



# MINUTES

## For the Special Council Meeting

Held on Wednesday 24<sup>th</sup> September 2025



**Ian Holland**

CHIEF EXECUTIVE OFFICER

2<sup>nd</sup> October 2025

**Disclaimer:**

The Shire of Yalgoo gives notice to members of the public that any decisions made at the meeting, can be revoked, pursuant to the Local Government Act 1995. Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

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### 1 DECLARATION OF OPENING

The Shire President welcomed those in attendance and declared the meeting open at 3.16pm.

### 2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

With the Permission of the Shire president attendance by electronic means is granted.

**President** Cr Raul Valenzuela

**Deputy President** Cr Gail Trenfield (telephonic)

**Councilors**  
Cr Stanley Willock  
Cr Tamisha Hodder  
Cr Kieran Payne (telephonic)  
Cr Angus Nichols (telephonic)

**Chief Executive Officer** Ian Holland  
**Deputy CEO** Glenn Boyes (telephonic)  
**Executive Assistant** Diane Hodder  
**Works Foreman** Luke O'Shaughnessy (telephonic)

**APOLOGIES** NIL

**LEAVE OF ABSENCE** NIL

### 3 DISCLOSURE OF INTERESTS

Councilors and Officers are reminded of the requirements of s5.65 of the Local Government Act 1995, to verbally disclose any interest during the meeting before the matter is discussed or to provide in writing the nature of the interest to the CEO before the meeting.

NIL

### 4 PUBLIC QUESTION TIME

NIL

#### REPONSES TO QUESTIONS TAKEN ON NOTICE

NIL

#### QUESTIONS TAKEN WITHOUT NOTICE

NIL

### 5 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

NIL

### 6 NOTICE OF MATTERS TO BE DISCUSSED BEHIND CLOSED DOORS

NIL

### 7 APPLICATIONS FOR LEAVE OF ABSENCE

NIL

## 8 BUSINESS AS NOTIFIED

### 8.1 2025/2026 Annual Budget

<b>Applicant:</b>	Shire of Yalgoo
<b>Date:</b>	17 September 2025
<b>Reporting Officer:</b>	Glenn Boyes Deputy CEO
<b>Disclosure of Interest:</b>	NIL
<b>Attachments:</b>	Annual Budget 25/26

#### Summary

That Council consider and adopt the 2025/2026 Annual Budget, Fees and Charges and Materiality, pending Ministerial approval for differential rating is received by the meeting.

#### Background

The Draft 2025/2026 Annual Budget has been compiled based on the objectives contained in the Strategic Community Plan and the Corporate Business Plan and to reflect Councils priorities in the coming year.

The proposed differential rates as proposed by Council and approved by the Minister for Local Government.

#### Comment

The budget has been prepared with a 8% increase in the rate in the dollar for all rating categories. A 5% discount will also be applied to ratepayers who pay in full on or before the first payment date. A \$15 discount will be applied to the rate record for ratepayers who pay instalments on time.

A further 50% discount will be provided to ratepayers in the Townsites and Pastoral / Rural rating categories who pay their rates in full on or before the first payment date. The breakdown of the discount is as follows:

1. 10% discount for general cost of living, e.g. groceries, fuel, electricity etc.
2. 10% commercial location discount, e.g. cost to access banking facilities, hairdresser, mechanic etc.
3. 30% State Government discount, e.g. cost to access services not provided by the State, e.g. dentist, optometrist, doctor etc.

The estimated brought forward balance is \$7,136,089 which includes the repayment of flood damage from DFES. This amount is unaudited and will change as the Annual Report is completed.

The opening cash balance is \$1,930,864 which is low due to fund being held back by DFES. Therefore, the 2025/2026 budget was tightened as much as possible to maintain cashflow during the year. Many capital projects were cancelled and budgeted projects likely will not commence unless DFES reimburses the Shire its money. A cashflow forecast has been prepared to monitor our cash balances as the year progresses.

The main construction focus for this year will be purchasing the Yalgoo Hotel, completing the LRCIP project on Yalgoo-Ninghan Rd, RRG and RTR roadworks, the Town Hall and surfacing the Tennis Court.

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Administration will continue to go paperless where possible and begin the process of moving to a new accounting system. There will also be many business processes and controls to implement based on appropriate accounting practices and recommendations from the Office of the Auditor General.

### Statutory Environment

Local Government Act 1995, Section 6.2 – Local Governments to prepare annual budget.

Local Government (Financial Management) Regulations 1996 Part 3

### Policy Implications

NIL

### Financial Implications

The 2025 - 2026 Budget provides Council with the opportunity to continue to provide the current level of services to the community.

### Voting Requirements

Absolute Majority

## OFFICERS RECOMMENDATION

*That Council:*

1. *That pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, Council adopts the attached 2025 - 2026 Annual Budget, which includes the following:*

- *Statement of Comprehensive Income*
- *Statement by Cash Flow*
- *Statement of Financial Activity*
- *Notes to the Annual Budget*

2. *Impose the following differential general and minimum rates on Gross Rental and Unimproved Values adopted for the purpose of yielding the deficiency disclosed pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995*

<i>Land Category</i>	<i>Rate in \$</i>	<i>Minimum Payment</i>
<i>GRV Townsite Improved</i>	8.7121	\$300
<i>GRV Townsite Vacant</i>	8.7121	\$300
<i>GRV Mining Infrastructure</i>	33.0944	\$300
<i>UV Mining Tenements</i>	35.5968	\$300
<i>UV Exploration/Prospecting</i>	23.4058	\$300
<i>UV Pastoral Rural</i>	7.6843	\$300

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3. *Adopt the following due dates for the payment in full and by instalments, pursuant to section 6.45 of the Local Government Act 1995 and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996.*

<i>Full Payment or 1<sup>st</sup> Instalment due date</i>	<i>06 Nov 2025</i>
<i>2<sup>nd</sup> Instalment due date</i>	<i>15 Jan 2026</i>
<i>3<sup>rd</sup> Instalment Due Date</i>	<i>19 Mar 2026</i>
<i>4<sup>th</sup> Instalment Due date</i>	<i>21 May 2026</i>

4. *Adopts an instalment administration charge where an owner has elected to pay rates through an instalment option of \$15 for each instalment after the initial instalment is paid, pursuant to section 6.45 of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996.*
5. *Adopt an interest rate of 3% where an owner has elected to pay through an instalment option, pursuant to section 6.45 of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996.*
6. *Adopt discount of 5% for rates payments made in full on or before the due date, a \$15 discount to be applied to the rate record for ratepayers who pay instalments payments on time and a 50% discount to ratepayers in the Townsites and Pastoral / Rural rating categories who pay their rates in full on or before the first payment date.*
7. *Adopt an interest rate of 11% for rates and any debt outstanding including the costs of proceedings to recover such charges that remain unpaid after becoming due and payable, pursuant to section 6.51(1) and section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996.*
8. *Endorse that the level to be used in the Statement of Financial Activity in 2025/2026 for the reporting of material variances shall be whichever is greater of 10% and \$10,000 in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality.*

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### COUNCIL RESOLUTION – S2025-09-01

Moved: Cr Stanley Willock

Second: Cr Gail Trenfield

*That Council:*

1. *That pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, Council adopts the attached 2025 - 2026 Annual Budget, which includes the following:*

- *Statement of Comprehensive Income*
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2. *Impose the following differential general and minimum rates on Gross Rental and Unimproved Values adopted for the purpose of yielding the deficiency disclosed pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995*

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5. *Adopt an interest rate of 3% where an owner has elected to pay through an instalment option, pursuant to section 6.45 of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996.*
6. *Adopt discount of 5% for rates payments made in full on or before the due date, a \$15 discount to be applied to the rate record for ratepayers who pay instalments payments on time and a 50% discount to ratepayers in the Townsites and Pastoral / Rural rating categories who pay their rates in full on or before the first payment date.*
7. *Adopt an interest rate of 11% for rates and any debt outstanding including the costs of proceedings to recover such charges that remain unpaid after becoming due and payable, pursuant to section 6.51(1) and section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996.*
8. *Endorse that the level to be used in the Statement of Financial Activity in 2025/2026 for the reporting of material variances shall be whichever is greater of 10% and \$10,000 in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality.*

CARRIED: 6/0



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### 8.2 Yalgoo Ninghan Road Sealing Works

<b>Applicant:</b>	Shire of Yalgoo
<b>Date:</b>	23 September 2025
<b>Reporting Officer:</b>	Luke O'Shaughnessy Works Manager
<b>Disclosure of Interest:</b>	NIL
<b>Attachments:</b>	NIL

#### Summary

That Council accept the road sealing and earthworks quotes for Yalgoo Ninghan Road.

#### Comment

LRCI phase 4 program closed on 30 June 2025. They have opened up the program so we can complete the works to seal the final 4km of Yalgoo Ninghan Road.

Regional Road Group funding for 24/25 was not expended last year. The same amount of funding is available for 25/26. The Shire will use these funds to widen the Yalgoo Ninghan Road at various SLKs to make it safer to travel on.

The Shire is proposing to complete both of these grant funded programs at the same time using one company to perform the sealing works and another to complete the widening earthworks.

#### Statutory Environment

Local Government Act 1995

Council's Purchasing Policy

#### Policy Implications

NIL

#### Financial Implications

This work will be performed under the LRCI phase 4 grant program and Regional Roads Group. The works have been allocated in the 25/26 annual budget.

#### Voting Requirements

Simple Majority

#### OFFICERS RECOMMENDATION

That Council accept the WALGA preferred supplier quotes for:

1. Bitutek to complete the sealing of the final 4km of Yalgoo Ninghan Road and road widening at various SLKs
2. Rowe Contracting to perform the earthworks on the road widening at various SLKs

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### COUNCIL RESOLUTION – S2025-09-02

Moved: Cr Stanley Willock                      Seconded: Cr Tamisha Hodder

That Council accept the WALGA preferred supplier quotes for:

1. Bitutek to complete the sealing of the final 4km of Yalgoo Ninghan Road and road widening at various SLKs.
2. Rowe Contracting to perform the earthworks on the road widening at various SLKs.

CARRIED: 6/0

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### 8.3 Firebreak Notice

Applicant:	Shire of Yalgoo
Date:	25 August 2025
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	Firebreak Notice

#### **SUMMARY**

That Council endorse the attached correspondence and adopts the as presented Firebreak Compliance Notice.

#### **COMMENT**

An amended Firebreak Compliance Notice is attached for consideration.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council:

1. adopts the as presented Firebreak Compliance Notice effective from 24 September 2025

#### **COUNCIL RESOLUTION – S2025-09-03**

Moved: Cr Stanley Willock                      Seconded: Cr Gail Trenfield

That Council:

1. adopts the as presented Firebreak Compliance Notice effective from 24 September 2025

CARRIED: 6/0

37 Gibbons St  
Yalgoo WA 6635  
Telephone: (08) 9962 8042  
Email: [ceo@yalgoo.wa.gov.au](mailto:ceo@yalgoo.wa.gov.au)  
Fire-Break Notice



## Fire Hazard Compliance Notice 2025/2026 Bush Fires Act 1954

This Fire-Break/Hazard Compliance Notice is issued by the Shire of Yalgoo pursuant to Section 33 of the Bush Fires Act 1954 to assist with the prevention, control and extinguishment of bush fires or to prevent the spread or extension of a bush fire to any adjoining land.

All property owners and/or occupiers of land within the Shire of Yalgoo are hereby served with a first and final Fire-Break / Hazard Compliance Notice (the Notice) and are required to comply with the requirements in full from the 1<sup>st</sup> October 2025 up to and including the 30<sup>th</sup> April 2026 (unless a requirement exists for the whole year).

Regardless of land size and location, the Shire or its Bush Fire Control Officers may require additional work to be undertaken on a property to improve access, and/or undertake further works to reduce a hazard that may be conducive to preventing an outbreak and/or the spread or extension of a bush fire.

**Failure or neglect to comply with this notice is an offence and may result in a penalty of up to \$5,000 plus costs to carry out the required work**

### Land within the Yalgoo Townsite

- Ensure that all long grass and weeds are slashed, mowed or trimmed to a height no greater than 75mm across your entire property.
- Gutters, roofs and walls of buildings to be free of flammable matter.
- All flammable material must be removed from an area 3 meters in width immediately surrounding all buildings and an area 3 meters in width inside of all property boundaries.
- Ensure that all properties can be accessed (via a driveway or similar ingress) by an emergency services vehicle 3 meters in width and a vertical clearance of 4 meters.

**Fuel Dumps and Batteries (home systems and battery banks)**

On all land where fuel drum ramps and batteries are located and where fuel drums, whether containing fuel or not, are stored. Clear and maintain an additional firebreak at least four metres wide around any drum, ramp, bund, stack of drums and batteries. Consider bunding of battery banks to prevent water run off.

**Land Outside of the Yalgoo Townsite**

- Firebreaks must be cleared at least 3 meters in width, fully encircling or surrounding, and not more than 20 meters from the perimeter of any building or group of buildings.
- All flammable material must be removed from an area 3 meters in width immediately surrounding all buildings.
- *Buildings* outside of the townsite include any and all infrastructure related to commercial activities such as pastoral, mining and accommodation including homesteads, sheds, power generation etc.
- Gutters, roofs and walls of occupied buildings to be free of flammable matter.
- Firebreaks are a strip of mineral earth free of all flammable material with the intention of minimising the spread or extension of a bushfire and provide safe access on the property for emergency vehicles and other firefighting operations.

**Camping and Cooking Fires – applies year round**

A fire may be lit for the purposes of camping and cooking, with the following conditions:

- The Australian Fire Danger Rating (AFDRS) is not High, Extreme or Catastrophic
- A Total Fire Ban or Harvest and Vehicle Movement Ban has not been issued
- The fire is to be no more than 1 meter in diameter and is no closer than 3 meters from any flammable material including logs or stumps.
- A fire extinguisher, fire blanket or sufficient water must be available to the person managing the campfire and it must be fully extinguished before the user leaves.

**Burning Periods**

- a) Restricted burning period – 1 October to 30 April following
- b) Prohibited burning period – 15 November to 31 March following

Firebreaks should be maintained for the whole of the restricted period

If it is considered for any reason to be impractical to clear firebreaks or remove inflammable material as required by this notice, you may apply to the Council or it's duly authorised officer not later than 1 October for permission to provide firebreaks in alternative positions or take alternative action to remove or abate any fire hazard. If permission is not granted by this Council or it's duly authorised officer you shall comply with the requirements of this notice.

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### **9 NEXT MEETING**

The next Ordinary Meeting of Council is due to be held in the Council Chambers, Gibbons Street Yalgoo on Friday 27<sup>th</sup> October 2023 commencing at 10.00am (pending a resolution).

### **10 MEETING CLOSURE**

There being no further business the CEO declared the Special Council Meeting closed at 3.26pm.

## Local Government (Administration) Regulations 1996

### 10. Revoking or changing decisions (Act s. 5.25(1)(e))

(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(2) If a decision is made at a council or committee meeting, any decision to revoke or change the decision must be made by an absolute majority.

(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

[Regulation 10 amended: Gazette 31 Mar 2005 p. 1030;

SL 2020/213 r. 16.]

## Local Government Act 1995

### 3.59. Commercial enterprises by local governments

(1) In this section —

**acquire** has a meaning that accords with the meaning of **dispose**;

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**land transaction** means an agreement, or several agreements for a common purpose, under which a local government is to —

(a) acquire or dispose of an interest in land; or

(b) develop land;

**major land transaction** means a land transaction other than an exempt land transaction if the total value of —

(a) the consideration under the transaction; and

(b) anything done by the local government for achieving the purpose of the transaction,

is more, or is worth more, than the amount prescribed for the

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purposes of this definition;

**major trading undertaking** means a trading undertaking that —

(a) in the last completed financial year, involved; or

(b) in the current financial year or the financial year after

the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

**trading undertaking** means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of land transaction.

(2) Before it —

(a) commences a major trading undertaking; or

(b) enters into a major land transaction; or

(c) enters into a land transaction that is preparatory to entry into a major land transaction,

a local government is to prepare a business plan.

(3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —

(a) its expected effect on the provision of facilities and services by the local government; and

(b) its expected effect on other persons providing facilities and services in the district; and

(c) its expected financial effect on the local government; and

(d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and

(e) the ability of the local government to manage the undertaking or the performance of the transaction; and

(f) any other matter prescribed for the purposes of this subsection.

(4) The local government is to —

(a) give Statewide public notice stating that —

(i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction; and

(ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and



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(iii) submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

(b) make a copy of the business plan available for public inspection in accordance with the notice; and

(c) publish a copy of the business plan on the local government's official website.

(5) After the last day for submissions, the local government is to consider any submissions made and may decide\* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.

\* Absolute majority required.

[(5a) deleted]

(6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.

(7) The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.

(8) A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.

(9) A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.

(10) For the purposes of this section, regulations may —

(a) prescribe any land transaction to be an exempt land transaction;

(b) prescribe any trading undertaking to be an exempt trading undertaking.

[Section 3.59 amended: No. 1 of 1998 s. 12;

**Local Government (Functions and General) Regulations 1996**

**7. Term used: major regional centre**

(1) In this Part —

major regional centre means a local government the district of which —

(a) is not in the metropolitan area; and

(b) has more than 20 000 inhabitants.

(2) Section 2.4(6) of the Act applies to determine the number of inhabitants of a district for the purposes of the definition of major regional centre.

[Regulation 7 inserted: Gazette 27 Sep 2011 p. 3843-4.]

**9. Amount prescribed for major trading undertakings; exempt**

**trading undertakings prescribed (Act s. 3.59)**

(1) The amount prescribed for the purposes of the definition of major trading undertaking in section 3.59(1) of the Act is —

(a) if the trading undertaking is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —

(i) \$5 000 000; or

(ii) 10% of the lowest operating expenditure

described in subregulation (2);

or

(b) if the trading undertaking is entered into by any other

local government, the amount that is the lesser of —

(i) \$2 000 000; or

(ii) 10% of the lowest operating expenditure

described in subregulation (2).

(2) The lowest operating expenditure referred to in subregulation (1) is the lowest of —

(a) the operating expenditure incurred by the local government from its municipal fund in the last completed financial year; and

(b) the operating expenditure likely to be incurred by the local government from its municipal fund in the current financial year; and

(c) the operating expenditure likely to be incurred by the local government from its municipal fund in the financial year after the current financial year.

(3) A trading undertaking is an exempt trading undertaking for the purposes of section 3.59 of the Act if —

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(a) the undertaking —

(i) in the last completed financial year, involved; or

(ii) in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed under subregulation (1); and

(b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which expenditure is, or is likely to be, more than the amount prescribed under subregulation (1) is not significant taking into

account —

(i) the total value of the undertaking; or

(ii) variations throughout the State in the value of land.

[Regulation 9 amended: Gazette 31 Mar 2005 p. 1054;

27 Sep 2011 p. 3845.]