
18 ADMINISTRATION

18.1 Rating Miscellaneous Mining Licenses

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Attachments: 18.1.1 Minister for Local Government 2 August 2025 Press Release Regarding Rating Miscellaneous Mining Licenses
18.1.2 WALGA Press Release Regarding Rating Miscellaneous Mining Licenses
18.1.3 Murchison Rating Miscellaneous Mining Licenses Briefing Paper

Matter for Consideration

Minister for Local Government 2 August 2025 Press Release regarding Rating Miscellaneous Mining Licenses and Council's response

Comments

On 2 August 2025 the Minister of Local Government, as outlined in the attached press release, announced that it will move swiftly to amend the Local Government Act by clarifying that land held under a miscellaneous mining licence be exempt from local government rates.

By way of an update on previous advice to Council a briefing paper relating to the proposed action by the Minister is attached.

As outlined and in summary, this is an extraordinary step proposed to be undertaken by the Minister which is fundamentally flawed on any objective consideration summarised as follows.

- 1 Minister attempting to equate so called "*understandings and precedents*" with respect to current legislation to override judicial review claiming reverting to the status quo when the situation as affirmed remains clear.
The maxim, "*two wrongs don't make a right*" is highly relevant. In this instance the Minister is promoting a "*wrong, to wrong a right.*"
- 2 Claims that the muted changes will protect jobs in Regional WA are a complete "*furphy*". Any additional revenue delivered into the region to local government will directly lead to local job creation as local government will be able to provide additional services at a local level that would otherwise not be able to be delivered. Not being able to lawfully access this revenue will have the opposite effect.
- 3 By putting one specific industry, and in this case one segment of that industry over another shows a complete bias and suggested that "*competitiveness*" trumps every other consideration.
Even if the government sees "*Maintaining the competitiveness of Western Australia's world-leading mining sector is critical to the State*" then it has plenty of other mechanisms that it can use such as reductions in mining royalties that providing specific grants to bring this about and thereby distribute the equitably across the State, rather than land it on the smallest and less financially stricken parts of the community. One wonders what other equally important industries will say and perhaps demand similar preferential treatment.
- 4 Indicating that the government will "*engage with the resources sector on how it contributes to local communities and work with local governments*" completely misses the point with respect to voluntary contributions versus rates liabilities. The two are independent of each other. Community contributions whilst welcome are voluntary, whilst rates are a property tax where equity and fairness considerations as outlined under the local Government Act are to be followed.
- 5 Constitutionally, Local Government does not exist. It is the State Government that is responsible for delivery of services to its citizens. This is done operationally through a range of government departments and established statutory authorities. In the case of Local Government, the State Government has effectively delegated work that it is required to undertake to each local Council and in a manner work that the State cannot do directly themselves. Whilst the services provided and funded by a local government are delivered locally through local decision making, the actual standard of services offered and people who benefit will vary from those living and residing within the district to

those that do not. The Minister's proposal ignores this essential aspect and the important revenue resource derived on an equitable basis that rating delivers to providing services to all of WA not just those within individual local governments.

- 6 As it stands, the Government determines the annual rent to be applied for mining tenements, which determines the valuations and thereby significantly influences individual rating outcomes. In Murchison for 2025-26 the total rent collected by the State Government for Mining Leases, General Purpose Leases, Miscellaneous Licences (MML) including groundwater within the Murchison Shire totaling \$697,800 which is in excess of rates levied by the Shire. The idiom "*what's good for the goose is good for the gander*" couldn't be more apt.
- 7 The decision to fundamentally trashes a number of Labor Party Policies and Values as it, is hardly founded on pillars of fairness, justice, and compassion for all, does not treat people equally in their entitlement though equal opportunity, accentuates unfair discrimination through advantaging one segment of society over another and redistributes resources and power rights and opportunities away from the local communities that it is claimed to ought to be not advantaged.

It appears to be a situation of the government pandering to the Mining Industry to the detriment of local communities, regardless of any legal appeal process that is still to be undertaken. Whilst it is recognised that the rating system could be significantly improved this action is ill considered.

Mt Magnet Shire are a primary focus of local government action in this matter as it is their successful appeal to the Supreme Court that has prompted the Minister to act; but all local Governments are affected in some way or another. As outlined in the attached WALGA Press Release, WALGA has rightly condemned the Minister's action with various supportive motions and actions being presented to State Council for adoption.

Mt Magnet Shire, like Murchison Shire as a very small local government who been thrust into the limelight through questioning the logic and validity of legislation. Whilst Mt Magnet have primacy in articulating their case, effectively on behalf of the sector, they need to be continued to supported. In our instance though it is also considered appropriate that we as a Shire we also separately articulate our views and not just rely on WALGA and others.

The recommendations below provide the basis for this approach.

Recommendation

That in relation to Rating of Miscellaneous Mining Licences Council resolve as follows

- 1 That the Chief Executive Officer's Rating Miscellaneous Mining Licences Report be noted.
- 2 That Council continues to support Mt Magnet Shire in its endeavours to articulate and defend the continued application of the current legislation
- 3 That Council separately also articulate its own views to relevant decision makers.

Councillor Comments

Cr E-Foulkes-Taylor congratulated the Chief Executive Officer on the work put into this issue and fully supports the recommendations. Cr E-Foulkes-Taylor indicated that she was quite dismayed by the Minister of Local Government's actions and her stance in relation to the rating of Miscellaneous Mining Licences and endorses actions such as writing to the Minister of Local Government and others expressing this view and offering support to the Shire of Mt Magnet.

Voting Requirements

Simple Majority

Council Decision

Moved: Cr G Mead

Seconded: Cr E Foulkes-Taylor

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- 2 That Council continues to support Mt Magnet Shire in its endeavours to articulate and defend the continued application of the current legislation
- 3 That Council separately also articulate its own views to relevant decision makers.

Carried

For

5

Against

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Rating Miscellaneous Mining Licences

Background

Under section 6.26 of the Local Government Act 1995, all land is rateable unless specifically exempted. Specific exemptions including land used by religious bodies, non-government schools, for charitable purposes.

In a State Administrative Tribunal decision (Shire of Mount Magnet v Atlantic Vanadium Pty Ltd) in 2024, it was determined that Crown land the subject of an occupied miscellaneous licence was non-rateable. This followed the Shire of Mt Magnet's decision, following a review of local circumstances and the relevant legislation that indicated that notwithstanding such tenements may not have been historically rated that no such exemption existed and as result rates were issued.

The Shire of Murchison had also taken a similar view and at the time levied rates on occupied miscellaneous licences. Rates were levied and received and then subsequently refunded following the Tribunal's decision.

Subsequently, the Shire of Mt Magnet appealed this decision to the Supreme Court. The Supreme Court in a decision delivered on 8 July 2025, in Shire of Mount Magnet v Atlantic Vanadium Pty Ltd [2025] WASC 274 ruled that Crown land subject to a miscellaneous licence and occupied is rateable, overturning the State Administrative Tribunal decision. This ruling affirmed the principle that Local Governments may levy rates on such land, recognising the significant infrastructure and occupation associated with these licences.

The rateability decision is soundly based with reasoned considered argument. The fact that there was such a long time (almost 12 months) between hearing and judgement supports this view. The concluding extracts in the Supreme Court Judgement shown below with paragraph references are particularly strong.

- 85 *It is plain from the terms of the provisions referred to above that the object of imposing rates is to raise revenue for local government to undertake its activities. Specifically, the imposition of rates allows a local government to make up any budget deficiency. The Act thus reflects a direct link between the imposition of rates and the local government's ability to undertake its activities. As noted above, the local government plays a direct role and function in the grant of a miscellaneous licence. Plainly, the more significant the infrastructure proposed to occupy the miscellaneous licence, the greater will be the role played and the activity undertaken by the local government. In my view, a construction that exempts land from rates which is the subject of a miscellaneous licence and is occupied by significant infrastructure, sits most uncomfortably with the plain object of the statutory provisions concerning the local government's power to impose rates.*
- 86 *The second factor stems from the wording of s 6.26(2) itself. The exemptions in s 6.26(2)(a) - (k) relate overwhelmingly to charitable, benevolent, religious and public or civic purposes. That sits harmoniously with the theme of s 6.26(2)(a)(i). A construction that would exempt from rating, land that may be occupied by critical infrastructure facilitating the creation of profits for private interests, runs counter to the charitable and civic theme of s 6.26(2).*
- 87 *In my view, the Shire's construction provides greater harmony with the relevant object of the rating provisions of the LGA.*

Atlantic Vanadium Pty Ltd have indicated that they intend appealing the Supreme Court ruling

Meanwhile in accordance with the prevailing legislation the Shire of Murchison has amended its rate record and issued back rates on those affected holders' miscellaneous licence for the previous 5 years. Rates for 2025-26 will also be sought

The net effect in doing so will mean that all mining companies, regardless of land tenure are treated equitably with the resultant rates yielded will still, be less matching annual mining fees levied by the State Government.

On 2 August 2025, the WA State Government announced its intention to legislate amendments to the Local Government Act 1995 to exempt land under miscellaneous licences from rating.

WALGA, the Shires of Mt Magnet, Murchison and many others are strongly opposed to the Minister's decision and are exploring options to have this reversed or circumvented through the foreshadowed legislative process.

Issues Claims Assertions and Comments

The issues around the WA State Government's announced intention are very significant as are the claims, and assertions supposedly supporting the government's intention.

A summary of these are described as follows.

1 Minister's 2 August 2025 Press Release - Reforms to provide certainty for local governments, resources sector

A copy of Minister Hannah Beazley's Press Release has been restated in full but reordered as follows

Press Release Extract

While land held under miscellaneous licences has long been understood to not be rateable under the Local Government Act 1995, the Supreme Court of Western Australia has recently ruled local governments can levy rates on land held under these licences, potentially creating millions of dollars in additional costs for mining and exploration companies throughout regional WA.

As a result, the State Government will move swiftly to amend the Act by clarifying that land held under these licences is exempt from local government rates.

These amendments will restore a long-understood precedent, reflect the State's longstanding intent and provide certainty to local governments and resources companies, protecting jobs throughout regional WA.

"The State Government, local governments and mining companies have for decades understood that land under miscellaneous licences was not rateable.

"While no local governments are currently collecting rates on land held under a miscellaneous licence, a recent Supreme Court ruling has called this understanding into question.

"That's why our government is moving swiftly to clarify this land is not rateable, reinforcing what governments and mining companies have long understood to be the legislation's original intent.

"These amendments will uphold the status quo, provide certainty to the resources sector and local governments and ensure jobs throughout regional WA are protected.

Comments

Under the separation of powers, the interpretation of what any legislation means is always subject to the determination of the courts. In this instance as outlined in the background section above, the Supreme Court has determined with sound reasons what the parliament intended in doing so *“increased”* the certainty for local governments, the community and resource sector. No clarification is required.

It is far from an unusual occurrence that the meaning of any piece of legislation is challenged and needs clarification. Mt Magnet Shire's actions has merely led to further clarification of the scope of the legislation. Any so-called *“long-term precedent”* or *“understanding”* has no bearing on the matter.

This action is also consistent with previous actions taken by previous Local Government Ministers who from time to time have approved GRV Rating for occupations in circumstances where such as mining camps that are located on land on which a miscellaneous mining licence has been issued without necessarily an underlying General-Purpose Lease.

The Minister has previously put a policy in place to enable this to be undertaken but the legal basis under the legislation for this action whilst perhaps historically questionable has now been clarified is that the land is *“occupied”* and therefore rateable. Such actions being consistent with the legislation and contrary to the Ministers claims that local government is not collecting revenue on land held under a miscellaneous mining licence.

In any event Supreme Court decision recognise that rate revenue on land associated with miscellaneous mining licenses was recoverable some 20 years ago and where it was not levied it is now recoverable for the previous 5 years and into the future.

In effect the current legislation is the *“status quo”* and if there has been a misunderstanding it has now been clarified.

Press Release Extract

Laws to protect jobs and provide certainty to WA's local governments, mining industry

“Maintaining the competitiveness of Western Australia's world-leading mining sector is critical to the State remaining the strongest economy in the nation and the best place to get a quality job.

Comments

Claims that the mooted changes will protect jobs in Regional WA are a complete *“furphy”*. Any additional revenue delivered into the region to local government will directly lead to local job creation as local government will be able to provide additional services at a local level that would otherwise not be able to be delivered. Not being able to lawfully access this revenue will the opposite effect.

By putting one specific industry, and in this case one segment of that industry over another shows a complete bias and suggested that *“competitiveness”* trumps every other consideration. Even if the government sees *“Maintaining the competitiveness of Western Australia's world-leading mining sector is critical to the State”* then it has plenty of other mechanisms that it can use such as reductions in mining royalties that providing specific grants to bring this about and thereby distribute the equitably across the State, rather than land it on the smallest and less financially stricken parts of the community. One wonders what other equally important industries will say and perhaps demand similar preferential treatment

Press Release Extract

State Government to work with local government sector on financial sustainability

"We'll continue to engage with the resources sector on how it contributes to local communities and work with local governments."

Comments

The State Government has stated its intention to work with the local government sector on financial sustainability. This is hardly news and an issue that will be undermined if the State Government proceeds as it has foreshadowed.

Indicating that the government will *"engage with the resources sector on how it contributes to local communities and work with local governments"* completely misses the point with respect to voluntary contributions versus rates liabilities. The two are independent of each other. Community contributions whilst welcome are voluntary, whilst rates are a property tax where equity and fairness considerations as outlined under the local Government Act are to be followed.

Local experience within Murchison is mixed. Some mining companies have treated the community badly through not honouring their commitments, especially to locals, whilst one company provided a community contribution to assist the community. Whilst this was welcome in context it would have equivalent to one year's rates from that companies for mining leases and miscellaneous mining licences.

Press Release Summary Comments

It is an extraordinary step by the State Government to introduce Legislation to undermine a Supreme Court decision, which highlighted the importance of ensuring equitable distribution of the cost burdens Local Governments face, and which will be undermined following legislation to be introduced by the State Government. For the government to assert that it and only it understands parliaments intention is contrary to the rules of law. That is the domain of the courts. Whilst every government has the right to implement policy changes it is wrong to assert that this is due to a particular court ruling. Legislative changes should not override judicial decisions that promote equity and sustainability.

The maxim, *"two wrongs don't make a right"* is highly relevant. In this instance the Minister is promoting a *"wrong, to wrong a right."*

2 Decision affects all Local Governments all who directly and indirectly are required to undertake State Government Responsibilities

Constitutionally Local Government does not exist. It is the State Government that is responsible for delivery of services to its citizens. This is done operationally through a range of government departments and established statutory authorities. In the case of Local Government each local council is established under the provisions of the *Local Government Act 1995*. Amongst other things a local government is to provide for the good government of persons in its district with a liberal approach to be undertaken.

As a result the State Government has effectively delegated work that it is required to undertake to each local Council and in a manner work that the State cannot do directly themselves. The Rates system provided under the legislation, which includes number of Ministerial points of intervention is part of the funding model for this to occur. From a taxation principles perspective everyone pays their way in an objective fair manner through the rates system. This is mandated.

Whilst the services provided and funded by a local government are delivered locally though local decision making, the actual standard of services offered and people who benefit will vary from those living and residing within the district to those that do not. In Murchison services are more often not confined to those living and residing within the Shire. In our instance with such a small population (105)

huge area (49,500km²), no main roads or highway and over 1,900km of local roads the catering for “others” is significant.

As examples parks and gardens public toilets and sporting facilities in the City of Fremantle are designed for and used but all and sundry but are paid for by the ratepayers within Fremantle. The Murchison Road network required for locals would be of a far lesser standard to meet purely local needs with provision of a caravan park and roadhouse are naturally designed for and used by tourists and visitors but paid for through the Shire.

Even the entire operation of the administration could be viewed in this way, just like the headquarters of a mining company only exists to allow a mine to operate. By logic rate revenue is used for all. Residents. Ratepayers and others. Equally when we travel outside our district the State via a highway or another municipality picks up the tab. This is how we all operate together even if we don't necessarily think about it as it's a “given”.

The proposed changes even go far as affecting the future distribution of Commonwealth Financial Assistance Grants (FAG's) as each municipalities rate revenue contributes in some way to the financial assistance it receives. Increases in rate revenue from rating Miscellaneous Mining licences that may not have been previously rated will over time see a small reduction in that local government's FAG's grant with a corresponding increase for those who do not have this element in their property rating mix.

This rationale is perhaps the crux of the matter and explains why the Governments decision with respect to changes in rating of miscellaneous licenses is so perplexing as it is effectively hamstringing the entity that it created with adverse effects on all of its citizens within and outside of the particular district.

This is an extraordinary move by the State Government as it puts one section of one industry above other all others with a detrimental effect on all local WA communities not just those local governments which have miscellaneous mining licences.

Perhaps the following quote from “George Orwell's classic satirical 1945 Book *Animal Farm*” has relevance.

“All animals are equal, but some animals are more equal than others”

3 State Government Rating Influences

Current interventions provides a number of actions by which the State Government dictates and intervenes with the operation of the rates system as it affects the operations of mining as follows

Valuation Effects

The *Valuation of Land Act 1976* governs how land is valued for rating purposes. For mining tenements, valuation is typically based on a multiple of the annual rent paid to the State Government which is set under the *Mining Act 1978*.

Tenement Type	Annual Rent \$ per ha	Valuation Basis Multiple	Example Value \$ per ha
Prospection Licence	\$4.30	5.0 times	\$21.50
Exploration Licence (Graticular)	\$0.55-\$2.59	2.5 times (first year)	≈ \$6.25
Mining Lease	\$29.30	5.0 times	\$146.50
General Purpose Lease	\$27.00	5.0 times	\$135.00
Miscellaneous Licence (MML)	\$27.00	5.0 times	\$135.00
Miscellaneous Licence (MML) (Groundwater)	\$1.12	5.0 times	\$5.60

As a result the Government determines the valuation to be applied and thereby significantly influences individual rating outcomes. The mining industry has been significantly affected by these decisions with mining rents for miscellaneous licences increasing by some 106% since 2010. In contrast Pastoral Valuations have increase by some 21.5%.

In Murchison for 2025-26 The total rent collected by the State Government for Mining Leases, General Purpose Leases, Miscellaneous Licences (MML) including groundwater within the Murchison Shire totalling \$697,800.

By contrast rates collected will total \$665,832 with MML licences and \$438,395 without.

The idiom "*what's good for the goose is good for the gander*" couldn't be more apt.

Fairness and Equity Provisions

s6.36 of the *Local Government Act 1995* requires the Council to give notice of certain rates before imposing any differential general rates or a minimum payments. It is also required to prepare and publish a document describing the objects of, and reasons for, each proposed rate and minimum payment and to hear submissions prior to declaring rates.

The application of Councils rate and budget setting are partly outlined in the Minister's policy approach when exercising his / her discretionary powers in relation to Minimum Payments, and differential rating with key values of objectivity, fairness and equity, consistency, transparency, and administrative efficiency required to be demonstrated.

As with all taxation systems there are various well-established principles that have been applied in other local government jurisdictions. Does the tax burden fall appropriately across different classes of ratepayers? Equity is a subjective concept that is difficult to define. What is considered fair for one person may be considered unfair for another. There are two main equity concepts used to guide the development of rating strategies (and taxation more generally): namely the Benefit Principle (Horizontal Equity) and Capacity to Pay Principle (Vertical Equity).

Benefit Principle

Taxpayers should receive some benefits from paying tax, but not necessarily to the extent of the tax paid. Ratepayers in similar situations should pay similar amounts (ensured mainly by accurate property valuations undertaken in a consistent manner, their classification into homogenous property classes and the right of appeal against valuation).

Application of the current rating provisions where all are included meets this principle. Changes proposed through excising one element do not.

Capacity to Pay Principle

In levying taxes, the ability of the taxpayer to pay the tax must be considered. Those who are better off should pay more than those worse off (the rationale applies for the use of progressive and proportional income taxation. It implies a "relativity" dimension to the fairness of the tax burden).

The valuation of a property and ability to assign differential ratings is a means to meeting this principle are well known and practiced, even if the amount of a differential may be difficult to quantify. In Murchison Shire the following differential valuation applies between the Mining and Pastoral sectors.

Rating Category	No	Valuation	Average Valuation	Differential Valuation
UV Pastoral	28	1,260,859	45,031	
UV Mining	15	2,221,215	148,081	3.29

However if one were to look at the market capitalisation of each sector the inherent differential would be far greater than the 3.29 shown, yet the actual differential rate in the \$ applied in Murchison is less than 2.0

Application of the current rating provisions well and truly meets this principle. Changes proposed through excising one element do not.

Ministerial Intervention

s6.36 of the *Local Government Act 1995* requires Ministerial approval to be obtained when a local government proposes to propose a differential rate more than twice the lowest differential. Since 2023/24 this situation has not applied to the Murchison Shire but given the disparity in valuations between the mining, prospecting, exploration and pastoral sectors most local governments are forced to seek ministerial approval.

When this occurs the government not only sets the valuations but also sets the rates. In doing so it implicitly recognises that such action is required so that the Council can meet, through its rates, the estimated budget deficiency.

Revenue derived from Miscellaneous Mining Licences will improve the Councils Financial position but also for some local governments, it may potentially reduce the size of differential rates applications for the benefit of all Mining Tenements, not just those with occupied Miscellaneous Mining Licences.

4 WA State Government Labor Platform

The 2023 WA Labor Platform provides the adopted principles and mechanism that underpins what the Party and State Government stands for. A few relevant to the Government's intention with respect to Rating of Miscellaneous Mining Licences are highlighted as follows.

Extract Chapter 1: Enduring Labor Values

Introduction

- 2 *The Australian Labor Party is a democratic socialist party and has the objective of the democratic socialisation of industry, production, distribution, and exchange, to the extent necessary to eliminate exploitation and other anti-social features in these fields.*
- 3 *Our Party is founded on pillars of fairness, justice, and compassion for all.*
As a Party, we believe that our diversity as individuals and communities actively engaged in building our future in Australia is our strength.
Equity for those groups who face discrimination and exclusion, which unifies and respects difference, are fundamental to living this vision.
- 4 *WA Labor believes that all people are created equal in their entitlement to dignity and respect and should have an equal chance to achieve their potential. For WA Labor, government has a critical role in ensuring fairness by:*
 - a *Ensuring equal opportunity;*
 - b *Removing unjustifiable discrimination; and*
 - c *Achieving a more equitable distribution of wealth, income, and status.**Achieving these goals of an equitable distribution of resources, power, rights, opportunities, and responsibilities are what we commonly refer to as social justice.*
These are all goals that we share, and which define Labor Governments.
These goals are founded upon WA Labor's enduring values:

Fairness

5. *We value fairness and equality and believe in a fair go for all – we believe that a nation should be governed in the broader interests of all, not in the sectional interests of a few.*

Community

13. *We value our communities and our families. Our families are the bedrock of our communities which we need to nurture, protect, and support.*

We recognise the role of the community in government decision making and the community's right to be heard.

Comments

The decision to change the legislation with respect to rating Miscellaneous Mining licences.

- ~ is hardly founded on pillars of fairness, justice, and compassion for all.
- ~ does not treat people equally in their entitlement through equal opportunity
- ~ accentuates unfair discrimination through advantaging one segment of society over another
- ~ redistributes resources and power rights and opportunities away from the local communities that it is claimed to ought to be not advantaged.

On any objective assessment all of the above values and principles are being trashed by the change

Extract Chapter 2 Community & Social Policy

Social Development

Sharing The Benefits Statement of Principle

- 95 *All people living in Western Australia should share in the benefits the State has to offer.*
- 96 *WA Labor is committed to a government which will develop integrated and sustainable economic and social policies which benefit the whole community.*
- 97 *WA Labor is committed to eliminating inequality and disadvantage experienced by individuals and groups which occurs as a result of income differences, discrimination, racism, and exclusion from the decision-making processes of government.*
- 98. *WA Labor will develop, assess, and implement policies which give effect to these principles and values.*

Comments

The decision to change the legislation with respect to rating Miscellaneous Mining licences

- ~ reduces the benefits the state has to offer through reductions in revenue that will financially underpin the delivery of services
- ~ will increase disadvantage through direct government decision making on a discriminative basis

It is clear that through implementation of changes to the rateability of miscellaneous licences that these principles and values will be thrown aside through a WA Labor policy change that is opposite to that promoted.

Extract Chapter 4 Economics., Industry and Regional Development

Open for Business Regulatory Approach

59 *The mineral resources of the state of Western Australia are owned by the people of Western Australia. Companies that are granted the privilege of developing these resources under lease owe a duty to the WA public to develop those resources responsibly and expeditiously. WA Labor expects that companies involved in the development of WAs mineral resources abide by the terms of all agreements entered with the State Government and other stakeholders,*

Rural and Regional Development

Introduction

- 358 *WA Labor recognises the significant contribution that Western Australia's regions have made, and continue to make, to both the social and economic development of Western Australia.*
- 359 *WA Labor recognises the unique needs of people living in rural and regional Western Australia.*
- 361 *WA Labor recognises the following regions in WA:*
 - a *Mid-West;*
 - b *Wheatbelt.*
 - c *Great Southern.*

- d South West.
- e Kimberley.
- f Pilbara.
- g Gascoyne.
- h Goldfields-Esperance; and
- i Peel.

362 WA Labor believes that the economic and social future of Western Australia and its regions can be further enhanced by fostering strong and sustainable regional communities that support a broad range of industries and lifestyles. WA Labor will implement the State Sustainability Strategy and will work through the recommendations of the Strategy as they relate to rural, remote, and regional communities.

Comments

The burden of the decision to change the legislation with respect to rating Miscellaneous Mining licences will land squarely on all of the regions that WA Labor recognises. It will also adversely impact on the role and success of the newly created Regional Ministerial positions that have been created since the state election. What a better way to show that WA Labor is only paying lip service to the regions.

Overall it undermines the significant contributions that Western Australian regions have made to the social and economic development of Western Australia and ignores the unique needs of people living in rural and regional Western Australia.

Extract Chapter 4 Transport, Roads Infrastructure and Planning

Road Infrastructure

86 A WA Labor state government will ensure the highest possible standard of all roads throughout WA. A WA Labor state government will work with federal government to ensure adequate funding of maintenance of interstate roads, provide adequate funding for state road maintenance, and provide to local governments adequate funding to maintain local roads for the purposes of safety and accident prevention.

Comments

For the majority of rural local governments expenditure on roads remains the most significant undertaking and the vast majority of their asset base and in turn the most significant risk to financial sustainability.

The loss of rate revenue through the decision to change the legislation with respect to rating Miscellaneous Mining licences fails to recognise that the Supreme Court decision recognise that rate revenue on land associated with miscellaneous mining licenses was recoverable some 20 years ago and where it was not levied it is now recoverable for the previous 5 years.

Loss of this revenue will exasperate this situation with respect to roads.

Extract Chapter 8 Law Public Administration and Community Safety

Civil & Political Rights

- 1 WA Labor believes that democracy, the rule of law and the protection of community and individual rights are fundamental to ensuring a free, fair and civil society for us all.
- 2 The concept of the separation of powers, including the supremacy of the Parliament and the independence of the judiciary, is integral to a properly functioning democracy, the upholding of the rule of law, and the protection of rights.
- 4 All Western Australians should be treated equally before and under the law.
- 15 WA Labor will ensure that fundamental principles of legislative integrity are complied with, including that:

- a *all legislation must have regard to the rights and liberties of individuals;*
- b *where legislation makes rights and liberties or obligations subject the exercise of administrative power, such power must be sufficiently defined and subject to appropriate review*
- c *legislation must be consistent with principles of natural justice;*

State-Local Government Relations

- 29 *WA Labor believes in the fundamental importance of local government as a provider of services to local communities, and as a key facilitator of community engagement, community building and community leadership. Labor respects the importance of local decision making, to reflect the needs of local communities.*
- 31 *WA Labor will establish a partnership agreement between the State Government and the Local Government sector that ensures appropriate consultation with the sector over new initiatives and proposals that have implications for local governments.*
- 32 *WA Labor affirms its commitment to work together with local governments in partnership for the benefit of all Western Australians.*

Accountable Government

- 34 *Government is critical to the achievement of social and economic justice and in ensuring the sustainable development of Western Australia for everyone's benefit, across generations.*

Integrity In Government

- 37 *Western Australians are entitled to the highest standards of probity, integrity and service from their government and its officials.*
- 38 *Government should adhere to the highest standards of integrity, transparency and accountability.*
- 39 *Effective government accountability requires:*
 - a *an accessible system for the independent review of administrative decisions;*
 - b *effective mechanisms to ensure that reasons can be obtained for administrative decisions;*
 - c *a properly functioning and suitably broad right to obtain information from government, such as through freedom of information systems; and*

Comments

It is an extraordinary step by the State Government to introduce Legislation to undermine a Supreme Court decision, which highlighted the importance of ensuring equitable distribution of the cost burdens Local Governments face, and which will be undermined following legislation to be introduced by the State Government and contrary to the concept of the separation of powers, including the supremacy of the Parliament and the independence of the judiciary, is integral to a properly functioning democracy, the upholding of the rule of law, and the protection of rights

On any objective assessment the fundamental values and principles as outlined in a foundational sense are being trashed

References

Supreme Court of WA decision, Shire of Mount Magnet v Atlantic Vanadium Pty Ltd [2025] WASC 274
Local Government Minister's 2 August 2025 Press Release - Reforms to provide certainty for local governments, resources sector
Extracts WA Labor Platform 2023
George Orwell's classic satirical 1945 Book Animal Farm
Local Government Act 1995
Valuation of Land Act 1976

Bill Boehm ~ CEO
August 2025