximum term of three years. An independent member is eligible to reapply and be appointed for an additional term but is subject to the requirements of the recruitment / expressions of interest process each term expiry.

The following selection criteria is desirable to assist in appointing an Independent Member to the Committee:

- Financial literacy and, ideally with qualifications or extensive experience in business management and/or accounting;
- Knowledge of local government operations and the environment within which councils operate;
- Strong communication skills;
- High level of personal and professional integrity and ethics; and
- Demonstrated knowledge of risk management principles and practices.

The evaluation of potential members will be administered by the CEO and appointments will be approved by Council.

Council may terminate the appointment of any member prior to the expiry of his/her term, if:

- The Chairperson considers that the member is not making a positive contribution to the Committee; or
- The member is found to be in breach of the Shire of Mingenew Code of Conduct or a serious contravention of the Local Government Act 1995; or
- A member's conduct, action or comments brings the Shire of Mingenew into disrepute.

The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership, despite changes to Council's elected representatives.



By approval of the CEO and within budgetary constraints, reimbursement of reasonable out of pocket expenses, such as travel costs, will be paid to each external person who is a member of the Committee upon application within the relevant financial year.

CHAIRPERSON

The position of Chairperson shall be appointed by a majority vote of the Committee following a call for nominations for the position at the next meeting following an Ordinary Local Government Election and after which Committee delegates have been formally appointed by Council or following the resignation of the Chairperson. A Chairperson may be reappointed.

MEETINGS

The Committee shall meet as circumstances require in order to meet its internal and external auditing requirements (commonly 3-4 times per year) .

Additional meetings shall be convened at the discretion of the Chairperson or by request from a majority of voting members, in consultation with the CEO to ensure the timely preparation of meeting notices, agendas and any other information required for the meeting.

REPORTING

Reports and recommendations of each Committee meeting shall be presented to the next ordinary meeting of the Council.

DUTIES AND RESPONSIBILITIES

The duties and responsibilities of the Committee will be -

- a. Provide guidance and assistance to Council as to carrying out the functions of the local government in relation to audits;
- b. Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions;
- c. Liaise with the CEO to ensure that the local government does everything in its power to –
 - o assist the auditor to conduct the audit and carry out his or her other duties under the *Local Government Act 1995*; and
 - o ensure that audits are conducted successfully and expeditiously;
- d. Examine the reports of the auditor after receiving a report from the CEO on the matters to –
 - o determine if any matters raised require action to be taken by the local government; and
 - o ensure that appropriate action is taken in respect of those matters;
- e. Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time;
- f. Review the scope of the audit plan and program and its effectiveness;
- g. Review the appropriateness of special internal audit assignments undertaken by an external auditor at the request of Council or Chief Executive Officer;
- h. Review allocation of risk and audit resources in conjunction with the Shire's Risk Profile;
- i. Review the level of resources allocated to internal audit and the scope of its authority;
- j. Review risk management policies, procedures and guidelines;

- k. Review reports of internal audits, external audits and control assurance reviews, monitor the implementation of recommendations made by the audit and review the extent to which Council and management reacts to matters raised;
- l. Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs;
- m. Review the local government's annual financial report prior to Council receiving the final report for adoption, focusing on –
 - o accounting policies and practices;
 - o changes to accounting policies and practices;
 - o the process used in making significant accounting estimates;
 - o significant adjustments to the financial report (if any) arising from the audit process;
 - o compliance with accounting standards and other reporting requirements; and
 - o significant variances from prior years;
- n. Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed;
- o. Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are within the parameters of the Committee's terms of reference;
- p. Seek information or obtain expert advice through the CEO on matters of concern within the scope of the Committee's terms of reference following authorisation from the Council;
- q. Review the annual Compliance Audit Return and report to Council the results of that review, and
- r. Consider the CEO's reviews of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the Committee, and report to Council the results of those reviews.

INTERNAL AUDIT

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

The scope of an internal audit would be determined by the Audit & Risk Committee, with input from the Chief Executive Officer and senior staff, based on the size of the local government's internal operations and the level of compliance to be achieved. The role differs from that of the external auditor who is appointed to report independently on the annual financial statements. The external auditor's primary role is to decide whether the annual financial statements of a local government are free of material misstatement.

There are certain functions of the internal audit that complement the external auditor's role. As the external auditor plans for an effective audit they need to assess and determine whether to include the scope, procedures and outcomes of the internal audit. The CEO must refer all internal audit reports to the Audit & Risk Committee for consideration.

An internal auditor's activities should typically include the following:

- a. review of the internal control structure, monitoring the operations of the information system and internal controls and providing recommendations for improvements;
- b. review relevant internal systems and processes, providing recommendations for efficiency or productivity gains;
- c. a risk assessment with the intention of minimising exposure to all forms of risk on the local government;
- d. examination of financial and operating information that includes detailed testing of transactions, balances and procedures;
- e. a review of the efficiency and effectiveness of operations and services including non-financial controls of a local government;
- f. a review of compliance with management policies and directives and any other internal requirements;
- g. review of the annual Compliance Audit Return;
- h. assist in the CEO's triennial reviews of the appropriateness and effectiveness of the local government's systems and procedures regarding risk management, internal control and legislative compliance; and
- i. specific tasks requested by management.

For local government, an internal auditor should report functionally to the Audit & Risk Committee and administratively to the CEO. It should be remembered that pursuant to section 5.41 of the Act, the CEO is responsible for the day-to-day management of Council activities including the direction of staff and implicitly the internal audit function. The CEO may choose to delegate this responsibility provided always that the delegation does not directly or indirectly interfere with the ability of the Internal Auditor to conduct an internal audit function free from interference.

A clear and properly defined reporting relationship ensures that the internal auditor is empowered to perform their role working with management. The direct reporting line to the Audit & Risk Committee also acts as an adequate safeguard in the event of a serious breakdown in internal controls or internal control culture at senior levels in the organisation.

While it is recognised that smaller Councils may not be able to justify a full-time internal auditor, a small size of operation does not justify forgoing internal audit altogether. If the Audit & Risk Committee or management is of the view that the employment of an independent internal auditor either full-time or part-time is not warranted, it may request the Council to have the internal audit function undertaken as necessary by an external contractor or expand the role of its external auditor.

The internal auditor or his or her professional company should only undertake internal audit functions that complement the internal audit and do not cloud the objectivity and independence of the external audit. An external auditor must not audit information prepared by them or their accounting practice, as this is considered incompatible with the standard of independence.

Local governments that do not establish an internal audit process but require a review of the financial management systems and procedures, may decide to use the services of the external auditor for that purpose. Such reviews are to be undertaken every four years in accordance with regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*.



The review of financial management systems and procedures provides the external auditor with greater assurance of systems and procedures used to prepare the annual financial statements, and whether they provide information free of material misstatement.



TERMS OF REFERENCE

Behaviour Complaints Committee

4.0.1

Title:	5.0.1 – BEHAVIOUR COMPLAINTS COMMITTEE
Adopted:	19 May 2021
Last Reviewed:	-
Associated Legislation:	Local Government Act 1995 Model Code of Conduct Regulations
Associated Documents:	Shire of Mingenew Code of Conduct
Review Responsibility:	Council
Delegation:	Nil.

PURPOSE

To establish Terms of Reference for the Behaviour Complaints Committee of the Shire of Mingenew.

OBJECTIVES

- To promote the interests and welfare of the Shire of Mingenew and broader community
- To promote and advocate for initiatives and ideas that align with community strategic objectives
- To exchange information that may be pertinent to future planning and decision making

ROLES AND RELATIONSHIPS

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Local Government Act 1995 (the Act) for the purpose of dealing with Behaviour Complaints made under Division 3 of the Shire of Mingenew's Code of Conduct for Council Members, Committee Members and Candidates (Code of Conduct).

The extent of authority provided to the Behaviour Complaints Committee is specified in the relevant Delegated Authority, and includes:

- Dismissing a behaviour complaint in accordance with clause 13 of the Code of Conduct and providing reasons for any such dismissal.
- Making a Finding as to whether an alleged complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than it did not occur [clause 12(3) of the Code of Conduct].
- Determining reasons for such a Finding.
- Where a Finding is made that a breach has occurred, determining:
 - To take no further action; or
 - Prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

The extent of authority of the Behaviour Complaints Committee is limited by Condition of the Delegated Authority.

MEMBERSHIP

The Complaints Committee is a Committee of Council Members only in accordance with s.5.9(2)(a) of the Act.

Membership of the Behaviour Complaints Committee will comprise of [min of 3 members - s.5.8] Council Members, appointed by Council in accordance with s.5.10 of the Act.

In addition, at least 3 Council Members will be appointed as Deputy Committee Members in accordance with s.5.11A of the Act.



The Delegated Authority Condition prescribes that if an appointed Committee Member is identified in the Complaint as either the Complainant or the Respondent, they are to recuse themselves from the Committee's Function by providing an apology. They are to be replaced for the duration of the handling of the subject Complaint by a Deputy Committee Member, selected by the Presiding Member of the Committee.

MEETING SCHEDULE

Meetings are to be scheduled as required by the CEO or Behaviour Complaints Officer in consultation with the Committee Presiding Member.

DELEGATED AUTHORITY

The Behaviour Complaints Committee will act under Delegated Authority in accordance with s.5.16 of the Act. The delegation is recorded in the Shire of Mingenew Register of Delegations.

It is a Condition of Delegated Authority that the Behaviour Complaints Committee will be unable to exercise delegated authority if the Complainant or Respondent attend as a Complaints Committee Member.

COMMITTEE GOVERNANCE

Complaints Behaviour Committee meetings are required to:

- be called and convened by the CEO, as required, in consultation with the Committee's Presiding Member;
- include public question time [Admin.r.5]
- make the Committee Notice Papers and Agenda publicly available [s.5.94(p), s.5.96A(f)], with the exception of agenda content that relates to that part of the meeting which will be closed to members of the public under s.5.23(2) [Admin.r.14]; and
- make Committee minutes publicly available [s.5.94(n), s.5.96A(h)], with the exception of Minutes content that relates to that part of the meeting which was closed to the public or was determined as confidential under s.5.23(2).



TERMS OF REFERENCE

Bush Fire Advisory Committee

2.0.1

Title:	2.0.1 – BUSH FIRE ADVISORY COMMITTEE TERMS OF REFERENCE
Adopted:	-
Last Reviewed:	17 February 2021
Associated Legislation:	Bush Fires Act 1954
Associated Documents:	Nil.
Review Responsibility:	Bush Fire Advisory Committee
Delegation:	Nil.

OBJECTIVES

To advise the local government regarding all matters relating to the delivery of fire prevention, preparedness, response and recovery, in accordance with requirements of the *Bush Fires Act 1954 (BFA)*.

FUNCTIONS

The function of the Bush Fire Advisory Committee (BFAC) is to advise the local government regarding:

- all matters relating to the preventing, controlling and extinguishing of bush fires
- the planning of the layout of firebreaks in the district
- prosecutions for breaches of the *Bush Fires Act 1954*
- the formation of bush fire brigades and the grouping thereof under group brigade officers
- the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities
- any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified above.

POWERS OF THE BUSH FIRE ADVISORY COMMITTEE

The BFAC is established under s.67 of the *Bush Fires Act 1954* as an advisory committee to Council. The Committee does not have delegated authority to exercise the powers or discharge the duties of the local government but may provide appropriate advice and recommendations to Council or the CEO in order for the local government to effectively perform its legislative functions and duties.

MEMBERSHIP

The BFAC voting members will include:

- Council-appointed Councillor representative/s (or proxy)
- Chief Bush Fire Control Officer (Deputy CBFCO as proxy)
- Shire Chief Executive Officer (or proxy)
- Agency-appointed Department of Fire & Emergency Services (DFES) representative (or proxy)
- Bush Fire Risk Management Officer (BFRMO)
- Brigade Members

The Shire's Governance Officer (or proxy delegated by the Shire CEO) will provide administrative support to the Committee and is a non-voting member.



Other persons, or representatives of organisations may be invited to participate in meetings, whose role, responsibilities or charter include bush fire management and control and/or are likely to be impacted by emergency management arrangements.

The local government may accept the resignation or remove a member of the Committee or appoint a person to fill a vacancy in accordance with the BFA.

QUORUM

A quorum shall be five (5) voting members.

CHAIRPERSON

The Committee shall appoint a Chairperson and Deputy Chairperson. The election of the Chairperson and Deputy Chairperson shall be held every two years, at the first meeting of the Committee, post Council elections.

MEETINGS

The Committee may meet from time to time as the Committee sees fit but, shall meet as a minimum once annually, prior to the harvest period (approximately October).

The March meeting shall be an Annual General Meeting for which local public notice is to be provided. At this meeting the Committee shall make recommendations to Council for the appointment of the Bush Fire Control Officer, Deputy Bush Fire Control Officer, Brigade Captains and any other positions the Committee sees fit, in accordance with the BFA. Appointments are to be endorsed by Council or referred to the Committee for reconsideration.

REPORTING

Minutes and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

DUTIES AND RESPONSIBILITIES

The duties and responsibilities of the Committee will be to -

- a) Make recommendations to Council on resourcing needs of the Brigades including financial support, equipment needs, training and any other requirements;
- b) Advise on the layout of firebreaks and annual firebreak requirements;
- c) Make recommendations to Council regarding the setting and/or varying of prohibited and restricted burning periods in accordance with s.17 and s.18 of the BFA.
- d) Review bush fire incident reports and establish improved practices for the control of bush fires and related activities
- e) Advise and assist the Shire in ensuring that local risk management and response plans pertaining to bush fires are established and maintained (including testing);
- f) Advise Council regarding all matters relating to prosecutions for breaches of the *Bush Fires Act 1954*;
- g) Support the Shire to ensure appropriate and timely training programs are developed and delivered to volunteer bush fire brigade members, including on-going scenario-based training;
- h) Advise the Shire of Mingenew on operational and administrative matters relating to bush fire prevention, preparedness, response and recovery, as per relevant legislation and policies;



- i) Advise and assist the Shire in the development of bush fire community engagement and education programs;
- j) Facilitate and foster open communication and cooperation with other fire and emergency agencies, neighbouring local governments and other stakeholders;
- k) Review these Terms of Reference biannually.

DRAFT



TERMS OF REFERENCE

Local Emergency Management Committee

3.0.1

Title:	3.0.1 – LOCAL EMERGENCY MANAGEMENT COMMITTEE TERMS OF REFERENCE
Adopted:	-
Last Reviewed:	17 February 2021
Associated Legislation:	Emergency Management Act 2005
Associated Documents:	Shire of Mingenew Standing Orders Local Law 2017 Code of Conduct
Review Responsibility:	Local Emergency Management Committee
Delegation:	Nil.

OBJECTIVES

To oversee, plan and test the local emergency management arrangements for the local community in consultation with relevant agencies and organisations and provide timely advice and recommendations to the local government, pursuant to the *Emergency Management Act 2005* (EMA).

FUNCTIONS

The functions of the Local Emergency Management Committee (LEMC) are:

- a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district (including recovery planning);
- b) To exercise the Shire of Mingenew Local Emergency Management Arrangements, and to test their effectiveness in practical applications;
- c) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements;
- d) to carry out other emergency management activities as directed by the State Emergency Management Committee (SEMC) or prescribed by legislation.
- e) to advise and assist the local government on how to manage recovery following an emergency affecting the community in the district; and
- f) to advise and assist the local government on other functions relevant to Emergency Management,

POWERS OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE

The Mingenew LEMC is established under s.38 of the *Emergency Management Act 2005* to carry out emergency management activities as directed by the SEMC.

The Committee does not have delegated authority to exercise the powers or discharge the duties of the local government but may provide appropriate advice and recommendations to Council or the CEO in order for the local government to effectively perform its legislative functions and duties.

MEMBERSHIP

Membership of the Committee is determined by SEMC.



The Mingenew LEMC voting members will include:

- Council-appointed Councillor representative/s (or proxy)
- Shire Chief Executive Officer (as the Local Recovery Coordinator)
- Mingenew Police Officer in Charge (OIC) (Local Emergency Coordinator for the purposes of s.37(1) EMA and State EM Policy 2.5.5)
- Chief Bush Fire Control Officer (Deputy CBFCO as proxy)
- Department of Fire & Emergency Services (DFES) Area Officer Midwest (or proxy)
- Representatives from the following agencies:
 - Department of Health
 - Department of Communities
 - Department of Biodiversity, Conservation and Attractions (Parks and Wildlife)
 - Main Roads WA
 - Silver Chain / Other
 - St John Ambulance WA
 - WALGA Roadwise
 - Mingenew Primary School

Individual Committee members and one representative from each agency is entitled to vote.

The Shire's Governance Officer will be the Executive Officer for the purposes of this Committee; providing governance and administration support but does not have a voting role.

Other persons, or representatives of organisations may be invited to participate in meetings, whose role, responsibilities or charter include emergency management and/or are likely to be impacted by emergency management arrangements.

QUORUM

A quorum shall be five (5) voting members.

CHAIRPERSON

In accordance with SEMC Procedures, the Elected Member, appointed by Council to this Committee shall serve as Chairperson. The Local Emergency Coordinator shall serve as Deputy Chair of the Local Emergency Management Committee.

MEETINGS

The Committee may meet from time to time as the Committee sees fit but, shall meet as a minimum quarterly as required by SEMC (approximately March, June, August and October).

REPORTING

Minutes of the LEMC will be provided to Council at the next Ordinary meeting after which a meeting has been held. The LEMC may make recommendations to Council in order for the local government to meet its statutory obligations with regard to emergency management.

DUTIES AND RESPONSIBILITIES

The duties and responsibilities of the Committee will be -

- a) To establish and review Local Emergency Management Arrangements in accordance with s.41 of the *Emergency Management Act 2005*, that are to set out:



- i. the local government's policies for emergency management;
 - ii. the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;
 - iii. provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (ii);
 - iv. a description of emergencies that are likely to occur in the local government district;
 - v. strategies and priorities for emergency management in the local government district;
 - vi. other matters about emergency management in the local government district prescribed by the regulations;
 - vii. other matters about emergency management in the local government district the local government considers appropriate.
- b) Prepare and submit an Annual Report to the DEMC after the end of each financial year [s.40 *Emergency Management Act 2005*] – see SEM Policy 2.6
 - c) Coordinate and conduct tests of the LEMA and relevant exercises to ensure the local government's plans and strategies are effective and efficient, involving all relevant stakeholders where possible;
 - d) Review any post-incident reports and post exercise reports generated since the last meeting;
 - e) Make recommendations on the implementation of emergency risk management strategies;
 - f) Provide feedback on State Emergency Management Policies and the adequacy of State government support to achieve efficient, effective and consistent emergency management responses at the local level;
 - g) Report to the DEMC and/or SEMC on any others matters in relation to emergency management as required.

The Local Emergency Coordinator, in accordance with s.37(4) of the EMA, is to:

- provide advice and support to the LEMC for the district in the development and maintenance of EM arrangements for the district;
- assist in the provision of a coordinated response during an emergency in the district and undertake various other response activities outlined in SEMC Policy; and
- carry out other EM activities in accordance with the directions of the SEMC.

The Executive Officer is to:

- coordinate the development and submission of committee documents in accordance with legislative and policy requirements including an Annual Report, Business Plan and maintenance of LEMAs;
- provide advice to the Chair and LEMC as required;
- facilitate communication between the LEMC and Executive Officer of the relevant DEMC
- coordinate communication and engagement activities between LEMC, Council, neighbouring local governments and other stakeholders as required.

Abbreviations

CEO – Chief Executive Officer (of the Shire of Mingenew)
DEMC – District Emergency Management Committee
EMA – *Emergency Management Act 2005*
LEMA – Local Emergency Management Arrangements
LEMC – Local Emergency Management Committee
SEMC – State Emergency Management Committee
WALGA – Western Australian Local Government Association



TERMS OF REFERENCE

Elected Member Representation on External committees / groups

4.0.1

Title:	4.0.1 – ELECTED MEMBER REPRESENTATION ON EXTERNAL COMMITTEES / GROUPS
Adopted:	-
Last Reviewed:	-
Associated Legislation:	Local Government Act 1995 Model Code of Conduct Regulations
Associated Documents:	Shire of Mingenew Code of Conduct
Review Responsibility:	Council
Delegation:	Nil.

PURPOSE

To be the conduit between Council and the external committee / group to ensure timely information is exchanged to assist Council in performing its functions to:

- Determine and review policies
- Plan for the future
- Manage assets
- Govern finances

The representation is not intended to replace any business relationship and communication obligations between the Committee/group and the Shire's administration. All operational matters should be referred through the CEO or appropriate officer.

OBJECTIVES

- To promote the interests and welfare of the Shire of Mingenew and broader community
- To promote and advocate for initiatives and ideas that align with community strategic objectives
- To exchange information that may be pertinent to future planning and decision making

ROLES AND RELATIONSHIPS

The role of Council members on non-Council committees / groups is to:

- Attend and participate in all meetings;
- Work cooperatively with other members in achieving the purpose of the committee / group;
- Share relevant information regarding Council's business/strategic planning, events decisions, opportunities and risks (as presented through Council) with the Committee / group;
- Share relevant information regarding the Committee's / group's business strategies and direction, resourcing capacity (financial and human), events / initiatives, risks and other management reports that may affect Council business;
- Contribute ideas and suggestions relating to relevant items for discussion; and
- Use existing networks to remain informed regarding the views and interests of the community;
- Forward any relevant operational / administrative matters to the Shire CEO as soon as practicable.

It is also important that members represent the views of Council and not pursue personal agendas or objectives unless aligned with those of Council.



Council Members are not permitted to hold an Executive role on any Committee (non-Council) and do not have a right to vote on decisions made at meetings unless Council has an express voting responsibility for the decision-making purposes of that Committee.

Each representative role might be slightly different for each community group or committee, based on their structure, needs and operation. Council members should refer to the relevant group / committee and / or Terms of Reference for further direction.

CODE OF CONDUCT

Council Members will adhere to the adopted Shire of Mingenew Code of Conduct when representing Council on a non-Council Committee.

The Code of Conduct recognises that as part of their representative role, Council Members are invited to represent the Council on external organisations, and outlines the importance of Council Members:

- Clearly understanding the basis of their appointment; and
- Provide regular reports on the activities of the organisation.

Where a Council Member has a conflict of interest in any matter before the committee / group, it must be disclosed at both the Committee meeting and when presenting information to Council. This excludes any impartiality interest resulting from the Member's representative role for that Committee/group.

ACCESS TO INFORMATION / CONFIDENTIALITY

As outlined in the Code of Conduct, Council Members are to ensure that information provided to them in their official capacity will be used properly and to assist in the process of making reasonable and informed decisions on matters before Council.

REPORTING TO COUNCIL ON COMMITTEE MATTERS AND VICE VERSA

Council representatives will report any applicable matters to the next Concept Forum that follows the Committee/group meeting (excluding confidential matters prescribed by the Committee, if applicable).

TERM OF OFFICE

Council representations on non-Council Committees/groups will be determined every second year following an Ordinary Council election or as required.

A Council member may resign their position as Council representative by giving written notice to the Shire President, Mingenew CEO and the Committee Chair or President.



Shire of Mingenew 10 Year Shared Pathways Plan

2023/24 – 2033/34

Executive Summary

The Shire is seeking to increase bike riding and pathway use participation throughout the Mingenew townsite. As part of this objective, it has been identified that there are a number of gaps in the existing pathway infrastructure that may be adversely impacting bike riding in Mingenew. This 10 year pathway program provides the Shire clear priorities for upgrading the existing pathway network to provide important connectivity between key locations in the Mingenew townsite.

Bicycles are widely recognised as the quickest and most efficient mode of transport over short distances in urban areas and in country towns. Bike riding has been proven to reduce traffic congestion, improve air quality and provide significant health benefits. With the growing obesity levels of our children, cycling to school and other local destinations can help achieve satisfactory amounts of exercise. Bike riding can save families significant money, such as riding the bicycle instead of using the vehicle could save \$8.00 per day equating to \$2000 per year. Also using bicycles instead of vehicles can cut greenhouse gas emissions which have increased by 60% since 1990. Socially, riding bikes can give people more places to go, enabling greater participation in learning, culture and recreation. These areas are critical for attracting and retaining people in regional areas such as Mingenew. In delivering this project ongoing consideration must be given to potential environmental impacts and respecting traditional owners. A future aim of the strategy is to help inform future investment through the Regional Bicycle Network, Grants Program, local government capital works programs, as well as other funding sources.

The Shire has various opportunities to improve the current bike network, and these have been mapped out in this multi-year plan. The key aims are to:

- Improve connectivity between key community areas
- Provide additional connectivity to local attractions
- Provide safe and reliable access for pathway users

The key project opportunities comprise:

- Linking the residential areas in the west and east of the townsite to the local school
- Providing a pathway to the northern parts of the townsite across the rail line
- Joining discontinuous existing pathway segments to the overall network to improve overall townsite connectivity.

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Introduction

Vision

The Shire of Mingenew is seeking to increase cycling and pathway use participation throughout the Mingenew townsite.

Objectives of the Plan

To achieve the vision, this Local Bike Plan will:

- Identify and review the existing pathway network within the townsite boundaries
- Collate the outcomes of the Shire's community consultation with respect to pathway preferences
- Identify key facilities, locations and areas within the Mingenew townsite that warrant pathway connectivity
- Identify any gaps in the existing pathway network with respect to providing connectivity to key families, locations and areas within the townsite
- Provide a pathway network map outlining the key pathways and proposed priorities
- Provide high-level details on a possible implementation strategy for the pathway network upgrade.
- Promote health benefits of bike riding and walking
- Economic benefits – save money by using bicycles instead of vehicles
- Lowering greenhouse gas emissions

Guiding Principles

The riding and walking network proposed in this Plan has been developed based on the following principles:

Safe

The Shire's path network should be built to a standard which reflects an all ages and abilities design approach. People of all ages and abilities should be able to ride safely and confidently to the places they need and want to go. Consideration for infrastructure including pram ramps will help the Shire develop a safe network for all ages and abilities. Unprotected cycling facilities located on busy roads are not considered suitable for vulnerable road users, and will not encourage more people to cycle, more often.

Connected

Like a road network, all riding and walking routes should connect to something along the way and at each end (whether that is a destination or another bike route).

Widespread

In suburbs and towns, the network should be extensive enough for people to safely assume they can get to their destination without encountering hostile traffic conditions. When bike riding networks reach a certain level of density it enables more people to conveniently and enjoyably make many more of their trips by bike.

Legible

The bike riding network needs to be both intuitive and direct. To achieve this, it makes sense to locate major cycling routes parallel to natural landforms, such as rivers and coastlines, or within existing road and rail corridors. The development of coherent wayfinding initiatives is also important in supporting legibility.

Aspirational

Several ambitious ideas have been put forward in this plan, aimed at making Mingenew a great place to ride and walk for residents and visitors alike. The two major projects are linking the Drovers Rest Area with the Mingenew townsite and the pedestrian crossing of the railway linking the soon to be refurbished railway station with the Mingenew townsite.

Achievable

The implementation plan set out to develop this network is based on tried-and-tested planning principles. Detailed information on specific implementation considerations is provided in Appendix F.

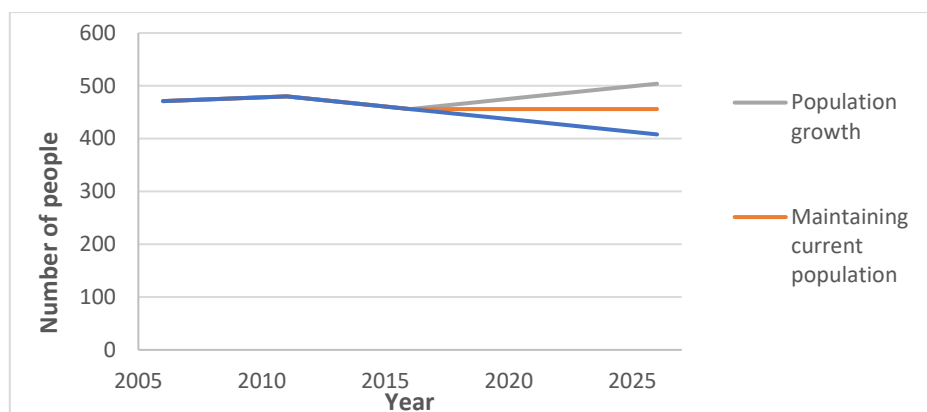
Policy and Strategic Context

Local Context

Location and early History

Mingenew is located 383 kilometres north of Perth in the Mid-West region of Western Australia.

The Shire of Mingeneu had a population of 456 in 2016. Based upon current population trends this is predicted to be 408 by 2026.



The majority of this decline is coming from the urban centre (town of Mingeneu). The district population (broader shire area) is static. The community goal is to maintain population at the current level, at a minimum – with an aspiration to see it increase back to 500. To maintain at the same level will require active strategies to ensure the community continues to retain its population and attracts new residents. To achieve population growth (to return to 500 – “green line”) will require significant investment in growth strategies by the Shire and community working with regional partners. The other notable demographic is that the median age of the Mingeneu population is increasing, especially in the Mingeneu township. There is a declining proportion of 5 to 14-year-olds and the proportion of over 55 year-olds is increasing. With this aging population the plan is being designed to cater to access for all ages including for mobility devices such as wheelchairs and scooters.

Economy

Mingenew has essentially three basic ingredients. Economically, we are an agricultural powerhouse and the southern hemisphere’s largest grain facilitator. Aesthetically we are surrounded by breathtaking breakaway country, with fantastic flat-top ridges and, during WA’s wildflower season, we are arguably its most sought-after destination. Finally, we are vibrant and happy! Below our rural and ‘real country’ persona, we enjoy a sporting and social calendar that is second to none. Many people who pass through for work or play end up staying and because we are a successful agricultural shire, there are many supporting industries, facilities and employment opportunities.

Existing pathway network

The Shire has a relatively large existing pathway network that is a combination of in situ concrete, brick paving, concrete slabs, asphalt and gravel mediums. The existing network is predominately centred on areas adjacent to the Midlands Rd and those major townsite roads running south towards the local primary school and some residential areas.

In general, the existing pathways are in an average to good condition with only short, discontinuous segments nearing the end of their useful lives.

Whilst the existing network is approx. 4,850m long, a significant length of this pathway is on roads with pathways both sides and therefore due to this duplication there is still a significant proportion of the townsite that lacks suitable pathway infrastructure.



Strategic Alignment

State government policies

WABN Plan, WA Cycling Network Hierarchy, Inter-modal hierarchical prioritisation.

Local government policies

The Shire will provide and support transport networks which includes the construction of shared bicycle paths to ensure the health and wellbeing of all age groups within the community. Through this bicycle network the Shire will continue to improve the look and feel of community spaces, places and services to support an active and inclusive lifestyle.

Once endorsed, this Plan will be included in the Shire's Corporate Business Plan.

Community Engagement

In August and September 2021, the Shire held several community meetings to gather community feedback and consultation on the existing pathway network and the community's preferences for future pathway development projects. The details of this community consultation are provided in Appendix D. A summary of the key themes emerging from the consultation are below:

- Some of the existing pathways are considered unsafe due to poor / uneven surfacing
- Key priority for parents and children is suitable pathways to the playground and skatepark
- Additional supporting facilities comprising bike parking / racks, water fountains and shaded rest areas / seating is required along pathways
- Key priority for tourists is a pathway from the Caravan Park to the town centre.

Themes and Opportunities for Bike Riding in Mingenew

Summary of themes:

This section outlines the central themes of the Mingenew 10 Year Shared Pathways Plan. These themes have been identified from the stakeholder and community consultation undertaken throughout the development of this plan. Key opportunities have been identified within each of the themes, each of which highlight the potential for walking and bike riding in the Shire.

Encouraging a healthy and active community

Constructing new infrastructure is an important step in the promotion of cycling in the Shire of Mingenew. However, it is also important to encourage the use of new infrastructure with education and activation programs that encourage behaviour change. The Shire will promote the health benefits of cycling along with the economic benefits of how families can save money by using bicycle transport instead of vehicles. We will also promote the fact that tourists can travel right around the town centre on the new shared path system. There will be plenty of trip facilities along the route with bicycle parking, water fountains and rest stops. For parents with prams, people in wheelchairs and those using mobility aids, ramps will be installed at regular intervals.



Helping kids get to school

There is an opportunity to help kids get to school safely while also providing the opportunity for them to get more exercise. 77 students attend Mingenew Primary School, which caters for kids from Kindy to Year 6. With this in mind, the Shire will:

- Work with the local primary school to develop initiatives to encourage more cycling. These may include cycling lessons at school, formal and informal cycling events during and/or after school hours and ride to school days / weeks.
- Consider applying to DLGSC for funding to develop cycling events and programs for the school children.
- Undertake mapping of safe routes to school to enable more active travel to school.
- Consideration will be given for Your Move resources such as School Stencil Art Activity and Creation of an Access Guide.
- Installation of bike racks to encourage more students to ride to school.



Activating the path network

Activating the path network means raising awareness of and encouraging people to use the facilities being delivered.

There are a number of different types of activation, including amenities. Amenities enhance the attractiveness and accessibility of infrastructure. During the engagement process, the following in particular were identified by the community as desirable to activate the network and support their decision to ride or walk more often.

- Commissioning local artwork on the pathways
- Bike parking
- Water fountains
- Rest stops/benches/shade
- Lighting

Additionally, the Shire will sign up to Your Move Local Government program to support community bike riding with a focus on skills building and social inclusion.



Scheduling maintenance activities

Maintenance of new and existing infrastructure was raised as an issue during consultation. Existing paths being unsafe was identified as a barrier for people to choose to ride or walk. To address this, the Shire will:

- Ensure that the infrastructure and supporting facilities are well maintained, safe, legible and convenient so that the new rider has a positive initial experience.
- Upgrade existing shared paths alongside construction of new paths, for example, those connecting to the Primary School. Projects will be prioritised where issues are identified. The Shire will explore external grant funding as well as allocating funds in annual budgets to be able to achieve these upgrades.

Once the infrastructure has been constructed it will also be important for the Shire to ensure that it is appropriately maintained. Whilst most of the infrastructure is relatively low maintenance, the Shire will ensure that the following maintenance activities are scheduled and budgeted for:

- Periodic visual inspections for asset integrity
- Ad-hoc repairs for accidental and intentional damage, particularly to signage, bike racks and water fountains
- Minor verge repairs / tidy up
- Pathway sweeping
- Pruning of adjacent vegetation that may restrict access to pathways
- Weed management
- Removal of litter / rubbish.

The Shire provides a network of footpaths for pedestrians and other users and has developed a basic footpath asset inventory and is currently developing and implementing an annual assessment process for related infrastructure.

Ensuring appropriate pathway maintenance activities are scheduled and completed will address key community consultation feedback received concerning ensuring all pathways are suitable, safe and well-maintained for all users.

Closing key gaps in the path network

From a review of the existing network and in consideration of the community consultation data, several key gaps in the existing network have been identified:

- Pathways connecting the Mingenew Caravan Park and adjacent residential areas to the central townsite
- Pathways connecting William St, Victoria Rd, Shenton St and Bride St
- Pathways connecting the areas north of the rail line with the central townsite, south of the rail line
- Pathways connecting residential areas in the south-east of the townsite adjacent to the Sports Club with the central townsite area.



WilliamSt, Victoria Rd and Shenton St

Close gaps in the existing pathways network to improve connectivity and realise synergies from various segments of discontinuous pathway that are not fully integrated into the existing network.

Shenton St and Bride St and close remaining gap on Victoria Rd

Close the gaps in the existing pathway network as well as extend the pathway network to residential areas not currently serviced by the network which will link these areas directly to the local primary school and other community facilities

Midlands Road and Lockier Street

Connect commercial areas as well as additional residential areas serviced by the pathway network and will link areas in the east to the central townsite area.

Connectivity across the rail line

Construction of safe crossing facilities

Construction of a pedestrian crossing of the railway line to significantly improve pedestrian access throughout the townsite. The Shire has received funding for the restoration of the old Railway Station to bring it back to its former glory and turn it into a Cultural Centre for events, workshops, meetings and other activities.

Paths north of railway

Improve connectivity between areas on the north of the rail line to the townsite facilities on the south of the rail line.

Developing tourism and recreational areas

Stargazing in Town

Tourism is one of the Shire's major industries. Astrotourism and stargazing are one of the major draws for tourism in the Shire. The Mingenew Hockey Oval adjacent to the Mingenew Recreation Centre is a great local destination in town for stargazing. A path linking to the oval, as well as additional bike parking and a drinking fountain, will make this a must for community and tourists to enjoy our dark skies.



Mingenew Caravan Park

Connecting the Mingenew Caravan Park and the town centre is a high-priority.

The Shire will construct critical segments of pathway that are currently having a significant impact on the connectivity of the existing pathway network.

Additionally, the Shire will upgrade the existing unsealed pathway to a concrete pathway on the eastern side of the Mingenew Caravan Park in response to community consultation feedback.

The Shire will also complete the path connection to the Mingenew Caravan Park on the western side of the park and link the Caravan Park to the Mingenew townsite.

Drovers Rest Area

Provide a pathway to the key tourist and recreational site at Drover's Rest.

Construct the pathway into the Drover's Rest Nature and Recreation Area

Residential connections

Western residential areas:

Parks – Cecil Newton and Samuel Phillips Parks

Improve access to Samuel Phillips Park and adjacent areas: Improve connectivity between the townsite facilities located on the northern side of the townsite and the residential areas on the west and south of the townsite. Improve access to Cecil Newton Park which is a key recreational area for the community as well as continuing to link up discontinuous segments of existing pathway that are not currently realising their full potential.

Further extend the pathway network into the residential areas on the western side of the townsite.

Complete interconnections to western residential areas and replace aging pathway to **primary school**. Connecting residential areas to the local primary school as well as replacing several segments of existing pathway that have become uneven and are considered unsuitable by the community.

Eastern residential areas:

Commence and complete interconnections to eastern residential areas. Provide connectivity from residential areas in the east of the townsite to the townsite central as well as the **Sports Club**.

Link the remaining residential areas in the south-east of the townsite with the remainder of the pathway network.

Network Maps

Existing Network

To inform the action plan's strategic priorities, each route within the Local Bike Plan was classified as one of the following:

- Existing (adequate) - the level of service reflects current best practice for this type of cycling route (as defined in the route hierarchy);
- Existing (substandard) - although possible to cycle along this corridor, the level of service provided does not reflect current best practice for this type of cycling route (as defined in the route hierarchy); or
- Non-existent (proposed) - it is either not possible to cycle along this route due to the corridor being non-existent, or, because of existing road conditions, most people are unable to cycle comfortably.

Action Plan

10-year plan

To achieve greater participation in bike riding, cycling needs to be prioritised ahead of other modes in appropriate locations and integrated with adjoining land use. Safe, connected cycle networks must be supported by trip facilities, engagement programs and local businesses. If we are serious about ensuring people of all ages and abilities have access to travel choices, particularly for short trips, these need to be reflected in the way our community is planned and administrated.

Year	Action	Project Type	Objective	Estimated Cost
Ongoing	Work with the local primary school to develop initiatives to encourage more cycling. These may include bike riding lessons at school, formal and informal cycling events during and/or after school hours and ride to school days / weeks	Education and Community Development	Engagement with local community to encourage greater participation in cycling	-
Ongoing	Ongoing visual inspections, pathway sweeping, pruning and ad-hoc repairs as required.	Asset Maintenance	Management and maintenance of public assets	-
2023/24	Add routine pathway maintenance to Shire's townsite maintenance activities	Asset Maintenance	Management and maintenance of public assets	-
2023/24	Construct approx. 354m of pathway segments as follows <ul style="list-style-type: none"> William St (Midlands Rd to King St) Midlands Rd (west side of roadhouse to Spring St) Midlands Rd (Spring St to Midlands Rd rest area) Linthorne St (William St to Spring St) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$120,000
2023/24	Construct water fountain at Midlands Rd rest area	Water fountains	Provide suitable supporting facilities for pathway users	\$5,000
2023/24	Construct seating / benches at Midlands Rd rest area	Seating / Benches	Provide suitable supporting facilities for pathway users	\$5,000
2023/24	Construct bike parking at Sports Club	Bike parking	Provide suitable supporting facilities for pathway users	\$4,000
2023/24	Erect interpretative signage and wayfinding markers for 2023/24 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$2,500
2023/24	Engineering design and development for proposed pathway crossing of railway line adjacent Railway Station	Planning and engineering	Provide suitable pathway connectivity across railway line	\$10,000
2024/25	Construct approx. 372m of pathway segments as follows <ul style="list-style-type: none"> King St (William St to Victoria Rd) Mingenew Spring (Spring St to east side of Caravan Park) Railway Station (Midlands Rd to Railway Station) King St (Shenton St to end of existing pathway between Victoria Rd and Shenton St) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$115,000
2024/25	Construct pathway crossing of railway line adjacent Railway Station			

2024/25	Construct water fountain at Railway Station	Water fountains	Provide suitable supporting facilities for pathway users	\$5,000
2024/25	Construct seating / benches at Railway Station, Visitors Centre and Skatepark	Seating / Benches	Provide suitable supporting facilities for pathway users	\$15,000
2024/25	Construct bike parking at Railway Station, Town Hall, Visitors Centre, Cecil Network Park and Skatepark	Bike parking	Provide suitable supporting facilities for pathway users	\$20,000
2024/25	Erect interpretative signage and wayfinding markers for 2024/25 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$2,500
2025/26	Construct approx. 424m of pathway segments as follows <ul style="list-style-type: none"> William St (King St to George St) Irwin St (Victoria Rd to William St) Irwin St (Shenton St to end of existing pathway between Victoria Rd and Shenton St) Moore St (George St to Phillip St) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$135,000
2025/26	Construct water fountain in Samuel Phillips Park	Water fountains	Provide suitable supporting facilities for pathway users	\$5,000
2025/26	Construct seating / benches in Samuel Phillips Park	Seating / Benches	Provide suitable supporting facilities for pathway users	\$5,000
2025/26	Construct bike parking in Samuel Phillips Park	Bike parking	Provide suitable supporting facilities for pathway users	\$4,000
2025/26	Erect interpretative signage and wayfinding markers for 2025/26 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$2,500
2026/27	Construct approx. 410m of pathway segments as follows <ul style="list-style-type: none"> Railway Station (Railway Station to Mingenew Morawa Rd) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$125,000
2026/27	Erect interpretative signage and wayfinding markets for 2026/27 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$1,500
2027/28	Construct approx. 346m of pathway segments as follows <ul style="list-style-type: none"> Enanty St (Linthorne St to Phillip St) Mingenew Scenic Drive (Mingenew Mullewa Rd to Drovers Rest Picnic Area & Lookout) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$110,000
2027/28	Construct water fountain at Drovers Rest area	Water fountains	Provide suitable supporting facilities for pathway users	\$5,000
2027/28	Construct seating / benches at Drovers Rest area	Seating / Benches	Provide suitable supporting facilities for pathway users	\$5,000
2027/28	Construct bike parking at Drovers Rest area	Bike parking	Provide suitable supporting facilities for pathway users	\$4,000
2027/28	Construct suitable shaded area at Drovers Rest area	Shade	Provide suitable supporting facilities for pathway users	\$10,000
2027/28	Erect interpretative signage and wayfinding markers for 2027/28 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$2,500
2028/29	Construct approx. 417m of pathway segments as follows <ul style="list-style-type: none"> Lee Steere St (Lee Steere St to Linthorne St) Linthorne St (Lee Steere St to Mingenew Spring) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$130,000

2028/29	Construct bike parking at Caravan Park	Bike parking	Provide suitable supporting facilities for pathway users	\$4,000
2028/29	Construct seating / benches at Caravan Park	Seating / Benches	Provide suitable supporting facilities for pathway users	\$5,000
2028/29	Erect interpretative signage and wayfinding markers for 2028/29 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$2,500
2029/30	Construct approx. 325m of pathway segments as follows <ul style="list-style-type: none"> Broad St (Linthorne St to Phillip St) Phillip St (Broad St to between Moore St and Enanty St as replacement to existing uneven pathway) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$105,000
2029/30	Erect interpretative signage and wayfinding markers for 2029/30 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$1,500
2030/31	Construct approx. 342m of pathway segments as follows <ul style="list-style-type: none"> Yandanooka Rd (King St to Ikewa St) Ikewa St (Yandanooka Rd to Lockier St) Lockier St (Ikewa St to King St) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$105,000
2030/31	Erect interpretative signage and wayfinding markers for 2030/31 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$2,000
2031/32	Construct approx. 424m of pathway segments as follows <ul style="list-style-type: none"> King St (Shenton St to Bride St) Irwin St (Shenton St to Bride St) Victoria Rd (Phillip St to Shenton St) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$135,000
2031/32	Erect interpretative signage and wayfinding markers for 2031/32 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$2,500
2031/32	Construct approx. 561m of pathway segments as follows <ul style="list-style-type: none"> Shenton St (Victoria Rd to Phillip St) Midlands Rd (Bride St to Lockier St) Lockier St (Midlands Rd to King St) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$175,000
2032/33	Erect interpretative signage and wayfinding markers for 2032/33 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$3,000
2033/34	Construct approx. 587m of pathway segments as follows <ul style="list-style-type: none"> Yandanooka Rd (Ikewa St to View St) View St (Yandanooka Rd to Wattle St) Wattle St (Ikewa St to View St) View St (Wattle St to Queen St) Ikewa St (Lockier St to West of Midlands Rd) 	Pathway construction	Construction of pathway segments to provide connectivity in accordance with 10 year plan	\$185,000
2033/34	Erect interpretative signage and wayfinding markers for 2033/34 pathway segments	Interpretive signage and wayfinding	Promote pathway usage	\$3,500

Appendix: A Route Hierarchy Summary

Network Principles

The Western Australian Cycling Network Hierarchy designates routes by their function, rather than built form. Function considers the type of activities that take place along a route, and the level of demand (existing and potential). The built form of a route is based on the characteristics of the environment, including space availability, topography, traffic conditions (speed, volumes), primary users, and so on.

When considering appropriate built forms for primary, secondary and local routes, an all ages and abilities design philosophy should be adopted.

	1. PRIMARY ROUTE	2. SECONDARY ROUTE	3. LOCAL ROUTE
Function	Primary routes are high demand corridors that connect major destinations of regional importance. They form the spine of the cycle network and are often located adjacent to major roads, rail corridors, rivers and ocean foreshores. Primary routes are vital to all sorts of bike riding, including medium or long-distance commuting / utility, recreational, training and tourism trips.	Secondary routes have a moderate level of demand, providing connectivity between primary routes and major activity centres such as shopping precincts, industrial areas or major health, education, sporting and civic facilities. Secondary routes support a large proportion of commuting and utility type trips, but are used by all types of bike riders, including children and novice riders.	Local routes experience a lower level of demand than primary and secondary routes, but provide critical access to higher order routes, local amenities and recreational spaces. Predominantly located in local residential areas, local routes often support the start or end of each trip, and as such need to cater for the needs of users of all ages and abilities.
Design Philosophy	An <u>all ages and abilities</u> design philosophy is about creating places and facilities that are safe, comfortable and convenient for as many people as possible. By planning for and designing infrastructure that caters for the youngest and most vulnerable users, we create a walking and bike riding network that everyone can use. At the heart of this approach is fairness and enabling all people to use the network regardless of age, physical ability or the wheels they use.		
Form	All routes can take a number of different forms and are designed to suit the environment in which they are located. These forms include: <ul style="list-style-type: none"> • Bicycle only, shared and/or separated paths; • Protected bicycle lanes (uni or bi-directional, depending on the environment); and • Safe active streets Principal Shared Paths (PSPs) are often built along primary routes. A PSP is a high quality shared path built to MRWA PSP standard which generally means the path will be 4m wide, have adequate lighting and be grade separated at intersections (where possible). In some locations, quiet residential streets incorporating signage and wayfinding may be appropriate for local routes.		

Road Cycling Routes and Transport Trails form part of the complementary network, supporting more select user groups, primarily for recreational, sport and/or tourism purposes.

	ROAD CYCLING ROUTE	TRANSPORT TRAIL
Function	Road cycling routes are designated routes for bike riders undertaking long distance rides in (predominantly) on-road environments, for training, sports or recreational purposes.	Transport trails provide long-distance, off-road (predominantly unsealed) riding experiences through natural settings, away from motorised traffic. They often support recreational and tourism trips between towns and regions.
Form	Road cycling routes are predominantly located on lower order, rural or semi-rural roads on the outskirts of cities and towns. Sections may follow busier roads, particularly as road cycling routes typically begin and end in built up areas and often follow scenic roads popular with other road users. These routes support bike riders undertaking challenging longer distance rides by raising awareness and encouraging safe behaviour by all road users. This is achieved through advisory signage, warning technology and other road safety initiatives.	Transport trails are typically located within underutilised transport and service corridors in rural areas. Due to their relatively gentle gradients, former railways and certain utility corridors make excellent candidates for these trails. Transport trails should be constructed from materials appropriate to the environment and level of service required. Well drained, compacted gravel with supporting infrastructure such as wayfinding signage is a common form. In some instances transport trails will be sealed, such as where they intersect with busy roads or run through town sites. They will often change classification to a primary or secondary route when they pass through a town, reflecting the more holistic role they perform in the transport network in these situations.

Other supporting cycling infrastructure - footpaths	
Footpaths	<p>Since April 2016 all cyclists, irrespective of age, are permitted to ride on footpaths in Western Australia (unless otherwise signposted). Footpaths support low speed, low volume cycling, and are particularly important for young and inexperienced user groups.</p> <p>However there are some reasons why people choose to not ride on footpaths. These include:</p> <ul style="list-style-type: none"> – Speed: Footpaths are rarely afforded priority across intersecting side roads, riding on footpaths is slow, and stop-start. The geometric design of footpaths at many intersections often results in cyclists needing to deviate from their intended desire lines. – Ride quality: As footpaths are typically constructed from concrete slabs or bricks, the ride quality is lower than that of parallel roadways, or purpose-built (asphalt) shared paths. – Blind driveways: Riding on footpaths can be dangerous, particularly on streets which contain large numbers of driveways. At walking speed this isn't normally a problem however for cyclists it is often impossible to see reversing vehicles until the last minute, particularly where paths butt-up against property boundaries. <p>Despite footpaths not forming part of the official cycling network, it is important that developers and local governments design, construct and maintain footpaths that provide a safe alternative for people who prefer to ride at low speeds and away from motorised traffic.</p>



Figure caption: Poor ride quality, parked vehicles, blind driveways and unfavourable intersection designs make riding on footpaths unattractive for many people.

Other supporting cycling infrastructure - roads without dedicated cycling facilities	
Roads without dedicated cycling facilities	<p>Cyclists are, and will continue to remain, legitimate users of all roads in Western Australia (with the exception of freeways and controlled access highways). It is important to remember that roads without purpose-built cycling facilities serve an important function for some cycling journeys.</p> <p>Wayfinding signage can be a valuable tool to direct cyclists (particularly novice cyclists) to the most suitable streets or corridors.</p>

Appendix B: Inter-modal Hierarchical Prioritisation

In Western Australia, it is common practice for off-road active transport infrastructure (footpaths, shared paths, bicycle paths) to terminate at minor road intersections. This lack of priority can significantly impact network continuity, reduce the attractiveness of off-road paths and ultimately, disadvantage people who choose to ride or walk.

High-order active transport routes should not stop and start by default each time they intersect with a low-order road. Consideration should be given to the relationship between the route within the functional Cycling Network Hierarchy, and the intersecting road within the MRWA road hierarchy. We call this 'inter-modal hierarchical prioritisation' or 'I'M-HiP' for short.

The Department of Transport encourages priority across minor roads for people riding and walking, where safe to do so.

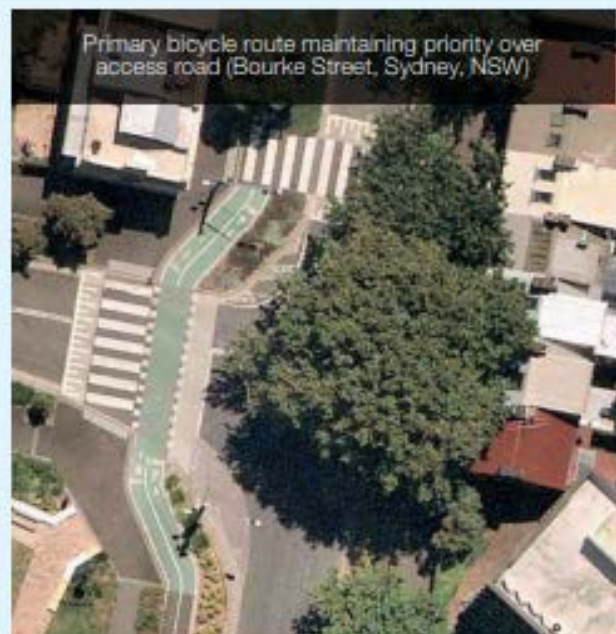
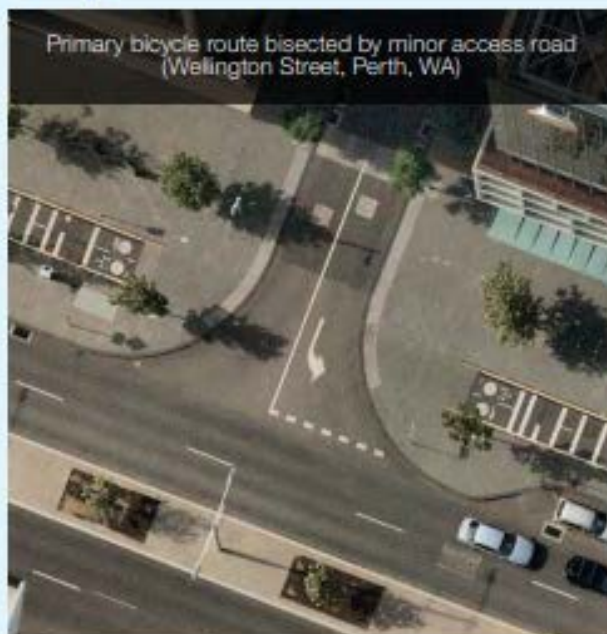
Local Context

Where active transport infrastructure crosses minor roads, intersections should be designed in a manner that ensures safe use by everyone. This means:

- Both people driving and those on the path are aware of the existence of the crossing, and the priority that applies; and
- The location and design of the crossing, and the priority adopted, does not put people, whether on the road or on the path, at risk when turning.

Application

The local appropriateness of continuing active transport infrastructure and/or surface treatments through intersections should be considered, and road infrastructure should not automatically sever path infrastructure as a standard intersection treatment.



Note: For further guidance on applying priority at intersections, please refer to Department of Transport – Planning and Designing for Bike Riding in Western Australia: Shared and Separated Paths.

Appendix C: Key Areas of Interest

A list of the key townsite facilities, locations and areas is provided below. This list has been used in the development of the pathways plan to ensure there is connectivity between the majority of these townsite facilities.

Key Areas of Interest	Description
Bakery	Located in centre of town and popular with tourists and locals.
Caravan Park	Located on western side of townsite and popular with tourists visiting the renowned local wildflower region.
Cecil Newton Park	Popular local park adjacent the Midlands Rd, bakery and skatepark.
Childcare / Nursing Post	Key community facility that is well supported by the local community.
Drover's Rest – Picnic & Recreation Area	Popular rest, picnic and recreation area with locals and tourists.
Football ground	Key local sporting facility which also is home to the netball, basketball and tennis courts and the racetrack.
Hotel	Popular venue for local community functions and for meals for visitors.
Midlands Rd Rest Areas	Popular roadside rest areas for tourists and locals with parking and shade.
Primary school	Well-attended local primary school for local school children.
Public toilets	Public rest facilities.
Railway Station	Historical building popular with tourists.
Rest Area	Popular parking area for tourists visiting the town
Samuel Phillips Park	Local park adjacent to residential areas.
Skatepark	Popular area with local children
Speciality Store	Local speciality store important to local residents and tourists
Sports Club and associated facilities	Local sports facility used for various community functions as well as local lawn bowls club.
Supermarket	The only supermarket within the townsite.
Town Hall and public toilets	Used for various community functions and provides public rest facilities.
Visitors Centre	Popular with tourists seeking information on the local area.

Appendix D: Summary of consultation

Objectives

An engagement strategy was developed to maximise input from the local community and stakeholders. The objectives of consultation were to:

- Disseminate information to stakeholders, residents and visitors to raise awareness of the project.
- Increase understanding of the bike plan, including context, aims, opportunities and constraints.
- Collect feedback from stakeholders, residents and other impacted groups to inform project development and ensure that outcomes meet the needs of the people impacted. Engagement outcomes sought:
 - o Identify any existing barriers and constraints to the uptake of cycling as a transport mode.
 - o Discover initiatives that would support people to cycle more frequently.
 - o Establish the themes, opportunities and projects that are most prioritised by the community.
 - o Develop aspirational, big picture ideas for the future of cycling in Mingenew.
- Provide updates about the community consultation outcomes, to keep stakeholders informed.

Engagement overview

The outputs of consultation were:

- Development of major themes, focusing on opportunities to promote bike riding and support local outcomes.
- Development of preliminary network map with 10-year implementation plan

Feedback was gathered via a number of channels:

- A short survey (online and in hard copy)
- Shire's Facebook page
- Community information sessions, held over August and September 2021
- Meeting with local stakeholders, including the Principal of the Mingenew Primary School and children who ride their bike to school
- Mingenew Mid-West Expo

Over 30 people engaged online and in person. Including information sessions, tourists and school children, a total of 73 people were consulted.

Engagement summary

Comments received throughout the engagement, including via all online tools and in person engagement sessions have been grouped into a number of themes. These are listed in the table below with responses that informed the final plan.

Comment	Response
Majority voiced needing good even paths to get to shops, school and the day care centre.	These areas have been prioritised in the 10 year plan
Parents with small children would like to see paths to the playground and skatepark, especially the ones that have prams. These were the main paths they wanted prioritised.	These priorities have been captured in the 10 year plan
Some attendees brought up that they would ride their bicycles if the town had good paths to ride on.	10 year plan provides a comprehensive pathway network
Parents with children that ride to school were also concerned about the children riding on the roads because the existing paths were uneven and not safe to ride bikes on. Presently only a small number of children who ride their bicycles to school. Safety was a concern for parents. Having designated bike paths will alleviate the issue of children riding on the roads.	10 year plan provides connectivity between residential areas and the school and plan also includes replacement of poor quality existing paths and ongoing path maintenance.
As there are some elderly residents in town the issue of having good even paths was brought up regarding wheelchairs and mobility aids.	10 year plan includes replacement of poor quality existing paths and ongoing path maintenance.
Of the tourists surveyed the majority that come to Mingenew in the Winter months for the Wildflowers say they travel with bicycles as they always like to ride them around the towns, they stay in. The tourists were very keen to see a bike path constructed through the Mingenew Spring from the caravan park up into the town centre.	10 year plan provides connectivity to Caravan Park

Appendix F: Implementation Considerations

Assumptions and Limitations

The estimated yearly costs for implementation of the program are based on the following average unit rates that have been tendered for similar pathway construction projects in similar areas.

Item (supplied and installed)	Rate
2m wide Concrete Pathway	\$300 per m
Pram Ramp	\$2,000 per item
Water Fountain	\$5,000 per item
Bike Rack	\$4,000 per item

Table: Unit rates for budget cost estimate purposes

Note these costs are subject to change based on numerous factors including market conditions, contractor availability, site and engineering constraints and other factors.

No assessment of the potential impacts to underground services have been made as part of the preparation of this program. The site-specific details for each year of the program will need to be considered prior to the works commencing.

No assessment of any land tenure or regulatory approvals required to construct the pathways network have been done as part of these works.

Typical Pathway Details

In general, the typical detail for the proposed pathway projects is a 2m wide, unreinforced concrete pathway that is located adjacent the existing kerb or road carriageway. This detail is consistent with other segments of the Shire's existing pathway network and this detail is expected to accommodate the tie-in between new and existing pathway. The pathway should be located approx. level with or slightly above the natural surface level and blended into the natural surface so as to provide for a smooth transition for users. In some instances, the pathway width may need to be adjusted slightly to accommodate existing site constraints.

Where the pathway crosses over existing access driveways to properties, these sections of pathway should be constructed as reinforced concrete slabs.

Where new pathway needs to cross existing asphalt, paved or bitumen sealed existing driveways, good practice is that the concrete pathway is continuous through the driveway so as to provide visual demarcation to drivers of potential pathway users. Where this is not possible or practicable, then the concrete pathway should be constructed to tie-in with the existing driveway and consideration should be given to appropriate demarcation of the existing driveway to alert drivers to the presence of cyclists and pedestrians.

Road crossings should be constructed as indicated on the pathway plan with formal pram ramp crossings as per the Main Roads WA typical detail. Wherever possible, pram ramps should be oriented such that they are close to perpendicular to the road carriageway as well as being orientated such that pedestrian line of sight is towards vehicles approaching from the nearest traffic lane.

Constructability Considerations

In general, the site preparation works required for the pathway construction will comprise removal of any existing unsuitable material and preparation of a suitable foundation to lay the concrete pathway. Based on the site inspection, the following areas may require slightly more site preparation works including importation of material to ensure the finished level of the concrete slab is appropriate for the roadside environment:

- Mingenew Spring to the Mingenew Caravan Park

- William St: (*King St to George St*)
- Moore St: (*George St to Phillip St*)
- Eleanor St: (*adjacent Mingenew Morawa Rd*)
- Mingenew Scenic Dr
- Lee Steere St: (*Lee Steere St to Linthorne St*)
- Linthorne St: (*Lee Steere St to Mingenew Spring*)
- Victoria Rd: (*Phillip St to Shenton St*)

The installation of bike racks and water fountains will require some minor earthworks and concrete works for the foundations. The water fountains will also need some plumbing works to connect them into the water supply network which may require specialist resources.

In Year 2, there is a rail crossing to be constructed. This crossing requires formal approval from the Public Transport Authority and the Rail Operator, and the Shire has been engaging with both organisations in recent years. Prior to proceeding with this work, the engineering design and approvals will be required.

In Year 4, the proposed pathway will cross the entrance to the unmanned fuel station adjacent Mingenew Morawa Rd. Currently the existing driveway comprises a bitumen sealed gravel pavement. The newly constructed pathway will cross this existing entrance and should be constructed as a reinforced concrete slab designed for the heavy vehicle loading. It will be important that the crossing is appropriately signed and managed so that pathway users and drivers are aware of potential hazards in this location.

In Year 7, the works will involve the replacement of approx. 185m of existing pathway along Phillip St that is failing and uneven. It will be important to ensure the roadside vegetation is pruned and any underground roots are removed prior to construction to avoid potential future issues.

In Year 11, the proposed pathway will be constructed adjacent roads that are currently unsealed. If the Shire upgrades these roads to a sealed standard, the timing for this work should be considered such that the finished height of the pathway is appropriate.

Annual General Meeting

Minutes

Monday, 20 September 2021

Crown Perth, Grand Ballroom

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MINUTES

WALGA

Annual General Meeting

Held at

Crown Perth, Grand Ballroom

Monday, 20 September 2021

The meeting commenced at 12:10pm

Annual General Meeting – Order of Proceedings

1. Attendance, Announcements, Standing Orders and Previous Minutes

1.1 Record of Apologies

- Town of Bassendean
- Shire of Meekatharra
- Shire of Williams

1.2 Announcements

Nil

1.3 Adoption of AGM Association Standing Orders

The AGM Association Standing Orders are contained within this Agenda (Attachment 1).

Moved: Cr Julie Brown, City of Gosnells
Seconded: Cr Frank Johnson, Shire of Gingin

That the AGM Association Standing Orders be adopted.

CARRIED

1.4 Confirmation of Minutes

The Minutes of the 2020 WALGA Annual General Meeting are contained within this Agenda (Attachment 2).

Moved: Cr Kevin Trent, Shire of York
Seconded: Cr Frank Cvitan, City of Wanneroo

That the Minutes of the 2020 WALGA Annual General Meeting be confirmed as a true and correct record of proceedings.

CARRIED

2. Adoption of Annual Report

The 2021 Annual Report, including the 2020/21 Audited Financial Statements, was distributed to members separately.

Moved: President Cr Karen Chappel, Shire of Morawa
Seconded: Mayor David Goode, City of Gosnells

That the 2021 Annual Report, including the 2020/21 Audited Financial Statements, be received.

CARRIED

3. Consideration of Executive and Member Motions

As per motions listed.

4. Closure

There being no further business the Chair declared the meeting closed at **12:56pm**.

3. Consideration of Executive and Member Motions

3.1. Amendments to WALGA's Constitution (01-001-01-0001 TL)

Executive Member to move:

SPECIAL MAJORITY REQUIRED

Moved: President Cr Tony Dean, Shire of Nannup

Seconded: Mayor Logan Howlett, City of Cockburn

That the WALGA Constitution be amended as follows:

1. INSERT Definition – “*Present*” means attendance in person or by electronic means deemed suitable by the Chief Executive Officer.
2. Clause 5 (10) – DELETE “and Associate Members”.
3. Clause 5 (11) – DELETE “Ordinary Member or”, REPLACE “State Council” with “Chief Executive Officer” in the first sentence, INSERT “or its delegate” after State Council in the second sentence.
4. Clause 6 (3) – REPLACE “31 May” with “30 June”.
5. Clause 7 (2) – REPLACE “30 June” with “31 July”.
6. Clause 11 (1) – after Chief Executive Officer, INSERT “in accordance with the Corporate Governance Charter”.
7. Clause 11 (2) – after Chief Executive Officer INSERT “by providing notice to State Councillors of the date, time, place and purpose of the meeting”
8. DELETE Clause 11 (3)
9. Clause 12 (1) – DELETE “as, being entitled to do so, vote in person”
10. DELETE Clause 12 (2)
11. Clause 12 (3) – DELETE “as, being entitled to do so, vote in person”
12. Clause 12 (4) – DELETE “as, being entitled to do so, vote in person”
13. Clause 16 (1) & (2) – After Any election INSERT “other than to elect the President or Deputy President”, REPLACE “generally in accordance with the provisions of the *Local Government Act 1995* as amended (2) For the purposes of the election referred to in sub-section (1)” with “as follows”.
14. Clause 16 (2) (f) – REPLACE two instances of “2” with “1”.
15. INSERT Clause 16A – Election Procedure – President and Deputy President
 - (1) An election to elect the President or Deputy President shall be conducted as follows:
 - (a) the Chief Executive Officer or his/her delegate shall act as returning officer;
 - (b) representatives are to vote on the matter by secret ballot;
 - (c) votes are to be counted on the basis of “first-past-the-post”;
 - (d) the candidate who receives the greatest number of votes is elected;
 - (e) if there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued, and the meeting adjourned for not more than 30 minutes;
 - (f) any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes;

IN BRIEF

- A number of amendments are proposed to the WALGA Constitution.
- The proposed amendments were endorsed by a special majority of State Council at the meeting on 7 July 2021.

- (g) when the meeting resumes, an election will be held in accordance with sub-sections 1(a), 1(b), 1(c) and 1 (d);
 - (h) if two or more candidates receive the same number of votes so that sub-section 1(d) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.
- 16. Clause 21 (4) – REPLACE “Chairman” with “Chair”.
 - 17. Clause 22 (1) – REPLACE “in August or September of” with “prior to 31 October”.
 - 18. Clause 22 (3) – DELETE “in person”
 - 19. DELETE Clause 22 (4) (b).
 - 20. Clause 23 (3) – DELETE “in person”
 - 21. Clause 24 (2) – DELETE “and of which vote is to be exercised in person”
 - 22. Clause 24 (4) – DELETE “as, being entitled to do so, vote in person”
 - 23. Clause 28 (1) – DELETE “The common seal shall be held in the custody of the Chief Executive Officer at all times.”
 - 24. Clause 29 (1) – DELETE “as, being entitled to do so, vote in person”
 - 25. Clause 29 (2) – DELETE “as, being entitled to do so, vote in person”
 - 26. Clause 31 (4) (c) – DELETE “and Regional Development”.

CARRIED BY SPECIAL MAJORITY

Executive Summary

- A number of amendments are proposed to the WALGA Constitution;
- Amendments are necessary:
 - To remove requirements for delegates to attend annual and special general meetings in person; and,
 - As a result of WALGA's change of financial year end to 30 June, from the previous 31 May year end.
- Other amendments are proposed to:
 - Allow a second vote to be conducted if two candidates tie in an election for President or Deputy President;
 - Clarify the application process for Ordinary and Associate Members;
 - Simplify the process for providing notice of State Council meetings;
 - Allow motions at Special State Council meetings to be passed with a simple, as opposed to absolute, majority, except as required elsewhere in the Constitution, such as the absolute majority requirement to adopt the budget; and,
 - Tidy up outdated wording.
- The proposed amendments to the Constitution were passed at the 7 July 2021 State Council meeting by a Special Majority.
- Consequently, these Constitutional Amendments are now being put to the 20 September 2021 Annual General Meeting.

Attachment

- [WALGA Constitution – Proposed Amendments Mark-Up](#)

Background

Amendments to the Constitution are required to allow delegates to attend and vote virtually through a videoconference, webinar or other platform at Annual or Special General Meetings of the Association if required.

In addition, WALGA has this year changed its financial year end from 31 May to 30 June. The 30 June year end means that WALGA's financial year now aligns with Local Governments' year end. Amendments to clauses relating to the budget, termination of membership and the timeframe for holding the AGM are required as a result of this change.

The requirement to amend the Constitution has provided an opportunity to amend the election procedure for WALGA President and Deputy President. The proposed change would enable a second ballot to be held if two or more candidates are tied for the position. This aligns with the procedure in the *Local Government Act 1995* for the election by Council of Mayors, Presidents, Deputy Mayors and Deputy Presidents.

Other minor changes to remove outdated and tidy up wording are proposed, as per the mark-up version of the Constitution attached.

Comment

Amendments to the Constitution require endorsement by a special (75 percent) majority at State Council, as well as a 75 percent majority at an Annual General Meeting or Special General Meeting.

As the proposed amendments were endorsed by State Council at the 7 July meeting, they are now being put to the 20 September 2021 WALGA Annual General Meeting

3.2. Cost of Regional Development

Shire of Gnowangerup Delegate to move:

Moved: Cr Fiona Gaze, Shire of Gnowangerup
Seconded: Cr Greg Stewart, Shire of Gnowangerup

That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.

CARRIED

IN BRIEF

- The shortage of long-term and short-term accommodation for workers in regional areas, combined with the high cost of developing land, has become an urgent issue.
- Government intervention is needed.

MEMBER COMMENT

At the most recent Great Southern Zone meeting, a number of Shires raised the urgent issue of a shortage of long-term and short-term accommodation for workers and the high cost of developing land. DevelopmentWA has been approached for a solution and has provided the following response:

"The costs associated with the development of land across regional Western Australia are dramatically inflated by the servicing standards (including statutory charges) that are imposed upon the developer by the servicing agencies. There is no latent capacity in the Western Power electrical distribution network across the Wheatbelt and Great Southern, allowing Western Power to impose any upgrading costs upon a land developer under its "user pay" principles.

It is our experience that the development costs to create a conventional residential allotment on the edge of a town ranges from \$100,000 to \$160,000 per lot and it is not uncommon for us to be confronted with development costs between \$200,000 and \$400,000 per lot for industrial sites. As you would appreciate, if lots are created and then released into the market, regional based buyers would not entertain paying a price which will allow the developer to recover those costs, let alone make a profit.

This situation produces a failure in the market and DevelopmentWA receives a modest annual subsidy from the State Government to undertake land developments on behalf of Local Governments where a demand for new land exists and the private sector is not responding."

There is considerable pressure on the Regional Development Assistance Program, and the high cost of headworks particularly for water and electricity are a major disincentive to development by the private sector and Local Government. Urgent government intervention is needed to ensure that housing for workers for vacancies in industry in rural areas is delivered at a reasonable cost.

SECRETARIAT COMMENT

Market failure in the provision of residential and industrial land occurs across most of regional Western Australia. State Government intervention was previously provided through the Regional Headworks Program, funded by Royalties for Regions, and through commitments from the utility providers to spread the costs of upgrading and extending infrastructure to service additional land across their customer base, rather than pass these costs to the developer. These arrangements no longer exist.

Strong growth in the demand for housing in regional WA has again highlighted this market failure and the consequent impacts on employment and economic development. The Regional Development Assistance Program delivered by DevelopmentWA is the only State Government support for industrial and residential land development in regional towns. The experience of Local Governments in accessing the Regional Development Assistance Program and the demand on the modest budget allocation will be important information to underpin advocacy for an achievable path to housing growth in regional towns.

3.3. CSRFF Funding Pool and Contribution Ratios

Shire of Dardanup Delegate to move:

Moved: Cr Peter Robinson, Shire of Dardanup
Seconded: Cr Carmel Boyce, Shire of Dardanup

That WALGA lobby the State Government to:

- 1. Increase the CSRFF funding pool to \$25 million per annum and revert the contribution ratio to 50% split to enable more community programs and infrastructure to be delivered.**
- 2. Increase the \$1 million per annum quarantined for female representation to \$2 million per annum.**

CARRIED

IN BRIEF

- Clubs are not able to contribute their one third required contribution towards facilities and major projects as required under CSRFF framework;
- This results in Local Governments having to fund two thirds of new infrastructure at significant cost to ratepayers;
- Support is sought for WALGA to lobby State Government to increase funding towards this program and to allow a 50:50 split between State and the local communities.

MEMBER COMMENT

There is currently \$12.5 million available in the 2021 Community Sporting and Recreation Facilities Fund (CSRFF). \$1 million of this funding per year, for the next four years, has been specifically set aside for projects that increase female participation in sport and recreation, such as unisex change rooms. An additional \$2.5 million per annum for the next four years is also available in a new sub program called the Club Night Lights Program (CNLP). Therefore the total amount of funding available under the CSRFF program is \$15 million per annum for the next 4 years.

The current CSRFF funding model requires 1/3 contribution from local governments, 1/3 contribution from the clubs and 1/3 could be funded through CSRFF. Some CSRFF applications are eligible for up to one half of the project cost. The eligibility is measured against key development principles with applicants proving eligibility through completion of additional forms and process.

Over the last four CSRFF funding rounds, the WA State Government has contributed an average grant amount of \$424,270 to 91 projects. To put that figure into the terms of a sporting club's contribution, it would take 424 Bunnings sausage sizzles to raise enough money to fund 1/3 of the average State assisted project. Even if a club contributes a portion of this through volunteer labour and in-kind donations, the staggering figure is simply unattainable - which leaves local government to pick up the tab on over 66% of the bill.

Other Australian states use different structures to fund sporting infrastructure, for example, in Queensland the Active Community Infrastructure program allows \$40 million over three years. Unobstructed by percentage contribution rules, the Queensland State Government will invest up to \$1 million per project. Each EOI submission is evaluated on a case by case basis. In round one, the Queensland Government will deliver \$16 million in funding for sport and recreation infrastructure projects to 21 organisations. The average size of these grants is \$741,826, a figure that is almost double that of Western Australia's average contribution and close to 50% of the average cost of building a small pavilion with change rooms.

It is recommended that WALGA lobby the State Government to increase the funding available to \$25 million per annum and to increase the ratio to 50%. In this way, the total number of projects could still be maintained and the impost on local clubs and Local Government ratepayers could be reduced.

SECRETARIAT COMMENT

WALGA has advocated for funding for the Community Sporting and Recreation Facilities Fund (CSRFF) to be increased to \$25 million per annum for a number of years, most recently as part the Association's 2020 [State Election campaign](#) and [WALGA's 2020-21 State Budget Submission](#).

Funding for the CSRFF will increase from \$12 million in 2021-22 to \$12.5 million in 2022-23. \$10 million over four years has also been allocated for sports floodlighting infrastructure under the Club Night Lights Program.

WALGA's Advocacy Position 3.7.1 Community Infrastructure states:

"The Association supports Local Government initiatives and infrastructure that contribute to the health and wellbeing of the community."

3.4. Regional Telecommunications Project

Shire of Esperance Delegate to move:

Moved: Cr Jennifer Obourne, Shire of Esperance
Seconded: Cr Malcolm Cullen, Shire of Coolgardie

That WALGA strongly advocates to the State Government to increase funding for the Regional Telecommunications Project to leverage the Federal Mobile Black Spot Program and provide adequate mobile phone coverage to regional areas that currently have limited or no access to the service.

CARRIED

IN BRIEF

- State funding has decreased to only \$5 million for the entire state and the installation of towers have dried up significantly.
- The Federal Government has allocated its largest allocation of funding in Round 6 of \$80 million.
- Matching funds from the State is critical to securing funds from the Federal Mobile Black Spot Program which is in threat of being secured by other States with matching funding.

MEMBER COMMENT

The regions are the powerhouse of the Western Australian economy and the sustainability of their futures relies on enhanced connectivity. Co-investment by state and federal governments along with Telcos is critical to increase coverage in areas that would otherwise be difficult to justify on economic grounds as it is an expensive and complex exercise.

Under the Barnett Government, there was \$60 million in the bucket of funding for regional telecommunications and partnering with the Commonwealth, there were 89 towers delivered within the federal electorate of O'Connor alone.

After the Labor Government took office, this bucket of State funding has decreased to only \$5 million for the entire state and the installation of towers has dried up significantly. On the contrary, the Federal Government has allocated its largest allocation of funding in Round 6 of \$80 million since the initial Round 1. Matching funds from the State is critical to securing funds from the Federal Mobile Black Spot Program which is in threat of being secured by other States with matching funding.

The State Government's forward estimates show no commitments to the program, demonstrating a lack of long term commitments by the State Government to the Regional Telecommunications Project. Service providers such as Telstra are reluctant to install regional mobile telecommunications infrastructure without third party funding.

Solving the coverage and capacity gaps in regional WA is critical for the success of our regions and a matter of equity for country constituents.

SECRETARIAT COMMENT

As identified, the Commonwealth Government committed \$380 million over six rounds to the Mobile Black Spot Program (the Program). In April 2020 the Round 5 results were announced, with a further 182 base stations to be funded in regional and remote Australia.

The Commonwealth Government has committed \$80 million for Round 6 of the Program and is expected to commence after the Round 5A process is complete.

Since 2012, State Governments have committed to improving mobile connectivity in regional Western Australia, currently through its Regional Telecommunications Project (RTP) and previously via the Regional Mobile Communications Project (RMCP).

The RTP initial allocation was \$45 million from 2014-15 with a further \$20 million allocated from 2016-17.

The total RTP allocation under the last Coalition Government was \$65 million, which was mainly used for State co-contributions under the Commonwealth Mobile Black Spot Program Rounds 1 and 2. Information on the various MBSP Rounds is here: <https://www.communications.gov.au/what-we-do/phone/mobile-services-and-coverage/mobile-black-spot-program>

The Mobile Black Spot Program Round 4 announced on 22 March 2019 stated “*The Federal and State governments will contribute \$4.3 million each to the Mobile Black Spot Round 4 program in WA, with a further \$6 million from telecommunications companies*”.

The Regional Telecommunications Project Continuation (RTPC) Funding (announced 21 May 2019) provided a further \$20 million allocation from 2019-20 by the Labor Government, bringing total RTP funding to \$85 million.¹

On 21 April 2020 a joint Commonwealth/State media statement announcing the Mobile Black Spot Program Round 5 outlined “*under Round 5, \$29.7 million will be invested in mobile infrastructure in Western Australia. This includes \$12.8 million funding from the Commonwealth and \$5.5 million from the Western Australian Government*”.

The outcomes of Round 1 of the Regional Connectivity Program were announced on 28 April 2021 advising that “*the McGowan Government will contribute \$5.88 million to projects under the Commonwealth's Regional Connectivity Program to help bring mobile and broadband infrastructure to some of Western Australia's most under-served areas*” and “*the State's investment has attracted co-funding of \$17.1 million from the Commonwealth and additional funding from project applicants and third party contributors*”.²

Along with the Digital Farm Grants Program Round 3 announced in January 2021 of a “*\$6.3 million investment by the State delivering high-speed broadband to 600 farmers and residents across WA's grain growing regions under Round 3 of the Digital Farm program*” there continues to be considerable investment in Telecommunications in WA.³

Notwithstanding, the need is still significant, with the Shire of Esperance motion to increase State funding by way of co-contribution to leverage Federal programs to regional areas that have limited or no access is supported.

¹ <https://www.mediastatements.wa.gov.au/Pages/McGowan/2019/05/20-million-dollars-on-the-table-for-regional-mobile-black-spots.aspx>

² <https://www.mediastatements.wa.gov.au/Pages/McGowan/2021/04/23-million-dollar-boost-for-regional-connectivity.aspx>

³ <https://www.mediastatements.wa.gov.au/Pages/McGowan/2021/01/6-point-3-million-dollar-funding-injection-to-bring-high-speed-broadband-to-the-grainbelt.aspx>

3.5. Review of the Environmental Regulations for Mining

Shire of Dundas Delegate to move:

Moved: Cr Laurene Bonza, Shire of Dundas
Seconded: Cr Tracey Rathbone, Shire of Coolgardie

Regarding a review of the *Mining Act 1978*.

1. To call on Minister Bill Johnston, Minister for Mines and Petroleum; Energy; Corrective Services to instigate a review of the 43-year-old *Mining Act* to require mining companies to abide by environmental regulations, and to support research and development into sustainable mining practices that would allow mining without detriment to diversification and community sustainability through other industries and development.
2. That abandoned mines in regional Western Australia receive a priority action plan with programmes developed to work with rural and remote resource communities to assist in the rehabilitation of these mines as a job creation programme, with funding allocated for diversification projects for support beyond mine life across Western Australia.

CARRIED

MEMBER COMMENT

The mining industry currently enjoys concessions in relation to both environmental and planning legislation that are not available to other industries, nor to Local Governments. For example, a mining company can lodge a mine plan which includes a facility to 'bury' tyres. No other industry or Local Government is permitted to put tyres in landfill or otherwise bury or cover up tyres. There is a cost involved with the disposal of old tyres, which under current legislation, the mining industry is exempt from as they are permitted to bury their old tyres. This flies in the face of all the environmental legislation in relation to the disposal of tyres.

In the planning space, a mining company can object to any development on land over which they hold a current mining tenement, whether that ground is currently being actively mined or the ground has been 'tied up' in a project group of tenements and no work has ever been commenced or completed on the subject ground. This can have very detrimental effects on Local Government planning for the future as the mining company can call to a halt any attempt to develop land for any project. For example, in the Shire of Dundas, we have a very real need to have land released for industrial zoning, however, the one area readily available has an existing mining tenement over it and the mining company has lodged an objection to the Shire being able to purchase that land as a freehold title. The mining tenement has been in existence since 1983 and has never been worked. Similarly, the existence of a mining tenement can hamper any proposed land release for development by a Local Government because it 'may' be explored at some future time. The mining sector appears to enjoy these concessions on the fact that it employs a large number of people and, more importantly, generates royalty revenue for the State Government.

IN BRIEF

The Australian and State Governments has several initiatives and studies completed regarding mining environmental regulating and the Mining Rehabilitation Fund.

Our plan is focused on existing information and plans:

- Industry Australia has done extensive studies in this field: [Mine Rehabilitation \(industry.gov.au\)](http://industry.gov.au).
- There is already an established fund for this possible initiative: [Mining Rehabilitation Fund Yearly Report 2018-19 \(dmp.wa.gov.au\)](http://dmp.wa.gov.au).

We hope to get support for this initiative to get Local Governments across Western Australia involved by receiving some of these funds to actively participate in these rehabilitation works with mining partnerships and Local Government. This opportunity will fund diversification and implement a plan for after mine life, reducing the impacts of the mining boom bust cycle. (WA currently has approx. \$182 million in the mining rehab fund, generating around \$1 million in interest and of which approx. \$312,000 was used in rehab projects).

Figures from 2019 indicate that the Mining industry in Australia employs approx. 245,000 people while agricultural industries (including forestry and fishing) employ approx. 333,000.

There is a massive, world-wide push to encourage more sustainable and environmentally friendly practices in all industry. Climate change is the hottest topic around the world and reducing greenhouse gases and implementing the best environmental practices is high on everyone's agenda.

There appears to be a large disconnect between the acceptable practices of the mining industry and the rest of industry and Local Government. Mining, by its very nature, is a finite industry but, current mining techniques cause wholesale destruction on an often-massive scale, most of which can never be recovered to its former state. The agricultural sector, on the other hand, is a sustainable industry whose entire focus is the production of food to keep us alive. Despite this, whilst it is considered appropriate for hundreds of hectares of land to be cleared to accommodate a mine site and all its attendant infrastructure, with scant regard for habitat and/or fauna and flora, a farmer can be fined thousands of dollars and/or face a term of imprisonment for clearing even a tiny portion of native vegetation on his freehold land.

In the planning arena, Section 120 of the *Mining Act 1978* makes provision that whilst any planning scheme made under the *Planning & Development Act 2005*, will be 'taken into account', it will not prohibit or affect the grant of a mining tenement.

It appears to be illogical that every other sector is to be bound by legislation that does not apply to the mining industry. The *Mining Act* is 43 years old and, given the current review of the 26-year-old *Local Government Act*, is well and truly due for some review itself.

We are not opposed to the mining industry, in fact, our whole Shire was born out of the mining industry. However, the current provisions of the *Mining Act 1978* doom us to be forever beholden to the 'boom and bust' nature of mining as it is nearly impossible to create a diverse and sustainable community when the *Mining Act* overrides other legislation. For example, any areas that we may earmark as having huge tourism potential can be wiped out in an instant by the application for a mining tenement over that ground. The loss of tourism potential is not something that can be recovered under a rehabilitation scheme. Rehabilitation should be a route of last resort not the accepted norm. Mining companies need to acknowledge that things such as proper disposal of tyres is a normal cost of conducting their business and act accordingly. There must be some mechanism for preserving unique landscapes that cannot be returned to their former state no matter how good the rehabilitation plan is. The mining industry employs some clever and innovative people and rather than tie up money in rehabilitation schemes (WA currently has approx. \$182 million in the mining rehabilitation fund, generating around \$1 million in interest and of which approx. \$312,000 was used in rehab projects), money should be directed into research and development of alternate and less destructive mining methods that leave our stunning natural environment and fauna more intact and available when mining ceases.

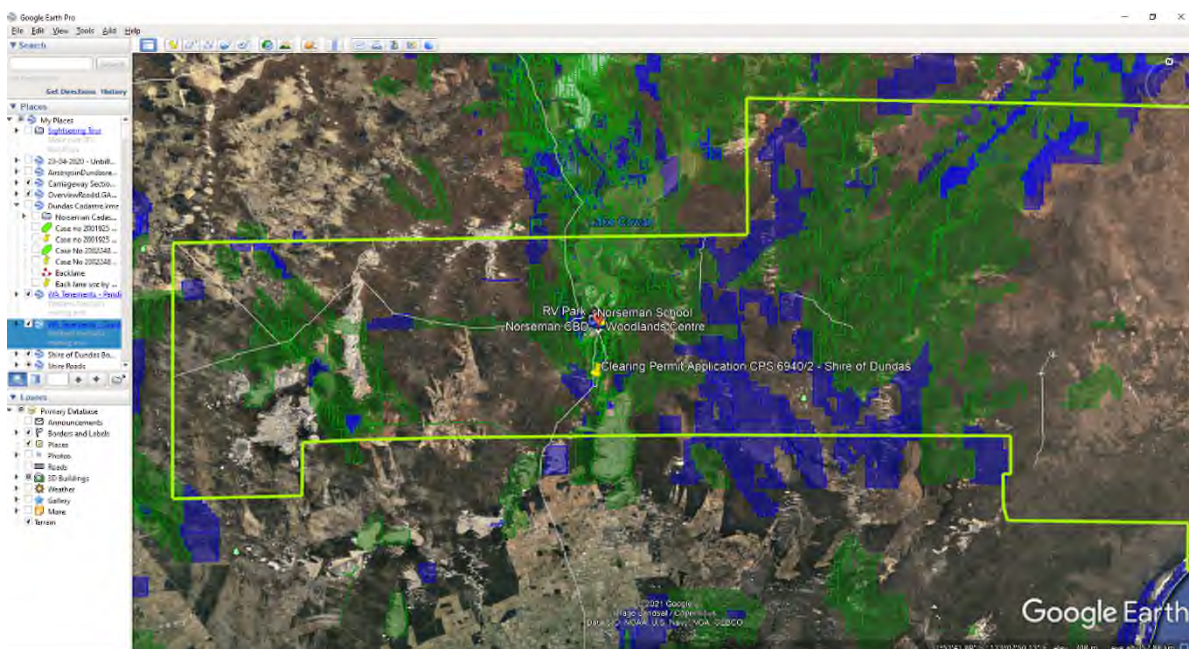
There are many papers available relating to mining impacts and legislation that mining is seemingly exempt from abiding by, some of which are referenced below:

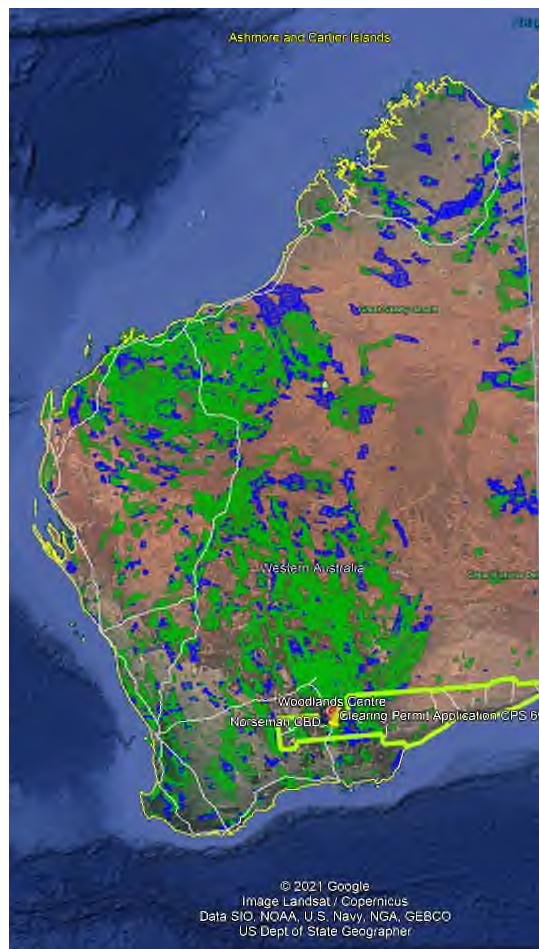
- EPA report 1699, 1 February 2021 [EPA Report 1699 - Lake Way Sulphate of Potash Project.pdf](#)
- Regulations affecting landfill management for local governments. Major relevant legislation is contained within:
 - [The Waste Avoidance and Resource Recovery Act 2007](#)
 - [The Waste Avoidance and Resource Recovery Levy Act 2007](#)
 - [The Waste Avoidance and Resource Recovery Regulations 2008](#)
 - [The Waste Avoidance and Resource Recovery Levy Regulations 2008](#)
- [Guide to drafting waste local laws](#) – the Guide to drafting waste local laws is intended to provide general guidance to local government. It is for use by local governments and the Western Australian Local Government Association.

- [Factsheet: Assessing whether material is waste](#) – this Factsheet provides information to industry on matters relevant to determining whether material is waste under the *Environmental Protection Act 1986* and the *Waste Avoidance Resource Recovery Act 2007* and their associated regulations.
- [Factsheet: - amendments to the Environmental Protection Regulations 1987 - clean fill and uncontaminated fill](#) – this Factsheet provides information on clean fill and uncontaminated fill in accordance with the amended *Environmental Protection Regulations 1987* and the revised *Landfill Waste Classification and Waste Definitions 1996 (amended 2019)*.
- [NBN News | WHITEHAVEN COAL APPROVED TO BURY HUNDREDS OF TYRES](#)
- [Tyre Product Stewardship Scheme | Department of Agriculture, Water and the Environment](#)
- [Mining report finds 60,000 abandoned sites, lack of rehabilitation and unreliable data - ABC News](#)

Mines closed, rehabilitated, and relinquished	
Queensland	0
Western Australia	Unknown
New South Wales	1
South Australia	18
Northern Territory	0
Victoria	1
Tasmania	1

Status in 2018





Green area is approved mining leases blue is pending leases

The Mining Rehabilitation Fund has a substantial amount of funds available and these funds could be put to much better use by funding research into more sustainable practices in the mining industry. Every other industry is required to count legislative compliance as a normal cost of conducting their business. The mining industry must be compelled to do the same.

Mine rehabilitation is all very well and good but, tackles the issue after the '*horse has bolted*'. We could achieve far better outcomes if mining companies worked to adopt sustainable, environmentally friendly, mining techniques that do not need these rehabilitation projects. The burying of tyres is only one part of the problem, and it contributes to the wholesale destruction that goes with mining to the detriment of everything else. There is no tourism value in a rehabilitated mine site. You cannot replace unique granite outcrops and the stunning woodlands once they have been decimated by mining practices. Climate change is happening, and we are currently content to let it be accelerated by actively encouraging poor practice by mining companies.

ATTACHMENTS

- [Photographs](#)
- [Department of Mines, Industry Regulation and Safety – Mining Rehabilitation Fund Yearly Report 2019-20](#)

SECRETARIAT COMMENT

With respect to the Part 1 of the Motion:

Mining companies are required to comply with relevant environmental regulations and conditions of approval, which includes developing and implementing rehabilitation plans.

The Department of Mines, Industry Regulation and Safety (DMIRS) assesses environmental proposals for prospecting, mining exploration and development activities in accordance with the *Mining Act 1978*. Native vegetation clearing permits are assessed under delegation in accordance with the provisions of the *Environmental Protection Act 1986* and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*. Unconditional Performance Bonds (UPB) may be imposed as mining securities for compliance with environmental conditions imposed under the *Mining Act* in some cases.

Mining, petroleum and geothermal activity proposals that may have a significant impact on the environment are assessed by the Environmental Protection Authority (EPA). In addition, proposals likely to have significant impact to matters of national environmental significance require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

In relation to tyre disposal, the Association acknowledges the significant challenge this poses for Local Governments, particularly those in the non-metropolitan area in regard to end of life tyre management. The Shire of Dundas is to be commended for its commitment to ensuring that tyres generated in the Shire are recycled; this is a significant achievement.

It is a significant barrier that there is not an effective Product Stewardship Scheme for tyres, which covers the full costs, including transport, of recycling tyres. The current situation means that frequently organisations choose the cheapest option for disposal or material, rather than the best environmental and social outcome.

As part of the funding to address the Export Bans for recyclable materials, including tyres, the State and Federal Government is investing over \$18 million in tyre recycling infrastructure for WA. WALGA is investigating how this funding will assist Local Governments across WA to develop sustainable tyre recycling solutions, which focus on resource recovery and minimise landfilling of these products.

In relation to Part 2 of the Motion:

The *Mining Rehabilitation Fund Act 2012* and the *Mining Rehabilitation Fund Regulations 2013* provide the legislative framework for declaring abandoned mine sites and enables the Mining Rehabilitation Fund (MRF) to receive levy contributions made by WA mining operators for the purpose of rehabilitation of abandoned mines and other land affected by mining operations carried out, in, on or under those sites.

Income for the MRF comes from a levy on existing mines based on the size of the operating mine and the expenditure comes from the interest earned by the fund. The MRF is aimed at addressing legacy mines pits that were not subject to the current legislative process and requirements, and where no company or individual can be identified and made responsible for the rehabilitation of the mine.

The Mining Rehabilitation Advisory Panel is an independent body that provides advice to the Director General of the DMIRS on matters related to the MRF, including which abandoned mines should receive funds for remedial action.

The Abandoned Mines Policy provides guidance on how the priorities for the use of the funds and which abandoned mines will be managed. The key principle used in decision making is the level of risk an abandoned mine represents. The policy encourages the use of partnerships with Local Governments, community groups and business in the management and rehabilitation of the selected abandoned mine sites.

DECLARATION

These Minutes will be confirmed at the 2022 WALGA Annual General Meeting.

Signed

Person presiding at the meeting at which these Minutes were confirmed