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MINUTES

of the

Ordinary Meeting of Council

held

THURSDAY 15th JUNE 2017

Shire of Cuballing
Council Chambers
Campbell Street, Cuballing

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Agenda

1.	DECLARATION OF OPENING:	2
2.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:	2
2.1.1	Attendance	2
2.1.2	Apologies	2
2.1.3	Leave of Absence	2
3.	STANDING ORDERS:.....	2
4.	PUBLIC QUESTION TIME:	2
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:	2
4.2	WRITTEN QUESTIONS PROVIDED IN ADVANCE:	3
4.3	PUBLIC QUESTIONS FROM THE GALLERY:	3
5.	APPLICATIONS FOR LEAVE OF ABSENCE:.....	3
6.	CONFIRMATION OF MINUTES:	3
6.1.1	Ordinary Meeting of Council held on Thursday 18 th May 2017	3
7.	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:.....	3
8.	DISCLOSURE OF FINANCIAL INTEREST:.....	3
9.	REPORTS OF OFFICERS AND COMMITTEES:	4
9.2.4	Reconsideration of refusal decision for the Development Application for an expanded Motorbike Park - Lot 101 Reeds Road, East Popanyinning	4
9.1	DEPUTY CHIEF EXECUTIVE OFFICER:.....	69
9.1.1	List of Accounts Submitted for Council Approval and Payment – May 2017	69
9.1.2	Statement of Financial Activity	75
9.1.3	Fees and Charges 2017/2018 Adoption	101
9.1.4	Related Party Transactions Policy	110
9.1.5	Related Party Transactions Ordinary Citizen Transactions	115
9.2	CHIEF EXECUTIVE OFFICER:	118
9.2.1	2017/18 Appointment of Fire Control Officers	118
9.2.2	Application for Telecommunications Facility – Lot 2 Springhill Road, Cuballing	128
9.2.3	Delegating Council Authority – 2017/18	157
9.2.5	Draft 2017 - 2027 Community Strategic Plan	179
9.3	MANAGER OF WORKS & SERVICES:	200
9.4	ENVIRONMENTAL HEALTH OFFICER:.....	200
9.5	BUILDING OFFICER:.....	200
10.	CONFIDENTIAL MATTERS:.....	201
10.1.1	Lease Agreement – Dryandra Timber Products – 58 (Lot 1) Austral Street, Cuballing	201
11.	ELECTED MEMBERS’ MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:	202
12.	URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:.....	202
12.1.1	Urgent Business – Sale of Obsolete Materials	202
12.1.2	Sale of Shire of Cuballing Surplus or Obsolete Equipment	204
13.	NEXT MEETING.....	207
14.	CLOSURE OF MEETING:	207

1. **DECLARATION OF OPENING:**

The Shire President, Cr Conley, declared the meeting open at 2:03pm.

2. **ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:**

2.1.1 Attendance

Cr Mark Conley
Cr Eliza Dowling
Cr Scott Ballantyne
Cr Tim Haslam
Cr Roger Newman
Cr Dawson Bradford

President
Deputy President

Mr Gary Sherry
Ms Tonya Williams

Chief Executive Officer
Deputy Chief Executive Officer

Ms Raewyn Street
One other member of the gallery.

2.1.2 Apologies

Nil

2.1.3 Leave of Absence

Nil

3. **STANDING ORDERS:**

COUNCIL DECISION – 2017-41:

That Standing Orders be suspended for the duration of the meeting to allow for greater debate on items.

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 6/0

4. **PUBLIC QUESTION TIME:**

4.1 **RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:**

Nil

4.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

Nil

4.3 PUBLIC QUESTIONS FROM THE GALLERY:

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Thursday 18th May 2017

COUNCIL DECISION – 2017-42:

That the minutes of the Ordinary Meeting of Council held on Thursday 18th May 2017 be confirmed as a true record of proceedings.

Moved: Cr Haslam

Seconded: Cr Dowling

Carried 6/0

**7. PETITIONS/DEPUTATIONS/PRESENTATIONS/
SUBMISSIONS:**

Nil

8. DISCLOSURE OF FINANCIAL INTEREST:

Cr Conley declared a Financial Interest in Agenda Item 12.1.2 in that he has an ongoing business relationship with Mr Sexton.

Cr Newman declared a Financial Interest in Agenda Item 9.2.2 in that he has a lease arrangement with Optus for the land included in the development application.

Cr Dowling declared an Impartiality Interest in Agenda Item 9.2.4 in that she has an interest in land that fronts a section of Calcoran Road very near the Ducks Nuts Motorbike Park.

9. REPORTS OF OFFICERS AND COMMITTEES:

The Shire President Cr Conley advised of a change in the order of proceedings and requested that Council consider Agenda Item 9.2.4 at this time.

Cr Dowling declared an Impartiality Interest in Agenda Item 9.2.4 in that she has an interest in land that fronts a section of Calcoran Road very near the Ducks Nuts Motorbike Park.

9.2.4 Reconsideration of refusal decision for the Development Application for an expanded Motorbike Park - Lot 101 Reeds Road, East Popanyinning

Location:	Lot 101 (Plan No. 60143) Reeds Road, East Popanyinning
Applicant:	John & Raewyn Street
Owner:	John & Raewyn Street
File Ref. No:	A990
Date:	7 June 2017
Author:	Gary Sherry
Attachments:	9.2.4A Acoustic Assessment (May 2017) from Herring Storer Acoustic 9.2.4B Supplementary information from Herring Storer Acoustic (31 May 2017) 9.2.4C Technical Expert Report by Department of Environment Regulation (May 2017) 9.2.4D Supplementary information from Herring Storer Acoustic (6 June 2017)

Summary

Following the applicant's review to the State Administrative Tribunal, the Council's decision made on 16th March 2017 is reiterated to refuse the Development Application for an expanded Motorbike Park operation at Lot 101 Reeds Road, East Popanyinning.

Background

A) *Council decisions*

The Council has considered the Motorbike Park on a number of previous occasions. Most recently, the Council at its meeting on 16th March 2017 resolved as follows at Council Decision 2017-18:

"That Council:

1. refuse the Development Application for the proposed expansion of the Motorbike Park operations on Lot 101 (Plan 60143), Reeds Road, East Popanyinning for the following reasons:
 - a) the applicant has not sufficiently demonstrated, through a noise assessment by a suitably qualified acoustic consultant, that noise levels from existing operations and predicted noise levels from proposed expanded operations will comply with the *Environmental Protection Act 1986* and the *Environmental Protection Noise Regulations 1997*;
 - b) the Development Application does not appropriately address matters set out in Clause 67(m) and (n) of Schedule 2 – Deemed provisions for local planning schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015* given the noise assessment provided with the Business Plan reveals off-site noise impacts and the associated potential for land use conflict and a loss of character in the locality.
 - c) the Development Application is inconsistent with the objectives of *State Planning Policy 2.5 Rural Planning* to "avoid and minimise land use conflicts";

- d) the Development Application is inconsistent with the objectives of *State Planning Policy 4.1 State Industrial Buffer Policy* “to ensure that amenity (environmental quality, health and safety standards) is maintained at acceptable levels to surrounding areas and to ‘sensitive uses’ ”; and
 - e) the Development Application is inconsistent with the *Shire of Cuballing Town Planning Scheme No. 2* objectives for the General Agriculture Zone in clause 4.2(b) “To ensure the preservation of the rural character and rural appearance of land within the zone”.
2. Advise the applicant that if they are aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
 3. Advise the applicant to operate in accordance with the development approval issued by the Council on 20th February 2014 including the hours of operation and the number of patrons on the property.
 4. Encourage the applicant to submit a new Development Application which is accompanied by a noise assessment from a suitably qualified acoustic consultant.”

B) Review to State Administrative Tribunal and Mediation Conference

Following the Council decision to refuse the Development Application, the applicant lodged an Application for Review (formerly known as an “Appeal”) to the State Administrative Tribunal (SAT). Following a Directions Hearing on 13th April 2017, Mediation Conferences between the parties occurred on 15th May 2017 and 31st May 2017. The mediator was Mr Patrick De Villiers; a Senior Sessional Member of SAT. Issues discussed at mediation are “without prejudice” and cannot be included in this report.

The Mediation Conferences resulted in Mr De Villiers issue an order under Section 31 of the *State Administrative Tribunal Act 2004* for the decision-maker (Shire of Cuballing) to reconsider its decision. Councillors should be aware that Section 31 of the *State Administrative Tribunal Act 2004* allows SAT to invite the decision maker (in this case, Council) to review its decision. The section reads as follows:

“31. Tribunal may invite decision-maker to reconsider

- (1) At any stage of a proceeding for the review of a reviewable decision, the Tribunal may invite the decision-maker to reconsider the decision.
- (2) Upon being invited by the Tribunal to reconsider the reviewable decision, the decision-maker may -
 - a. affirm the decision;
 - b. vary the decision; or
 - c. set aside the decision and substitute its new decision.
- (3) If the decision-maker varies the decision or sets it aside and substitutes a new decision unless the proceeding for a review is withdrawn it is taken to be for the review of the decision as varied or the substituted decision.”

Section 31(3) above means that should Council modify its decision made on 16th March 2017, the new decision will become the decision under review. If agreement with the appellant is reached, then the matter can be resolved by way of consent orders in SAT.

C) *Herring Storer Acoustics – Acoustic Assessment and supplementary advice 31st May 2017*

Following the Directions Hearing on 15th May 2017, the applicant engaged Herring Storer Acoustics (HSA) to prepare an Acoustic Assessment (see Attachment 9.2.4A). HSA concluded that the Motorbike Park complies with the *Environmental Protection (Noise) Regulations 1997* (to be called the “Regulations”) at the nearest highly sensitive premise at 37 Calcoran Road (dwelling owned by Aaron and Cindy Robertson). HSA also recommended that the senior track requires an alteration with it being setback at least 40 metres from the eastern boundary. Additionally that the straight requires adjustment so it contains turns to ensure bikes are not under full power.

Following the Shire administration’s review of the Acoustic Assessment and request for clarification and additional information, HSA provided supplementary information on 31st May 2017 (see Attachment 9.2.4B).

D) *Technical Expert Report by Department of Environment Regulation*

Separate to the above, the Shire on 19th April 2017 requested the Department of Environment Regulation (DER) to undertake analysis and report on noise data. A noise assessment was undertaken at the Robertson’s property over Easter from Thursday 13th April through to Tuesday 18th April 2017.

The DER provided the Shire with its technical report on 1st June 2017 (see Attachment 9.2.4C). The conclusion of the DER analysis includes:

“The motorbike noise from The Ducks Nuts Motorbike Park at Lot 100 Reeds Road, Popanyinning has been found to be above the LA₁₀ assigned level on 14 April 2017 (Good Friday), when received at 67 Calcoran Road (Williams Location 4123), Popanyinning. The motorbike noise emission was also determined to be tonal at 50 Hz.”

In summary, the DER analysis advises the Motorbike Park is not fully compliant with the Regulations.

E) *Herring Storer Acoustics supplementary advice 6th June 2017*

The Shire requested the applicant (HSA) to review the DER report and Attachment 9.2.4D sets out the response from HSA. In summary, HSA raise various issues with the DER assessment and confirms that the Motorbike Park complies with the Regulations.

Comment

It is suggested the suitability of the proposed expanded Motorbike Park operations essentially comes down to whether or not the operation can comply with the Regulations. The key technical documents to support this decision are the HSA acoustic assessment and the DER Technical Expert Report. The conclusions of the HSA and DER however differ as to whether or not the noise from the Motorbike Park’s operations is tonal and whether or not the Motorbike Park’s proposed expanded operation complies with the Regulations.

The assessments from HSA and DER are technical in nature and the Shire does not have “in house” expertise relating to acoustic assessments. The Shire is however concerned that there are conflicts between the two noise assessments completed by HSA and DER.

Ideally, if there was greater time to address SAT's timing requirements, the DER would review the HSA acoustic assessment and the supplementary information provided by HSA and in-turn provide written advice to the Shire.

Given the above, it is recommended that the Council reiterate its decision made on 16th March 2017 to refuse the Development Application to expand the Motorbike Park operations based on noise and amenity reasons. This reflects a **pre-cautionary approach**, a desire to ensure the expanded operation does not detrimentally impact the amenity and health of neighbours and a recognition that good land use planning should seek to avoid noise problems in the first place.

Should the Council or SAT determine the Development Application be conditionally approved, it is suggested that development conditions should include:

- a. temporary approval for the expanded operation to be no longer than 3 years (during which time additional noise monitoring will occur);
- b. the senior track being setback at least 40 metres from the eastern boundary;
- c. the senior track being adjusted so the straight contains turns to ensure bikes are not under full power;
- d. provision and implementation of a dust management plan;
- e. setting out operating days and times; and
- f. other conditions to address amenity and safety considerations.

Should Councillors determine that the Development Application is appropriate, the Shire administration can draft conditions prior to the Council meeting for review by Council. Councillors are encouraged to make early contact with the author of this report.

Strategic Implications

The Motorbike Park provides an important regional recreational facility in a controlled environment.

Statutory Environment

State Administrative Tribunal Act 2004, Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015, Environmental Protection Act 1986, Environmental Protection Noise Regulations 1997 and Shire of Cuballing Town Planning Scheme No. 2.

While there are limited nearby dwellings, owners of adjoining and nearby titles have a statutory right to gain approval for a single house on each title providing there is appropriate legal and practical vehicular access. Sub-clause 5.11.1 of the *Shire of Cuballing Town Planning Scheme No. 2* also enables the local government to approve up to two dwellings on any lot in the General Agriculture Zone under certain circumstances.

Policy Implications - Nil

Financial Implications

At present, the Application for Review is being progressed by the Shire administration and so there is no cost over and above staff time. If agreement is not reached through mediation and the matter is listed for hearing, then additional costs could be incurred.

Should the Motorbike Park be expanded, it is expected there will be Shire cost and time implications in undertaking monitoring to complement suggested monitoring to be undertaken by the operator.

Economic Implications

The applicant advises its operation and its clients support local businesses.

Social Implications

Various residents have concerns or oppose the application due to impacts on amenity, quality and life and implications on human health.

Environmental Considerations

Given the Motorbike Park is located on cleared land, it is expected that the impacts could be environmentally acceptable if the operator appropriately manages risks and operations.

Consultation

Consultation was previously undertaken by the Shire administration.

Options

As set out in background, Section 31(2) of the *State Administrative Tribunal Act 2004* sets out that the Council now may:

- a. affirm the decision made by the Council on 16th March 2017;
- b. vary the decision; or
- c. set aside the decision and substitute its new decision; or
- d. defer the matter and request that the DER review the HSA report and supplementary advice.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. advise the State Administrative Tribunal and the applicant that Council reiterates its decision made on 16th March 2017 to refuse the Development Application for the proposed expansion of the Motorbike Park operations on Lot 101 (Plan 60143), Reeds Road, East Popanyinning;
2. advise the State Administrative Tribunal that should it be of a mind to conditionally approve the Development Application, that it first seek advice from the Department of Environment Regulation regarding the Herring Storer Acoustics' Acoustic Assessment Report (May 2017) and the supplementary advice provided by Herring Storer Acoustics; and
3. advise the State Administrative Tribunal that should it be of a mind to conditionally approve the Development Application, development conditions should include:

- a. temporary approval for the expanded operation to be no longer than 3 years (during which time additional noise monitoring will occur);
- b. the senior track being setback at least 40 metres from the eastern boundary;
- c. the senior track being adjusted so the straight contains turns to ensure bikes are not under full power;
- d. provision and implementation of a dust management plan;
- e. setting out operating days and times; and
- f. other conditions to address amenity and safety considerations.

COUNCIL DECISION – 2017-43:

That Council approve the Development Application for the proposed expansion of the Motorcycle Park operations on Lot 101 (Plan 60143), Reeds Road, East Popanyinning subject to the following conditions:

1. no more than 50 motorcycles are permitted to be operating at any one time;
2. of the 50 motorcycles permitted to be operating at any one time, a maximum of 20 motorcycles may be ridden on the motorcycle track (currently the Senior Track) closest to the north-eastern property boundary of Lot 101 (Plan 60143), Reeds Road, East Popanyinning;
3. no track shall be constructed or normal operation of the motorcycle park occur where a motorcycle is operated within 40 metres of the eastern boundary of Lot 101 (Plan 60143), Reeds Road, East Popanyinning;
4. the Senior (eastern most) Track will be constructed in a way that reduces the speed of the bikes by incorporating jumps, bends and curves;
5. the provision of a clear site plan/s which is to scale, is based on aerial photography, which shows all motorcycle the four tracks and existing facilities. The site plan/s are to be to satisfaction of the local government and are to be provided prior to the commencement of expanded operations on any realigned track;
6. unless otherwise restricted by when there is a Harvest and Movement of Machinery in Paddocks Ban, the Motorcycle Park operators shall be between:
 - a. 9.00am to 5.00pm on Sundays and public holidays; and
 - b. 8.00am to 5.00pm on Mondays, Wednesdays, Thursdays, Fridays and Saturdays;

The Motorcycle Park is to be closed to riders and clients on Tuesdays;
7. the applicant is to submit and gain local government approval of a Dust Suppression Plan, prior to the commencement of expanded operations. The approved Dust Suppression Plan is to be implemented and maintained to the satisfaction of the local government;
8. the applicant is to submit and gain local government approval of a Management Plan, prior to the commencement of expanded operations, which addresses the

responsibility for the behaviour of riders, clients and visitors, minimises risks, promotes safety and promotes being a good neighbour. The approved Management Plan is to be implemented to the satisfaction of the local government; and

9. the applicant is to submit and gain local government approval of a Fire and Emergency Management Plan prior to the commencement of expanded operations. The approved Fire and Emergency Management Plan are to be implemented and maintained to the satisfaction of the local government.

ADVICE

- A) In relation to Condition 8, the Management Plan is to:

- address the responsibility for rider/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;
- outline the approach to maximise the safety and security of riders/visitors;
- seek the operation to be a good neighbour and be considerate of neighbours including noise, litter and the approach to reducing fire risks; and
- highlight the requirement to not enter adjoining private land.

- B) Noise emissions must comply with the Environmental Protection (Noise) Regulations 1997. The Environmental Protection Act 1986 contains penalties where the assigned levels prescribed by the Environmental Protection (Noise) Regulations 1997 are exceeded.

- C) It is recommended that:

- written policies and procedures on injury management and the transfer of injured people to medical care are developed and regularly reviewed;
- appropriate evacuation resources are provided and maintained;
- the applicant/operator has suitably trained personnel on-site whenever there are clients using the trails; and
- creek crossings should be designed in accordance with the Department of Water's creek crossing brochure.

- D) The applicant/operator shall take all necessary steps to ensure the safety of persons visiting and working at the site at all times.

- E) The applicant/operator is to retain adequate public liability and personal accident insurances at all times.

- F) Any fuel or oil discharges associated with the Motorcycle Park must comply with the Environmental Protection (Unauthorised Discharges) Regulations 2004. The applicant/operator may consider the inclusion of designated bike repair/maintenance areas to reduce the risk of hydrocarbon discharge to the land and/or the creek.

- G) It is the responsibility of the applicant/operator to advise the local government when all conditions relating to the development have been satisfied. If all conditions have been appropriately met to the satisfaction of the local government, the local government will provide written confirmation that the expanded operations can commence.

H) The applicant/operator is advised that the local government reserves the right to cancel this approval where it is of the view that any or all of the conditions of approval are not being appropriately complied with.

I) If the applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

Moved: Cr Bradford

Seconded: Cr Newman

Carried 5/1

The decision of Council is significantly different from the Officer's Recommendation because Council was of the opinion that:

- the application is consistent with other planning decisions of Council that have taken a proactive approach to the development of local business within the Shire of Cuballing; and
- the proposed activity is consistent with similar activities in a rural setting

Ms Street & the other member of the gallery left the meeting at 2:43pm

Rochdale Holdings Pty Ltd A.B.N. 85 009 049 007 trading as:

HERRING STORER ACOUSTICS

Suite 34, 11 Preston Street, Como, W.A. 6152

P.O. Box 219, Como, W.A. 6952

Telephone: (08) 9387 6200

Facsimile: (08) 9474 2579

Email: hsa@hsacoustics.com.au



THE DUCKS NUTS MOTORBIKE PARK

REEDS ROAD, POPANYINNING

ACOUSTIC ASSESSMENT

MAY 2017

OUR REFERENCE: 21738-1-17088



DOCUMENT CONTROL PAGE

ACOUSTIC ASSESSMENT MOTORBIKE PARK

REEDS ROAD, POPANYINNING

Job No: 17088

Document Reference: 21738-1-17088

FOR

THE DUCKS NUTS MOTORBIKE PARK

DOCUMENT INFORMATION

Author:	Paul Daly	Checked By:	Tim Reynolds
Date of Issue :	12 May 2017		

REVISION HISTORY

Revision	Description	Date	Author	Checked

DOCUMENT DISTRIBUTION

Copy No.	Version No.	Destination	Hard Copy	Electronic Copy
1	1	John and Rae Street Email: theducksnutsmotorbikepark@gmail.com		✓

CONTENTS

1.	INTRODUCTION	1
2.	SUMMARY	1
3.	CRITERIA	2
4.	MEASUREMENTS	3
5.	RESULTS	5
	5.1 Measured Results	5
6.	DISCUSSION / ASSESSMENT	7
7.	RECOMMENDATIONS	9
8.	CONCLUSION	10

APPENDICIES

- A Locality Plan – Measurement / Monitoring Locations
- B Noise Monitoring Results

1. INTRODUCTION

Herring Storer Acoustics was commissioned by The Ducks Nuts Motorbike Park on behalf of the owners, John and Rae Street, to carry out a noise study for the operations located at Reeds Road, Popanyinning (See Figure A2 in Appendix A for Study Area), with regards to noise emissions from motorbikes using the park.

The motorbike park operates from 0700 – 1700 Monday to Saturday and 0900 – 17:00 on Sundays and public holidays. The park is open to the public and contains 4 main motorbike tracks, being a junior, intermediate, senior and advanced in classification.

This assessment is provided to support the regulatory approvals processes and show that compliance with the requirements of the *Environmental Protection (Noise) Regulations 1997* can be achieved.

As part of the study, the following was carried out:

- Identification of individual operations and the associated noise levels.
- Monitoring of existing operational noise levels.
- Assess the noise levels at the nearest surrounding noise sensitive premises for compliance with the appropriate criteria.
- If exceedances are predicted, comment on possible noise amelioration options for compliance with the appropriate criteria.

For information, a locality plan is shown in Appendix A.

Noise monitoring was conducted on Saturday the 6th May 2016. Approximately 20 motorbikes were in use at the park on this day representing a range of bike sizes and rider ability.

2. SUMMARY

The purpose of this study was to assess noise emissions of motorbikes used at the Ducks Nuts Motorbike Park in Popanyinning. The assessment was conducted on up to 20 motorbikes using the tracks at the park, with 2 of these bikes being ridden by semi-professional riders. Which would be considered rare, but has been included to provide a complete assessment.

The highest noise level assessed at the nearest neighbouring residence (highly noise sensitive) from the worst-case operations of the motorbike park was L_{A10} 40 dB(A). Analysis indicates that noise emissions from the track operations is neither tonal (see Figure 3), nor contains any other annoying characteristics. Therefore, no penalties would be applied to the noise levels. Thus, noise received at the “highly sensitive area” of a noise sensitive premises (i.e within 15 metres of a residence), would comply with the Regulatory requirements.

The assessable noise level at the boundary of the nearest neighbouring residence (Highly Sensitive Area) for the worst-case operations, would exceed the criteria of the Environmental Protection (Noise) Regulations 1997 by 11 dB(A). This exceedance is only for the senior track and the eastern boundary of Receiver A. For other tracks, such as the advanced and intermediate, noise levels comply at boundary locations.

Therefore, to achieve compliance at the eastern boundary location, the senior track requires an alteration such that there is a 40m setback from the boundary. Additionally, the straight required adjustment so that it contains turns to ensure bikes are not under full power.

3. CRITERIA

The allowable noise level at the surrounding locales is prescribed by the *Environmental Protection (Noise) Regulations 1997*. Regulations 7 & 8 stipulate maximum allowable external noise levels. For the “highly sensitive area” of a noise sensitive premises, the assigned noise level is determined by the calculation of an influencing factor, which is then added to the base levels shown below. The influencing factor is calculated for the usage of land within two circles, having radii of 100m and 450m from the premises of concern. For any area other than the highly sensitive area of a noise sensitive premises, the assigned noise levels are fixed. The base assigned outdoor noise levels are listed in Table 1.

TABLE 1 - BASELINE ASSIGNED OUTDOOR NOISE LEVEL

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L _{A 10}	L _{A 1}	L _{A max}
Noise sensitive premises : highly sensitive area	0700 - 1900 hours Monday to Saturday (Day)	45 + IF	55 + IF	65 + IF
	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day Period)	40 + IF	50 + IF	65 + IF
	1900 - 2200 hours all days (Evening)	40 + IF	50 + IF	55 + IF
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays (Night)	35 + IF	45 + IF	55 + IF
Other areas of noise sensitive premises	All Hours	60	75	80

Note: L_{A 10} is the noise level exceeded for 10% of the time.
L_{A 1} is the noise level exceeded for 1% of the time.
L_{A max} is the maximum noise level.
IF is the influencing factor.

It is a requirement that received noise be free of annoying characteristics (tonality, modulation and impulsiveness), defined below as per Regulation 9.

- “impulsiveness” means a variation in the emission of a noise where the difference between L_{A peak} and L_{A max Slow} is more than 15 dB when determined for a single representative event;
- “modulation” means a variation in the emission of noise that –
- is more than 3dB L_{A Fast} or is more than 3 dB L_{A Fast} in any one-third octave band;
 - is present for more at least 10% of the representative assessment period; and
 - is regular, cyclic and audible;
- “tonality” means the presence in the noise emission of tonal characteristics where the difference between –
- the A-weighted sound pressure level in any one-third octave band; and
 - the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as L_{Aeq,T} levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as L_{A Slow} levels.

The nearest potential noise sensitive premises to the proposed development have been identified using the area map in Figure 1.



FIGURE 1 – AREA MAP AND NEIGHBOURING NOISE SENSITIVE PREMISES

As there are no major roads, or land use other than rural the influencing factor is 0 dB. Therefore, the assigned noise levels for operational times are as noted in Table 2.

TABLE 2 – ASSIGNED NOISE LEVELS

Premises Receiving Noise	IF dB	Time of Day	Assigned Level (dB)		
			L _{A 10}	L _{A 1}	L _{A max}
Receiver A to F (Noise Sensitive Premises: Highly Sensitive Area)	0	0700 - 1900 hours Monday to Saturday (Day)	45	55	65
		0900 hours Sunday and Public Holidays	40	50	65
Receiver A (Noise Sensitive Premise: Any area other than highly Sensitive)	0	All Hours	60	75	80

4. MEASUREMENTS

To enable the assessment of noise emissions from the motorbike park, noise level measurements were carried out on Saturday 6th May 2017, whilst motorbikes were operating on the track. Measurements of the noise emissions were recorded for various operating scenarios which involved motorbikes using all the 4 tracks, being at different skill levels.

Noise level measurements were conducted using two methods. The first method involved utilising two Ngara loggers recording continuous noise levels at near and far field locations. The first logger was setup at the eastern boundary of the motorbike park, which coincides with the closest proximity of the senior track. The second unit was positioned on Calcoran Rd, approximately in line with the nearest neighbouring premises referenced as Receiver A. Both loggers were set to record continuous noise levels for the assessment period and were time synchronised so that the noise levels at each location were comparable. Notations for different motorbike types were made against this time history. Monitoring locations and pictures of the monitors are shown in Figure 2 and 3 below.



FIGURE 2 – CONTINUOUS MONITORING LOCATIONS



FIGURE 3 – MONITORING LOCATION PICTURES

The second method of measurement was short term hand held noise level measurements using a Svan 948 integrated sound and vibration level meter. These measurements were carried out in the near field to the operating motorbike park. Additionally, noise levels within 1 metre of selected motorbikes were measured to allow calculation of the sound power levels.

Whilst the measurements were being undertaken, there were a variety of motorbikes in use on the various tracks. There were 20 motorbikes present on the day of the testing. Out of the 20 bikes there were 2 that were under 150cc, 15 that were between 250cc and 450cc and 3 quad bikes. Generally, the skill of the riders was between novice and advanced. Of particular note, were two motorbike riders using the track who were semi-professional (raced in the state motocross round). These riders were well in excess of the normal amateur / novice riders that generally use the facility. Hence noise levels associated with these riders and bikes would be considered as the worst case noise emissions. These semi professional riders were present on the track between 0900 and 12:30. Generally, most of the riders throughout the day used the senior and advanced track. Measurement locations and the track layout are detailed in Figure 4 below.



FIGURE 4 – MEASUREMENT LOCATION

Weather conditions during the course of the measurements were observed to be winds around 2 to 3 metres per second from a north-easterly direction, cool temperatures and some cloud cover. This was confirmed on the Bureau of Meteorology web site which recorded a daily observation of North-North Easterly winds at 2 km/hour.

5. RESULTS

5.1 Measured Results

Based on the analysis of the measured noise levels from the motorbike park operations, noise levels at various locations have been determined, with the results summarised in Table 3. Detailed representation of results in the form of graphical plots are contained in Appendix B.

TABLE 3 MEASURED NOISE LEVELS dB(A)

Measurement Location	Time	L_{A10}	L_{Amax}	Noise Emissions
Monitoring Location A	09:00-12:30	44-81	54-100	Up to 20 bikes (2 pro riders)
	12:30-15:00	39-73	43-93	Up to 20 bikes (Novice to Advanced)
Monitoring Location B	09:00-12:30	38-47	47-67	Up to 20 bikes (2 pro riders)
	12:30-15:00	31-40	45-56	Up to 20 bikes (Novice to Advanced)
M1 (Hand Held)	10:30	66	83	Up to 20 bikes (2 pro riders)
M2 (Hand Held)	12:00	50	57	Up to 20 bikes (2 pro riders)
M3 (Hand Held)	12:10	40	66	Up to 20 bikes (2 pro riders)
M4 (Hand Held)	12:30	56	64	Up to 20 bikes (2 pro riders)
M5 (Hand Held)	10:40	62	73	Up to 20 bikes (2 pro riders)

Figure 5, summarise a graphical plot of the monitored noise levels for the times and events above. Figure 6 contains an L_{Aeq} graphical plot for measurement location M3, for the purpose of assessment of annoying characteristics (tonality).

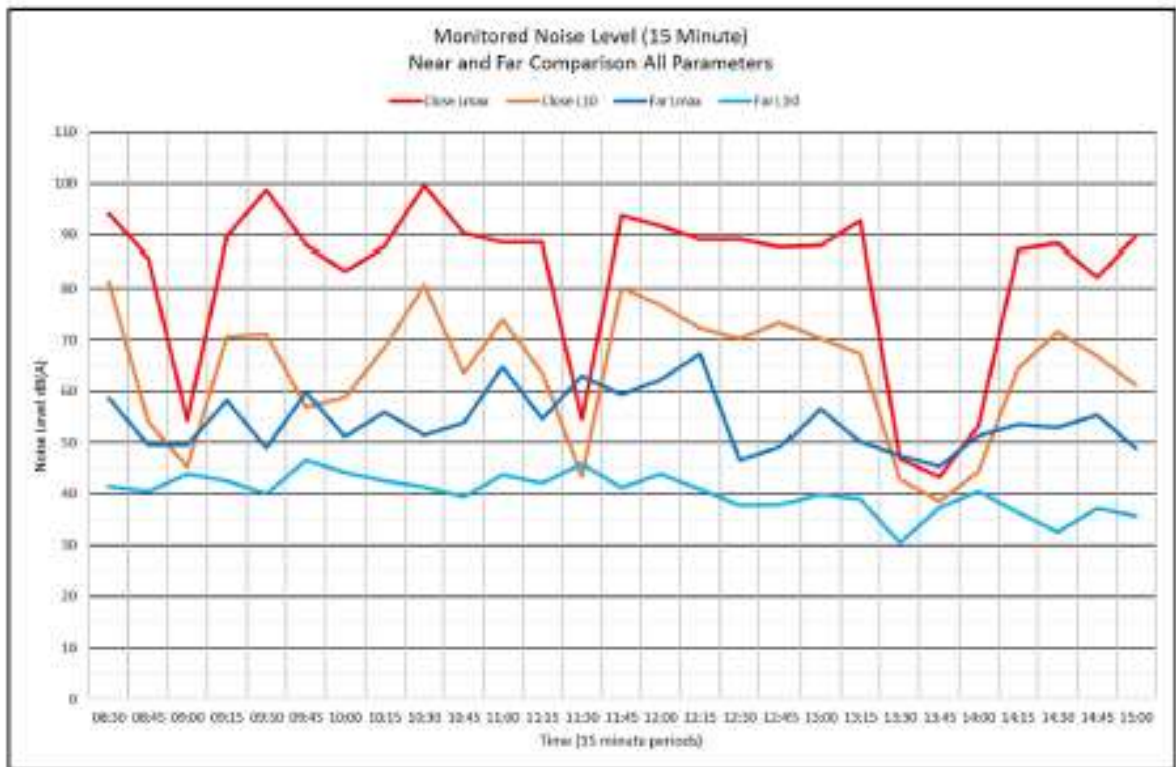


FIGURE 5 – MONITORED NOISE LEVEL COMPARISON

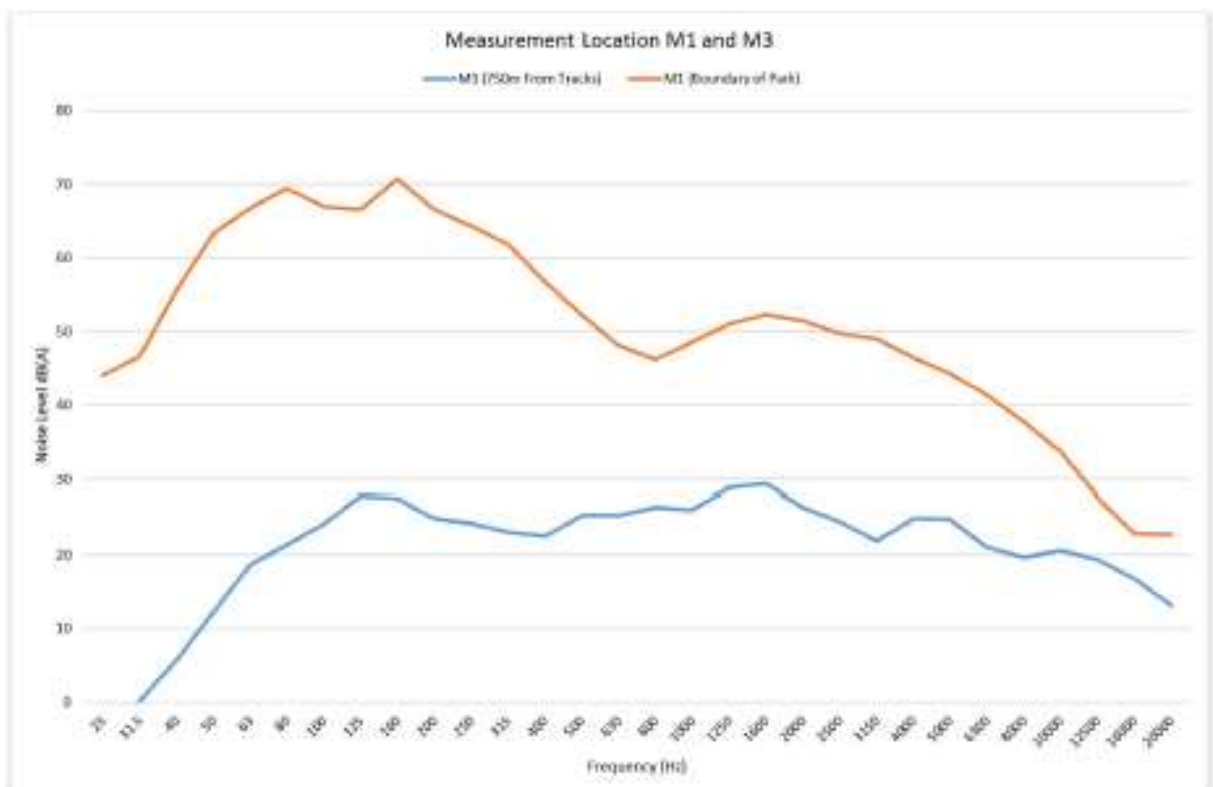


FIGURE 6 – THIRD OCTAVE BAND CENTRE FREQUENCY – MEASUREMENT LOCATION M1 AND M3

6. DISCUSSION / ASSESSMENT

To determine noise received at the neighbouring residence from motorbikes using the park, noise emissions from motorbikes operating on the track have been based on results hand held observed noise level measurements.

Continuous noise monitoring has also been used, although when analysed, there is no correlation between the near field and far field noise levels. To better show this Figure 7 contains the graphical representation of the L_{A90} noise level. The L_{A90} represents the background noise level, or noise that is present for greater than 90% of the time. Considering this comparison, it can be seen that when noise levels were increase at the track due to motorbike operation, the noise level for the same time period did not increase at the second monitor which was located near to Residence A (approx. 880m away). Noise levels decreased at the far field location throughout the day, with particular note being made around 12:00 where noise levels were consistently high at the track and continued to decrease at the far field location. It is was therefore concluded that the noise levels of the motorbike operations were not significant enough to contribute to the background noise at the far field location. To allow for assessment, hand held observed noise level measurements were used. These measurements were conducted at approximately the same distance from Receiver A to the track operations, but were in a downwind location.

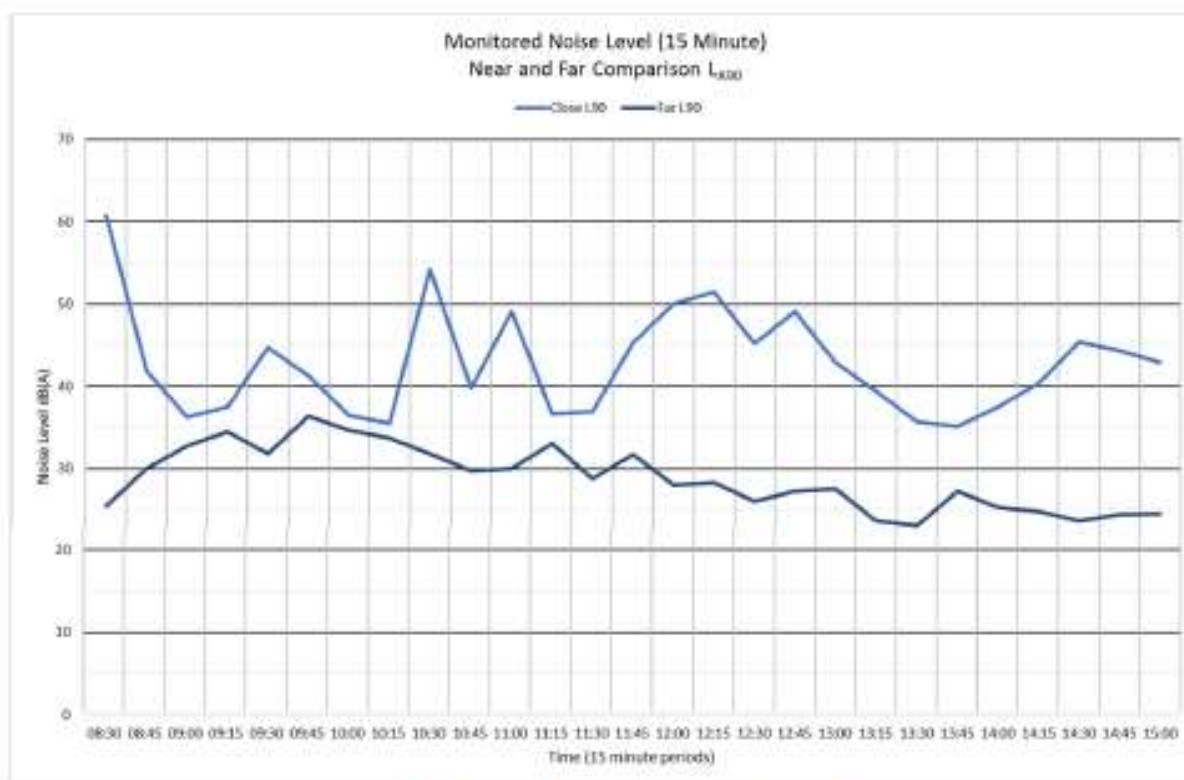


FIGURE 7 – L_{A90} COMPARISON CHART

Measured noise levels were assessed to determine if noise emissions contained annoying characteristics in accordance with the Environmental Protection (Noise) Regulations 1997. Figure 6 shows the L_{Aeq} noise level recorded for a 15-minute period while multiple motorbikes were in operation. It is noted that this measurement was conducted at location M1 which represents the Boundary and M3 which is the same distance of Receiver A to the senior track. Whilst this is in the opposite direction from the nearest premise (Res A) it is approximately the same distance from the senior track. This location was used as representative noise level due to the weather conditions at the time propagating towards this location, hence being the highest noise level or worst case.

Resultant noise levels show there is no tonal component in the measured noise levels from noise emissions attributable to motorbike operations at the distances assessed. However, for the closer boundary location, the noise emissions are considered as being tonal. Therefore, Table 4 summarises the applicable adjustments, and the resulting assessable noise level. For the purpose of this assessment, only residence A has been assessed due to its proximity compared to other residences. It is assumed that due to the further distances of other premises, if compliance is achieved at Residence A, then compliance would be achieved at all other residences.

Table 4 also lists the noise level at the boundary of the motorbike facility (i.e being noise sensitive, but more than 15 metres from the “highly sensitive area”). Noise received at this location could be considered tonal, hence, a +5 dB(A) penalty has been applied.

TABLE 4 – APPLICABLE ADJUSTMENTS AND ASSESSABLE LEVEL OF NOISE EMISSIONS, dB(A)

Receiver Location	Measured Noise Level L _{A10} dB(A)	Applicable Adjustments to Measured Noise Levels, dB(A)			Assessable Noise Level L _{A10} dB(A)
		Where Noise Emission is NOT music			
		Tonality	Modulation	Impulsiveness	
Receiver A (Noise Sensitive Premises: Highly Sensitive Area)	40	No	No	No	40
Receiver A Boundary (Noise Sensitive Premise: Any area other than highly Sensitive)	66	+5	-	-	71

Hence, the following tabulations summarises the applicable Assigned Noise Levels and assessable noise level emissions.

TABLE 5 – ASSESSMENT OF NOISE LEVEL EMISSIONS MOTORBIKE PARK

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable Assigned Noise Level (dB)	Exceedance to Assigned Noise Level (dB)
	L _{A10}		L _{A10}	
Receiver A (Noise Sensitive Premises: Highly Sensitive Area)	40	0700 - 1900 hours Monday to Saturday	45	Complies
		0900 hours Sunday and Public Holidays	40	Complies
Receiver A (Noise Sensitive Premises: Highly Sensitive Area)	71	All Hours	60	+11

The nearest assessable noise sensitive premises (highly noise sensitive) is located approximately 880m towards the east of the closest track location. Due to the area being zoned rural, the assessable criteria is L_{A10} of 60 dB(A) at any time at the boundary, or during the day 45 dB(A) within 15m from the nearest residence, on a weekday and Saturday, with the assessable criteria on Sunday or Public Holidays being 40 dB(A).

The highest noise level assessed at the nearest neighbouring residence (highly noise sensitive) from the worst-case operations of the motorbike park was L_{A10} 40 dB(A). To assess for tonality, the measured L_{Aeq} noise level from measurements been assessed. Due to the distance of the measurement position (750m) and the nearest residence (880m) being similar, noise levels received at the measurement location M3 would be representative of the neighbouring premise. Measurements at M3 were used as this was in a downwind location compared to the residence, hence these represented a conservative assessment, as the noise levels would be at a near to maximum propagation to this location. Analysis indicates that noise emissions from the track operations when received at the “highly sensitive area” of a noise sensitive premise, is neither tonal (see Figure 3), nor contains any other annoying characteristics. Therefore, no penalties would be applied to the calculated noise levels.

At the boundary of the noise sensitive premises, the assessable L_{A10} noise level was 66 dB(A) for the worst case operations, which would exceed the criteria of the *Environmental Protection (Noise) Regulations 1997* by 11 dB(A). This exceedance is only for the senior track and the eastern boundary of Receiver A. For other tracks, such as the advanced and intermediate, noise levels comply at boundary locations. This is due to the senior track being located directly on the boundary, whereas the other tracks have a sufficient setback in distance. Therefore, whilst compliance is achieved at the highly noise sensitive premise (the residence), an adjustment of the senior track is required to ensure compliance at the boundary.

It is noted that the noise levels are based on measurements which include riders of a professional nature. Information provided from the owners is that this is unusual, as riders are generally at a skill level between novice and advanced. Whilst the bikes may not differ for the professional riders, the ability to maintain them at maximum capacity (on the rev limit) is what differentiates the two classes. This was observed as being a considerable difference in noise levels when compared to the majority of the other riders (with the same capacity bikes) using the track at the same time. Hence, this assessment would be considered as an extraordinary event and would contain noise levels higher than usual operations.

7. RECOMMENDATIONS

Based on the existing track layout, there are two methods for achieving compliance at the eastern boundary location. The first method would be a barrier between the track and the boundary, with the second being to relocate part of the track away from the boundary. Initial analysis and discussions with the owner's rule out a barrier as a practical solution, hence the focus of the noise control is based on moving part of the senior track.

As can be seen in Figure 8, the senior track has a straight along the eastern boundary at a distance of around 5m. For comparative purposes, noise level measurements at location M2 were around 50 dB(A) which is around 40m from the track. Therefore, it is recommended that the track be a minimum distance of 40m from the boundary and the straight is removed. This will ensure bikes cannot reach maximum noise as they would be required to negotiate turns.



FIGURE 8 – SENIOR TRACK LAYOUT

8. CONCLUSION

The purpose of this study was to assess noise emissions of motorbikes used at the Ducks Nuts Motorbike Park in Popanyinning. The assessment was conducted on up to 20 motorbikes using the tracks at the park, with 2 of these bikes being ridden by semi-professional riders. Which would be considered rare, but has been included to provide a complete assessment.

The assessable noise level at the nearest highly sensitive premise (Residence A) for the worst-case operations, would comply the criteria of the Environmental Protection (Noise) Regulations 1997.

The assessable noise level at the boundary of the nearest neighbouring residence (Highly Sensitive Area) for the worst-case operations, would exceed the criteria of the Environmental Protection (Noise) Regulations 1997 by 11 dB(A). This exceedance is only for the senior track and the eastern boundary of Receiver A. For other tracks, such as the advanced and intermediate, noise levels comply at boundary locations.

Therefore, to achieve compliance at the eastern boundary location, the senior track requires an alteration such that there is a 40m setback from the boundary. Additionally, the straight required adjustment so that it contains turns to ensure bikes are not under full power.

APPENDIX A

LOCALITY PLAN – MEASUREMENT / MONITORING LOCATIONS

FIGURE A1 – MEASUREMENT LOCATION PLAN



APPENDIX B

NOISE MONITORING RESULTS

Figure B1 – Monitoring Location A and B– Entire Period

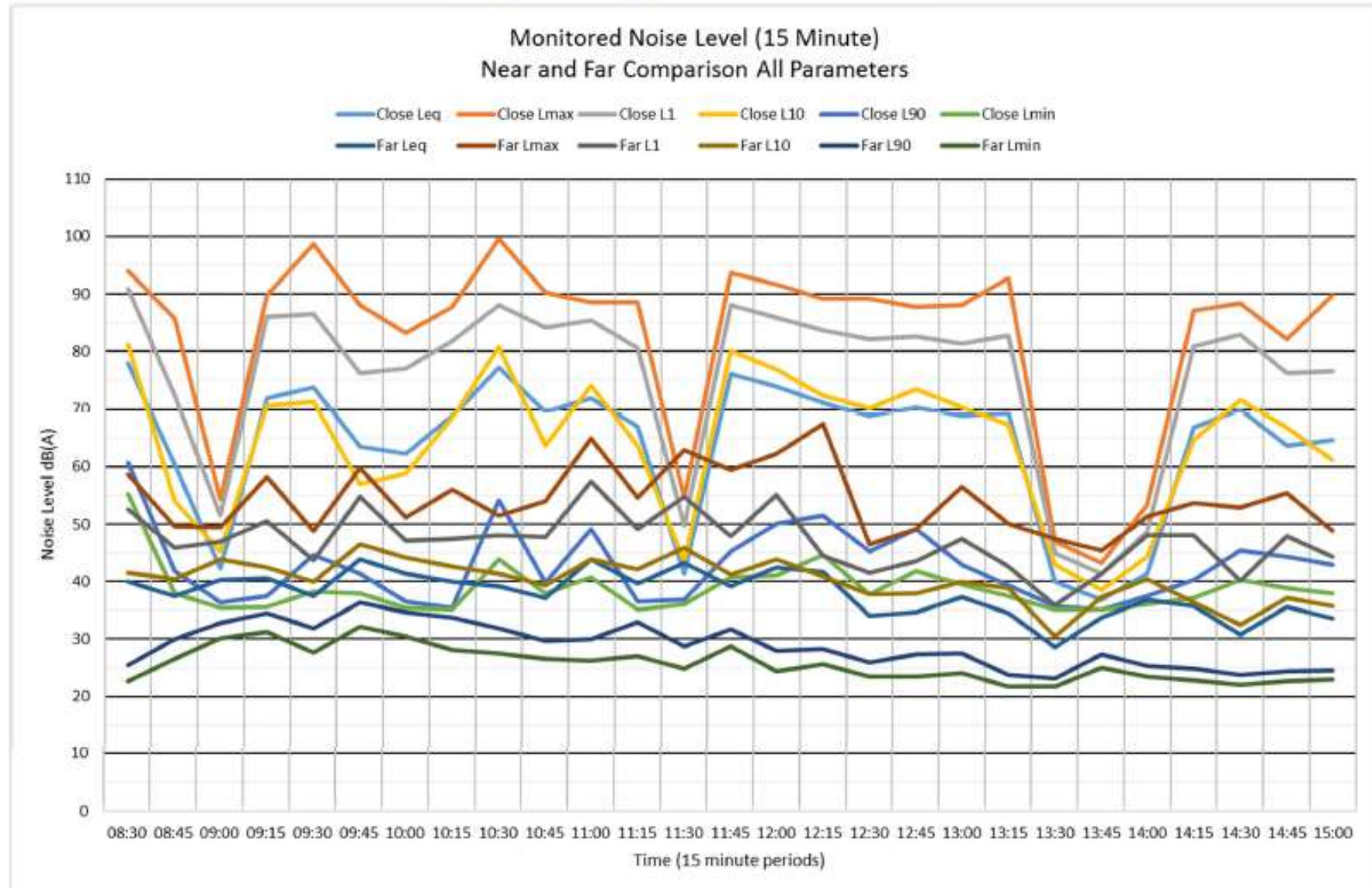
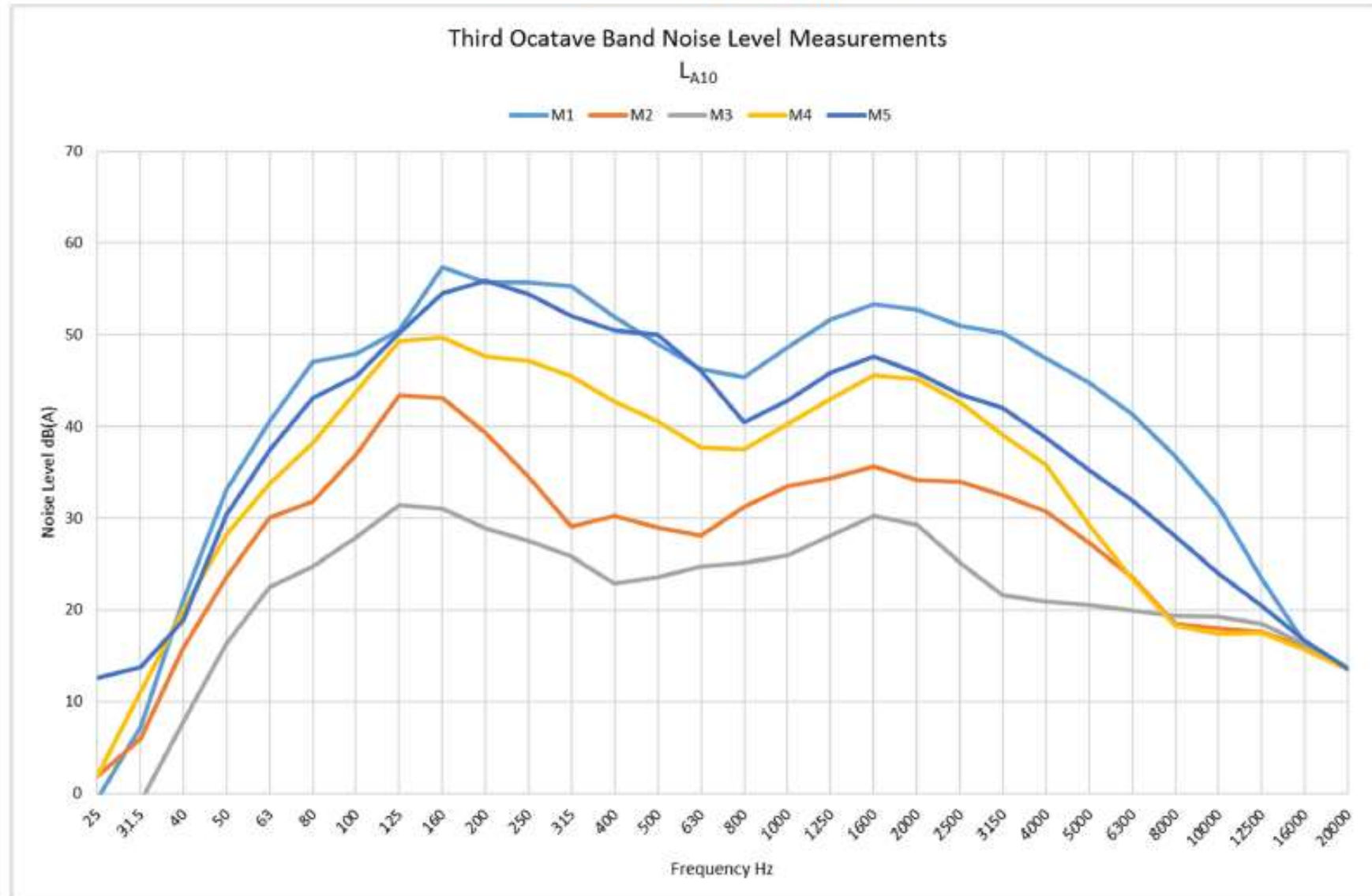


Figure B2 – Hand Held Observed Measurements



From: Paul Daly (Herring Storer Acoustics) <pldaly@hsacoustics.com.au>
Sent: Tuesday, 23 May 2017 2:57 PM
To: Raewyn
Subject: RE: Development Application for an Expanded Motorbike Park - Lot 101 Reeds Road, East Popanyinning

Hi Rae, thank you for the email.

We have provided clarification in regards to the acoustic assessment for the queries raised by council below.

If you require further information, please don't hesitate to contact us.

Regards

Paul Daly

HERRING STORER ACOUSTICS

Suite 34, 11 Preston St, COMO WA 6152

p: (08) 9367 6200 m: 0408 930 533 e: pldaly@hsacoustics.com.au

From: Raewyn [mailto:roadie_rae@hotmail.com]
Sent: 18 May 2017 08:50
To: Paul Daly (Herring Storer Acoustics) <pldaly@hsacoustics.com.au>
Subject: Fw: Development Application for an Expanded Motorbike Park - Lot 101 Reeds Road, East Popanyinning

Hi Paul

Please find below an email from the CEO in regards to further information he wants.

Thanks

Rae

From: Gary Sherry <ceo@cuballing.wa.gov.au>
Sent: Tuesday, 16 May 2017 5:56 PM
To: John & Raewyn Street
Cc: Cr Conley; TPC-Steve Thompson
Subject: Development Application for an Expanded Motorbike Park - Lot 101 Reeds Road, East Popanyinning

Good afternoon John and Raewyn

Further to the Mediation yesterday, the Shire would appreciate additional comment from Herring Storer that included comments:

1. on the impact of the noise at the Calcoran Road residence if the track eastern most track was moved 40 metres to the west (requesting this information was discussed at the mediation)

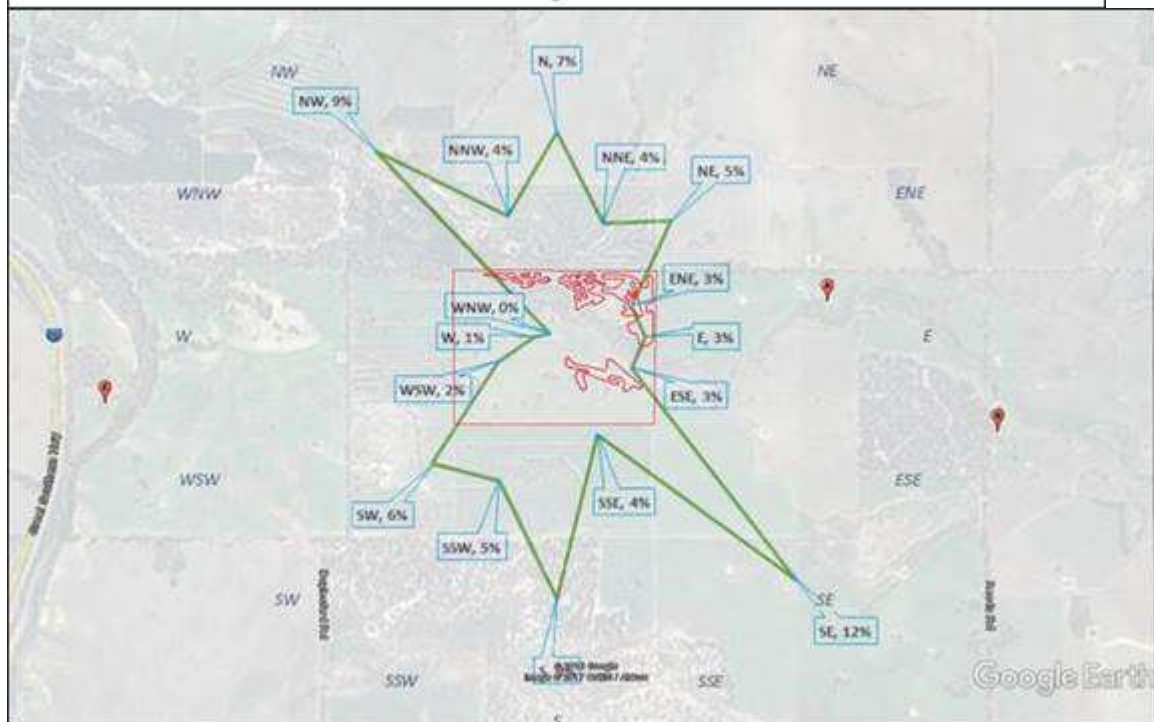
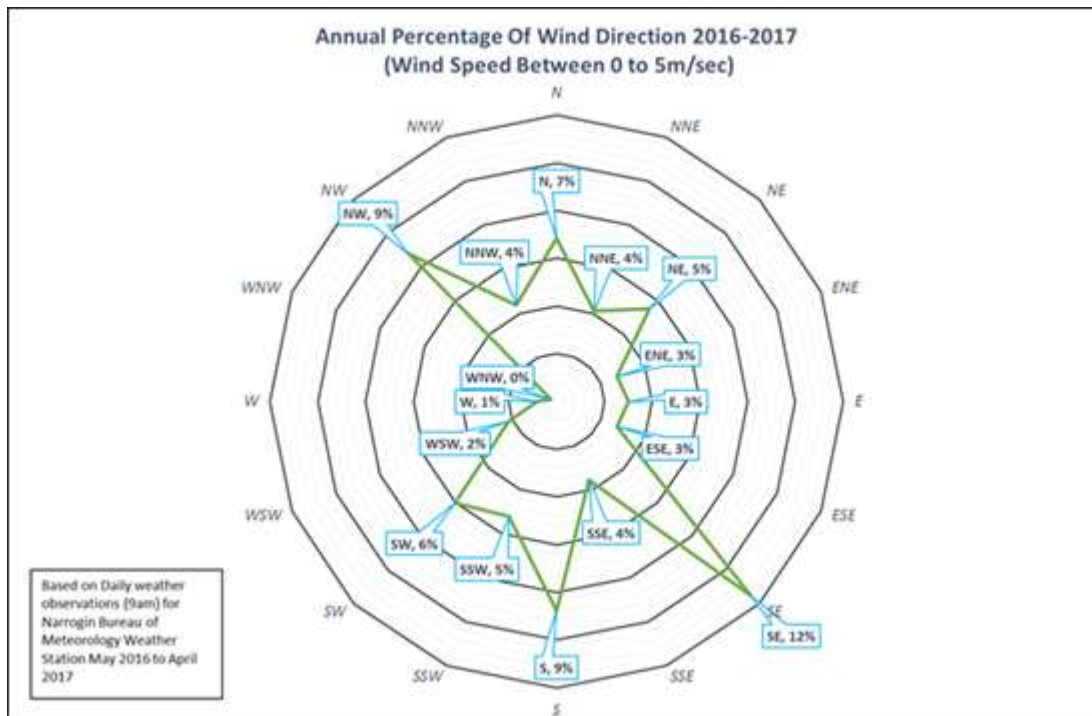
Based on the distance of the Calcoran Road residence (880m from the edge of the senior track) the movement of the track 40m further away would result in a 0.4 dB(A) reduction in noise level at the residence. However, the nearfield impact of the movement would be a reduction of around 32 dB(A) at the boundary of the property for the individual pass by event of a motorbike. This is also based on the current configuration of the track, where there is a considerably long straight. The advice given to Ducks Nuts is that the track be moved into the property by 40m, and more curves and bends are installed so that there is not a straight section. This adjustment of the track configuration will ensure that bikes are unable to reach or maintain maximum engine capacity (revs) which in turn reduces noise levels considerably. It is difficult to quantify this noise level reduction, especially at the Calcoran Rd residences, however the noise level difference between a maximum revving bike and the same bike at around $\frac{3}{4}$ revving capacity equated to a noise level difference of between 12 to 15 dB(A). As this would be a reduction of noise at the source this would directly equate to a noise level reduction of the same amount at the receiver.

2. on the impact of wind on the noise measurements and the compliance with the noise regulations (requesting this information was discussed at the mediation)

The noise measurements were conducted at both up and down wind propagation conditions during the site visit. The highest noise levels for the downwind (i.e. noise source to receiver location) was reported. As the winds were reasonably light and the temperature was cool, this relates to a potential worst case noise level.

Additionally, whilst not included in the noise assessment report, weather conditions for the site have been analysed. Based on the annual (2016-17) wind speed and directions the following plots have been provided for information purposes. Plot 1 shows the percentage of wind direction occurrences for wind speeds between 1 to 5 metres per second. Plot 2 is the same information laid over a google earth to allow for the track / site positioning in relation to the receiver locations.

In relation to maximum noise propagation weather conditions, the worst cast (i.e. noise source to receiver) would be generally from the western quadrant. As the provided data details, wind from this direction occurs rarely. Hence the noise levels considered in the assessment, for the maximum worst cast conditions, would also occur rarely.



3. confirming that the total number of bikes that will be on the track at any one time will not impact on the compliance with the Noise Regulations.

The Shire is seeking confirmation that the way the park will operated is similar to the day of the noise measurements were taken or that if it is operated differently (ie if there are to be more bikes being ridden in the Park than on the day of testing) that the recommendations of the report remain similar

In theoretical terms, if the amount of bikes measured on the day (20 bikes) were doubled in number to 40 bikes, the potential increase in noise levels at the receiver would be 3 dB(A). However, based on experience and measurement of this facility and other similar activities, generally noise levels are impacted by an individual bike, rather than the overall number of bikes. As per the information in point 1 above, the layout of the track is as important as the number of bikes. I.e. higher noise levels for short durations. Due to the large spread of noise sources at the various tracks, the contribution of an individual bike at a closer location influenced noise levels more than the overall number of bikes using all the tracks. Therefore, it is likely that additional bikes would not have a perceivable change in the noise levels. It is also noted that the noise measurements (from 0900 to 1230) were conducted in a more controlled situation, where all bikes were instructed to operate (as fast as they were able) on certain tracks to provide a worst case operating scenario. Observations for the afternoon period were that there was considerable diversity in noise levels due to the track usage. This was due to the bikes being spread over all tracks and not all bikes operating at the same time. Therefore, it would be expected that given this diversity, even with a larger number of bikes at the park, the actual noise levels for periods of riding would be the same, or less than those considered in the study.

4. on the ability of the operation to comply with the Noise regulations if a residence was constructed north of the Park.

The current operations comply at the boundary of the northern property. It is understood there is no highly noise sensitive residence at this property. If a residence was built then it would require assessment when details on the location were available. However, dependant on the location, compliance would be possible but may require further noise control.

This possibility has been raised with Council as part of the public comment and was addressed in the previous report to Council. The minimum distance that such a residence could be from the Ducks Nuts Motorbike Park is 40 metres because of Calcoran Road reserve and standard setbacks.

As discussed at the Mediation, any further information from Herring Storer would be included in a one page letter. The Shire is not seeking any additional research to be conducted.

Separate to Herring Storer report, the Shire would to confirm the details of your application and would request the following information:

1. an updated map of the Ducks Nuts Motorbike Park showing the updated path of the Senior Track.

The Herring Storer report recommends that (Page 9 – last paragraph) *“the track be a minimum distance of 40metres from the boundary and the straight be removed”*.

Therefore an understanding of the final design/location of the Seniors track is required by the Shire to understand that the straight will be removed to allow compliance with noise regulations. An updated map would be very similar to that provided previously.

2. the final operating days and hours of operation being requested

The latest Business Plan had the following as the requested operating hours

Day	Start	inish
y	8am	5pm
rday	8am	5pm
lay	8am	5pm
day	8am	5pm
day	losed	
nesday	8am	5pm
sday	8am	5pm

3. the maximum number of riders on the tracks at any one time for each day;

The latest Business Plan advised 60 riders in total on Friday to Monday with only 15 riders on Wednesday and Thursday.

If the approval includes a number of riders on the tracks at one time, how many would that be for each day.

4. an estimate of the maximum number of patrons to be on the site at any one time. Will this be different for week days to;

While the number of riders goes directly to noise, the total number of patrons goes to the ability of your other facilities to manage this number;

5. any other new information.

This may include planting trees in the 40metre buffer on the eastern side of the park.

Again any additional information should be kept brief – one page in total is expected to be sufficient. The Shire is specifically NOT requesting that the business plan provided previously be updated.

The Shire is commencing a report for the June Meeting and would appreciate any information as soon as possible. If you have any issue with this request please contact me as soon as possible.

Thanks

Gary Sherry

Chief Executive Officer



Government of **Western Australia**
Department of Environment Regulation

Our ref: CEO1270/17
Enquiries: Christine Ng
Phone: 6467 5568
Email: christine.ng@der.wa.gov.au

Mr Gary Sherry
Chief Executive Officer
Shire of Cuballing
Via email: enquiries@cuballing.wa.gov.au

Dear Mr Sherry

**REQUEST FOR NOISE MEASUREMENT DATA ANALYSIS – THE DUCKS NUTS
MOTORBIKE PARK**

I refer to your email dated 19 April 2017 requesting the Department of Environment Regulation (DER) undertake analysis and report on noise data related to motorbike noise from The Ducks Nuts Motorbike Park at Lot 100 Reeds Road, Popanyinning.

Technical advice has been prepared by DER experts and is attached. The results allow consideration of the analysis against the assigned levels in the *Environmental Protection (Noise) Regulations 1997*.

The interpretation of this technical expert advice, and decisions about how the advice it contains should be considered in undertaking regulatory functions, are matters for the Shire of Cuballing to determine. DER accepts no responsibility for the use or misuse of the attached advice, or the consequences of decisions made in reference to it.

Should you or your staff have any further queries, please contact DER Noise Regulation Officer, Ms Christine Ng, on 6467 5568 or by email at christine.ng@der.wa.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Dan Volaric'.

Dan Volaric
ACTING DIRECTOR GENERAL

1 June 2017

Att.

The Atrium, 168 St Georges Terrace, Perth WA 6000
Postal address: Locked Bag 33, Cloisters Square, Western Australia 6850
Phone: (08) 6467 5000 Fax (08) 6467 5562
www.der.wa.gov.au



Government of **Western Australia**
Department of **Environment Regulation**

REPORT

Technical Expert Report

Analysis of Motorbike Noise from The Ducks Nuts Motorbike Park at Lot 100 Reeds Road, Popanyinning, prepared for the Shire of Cuballing

Version: Final

May 2017



Document control

Document version history

Date	Expert name / position	Version	Role
24/05/2017	Christine Ng Noise Regulation Officer	Final	Author
29/05/2017	Peter Popoff-Asotoff Principal Expert - Noise Regulation	Final	Reviewer

Corporate file information

File number and/or name	File owner or custodian	File location
CEO1270/17	Advice Coordinator	Atrium Level 4
DEC471	Noise Regulation	Atrium 7.02



Produced and published by
Department of Environment Regulation
168 St Georges Terrace, Perth, Western Australia

Template Version 6, May 2015

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Questions regarding this report should be directed to:

Department of Environment Regulation
Locked Bag 33 Cloisters Square
PERTH WA 6850
Phone: +61 8 6467 5000
Fax: +61 8 6467 5562
Email: info@der.wa.gov.au
Web: www.der.wa.gov.au

Accessibility This document is available in alternative formats and languages upon request.

Contents	1
Technical Expert Report	1
Document control	i
Document version history	i
Corporate file information	i
Expert's details	1
Personal details: Author	1
Purpose of this report, limitations and disclaimer	2
Advice summary details	3
1. Measurement	4
1.1 Instrumentation	4
1.2 Measurement Location	5
1.3 Measurement Process	6
1.4 Audio Recordings.....	6
2. Prescribed Standard for Noise Emissions	7
2.1 Assigned levels	7
2.2 Intrusive or dominant noise characteristics.....	9
3. Assessment	10
4. Results	10
5. Conclusion	12
6. Specific limitations of this advice	12
Expert's details	13
Personal details: Reviewer.....	13
Signatures	14
Appendix A: Email and photographs provided by Shire	15
Appendix B: Resident's yellow brick recording log sheet	18
Appendix C: Influencing Factor Calculation	19
Transport Factor	19
Land Use Factor	19
Sporting Facility Adjustment.....	20
Total Influencing Factor.....	21
Appendix D: L_{AS10} Calculation for Motorbike Noise	22
Appendix E: Logged Noise and Spectral Data relevant to this assessment	23

Expert's details

Personal details: Author

Name	Ms Christine Ng
Employer	Department of Environment Regulation
Position title	Noise Regulation Officer
Field of expertise	Environmental Noise

Qualifications and experience

The qualifications and experience and technical capability relevant to the provision of this advice is as follows:

Qualification

Qualification	Year obtained	Additional comments
Graduate Diploma	2015	Occupational Safety and Health
Bachelor of Science	2006	Environmental Health

Professional experience

Employer	Position	Tenure
Department of Environment Regulation	Noise Regulation Officer	2015 - present
Town of Cambridge	Acting Coordinator Compliance	2015
Town of Cambridge	Environmental Health Officer	2014 - 2015
City of Vincent	Environmental Health Officer	2011 - 2014
Town of Vincent	Acting Senior Environmental Health Officer	2011
Town of Vincent	Environmental Health Officer	2007 - 2011

Purpose of this report, limitations and disclaimer

This is technical expert advice prepared by experts employed within the Department of Environment Regulation for the purposes set out in the "Advice summary details" and should not be used for any other purpose.

The State of Western Australia and Department of Environment Regulation and their servants and agents expressly disclaim liability, in negligence or otherwise, for any act or omission occurring in reliance on the information contained in this document, or for any incident or consequential loss or damage of such act or omission.

In preparing this report the technical experts have considered the request made, the information and materials provided in support of the request, literature relevant to the field, and other evidence the expert is aware of and can access through their expert capacity.

The report is based on the information provided to the experts, which is summarised in the "Advice summary details". Relevant materials that were not provided could materially change the advice. The requesting organisation needs to use appropriate judgment about the information that is relevant to the request, and the possible implications of any information that was not provided.

Where requests made require input from more than one area of technical expertise, the advice will be provided separately. Each advice will consider technical issues relevant to the specific field of expertise. No effort is made to integrate the issues raised by different technical fields. It is the responsibility of the regulatory organisation requesting the advice to determine how to weight the various matters they need to consider, and the relevance of the advice on any particular matter to making their decisions.

The interpretation of this technical expert report, and decisions about how the advice it contains should be considered in undertaking regulatory functions are matters for the recipient organisation to determine. The Department of Environment Regulation accepts no responsibility for the use or misuse of the advice, or the consequences of decisions made in reference to it.

The advice provided is limited to technical expert advice, and author(s) **have not** considered any aspect of regulatory matters that could come within the scope of legislation administered by the Department of Environment Regulation, either currently or at some time in the future. As such, the report does not purport to represent the Department of Environment Regulation's views on how such matters may be considered by the Department of Environment Regulation in its regulatory capacity. If advice is required on the Department of Environment Regulation's position on how it would consider matters relevant to its regulatory functions, a separate request for advice must be made.

Advice summary details

TO:	Shire of Cuballing
PREPARED BY:	Ms Christine Ng
REVIEWED BY:	Mr Peter Popoff-Asotoff
SUBJECT:	Analysis of motorbike noise from The Ducks Nuts Motorbike Park

The details of these experts is summarised in Expert's details.

This advice was prepared for the Shire of Cuballing in response to the request dated 19 April 2017. Advice is provided according to the scope below.

Scope of advice
Analysis of logged data obtained at 67 Calcoran Road (Williams Location 4123), Popanyinning, between 13 April 2017 and 18 April 2017, with respect to the <i>Environmental Protection (Noise) Regulations 1997</i> (Noise Regulations). The source of the noise annoyance is reported to be motorbike noise at The Ducks Nuts Motorbike Park, Lot 100 Reeds Road, Popanyinning.

In support of this request, the Shire made the following materials and documents available. These materials form the basis of this technical expert advice.

Material / document name	Type of resource / description	Date supplied (if different from original request)
Email from Mr Gary Sherry, Chief Executive Officer for the Shire of Cuballing	Document detailing the location of the yellow brick and the location of noise emitter	
Yellow brick recording log sheet	Complainant's notes made at the time of the recording	
Logged data obtained with a Department of Environment Regulation (DER) "yellow brick" (YB11)	Noise measurement and audio data	26 April 2017

In preparing this advice I have considered the information provided with the request. I have also:

Referred to:

- *Brüel & Kjær Technical Documentation: Hand-held Analyzer Types 2250 and 2270 – User Manual (version English BE 1713-30) [B&K User Manual];*
- *Brüel & Kjær Technical Documentation: Hand-held Analyzer Types 2250, 2250 L and 2270 with Microphone Type 4189 – Instruction Manual (version English BE 1712-21) [B&K Instruction Manual];* and
- the Noise Regulations.

The advice is as follows.

1. Measurement

1.1 Instrumentation

The logged noise measurements and audio recordings were obtained with a DER "yellow brick" (YB11) containing a Type 2250-G4 Brüel & Kjær sound level meter and acoustic calibrator as detailed in Table 1.1. The measured data was retrieved and subsequently analysed with Measurement Partner Suite software BZ-5503 Version 4.7.1.5.

Table 1.1: Instrumentation

Instrument type	Serial number	Software	Laboratory calibration date
Brüel & Kjær Sound Level Meter Type 2250-G4	3003767	Enhanced Logging Software BZ-7225 Version 4.3.2	24/06/2015
Brüel & Kjær Acoustic Calibrator Type 4231	3000629	N/A	13/11/2015

The sound measuring equipment used for the purpose of this assessment was calibrated within two years of the date of the measurements by an approved calibration laboratory, as required by regulation 22 and Schedule 4 of the Noise Regulations. Copies of the calibration certificates are available on request.

The meter was set to record full broadband and one-third octave spectral main and statistical parameters every second during the logged noise measurements. In addition, the equipment was set to record audio for a period of 60 minutes each time the trigger button was pressed, unless the button was pressed again within that period, at which time recording would stop.

In order for measurements to be used for the purpose of the Noise Regulations, a field performance check of the instrument must be performed before and after the measurements. There was no calibration signal recorded at the start and at the end of the recording. However, examination of the calibration log of the instrument by DER Noise Regulation Officers indicates that an adjustment to the sensitivity was performed at 15:09, 27 April 2017. The deviation in sensitivity from the previous adjustment on 30 January 2017 was 0.01 dB.

Based on the deviation in sensitivity stored in the calibration history of the sound level meter, it is likely that the drift in sensitivity over the course of the measurements was within acceptable limits and the measurement levels obtained are likely to be reliable.

1.2 Measurement Location

The yellow brick was set up by an officer from the Shire with the microphone placed indoors at 67 Calcoran Road (Williams Location 4123), Popanyinning. Further information regarding the location of the noise emitter was provided by email and attached as Figure A1 of Appendix A to this report. Figures A2 and A3 present photographs of the microphone location provided by the officer. Note that the measuring microphone has been positioned close to reflective surfaces (i.e. wardrobe/desk) and no correction has been made to the measured levels.

Regulation 19(4) describes the adjustments to be made to the measured level where a measurement is made inside a building:

Where a measurement is made inside a building —

- (a) external windows and doors must be shut and the measurement must be adjusted by adding 15 dB; or
- (b) external windows and doors must be open and the measurement must be adjusted by adding 10 dB.

If noise measurements are made indoors, Regulation 20 requires that the measurement position must be at least 1 m away from any open external window or door, and the measuring microphone must be located at least 1.2 m above the ground or floor plane. Although the measuring microphone has not been positioned 1.2 m above the ground in this case, the difference is assumed to be negligible as the external window is lower than the measuring microphone.

Regulation 20 describes the measurement of noise at premises:

20. Measurement of noise at premises —

- (1) This regulation does not apply to the measurement of airblast levels.
- (2) Noise measurement must be made with the measuring microphone located at least 1.2 m above the ground or floor plane.
- (3) Outdoor noise measurements should be made with the measuring microphone located at least 3 m from any substantial sound reflecting surface (other than the ground plane).
- (4) If it is not practicable to comply with subregulation (3), the microphone must be located as far as practicable from substantial sound reflecting surfaces (other than the ground plane).
- (5) If noise measurements are made indoors, the measurement position must be at least 1 m from any open external window or door.

1.3 Measurement Process

The logged noise measurements were started by the Shire Officer on 13 April 2017 and stopped on 18 April 2017. The complainant was instructed to trigger an audio recording and complete an entry in a "Yellow Brick Recording Log Sheet" when the offending noise occurred. The "yellow brick" and log sheet were returned to DER for analysis. A copy of the log sheet is provided in Appendix B.

1.4 Audio Recordings

A total of seven audio recordings were made. The complainant triggered five audio recordings spread over three separate days during the logging period. All audio recordings were examined, except for Recording No.6, as the complainant had noted in the log sheet that the offending noise was not heard at the time of the recording. Table 1.2 below lists all the audio recordings and the related notes on the complainant's log sheet, where they were provided.

Table 1.2: List of Audio Recordings and Noise Regulation Comments

Recording No.	Date/Time	Duration	Notes on Resident's Log Sheet	Comment
	13 April 2017			<i>Thursday</i>
1	12:20:39 to 12:23:07	2m 26s	-	Audio preamble recording by Shire Officer.
	14 April 2017			<i>Good Friday</i>
2	11:08:21 to 11:10:06	1m 45s	-	Motorbike noise audible, but too affected by extraneous noise to be assessed.
3	13:17:45 to 14:19:14	1h 1m 29s	<i>1.20 - motorbike noise bike park</i>	Motorbike noise audible, refer to analysis below.
4	14:28:53 to 15:30:22	1h 1m 29s	-	Motorbike noise audible, refer to analysis below.
5	16:01:24 to 17:02:53	1h 1m 29s	<i>4.20 - " "</i> <i>4.23 - reynes bath</i> <i>4.30 - reyne cry - upset hungry...TV</i>	Motorbike noise audible, refer to analysis below.

	16 April 2017			<i>Easter Sunday</i>
6	08:51:46 to 09:53:15	1h 1m 29s	"None heard."	Motorbike noise was only audible at the start of the recording.
	18 April 2017			<i>Tuesday</i>
7	15:24:02 to 15:24:30	28s	-	Audio recording triggered by Shire Officer. Not relevant to this assessment.
	Total duration	4h38m35s		

2. Prescribed Standard for Noise Emissions

Regulation 7(1) describes the prescribed standard for noise emissions:

- Noise emitted from any premises or public place when received at other premises —
- (a) must not cause, or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind; and
 - (b) must be free of —
 - (i) tonality;
 - (ii) impulsiveness; and
 - (iii) modulation,
 when assessed under regulation 9.

Tonality, impulsiveness and modulation are generally known as intrusive or dominant noise characteristics. Further information with respect to these characteristics is provided below.

2.1 Assigned levels

Table 1 of the Noise Regulations specifies the assigned levels with respect to the type of premises receiving the noise and the time of day. The noise receiving premises in this instance is classed as a "Noise sensitive premises: highly sensitive area" for the purpose of Table 1.

The relevant assigned levels incorporate an "influencing factor" adjustment, which takes into consideration proximity of the noise receiving premises to industrial and commercial areas, and to major roads. Land uses and road traffic volumes within 450 m of the noise receiving premises have been examined to estimate that a 0 dB influencing factor is applicable to the assigned levels in this case.

The assigned levels relevant to this assessment are presented in Table 2.1 below. Details of the influencing factor calculation are presented in Appendix C.

Table 2.1: Assigned Levels

Type of premises receiving noise	Time of day	Assigned level (dB)		
		L_{A10}	L_{A1}	L_{Amax}
Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday	45	55	65
	0900 to 1900 hours Sunday and public holidays	40	50	65
	1900 to 2200 hours all days	40	50	55
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	35	45	55

Regulation 8(1) defines the three different assigned levels:

L_{A1} assigned level means an assigned level which, measured as an $L_{A\text{slow}}$ value, is not to be exceeded for more than 1% of the representative assessment period;

L_{A10} assigned level means an assigned level which, measured as an $L_{A\text{slow}}$ value, is not to be exceeded for more than 10% of the representative assessment period;

L_{Amax} assigned level means an assigned level which, measured as an $L_{A\text{slow}}$ value, is not to be exceeded at any time."

2.2 Intrusive or dominant noise characteristics

Regulation 9(1) describes intrusive or dominant noise characteristics for the purpose of the prescribed standard:

In this regulation and in regulation 7 —

impulsiveness means a variation in the emission of a noise where the difference between $L_{A, peak}$ and $L_{A, Slow max}$ is more than 15 dB when determined for a single representative event;

modulation means a variation in the emission of noise that —

- (a) is more than 3 dB $L_{A, Fast}$ or is more than 3 dB $L_{A, Fast}$ in any one-third octave band;
- (b) is present for at least 10% of the representative assessment period; and
- (c) is regular, cyclic and audible;

tonality means the presence in the noise emission of tonal characteristics where the difference between —

- (a) the A-weighted sound pressure level in any one-third octave band; and
- (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as $L_{A, Avg, T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A, Slow}$ levels.

Regulation 9(3) describes adjustments to be made to the measured levels where intrusive or dominant noise characteristic are present and cannot be reasonably and practicably removed:

Noise is taken to be free of the characteristics of tonality, impulsiveness and modulation if —

- (a) the characteristics cannot be reasonably and practicably removed by techniques other than attenuating the overall level of the noise emission; and
- (b) the noise emission complies with the standard prescribed under regulation 7(1)(a) after the adjustments in the table to this subregulation are made to the noise emission as measured at the point of reception.

Table 2

Adjustment where noise emission is not music. These adjustments are cumulative to a maximum of 15 dB.			Adjustment where noise emission is music	
Where tonality is present	Where modulation is present	Where impulsiveness is present	Where impulsiveness is not present	Where impulsiveness is present
+5 dB	+5 dB	+10 dB	+10 dB	+15 dB

3. Assessment

Regulation 2 defines a representative assessment period (RAP):

"representative assessment period" means a period of time of not less than 15 minutes, and not exceeding 4 hours, determined by an inspector or authorised person to be appropriate for the assessment of a noise emission, having regard to the type and nature of the noise emission"

While having regard for the type and nature of motorbike noise, a RAP of 4 hours may be considered appropriate, due to the limited amount of recorded audio unaffected by extraneous noise; assessment has been undertaken with the RAP being the length of the least affected audio recorded period.

The complainant has indicated in the log sheet that the motorbike noise was only experienced on Good Friday 14 April 2017. All audio recordings made on 14 April 2017 were examined to select periods where the motorbike noise was present and minimally affected by extraneous noise sources such as bird noise and local noise sources within the complainant's house. The local noise sources identified include telephone conversations, footsteps, baby crying, and door opening and closing.

For the purpose of this assessment, Recording No. 3 was selected to be considered in detail as it was the recording least affected by extraneous noise when compared to Recordings No. 2, No. 4 and No. 5. As a result, the analysis of these selected periods in Recording No. 3 forms the basis of the reported assessment.

The noise emission was assessed for intrusive and dominant noise characteristics and where they were found to be present the measured levels were adjusted as described above. The measured levels were also adjusted by adding 10 dB for the indoor measurement location with external window and/or door open (see section 1.2).

4. Results

While the total time of Recording No. 3 is 1 hour 1 minute 29 seconds, the total duration where motorbike noise was found suitable for analysis is 15 minutes and 51 seconds. Although the total duration of 15 minutes 51 seconds (i.e. 951 seconds) exceeds 10% of the total recording time (i.e. 368 seconds), the duration of the measurement period differs from the total recording time. As such, the statistical results of the measurement are used to determine a conservative $L_{A510(1H1m29s)}$ level of the noise emission. This level is calculated for comparison with the L_{A10} assigned level (see Appendix D).

Table 4.1 below presents the results of the assessment of tonality of motorbike noise emission as described in section 2.2. The motorbike noise was determined to be tonal at 50 Hz. Figure E1 of Appendix E presents the spectral data relevant to this assessment.

Table 4.2 below presents the results of assessment against the relevant L_{A10} assigned levels. The table shows that the L_{A510} noise emissions exceeded the assigned levels at the time of measurements by up to 8 dB. Figure E2 presents the noise logged data relevant to this assessment.

Table 4.1: One-third octave tone assessment for motorbike noise

Parameter	
(a) $L_{Aeq(40Hz)}$ measured level [dB]	6.9
(b) $L_{Aeq(50Hz)}$ measured level [dB] – (tonal freq. band)	15.3
(c) $L_{Aeq(63Hz)}$ measured level [dB]	13.1
(d) Arithmetic average of (a) and (c) [dB]	10
Difference between (b) and (d) [dB]	5.3

Table 4.2: Assessment of motorbike noise against the L_{A10} assigned levels

Parameter	L_{A1} assessment
Duration of motorbike noise measured [min:sec]	15:51
a) $L_{AS10(1h1m29s)} = L_{AS3B(15m51s)}$ measured level [dB]	33
b) Tonality adjustment [dB]	+5
c) Indoor location adjustment with windows/doors open [dB]	+10
Assessable level (a+b+c) [dB(A)]	48
Assigned levels 0900 to 1900 hours Sunday and public holidays [dB(A)]	40
Comparison: assessable level - assigned level [dB]	+8

5. Conclusion

The motorbike noise from The Ducks Nuts Motorbike Park at Lot 100 Reeds Road, Popanyinning has been found to be above the L_{A10} assigned level on 14 April 2017 (Good Friday), when received at 67 Calcoran Road (Williams Location 4123), Popanyinning. The motorbike noise emission was also determined to be tonal at 50 Hz.

In addition to the information in the "Purpose of this report, limitations and disclaimer" section, important limitations relevant to this specific advice are detailed under "Specific limitations of this advice" below.

6. Specific limitations of this advice

Technical expert advice in any field is subject to various limitations. Important limitations to the advice include:

- This assessment is based upon the information provided by the Shire Officer and the complainant, including the description and location of the noise source of concern as well as the place of measurement. The assessment has identified a noise emission in the audio recordings, which is consistent with the source that has been described. Beyond this, no attempt has been made to verify the source or location of the noise emission or any other information supplied.
- "Yellow brick" measurements are conducted in the absence of a person experienced in environmental noise measurement. Sound level measuring equipment or the environment in which the noise measurements are made can be inadvertently or deliberately influenced and this can affect the findings of those measurements and/or the outcome of the assessment. In undertaking this analysis, consideration was given to possible influences affecting the measurements or assessment. In this instance, there has been no observation to give reason to believe the measurements may have been deliberately or inadvertently influenced. The possibility of such influences may be of relevance when considering this assessment or subsequent actions.
- Readers should consider the discussion above regarding microphone position, field performance check (i.e. calibration), and the requirements of the Noise Regulations when considering the results of this assessment.
- While the L_{A38} is a conservative measure of the L_{A10} of the recorded period analysed and hence will be a conservative value when considering a RAP of 4 hours, if the motorbike activity continues at a similar intensity, consideration should be given to the possible variation (increase or decrease) of the motorbike activity over longer periods of time.

Expert's details

Personal details: Reviewer

Name	Mr Peter Popoff-Asotoff
Employer	Department of Environment Regulation
Position title	Principal Expert – Noise Regulation
Field of expertise	Environmental Noise

Qualifications and experience

The qualifications and experience and technical capability relevant to the provision of this advice is as follows:

Qualification

Qualification	Year obtained	Additional comments
Grad. Dip. – Curtin University	1993	Computing
BSc. – Murdoch University	1983	Physics

Professional experience

Employer	Position	Tenure
Department of Environment Regulation	Principal Expert Noise Regulation	2016 – present
Department of Environment Regulation	Senior Manager	2015 – 2016
Department of Environment Regulation	Manager	2013 – 2015
Department of Environment and Conservation	Manager	2012 – 2013
Department of Environment and Conservation	Acting Manager	2008 – 2011
Department of Environment and Conservation	Environmental Noise Officer	2006 – 2008
Department of Environment	Environmental Noise Officer	2003 – 2006
Department of Environmental Protection	Environmental Noise Officer	1997 – 2003

Signatures

Author Name: Christine Ng	Signature 
Position: Noise Regulation Officer	Date 1/6/2017
Reviewer Name: Peter Popoff-Asotoff	Signature 
Position: Principal Expert – Noise Regulation	Date 1/6/2017

Appendix A: Email and photographs provided by Shire

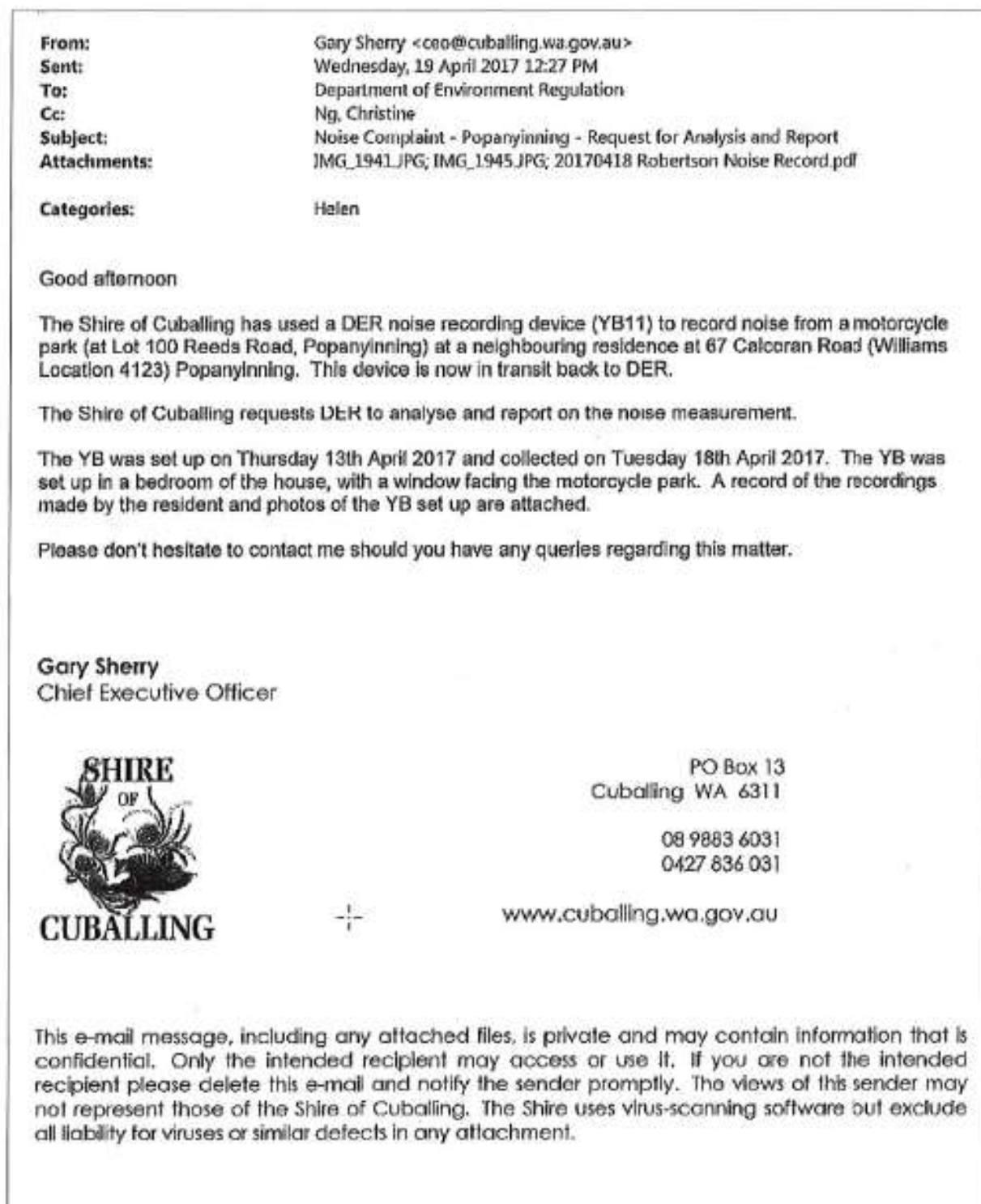


Figure A1: Email received from the Chief Executive Officer of the Shire of Cuballing.




Figure A2: Photograph of the location of the microphone set up, provided by the Shire Officer.



Figure A3: Photograph of the equipment, provided by the Shire Officer.

Appendix B: Resident's yellow brick recording log sheet

A2522



Government of Western Australia
Department of Environment Regulation

**Yellow Brick
Recording Log
Sheet**

N^o 67 Calverton Road

Recording Location:	Lot 103 Reeds Road, Popanyinning		
Local Government:	Shire of Cuballing	EHO:	Gary Sherry 0127 836 031
Location of Noise Source:	Lot 101 Reeds Road, Popanyinning		
Description of Noise Source:	Motorbikes		
Yellow Brick No.:	Measurement/Setup Position:	Pre-Cal Level:	Post-Cal Level:
YB11	Indoor <input checked="" type="checkbox"/> Outdoor <input type="checkbox"/>	58	

Date	Time	Notes (description of what is being recorded. If indoor recording, status of windows/doors being open/closed must be entered).	Window/Door Open Closed
		motor bike noise from neighbour to nth	<input checked="" type="checkbox"/> <input type="checkbox"/>
1. EASTER	Fri 1:20	motorbike noise bike park	<input checked="" type="checkbox"/> <input type="checkbox"/> good
	4:20	" "	<input checked="" type="checkbox"/> <input type="checkbox"/> good
	4:23	veynes bath	<input checked="" type="checkbox"/> <input type="checkbox"/>
	4:30	reanne tv, cry - upset hungry	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Sat	none heard	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Sun -	" "	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Mon -	" "	<input checked="" type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/> <input type="checkbox"/>

Appendix C: Influencing Factor Calculation

Transport Factor

major road means a road estimated to have an average daily traffic count of more than 15,000 vehicles.

secondary road means a road estimated to have an average daily traffic count of 6,000 to 15,000 vehicles.

transport factor means —

- (a) for a major road where any point inside the road reserve is present in the relevant inner circle, a transport factor of 6 dB;
- (b) for a major road where any point inside the road reserve is present in the relevant outer circle, a transport factor of 2 dB;
- (c) for each secondary road where any point inside the road reserve is present in the relevant inner circle, a transport factor of 2 dB.

The average daily traffic count of roads has been estimated by reference to the latest average weekday traffic flows published by Main Roads Western Australia available at www.mainroads.wa.gov.au.

Reference to Main Roads WA *Wheatbelt Traffic Digest 2009/10-2014/15* indicates there are no major or secondary roads within 450 m. On this basis, the transport factor is calculated to be 0 dB as described in Table C1 below.

Table C1: Transport Factor Calculation

Road Type	Location	Number	Transport factor (dB)
Major road	within 100 m	-	0
	within 450 m	-	
Secondary road	within 100 m	-	0
Total transport factor (6 dB maximum)			0

Land Use Factor

The land use factor is given by the area of each "Type A - industrial and utility premises" and "Type B - commercial premises" within a 100 m and 450 m radius calculated as a percentage of the total area of each circle of the same radius centred on the measurement point. It is determined to the nearest whole dB in accordance with the following formula —

$$\text{Land use factor (dB)} = \frac{1}{10} (\text{sum of "Type A" percentages for both circles}) + \frac{1}{20} (\text{sum of "Type B" percentages for both circles})$$

Land use information is based upon town planning scheme metadata dated February 2012 provided by the Department of Planning and analysed using Department of Parks and Wildlife GISViewer software.

Refer to Figure B1 for the land use map which has been used, including the relevant 100 m and 450 m radius circles. All land use within 450 m radius circle centered at 67 Calcoran Road, Popanyinning has been assumed to be neither Type A nor Type B. It may be possible to obtain a more accurate assessment by reference to the Shire of Cuballing Town Planning Scheme text, the differential general rates applied to each property, or the actual land uses on each lot.

The land use factor has been determined to be **0 dB** and the calculation is presented in Table C2 below.

Table C2: Land Use Factor Calculation (approximate)

Type of Premises	Location	Area (m ²)	% of circle	Land use factor (dB)
Industrial & Utility	within 100 m	0	0	0
	within 450 m	0	0	
Commercial	within 100 m	0	0	0
	within 450 m	0	0	
Total land use factor (nearest whole dB)				0

Sporting Facility Adjustment

If the land within 100 m -

- (a) is used for a sporting facility; and
- (b) has a building, on the whole or part of that land, that is directly associated with that use; and
- (c) is categorised on the land use map as land used for purposes other than industrial, utility or commercial purposes,

an adjustment of 2 dB is to be added to the influencing factor.

There do not appear to be any sporting facilities within 100 m, so **no adjustment** is applied to the assigned level as detailed in Table C3 below.

Table C3: Sporting Facility Adjustment

Criteria	Yes/No	Adjustment
Is there a building associated with sporting facility within 100 m?	No	0

Total Influencing Factor

The total influencing factor is given by the sum of the 'transport factor', 'land use factor' and 'sporting facility adjustment' (Tables C1, C2 and C3), and has been calculated to be approximately 0 dB as detailed in Table C4 below.

Table C4: Total Influencing Factor Calculation

Item	Adjustment
Transport factor	0
Land use factor	0
Sporting facility adjustment	0
Total Influencing Factor	0

Appendix D: L_{AS10} Calculation for Motorbike Noise

The calculation to determine $L_{AS10 (1h1m29s)}$:

$$L_{AS10 (1h1m29s)} = L_{AS10 (3689s)} = L_{ASn(t)}$$

Where:

$L_{AS10 (3689s)}$ is the noise level exceeded for 10% of the total recording time;

$L_{ASn(t)}$ is the statistical noise level over time period t ;

t is the measurement period; and

n is the statistical value (between 0 and 100%) = $[(10\% \text{ of } 3689s)/t] * 100\%$.

In this instance:

Total recording time = 1 hour 1 minute 29 seconds = 3689 seconds

t = 15 minutes 51 seconds = 951 seconds

$n = [(0.1 * 3689)/951] * 100\% = [368/951] * 100\% = 38\%$

Therefore:

$$L_{AS10 (1h1m29s)} = L_{AS38 (951s)} = 33 \text{ dB}$$

This is the measured level reported in Table 4.2 above.

Appendix E: Logged Noise and Spectral Data relevant to this assessment

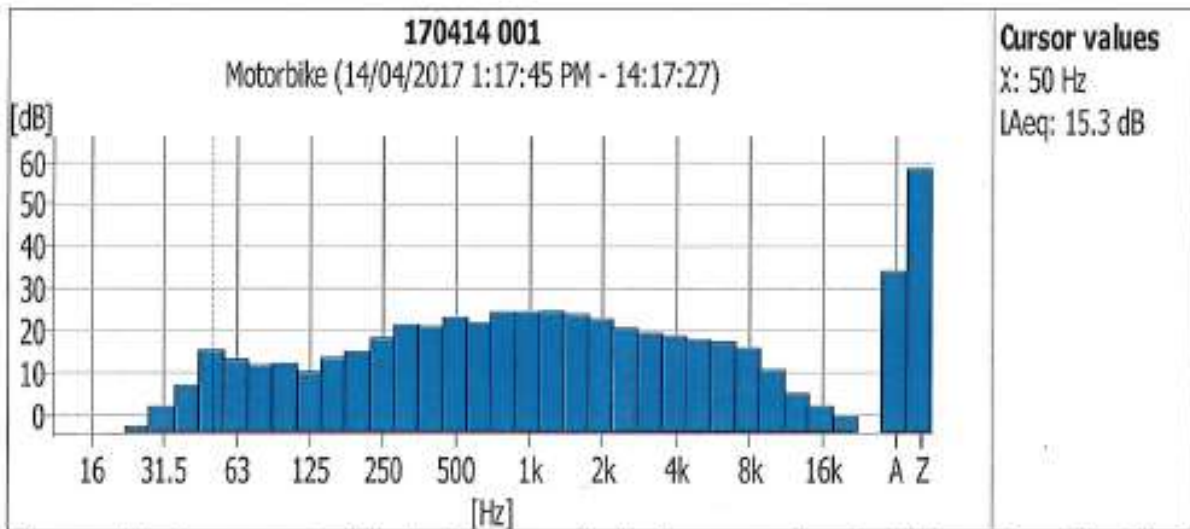


Figure E1: L_{Aeq} spectral data for the period of assessed motorbike noise. The black dotted vertical line at 50 Hz identifies the dominant tonal one-third octave band.

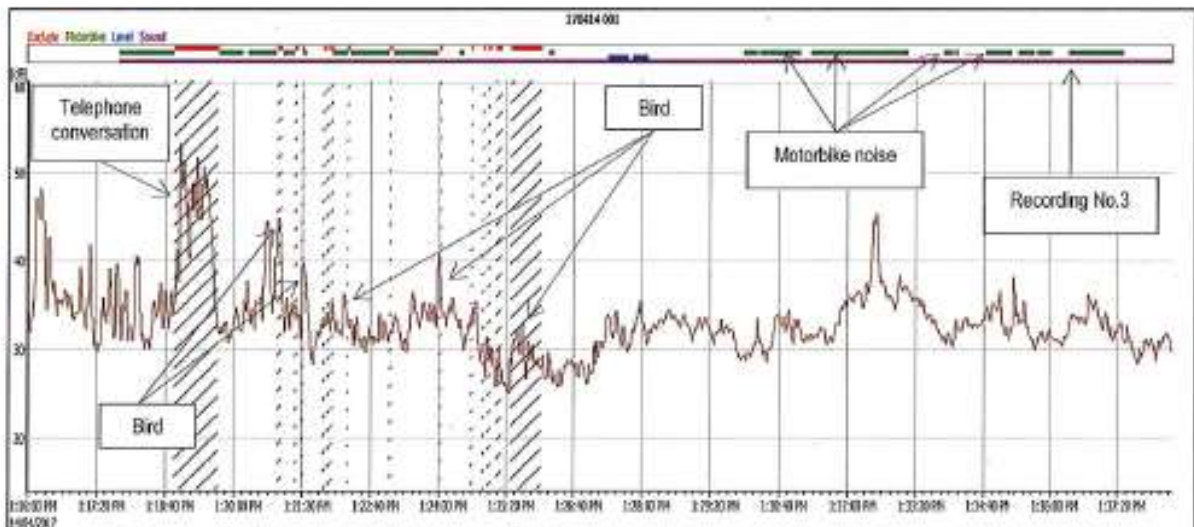


Figure E2: A portion of logged $L_{A_{Smax}}$ [maroon] data of Recording No. 3. The green markers indicate periods of which the noise emission identified as motorbike noise were included in the assessment. The red 'Exclude' marker bar at the top of the figure identifies sections of data affected by extraneous noise.

Roadie Holdings Pty Ltd A.B.N. 25 009 049 007 trading as:

HERRING STORER ACOUSTICS

Suite 34, 11 Preston Street, Como, W.A. 6152
 P.O. Box 219, Como, W.A. 6952
 Telephone: (08) 9387 6200
 Facsimile: (08) 9474 2579
 Email: hsa@hsacoustics.com.au



EMAIL TRANSMITTAL

REF: 21830-1-17088
TO: The Ducks Nuts Motorbike Park
ATTENTION: Raewyn and John Street
ADDRESS: roadie_rae@hotmail.com
FROM: Paul Daly
DATE: 6 June 2017
SUBJECT: DR 103/2017 - DEVELOPMENT APPLICATION FOR AN EXPANDED MOTORBIKE PARK
 LOT 101 REEDS ROAD, EAST POPANYINNING

Raewyn,

Further to the email received on Thursday 1st June 2017 from Gary Sherry, CEO of The Shire of Cuballing, we provide the following information.

It is understood that the Shire of Cuballing, in conjunction with the Department of Environmental Regulations (DER), conducted noise monitoring at a neighbouring residential premise to the Motorbike Park. The monitoring was conducted over the Easter period between 13th and 18th April 2017. Based on analysis of this monitoring, the DER have produced a Technical Expert Report, reference *CEO1270/17*. The Shire of Cuballing have provided this report to Herring Storer Acoustics (HSA).

Previously, Herring Storer Acoustics have conducted an acoustic study in relation to the noise emissions from the Ducks Nuts Motorbike Park, reference *21738-1-17088*. This study was based on noise measurements conducted on the 6th May 2017.

Based on the information, the Shire of Cuballing have expressed concerns that there may be conflicts between the two noise assessments and hence, have requested that The Ducks Nuts Motorbike Park provide any additional information which may assist the shire in clarifying any such conflicts.

Based on this request, we provide the following advice:

1. Tonality

The DER reports the noise level received at 67 Calcoran Road is tonal in characteristics in the 50 Hz frequency. Based on our analysis and measurements this is incorrect.

Based on Herring Storer Acoustics noise measurements of the operating motorbike park, the L_{Aeq} noise level of motorbike noise emissions were measured at a similar distance (750m) from the same premise where the DER measurements were performed. These measurements were conducted under the worst-case conditions, i.e. multiple motorbikes operating and in a downwind location. Figure 1 below details a graph of the third octave band noise level for this measurement location. It also shows the noise level of a continuous noise level measurement conducted next to (5m) the senior track.



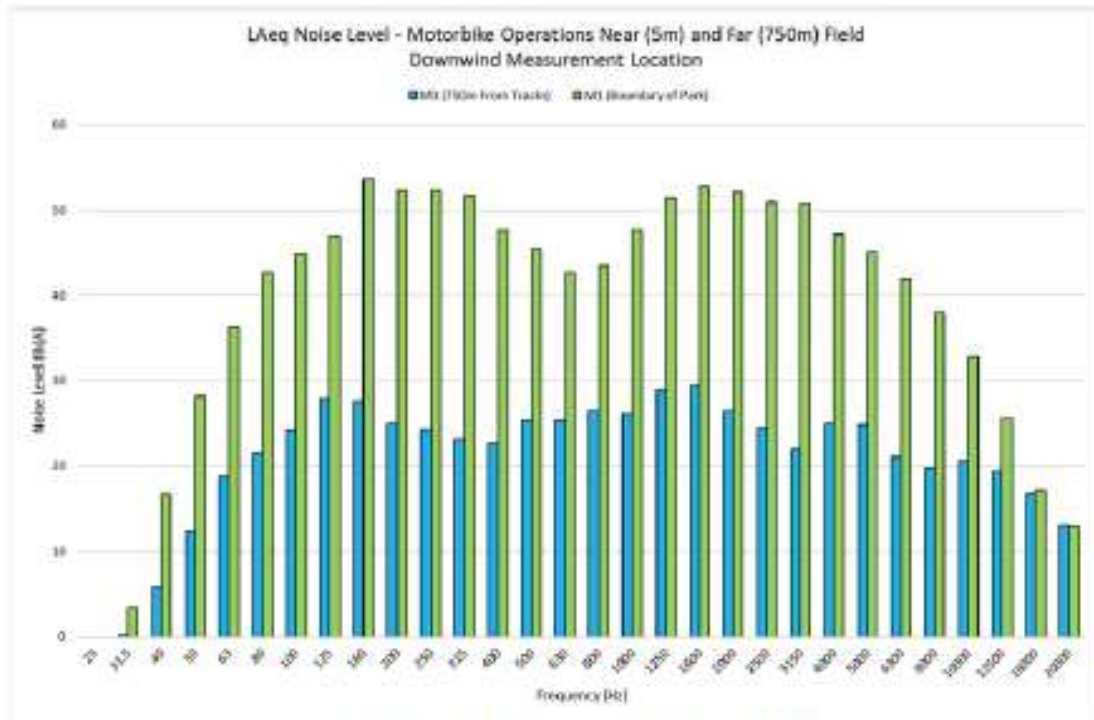


FIGURE 1 – HSA TONALITY ASSESSMENT

As can be seen in Figure 1, the far field measured noise level attributable to motorbikes is around the 125 Hz frequency with the near field noise levels being dominant around the 160 Hz frequency. For comparison, Figure 2 contains the L_{Aeq} noise level used for the tonality assessment in DER report.

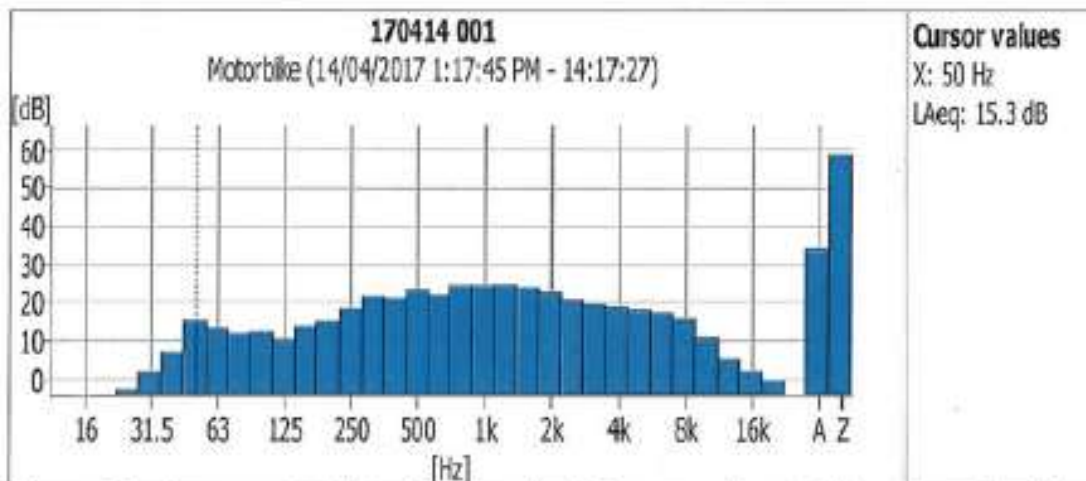


Figure E1: L_{Aeq} spectral data for the period of assessed motorbike noise. The black dotted vertical line at 50 Hz identifies the dominant tonal one-third octave band.

FIGURE 2 – L_{Aeq} TONALITY ASSESSMENT FOR DER REPORT

When comparing these noise levels, it can be clearly seen that the noise emissions attributable to motorbike operations at the 125 Hz frequency are not present in the DER assessment. It is noted there is actually a dip in these frequencies.

Additionally, the DER assessment (Based on the title of the graph) is an L_{Aeq} noise level of 59 minutes and 42 seconds. As the noise measurements were conducted inside (discussed further in this letter) and the duration of the measurement is longer than the assessment of motorbike noise, it is likely the tone at 50 Hz is attributable to background noise levels. Known sources of noise at this frequency are house hold items which operate on mains power such as refrigerators etc. It is noted that background noise levels are not provided in the DER report.

It is concluded that the DER assessment contains other noise sources at the 50Hz frequency which are not attributable to motorbike noise emissions, therefore the noise emissions of the Ducks Nuts Motorbike Park operations would not be tonal in characteristics, as noted in the HSA report.

2. Results

The DER state in the report that monitoring occurred for the entire 5-day period from 13th to 18th April 2017. As this was the Easter long weekend, the motorbike park was in full operation on every day including Friday 14th to Monday 17th April. Confirmation from the operators were that there were the same activities on each of these days i.e. motorbikes operating on the tracks.

The DER have based the assessable noise level attributable to the Ducks Nuts Motorbike Park on one 15:51 minute noise recording. The residence at the premise have noted on the log sheet that there were three periods over the course of the 4 days where motorbikes were audible, with one of these periods being attributable to motorbikes associated with another neighbour, not the Ducks Nuts Motorbike Park (i.e. neighbour to North).

The DER then go on to explain the representative assessment period (RAP) of 4 hours and the usage of the L_{A38} percentile for the noise assessment. Whilst this methodology is understood, it is not correct. The DER then go on to assume that this noise level over the 15:51 minute assessable duration would occur continually over the RAP of 4 hours.

Firstly, as previously discussed, the assessable noise level the DER are using has been proven to contain other noise levels not attributable to the Ducks Nuts operations. Secondly, if monitoring occurred for the entire four days of the Ducks Nuts operations and as noted by the residence was not audible, this evidence shows that the noise would not occur continually over every RAP of four hours as assumed by the DER.

For the sake of argument, if all the previous evidence was discounted, i.e. background influence; and the noise level was present at for 15:51 every 4 hours, to be assessable under the L_{A10} regulatory criteria the noise would need to be present for greater than 10% of the time, or 24 minutes. Therefore, if the assessable noise level as per the DER report was used, the correct Regulatory criteria would be the L_{A01} , which is 50 dB(A) for the same period assessed.

It is concluded that the DER assessment is incorrect and if all the other mitigating factors discounted (such as background noise influence), the time the noise was present, assessment of the noise emissions are required against the L_{A01} regulatory noise criteria.

3. Calibration

It is referenced in the DER report that calibration of the monitor was not conducted before and after the measurements as per the Noise Regulations requirements, with previous (15 weeks prior) and post calibrations used for the performance checks. However, when referencing the Log Sheet provided in the report, the pre-cal level has been noted as 58. It is unclear if a calibration was attempted and that this was the resultant noise level or this has been erroneously entered. Therefore, the validity of the calibration is questionable. Additionally, if the noted value in the Pre-Cal value is erroneously entered then it is questionable if the monitor was setup by an authorised person who under the Noise Regulations is competent and trained. It is noted that modern instruments rarely drift by significant amounts and the measurements are likely to be correct. However, given the small exceedance, even a small variation in the measured noise level compared to the actual noise levels could influence the assessment.

4. Inside Measurements

It is unclear why noise level measurements were conducted inside the building at 67 Calcoran Road. Under the Noise Regulations (Part 3, Regulation 19 (2)), for this type of premise (comprises a building with surrounding land) measurement of noise on a premise is not to be made inside a building. As the measurements were conducted inside, as the DER have highlighted in their report, noise levels can be subject to other influence associated with normal inside activities. This is discussed previously in point 1, tonality.

Additionally, as the inside measurements and subsequent analysis are based on conditions which can affect the recorded noise level, such as windows being open or closed, there is an ability for influence from a third party which makes the measured noise level questionable as to the actual condition that was present at the time of the noise.

When viewing the pictures provided in the DER report, it is noted that there are two windows in the room the monitoring was conducted in. It is unclear in the report if both these windows were open at the time of the measurement. It is also noted that the microphone was placed near to reflective surfaces with no correction factor being applied to the measured noise levels.

Further to the above, we note the Herring Storer Acoustics measurements and subsequent assessment have been conducted in accordance with the *Environmental Protection (Noise) Regulations 1997* and we believe that correct analysis of the DER measurements actually support the conclusion of our assessment, that noise from the motorbike park complies with the Regulations.

If you need more information, please do not hesitate to contact us.

Yours faithfully,
for HERRING STORER ACOUSTICS

Paul Daly

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1 List of Accounts Submitted for Council Approval and Payment – May 2017

File Ref. No:	NA
Disclosure of Interest:	Nil
Date:	8 th June 2017
Author:	Nichole Gould
Attachments:	9.1.1A List of May 2017 Trust Accounts 9.1.1B List of May 2017 Municipal Accounts

Summary

Council is to consider the May 2017 List of Accounts.

Background - Nil

Comment

Council is provided at Attachments 9.1.1A and 9.1.1B with a list of payments made from each of Council's bank accounts during the month of May 2017.

Strategic Implications - Nil

Statutory Environment – Nil

Policy Implications - Nil

Financial Implications - Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. to not note the list of accounts.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2017-44:

That Council receives the List of Accounts for May 2017 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 payments including payments from Council's:

1. Trust Fund in May 2017 totalling \$25,409.95 included at Attachment 9.1.1A; and
2. Municipal Fund in May 2017 totalling \$169,557.25 included at Attachment 9.1.1B.

Moved: Cr Newman

Seconded: Cr Dowling

Carried 6/0

**LIST OF TRUST FUND ACCOUNTS DUE AND SUBMITTED TO COUNCIL
MAY 2017**

Chq/EFT	Name	Description	Amount
01052017	Police Licensing	Licensing Payments	2,930.75
15052017	Police Licensing	Licensing Payments	1,806.85
16052017	Police Licensing	Licensing Payments	4,742.75
17052017	Police Licensing	Licensing Payments	937.70
18052017	Police Licensing	Licensing Payments	53.10
19052017	Police Licensing	Licensing Payments	277.80
22052017	Police Licensing	Licensing Payments	570.40
23052017	Police Licensing	Licensing Payments	645.90
24052017	Police Licensing	Licensing Payments	1,701.10
25052017	Police Licensing	Licensing Payments	970.95
26052017	Police Licensing	Licensing Payments	401.75
02052017	Police Licensing	Licensing Payments	691.15
30052017	Police Licensing	Licensing Payments	398.25
31052017	Police Licensing	Licensing Payments	1,523.80
03052017	Police Licensing	Licensing Payments	101.35
04052017	Police Licensing	Licensing Payments	905.60
05052017	Police Licensing	Licensing Payments	368.80
08052017	Police Licensing	Licensing Payments	99.60
09052017	Police Licensing	Licensing Payments	3,124.10
10052017	Police Licensing	Licensing Payments	2,308.65
12052017	Police Licensing	Licensing Payments	849.60
			25,409.95

**LIST OF MUNICIPAL FUND ACCOUNTS DUE AND SUBMITTED TO COUNCIL
MAY 2017**

Chq/EFT	Name	Description	Amount
01052017	14 - Rent On Forrest Street	Rent On Forrest Street	600.00
15052017	14 - Rent On Forrest Street	Rent On Forrest Street	600.00
17052017	15 - Rent For Grader Driver House	Rent For Grader Driver House	360.00
17052017	13 - Ato Clearing Account BAS	Ato Clearing Account BAS	28,249.00
29052017	14 - Rent On Forrest Street	Rent On Forrest Street	600.00
31052017	15 - Rent For Grader Driver House	Rent For Grader Driver House	360.00
03052017	15 - Rent For Grader Driver House	Rent For Grader Driver House	360.00
08052017	11 - Interest On Graders	Interest On Graders	722.83
08052017	12 - Loan Repayment No. 63 Graders	Loan Repayment No. 63 Graders	2,991.45
EFT2856	Telstra	Damage To Telstra Line - 91 Schoolars Road Cuballing On 9 January 2017	2,848.59
EFT2857	DJ Superannuation	Superannuation Contributions	180.68
EFT2858	Vicki Philipoff Settlements	Payment Of Land To Daw	16,469.83
EFT2859	Vicki Philipoff Settlements	Amended Professional Settlement Fees	159.80
EFT2860	Lazeaway Caravan Park	Push Up Popanyinning Rubbish Tip 3/04/17, 10/04/17, 20/04/17 & 24/04/17	1,276.00
EFT2861	Road Signs Australia	Cuballing Mens Shed Sign With Insert Sliders	541.20
EFT2862	DJ Superannuation	Superannuation Contributions	180.68
EFT2863	Afgri Equipment Australia Pty Ltd	Compressor	1,428.37
EFT2864	Air Liquide Pty Ltd	Cylinder Fee Size G & E	137.65
EFT2865	Ampac Debt Recovery	Legal Fees - Property Search, Pssso, Bailiff Fees, Gpc	1,789.32
EFT2866	Beaurepaires	Repair To Tyre - Materials, Lock Ring, Tyre Valve & Fitting	242.47
EFT2867	Bill & Bens Hot Bread Shop	20 X Fruit Scones, 20 X Plain Scones, 10 X Date Slice & 10 X Choc Slice - Biggest Morning Tea Event 25/05/17	68.40
EFT2868	Bitutek	Bituminous Spray Seal Works - Primerseal 95/5 Cutback Bitumen @ 1.6l/M2 & 10mm Aggregate X 3,656m2	10,236.69
EFT2869	Bruce Brennan	50% Reimbursement Synergy - B Brennan	176.92
EFT2870	Builders Registration Board Building Commission	April 2017 Building Forms	386.23
EFT2871	Burgess Rawson (WA) Pty Ltd	Water Usage - 15/02/17 - 19/04/17	45.61

Chq/EFT	Name	Description	Amount
EFT2872	Butler Settineri	Interim Audit Fees For Year Ending 30 June 2017	4,124.99
EFT2873	C&D Cutri	Preventative Maintenance On Bridge - 0428 - Reseal End Grains, Fungicide Treatment & Scour Repairs	1,540.00
EFT2874	Corsign (WA) Pty Ltd	4 X Reduce Speed Signs 600 X 600, 4 X Reduce Speed Signs 1200 X 300, 4 X Do Not Overtake Signs 1200 X 300, 4 X Prepare To Stop Signs 600 X 600, 1 X Traffic Signals 600 X 600, 2 X Security Notice This Area Is Under Surveillance 600 X 600	567.60
EFT2875	Covs	In Line Fuel Filter	71.13
EFT2876	Cuby Roadhouse	CEO Fuel	577.80
EFT2877	Dews Mini Excavations	Hire Of Excavator Put In Culverts Dig Out Inlets & Outlets 12hrs @ \$110.00 Per Hour	3,025.00
EFT2878	Edwards Motors Pty Ltd	90,000kms Service	328.90
EFT2879	Earl Street Surgery	Flu Vaccination & Hep B & Hep A - Darrel Marwick	151.00
EFT2880	Edge Planning & Property	Interim Invoice April 2017	1,285.35
EFT2881	Fairway Carriers	Freight Charges - Asphalt In A Bag	98.12
EFT2882	Great Southern Fuel Supplies	April Account - Bulk Diesel	7,525.60
EFT2883	Great Southern Waste Disposal	Rubbish Removal 28/03/17 To 25/04/17 - House Hold Service X 251	6,877.20
EFT2884	Kareem Pty Ltd	Supply Of 51 Loads Of Water @ \$10 Per Load	561.00
EFT2885	Komatsu Australia Pty Limited	Carry Out 1000hr Service And Checks - Filters, Cartridges, Elements, Oils, Labour	3,377.82
EFT2886	Landgate	Annual Uv Roll 2017/18	6,377.10
EFT2887	Linton Park Farms Pty Ltd	Lease Payment For Land For Shire Dam 2016/2017	1,650.00
EFT2888	Makit Narrogin Hardware	Black Sikaflex & Caulking	114.10
EFT2889	MJB Industries Pty Ltd	Supply & Delivery Of Pipes 2.34m 300mm Class 2 X 10 With Rings & Headwalls Mrwa Spec 300mm Single Pipe X 6	9,636.00
EFT2890	Market Creations	Synergy Backup In The Cloud April 2017	517.47
EFT2891	Marketforce	Public Notice - Advert - Narrogin Observer 27/04/17 Planning Proposal Lot 2 Springhill Rd, Cuballing	179.50
EFT2892	Mcdougall Weldments	Roll Mig Wire & Gal Sheet	160.76
EFT2893	Moore Stephens (WA) Pty Ltd	Financial & Management Reporting Workshops -	1,595.00

Chq/EFT	Name	Description	Amount
		Financial Reporting Workshop May 17	
EFT2894	Narrogin Auto Electrics	2 X Batteries	756.50
EFT2895	Narrogin Smash Repairs	Supply & Fit New Laminated Windscreen & Mouldings	396.80
EFT2896	Narrogin Country Fresh Meats	Council Meeting - 12 X Pieces Scotch Fillet Steak & 1kg Bbq Sausage	94.92
EFT2897	Narrogin Packaging	3 X Boxes Toilet Rolls & 3 X Towels	427.65
EFT2898	Narrogin Pumps Solar And Spraying	Layflat Blue Pipe, Camlocks & H/Duty Hose Clamps	502.92
EFT2899	Primaries - Narrogin	Pallet Of Cement - 56 X 20kg Bags	753.59
EFT2900	Pictures For Pleasure	Framing Of Queen Elizabeth Portrait	120.00
EFT2901	Ray White Real Estate	Water Consumption - 1 Forrest St Cuballing 15/02/17 To 20/04/17	93.02
EFT2902	Shire Of Narrogin	Ranger Services - 1/05/17 1hr @ \$80.00 & Travel 45kms @ \$0.97	123.65
EFT2903	SOS Office Equipment	Photocopier Meter Reading Dcvc4475 24/03/17 To 25/04/17	719.27
EFT2904	Security Man Pty Ltd	Quarterly Monitoring Account For Security System	110.00
EFT2905	Shire Of Broomehill - Tambellup	Certificate Of Compliance A2551, Building Services Levy - Bht201617014	391.65
EFT2906	Staples Australia Pty Ltd	White Board For Ceo Office	648.84
EFT2907	Toll Ipec (Courier Australia)	Freight Charges - Road Signs Australia	249.89
EFT2908	Tonya Williams	50% Reimbursement - Ballards Gas - T Williams	125.00
EFT2909	Western Stabilisers	Cement Stabilisation - Basecourse, 2 Layer Sub- Base, 2 Layer Bc & Mobilisation	12,274.09
EFT2910	Wilson's Sign Solutions	Plaque For Cuballing War Memorial "For Those Who Have To Those Who Gave" & Postage	176.00
DD1300.1	Ilnet Limited	Nbn Wireless Limitless Boost Inc Lnm Calls	90.89
DD1307.1	Bigair Cloud Managed Services Pty Ltd	Internet Service May 2017	134.64
DD1311.1	Hostplus Super	Superannuation Contributions	209.84
DD1311.2	WA Local Government Super Plan	Payroll Deductions	5,609.58
DD1311.3	Westscheme Superannuation	Superannuation Contributions	593.69
DD1311.4	Australian Super	Superannuation Contributions	408.90
DD1311.5	Matrix Superannuation	Superannuation Contributions	74.13

Chq/EFT	Name	Description	Amount
DD1311.6	DJ Superannuation	Superannuation Contributions	180.68
14541	Synergy	Electricity Charges - Street Lighting 25/03/17 To 24/04/17	575.10
14542	Telstra	Service Charges - Shire Office	495.72
14543	Water Corporation	Water Charges - Standpipe Ridley St Cuballing	2,065.95
14544	Australian Super	Superannuation Contributions	408.90
14545	Hostplus Super	Superannuation Contributions	209.84
14546	Matrix Superannuation	Superannuation Contributions	64.32
14547	WA Local Government Super Plan	Superannuation Contributions	5,562.63
14548	Westscheme Superannuation	Superannuation Contributions	593.69
14549	Building & Construction Industry Training	BCITF Forms April 2017	360.90
14550	Synergy	Electricity Charges - U 3 22 Campbell St Cuballing	2,704.20
14551	Shire Of Cuballing	Building Application Fee - Lot 414 Campbell St Cuballing Equestrian Centre Shade Shelter, Building Services Levy, Building Services Commission, Building Construction Industry Training Fund Levy, BCITF Commission	898.95
14552	Telstra	Mobile Charges - Building Surveyor Mobile	479.77
14553	Water Corporation	Water Charges - Hall Francis St Popo	33.85
184853	Australian Super	Superannuation Contributions	408.90
184854	Hostplus Super	Superannuation Contributions	209.84
184855	Matrix Superannuation	Superannuation Contributions	66.50
184856	WA Local Government Super Plan	Superannuation Contributions	5,594.39
184857	Westscheme Superannuation	Superannuation Contributions	590.05
26052017	Commonwealth Bank	Bank Fees	9.99
26052017	Commonwealth Bank	Survey Monkey – Strategic Community Plan	30.00
26052017	Commonwealth Bank	Spot Messenger	731.60
26052017	Commonwealth Bank	Spot Messenger Transaction Fee	18.29
26052017	Commonwealth Bank	Accommodation – Staff Training	187.00
26052017	Commonwealth Bank	Fuel OCN	206.87
26052017	Commonwealth Bank	Accommodation & Meals – Staff Training	366.95
26052017	Commonwealth Bank	Members Refreshments	63.75
			169,557.25

9.1.2 Statement of Financial Activity

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	7 th June 2017
Author:	Tonya Williams, Deputy Chief Executive Officer
Attachments:	9.1.2A Statement of Financial Activity 9.1.2A

Summary

Council is to consider the Statement of Financial Activity for May 2017.

Background

As per the Financial Management Regulation 34 each Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month with the following detail

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Include an operating statement, and
- Any other required supporting notes.

Comment

General Purpose Funding

Discount amount was higher than budgeted, this will result in a permanent difference to the amount of Rates available for funding projects in the year.

Governance

LSL reimbursements from other Shire's was not budgeted but has been recouped.

Law, Order & Public Safety

Expenditure is lower than budgeted as the contract Ranger was not appointed until November, creating a timing difference.

Education & Welfare

Expected to have spent funds on Aged Housing (\$20,000), this has not occurred to due project delays.

Housing

Salary Sacrifice for Grader Driver House not commenced until September, this has created a permanent difference.

Community Amenities

Additional Planning Fees have been received. Tip maintenance costs are lower than expected. Manning of tip stations has occurred slightly later than expected, resulting in a timing difference for wages. Contractor cost of rubbish collection currently lower than budgeted. Expected to pay

contribution to the Great Southern Waste Group, not yet paid creating a timing difference (\$5,000).

Recreation and Culture

Additional Recreation Centre hire fees have been received. Maintenance costs of Recreation and the Cuballing Recreation Centre are higher than budgeted. Unbudgeted work was completed on the CWA Hall for a new air conditioner and additional power points to accommodate different community groups now using the facility.

Transport

Final Storm Damage claim works expenditure delayed, no further income has been claimed as a result. Road and bridge maintenance costs are lower than budgeted, expect this to change after the completion of the capital works program.

Economic Services

Central Country Zone Golf Day expenditure was not budgeted for, this has no overall impact as all funds were paid out to the Cuballing Golf Club for running the day. Feral Cat management expenses were not budgeted for (\$2,000). Yornaning Dam funds (\$5,000) were allocated to be spent but have not yet been allocated.

Other Property and Services

Loss on disposal is higher than budgeted due to Fair Value revaluations made for 30 June 2016 (\$7,743).

Capital Expenditure

Regional Road Group project will not be completed this financial year due to the February flooding impact on the culvert installation. The final 20% of funding will not be claimed in this financial year. Some expenditure ongoing for Roads to Recovery projects that should be completed in May. Ongoing works on the Grain Freight Route, this expenditure was delayed creating a timing difference.

Construction on the Popanyinning Transfer Station will continue longer than budgeted, the shed is constructed but fencing is not due to be completed until June 2017.

Revaluation of Plant & Equipment at the end of 2015/16 increased the value of the previous Building vehicle. This created a higher than budgeted loss on the trade in of the asset.

Detailed breakdown of all variances provided in Note 2 of the Statement of Financial Activity.

Administration Allocations done to May 2017.

Depreciation expenses calculated to May 2017.

Strategic Implications - Nil

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications – Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. not to receive the Statement of Financial Activity

Voting Requirements – Simple Majority

COUNCIL DECISION – 2017-45:

That the Statement of Financial Activity, as included at Attachment 9.1.2A for the Shire of Cuballing for period ending 31st May 2017 be received

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 May 2017

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Monthly Summary Information	2 - 3
Statement of Financial Activity by Program	4
Statement of Financial Activity By Nature or Type	5
Statement of Capital Acquisitions and Capital Funding	6
Note 1 Significant Accounting Policies	7 - 10
Note 2 Explanation of Material Variances	11
Note 3 Net Current Funding Position	12
Note 4 Cash and Investments	13
Note 5 Budget Amendments	14
Note 6 Receivables	15
Note 7 Cash Backed Reserves	16
Note 8 Capital Disposals	17
Note 9 Rating Information	18
Note 10 Information on Borrowings	19
Note 11 Grants and Contributions	20
Note 12 Trust	21
Note 13 Details of Capital Acquisitions	22 - 26

**Shire of Cuballing
Information Summary
For the Period Ended 31 May 2017**

Key Information

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 31 May 2017 of \$748,545.

Items of Significance

The material variance adopted by the Shire of Cuballing for the 2016/17 year is \$5,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

Capital Expenditure

Land and Buildings	▲	\$ 172,572	Minor completion works
Infrastructure - Roads	▲	\$ 177,830	Regional road group
Plant and Equipment	-	\$ 1,170	No material variance

Capital Revenue

Grants, Subsidies and Contributions	(\$62,902)	All Roads to Recovery and
Proceeds from Disposal of Assets	(\$782)	No material variance

	Collected / Complete	Annual Budget	YTD Budget	YTD Actual
Significant Projects				
DREC Weather Shelter	24%	\$ 96,869	\$ 96,869	\$ 23,458
Popanyinning Transfer Station	49%	\$ 148,451	\$ 148,452	\$ 72,374
RRG - Wandering Narrogin Road	72%	\$ 496,800	\$ 496,800	\$ 356,538
Grants, Subsidies and Contributions				
Operating Grants, Subsidies and Contributions	97%	\$ 1,052,784	\$ 727,702	\$ 1,026,299
Non-operating Grants, Subsidies and Contributions:	79%	\$ 1,017,793	\$ 914,799	\$ 800,984
	88%	\$ 2,070,577	\$ 1,642,501	\$ 1,827,283
Rates Levied	99%	\$ 1,039,987	\$ 1,039,986	\$ 1,031,127

% Compares current ytd actuals to annual budget

Financial Position

		Prior Year	Current Year
Adjusted Net Current Assets	185%	\$ 404,732	\$ 748,545
Cash and Equivalent - Unrestricted	238%	\$ 276,741	\$ 658,416
Cash and Equivalent - Restricted	104%	\$ 1,282,569	\$ 1,334,088
Receivables - Rates	#DIV/0!	\$ -	\$ 67,899
Receivables - Other	22%	\$ 111,480	\$ 24,761
Payables	13%	\$ 104,083	\$ 13,292

% Compares current ytd actuals to prior year actuals at the same time

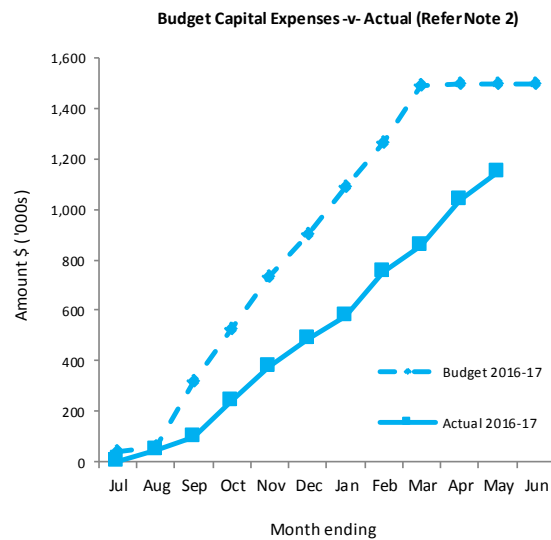
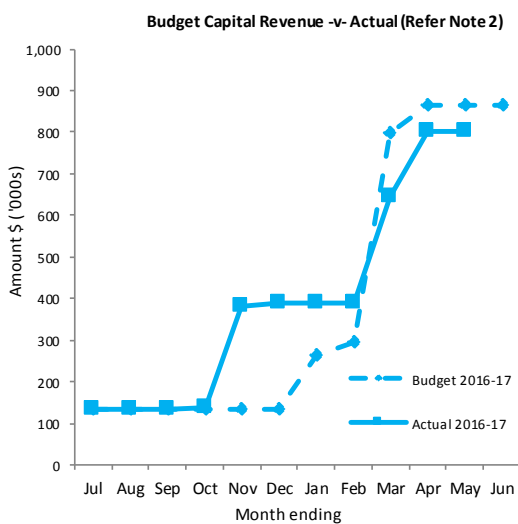
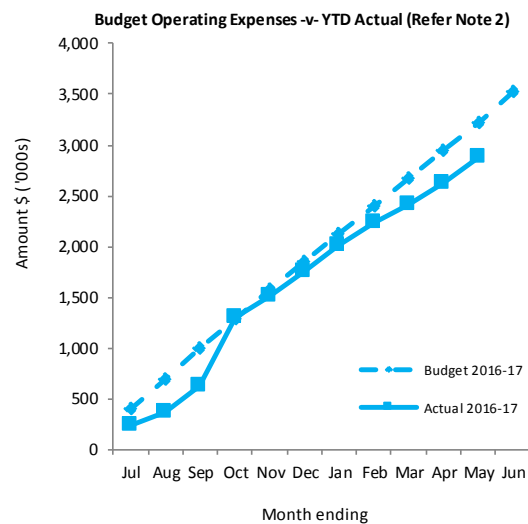
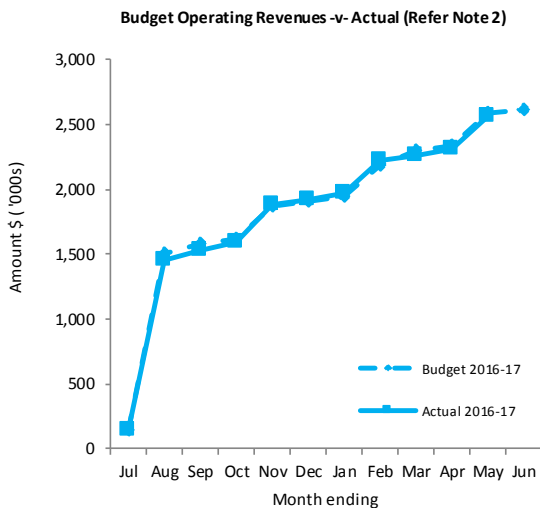
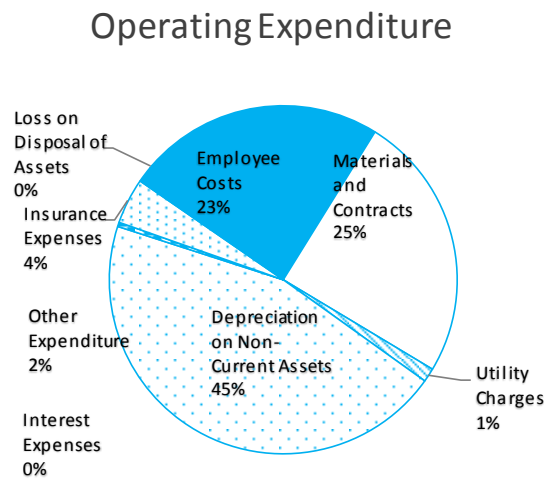
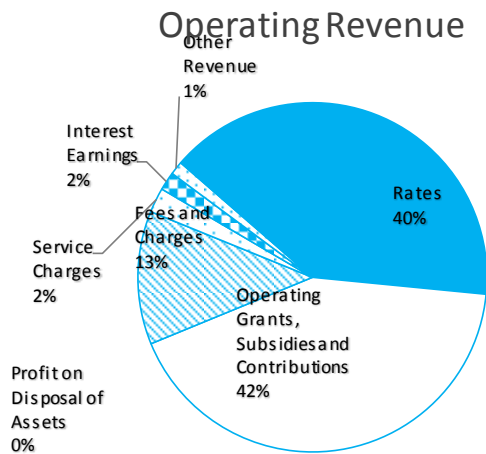
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of

Preparation

Prepared by: Tonya Williams, DCEO

Reviewed by: Gary Sherry, CEO

Shire of Cuballing
Information Summary
For the Period Ended 31 May 2017



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

SHIRE OF CUBALLING
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 May 2017

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	3	169,358	169,029	169,029	0	0%	
Revenue from operating activities							
Governance		3,150	3,101	36,042	32,941	1062%	▲
General Purpose Funding	9	1,639,907	1,636,943	1,639,952	3,009	0%	
Law, Order and Public Safety		26,400	26,400	28,930	2,530	10%	
Health		1,500	950	2,344	1,394	147%	
Education and Welfare		0	0	0	0		
Housing		4,680	4,290	3,780	(510)	(12%)	
Community Amenities		58,350	58,087	62,423	4,336	7%	
Recreation and Culture		9,795	9,757	10,659	902	9%	
Transport		477,157	476,263	446,908	(29,355)	(6%)	
Economic Services		65,000	59,331	94,340	35,009	59%	▲
Other Property and Services		258,000	234,955	242,256	7,301	3%	
		2,543,939	2,510,077	2,567,634			
Expenditure from operating activities							
Governance		(126,635)	(99,304)	(105,780)	(6,476)	(7%)	
General Purpose Funding		(59,356)	(54,940)	(49,201)	5,739	10%	▲
Law, Order and Public Safety		(131,070)	(121,759)	(107,532)	14,227	12%	▲
Health		(40,339)	(36,819)	(33,634)	3,185	9%	
Education and Welfare		(54,439)	(41,438)	(10,372)	31,066	75%	▲
Housing		(51,022)	(46,842)	(46,744)	98	0%	
Community Amenities		(369,431)	(333,590)	(267,426)	66,164	20%	▲
Recreation and Culture		(283,284)	(257,296)	(278,197)	(20,901)	(8%)	
Transport		(2,043,332)	(1,874,032)	(1,638,335)	235,698	13%	▲
Economic Services		(145,495)	(129,612)	(135,128)	(5,516)	(4%)	
Other Property and Services		(224,687)	(208,201)	(205,667)	2,533	1%	
		(3,529,090)	(3,203,833)	(2,878,017)			
Operating activities excluded from budget							
Add back Depreciation		1,274,700	1,168,398	1,297,620	129,222	11%	▲
Adjust (Profit)/Loss on Asset Disposal	8	1,541	1,541	7,743	6,202	402%	▲
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		291,090	476,184	994,980			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	11	940,255	863,886	800,984	(62,902)	(7%)	
Proceeds from Disposal of Assets	8	18,597	18,597	17,815	(782)	(4%)	
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(291,390)	(291,391)	(118,819)	172,572	59%	▲
Infrastructure Assets	13	(1,092,512)	(1,092,492)	(914,662)	177,830	16%	▲
Plant and Equipment	13	(113,000)	(113,000)	(114,170)	(1,170)	(1%)	
Furniture and Equipment	13	0	0	0	0		
Amount attributable to investing activities		(538,050)	(614,400)	(328,852)			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	7	250,470	0	0	0		
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(67,368)	(56,174)	(56,174)	0	0%	
Transfer to Reserves	7	(105,500)	(30,438)	(30,438)	0	0%	
Amount attributable to financing activities		77,602	(86,612)	(86,612)			
Closing Funding Surplus(Deficit)	3	0	(55,800)	748,545			

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

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

SHIRE OF CUBALLING
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 May 2017

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	3	169,358	169,029	169,029	0	0%	
Revenue from operating activities							
Rates	9	1,039,987	1,039,986	1,031,127	(8,859)	(1%)	
Operating Grants, Subsidies and Contributions	11	1,066,508	1,065,700	1,084,690	18,990	2%	
Fees and Charges		326,945	299,899	316,982	17,083	6%	
Service Charges		57,000	57,000	58,950	1,950	3%	
Interest Earnings		34,500	31,536	43,883	12,347	39%	▲
Other Revenue		19,000	17,497	32,001	14,504	83%	▲
Profit on Disposal of Assets	8	0	0	0			
		2,543,940	2,511,618	2,567,634			
Expenditure from operating activities							
Employee Costs		(823,752)	(740,388)	(646,278)	94,110	13%	▲
Materials and Contracts		(1,183,409)	(1,065,488)	(712,192)	353,296	33%	▲
Utility Charges		(44,470)	(41,171)	(36,958)	4,213	10%	▲
Depreciation on Non-Current Assets		(1,274,700)	(1,168,398)	(1,297,620)	(129,222)	(11%)	▼
Interest Expenses		(12,746)	(11,249)	(11,351)	(102)	(1%)	
Insurance Expenses		(125,274)	(125,273)	(122,389)	2,884	2%	
Other Expenditure		(63,200)	(51,866)	(43,486)	8,380	16%	▲
Loss on Disposal of Assets	8	(1,541)	(1,541)	(7,743)			
		(3,529,091)	(3,205,374)	(2,878,017)			
Operating activities excluded from budget							
Add back Depreciation		1,274,700	1,168,398	1,297,620	129,222	11%	▲
Adjust (Profit)/Loss on Asset Disposal	8	1,541	1,541	7,743	6,202	402%	▲
Amount attributable to operating activities		291,090	476,184	994,980			
Investing activities							
Grants, Subsidies and Contributions	11	940,255	863,886	800,984	(62,902)	(7%)	
Proceeds from Disposal of Assets	8	18,597	18,597	17,815	(782)	(4%)	
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(291,390)	(291,391)	(118,819)	172,572	59%	▲
Infrastructure Assets	13	(1,092,512)	(1,092,492)	(914,662)	177,830	16%	▲
Plant and Equipment	13	(113,000)	(113,000)	(114,170)	(1,170)	(1%)	
Furniture and Equipment	13	0	0	0	0		
Amount attributable to investing activities		(538,050)	(614,400)	(328,852)			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	7	250,470	0	0	0		
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(67,368)	(56,174)	(56,174)	0	0%	
Transfer to Reserves	7	(105,500)	(30,438)	(30,438)	0	0%	
Amount attributable to financing activities		77,602	(86,612)	(86,612)			
Closing Funding Surplus (Deficit)	3	0	(55,800)	748,545	804,345	(1441%)	

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

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

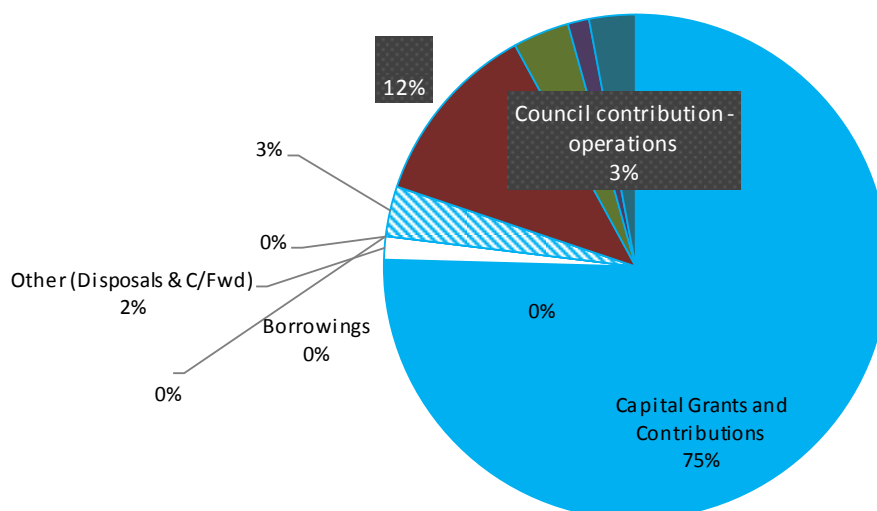
SHIRE OF CUBALLING
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 May 2017

Capital Acquisitions

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Budget (d)	Annual Budget	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	0	0	291,391	291,390	118,819	(172,572)
Infrastructure Assets	13	0	0	1,092,492	1,092,512	914,662	(177,830)
Plant and Equipment	13	0	0	113,000	113,000	114,170	1,170
Capital Expenditure Totals		0	0	1,496,883	1,496,902	1,147,651	(349,232)

Capital acquisitions funded by:

Capital Grants and Contributions				914,799	940,255	800,984	
Borrowings				0	0	0	
Other (Disposals & C/Fwd)				18,597	18,597	17,815	
Council contribution - Cash Backed Reserves				0	250,470	0	
Plant and Equipment Reserve				0	0	0	
Administration Building and Office Equipment Reserve				0	0	0	
Housing Reserve				0	40,000	0	
Recreation and Community Facility Reserve				0	0	0	
Refuse Site Reserve				0	148,451	0	
Grain Freight Reserve				0	45,019	0	
Equestrian Reserve				0	17,000	0	
Council contribution - operations				563,488	37,110	328,852	
Capital Funding Total				1,496,883	1,246,432	1,147,651	

Budgeted Capital Acquisitions Funding

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 1: Significant Accounting Policies**(a) Basis of Accounting**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories**General**

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Asset	Years
Buildings	30 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Sealed roads and streets	
formation	not depreciated
pavement	50 years
seal	
bituminous seals	20 years
asphalt surfaces	25 years
Gravel Roads	
formation	not depreciated
pavement	50 years
gravel sheet	12 years
Formed roads	
formation	not depreciated
pavement	50 years
Footpaths - slab	20 years

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for

(p) Nature or Type Classifications**Rates**

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies,

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax,

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

(r) Program Classifications (Function/Activity)

City/Town/Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE**Objective:**

To provide a decision making process for the efficient allocation of scarce resources.

Activities:

Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern specific council services.

GENERAL PURPOSE FUNDING**Objective:**

To collect revenue to allow for the provision of services.

Activities:

Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY**Objective:**

To provide services to help ensure a safer and environmentally conscious community.

Activities:

Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.

HEALTH**Objective:**

To provide an operational framework for environmental and community health.

Activities:

Inspection of food outlets and their control, provision of meat inspection services, noise control and waste disposal

EDUCATION AND WELFARE**Objective:**

To provide services to disadvantaged persons, the elderly, children and youth.

Activities:

Maintenance of child minding centre, playgroup centre, senior citizen centre and aged care centre. Provision and maintenance of home and community care programs and youth services.

HOUSING**Objective:**

To provide and maintain elderly residents housing.

Activities:

Provision and maintenance of elderly residents housing.

COMMUNITY AMENITIES**Objective:**

To provide services required by the community.

Activities:

Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery

RECREATION AND CULTURE**Objective:**

To establish and effectively manage infrastructure and resource which will help the social well being of the

Activities:

Maintenance of public halls, civic centres, aquatic centre, beaches, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, museum and other

TRANSPORT**Objective:**

To provide safe, effective and efficient transport services to the community.

Activities:

Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.

ECONOMIC SERVICES**Objective:**

To help promote the shire and its economic wellbeing.

Activities:

Tourism and area promotion including the maintenance and operation of a caravan park. Provision of rural services including weed control, vermin control and standpipes. Building Control.

OTHER PROPERTY AND SERVICES**Objective:**

To monitor and control City/Town/Shire overheads operating accounts.

Activities:

Private works operation, plant repair and operation costs and engineering operation costs.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2016/17 year is \$5,000 or 10% whichever is the greater.

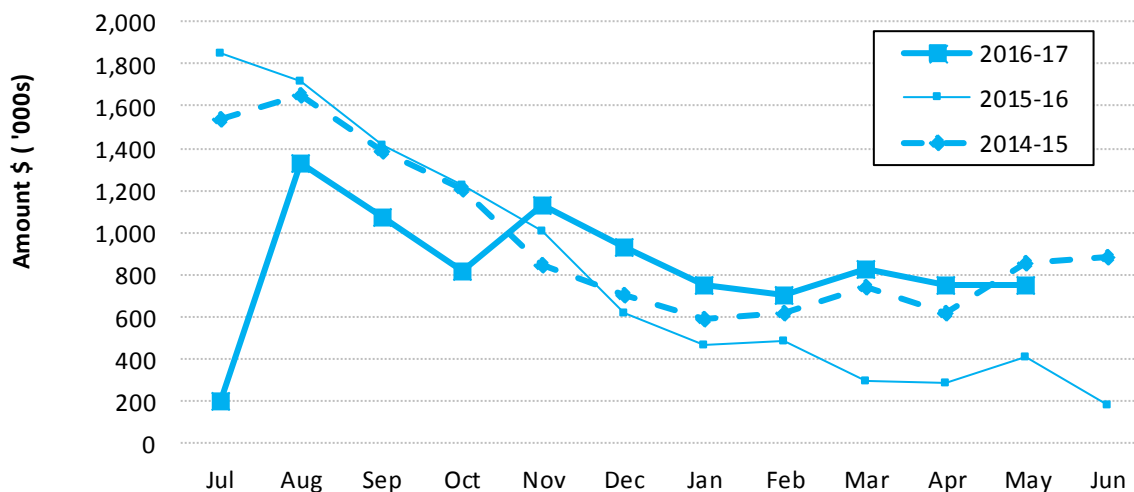
Reporting Program	Var. \$	Var. %	V.	Timing/ Permane	Explanation of Variance
Operating Revenues					
General Purpose Funding	\$ 3,009	0%		Permanent	No material variance Creditor payment correction (double receipted) was made from 2015/16 in 2016/17 for \$1,058.26.
Governance	32,941	1062%	▲	Permanent	Reimbursements from LSL paid (not budgeted). DFES Administration Fee of \$4,000 was not budgeted. No Infringements received.
Law, Order and Public Safety	2,530	10%		Timing	Additional Septic Approvals.
Health	1,394	147%		Timing	Salary sacrifice for Grader Driver House under Budgeted, as no employee payroll till Sept.
Housing	(510)	(12%)		Permanent	Additional Planning Application fees received.
Community Amenities	4,336	7%		Timing	Additional Rubbish Collection fees collected.
Recreation and Culture	902	9%		Timing	Additional Recreation Center Hire fees Budgeted to have completed Storm Damage Works in Q1, has not occurred (\$30,307). Licensing commission slightly lower than budgeted.
Transport	(29,355)	(6%)		Timing	Additional Building Licence fees received. Central Country Zone Gold Day fees, unbudgeted expense (paid to Cuballing Golf Club).
Economic Services	35,009	59%	▲	Timing	Diesel Fuel Rebate and workers compensation claims more than budgeted.
Other Property and Services	7,301	3%		Timing	
Operating Expense					
General Purpose Funding	5,739	10%	▲	Timing	Administration expenses lower than budgeted. Legal Fees to be allocated out to Rates Assessments.
Governance	(6,476)	(7%)	▲	Timing	Council Refreshments and Training under Budget. Ranger costs lower than expected (contract Ranger not engaged until November). Community Safety wages lower than budgeted.
Law, Order and Public Safety	14,227	12%	▲	Timing	EHO Salary lower than budgeted.
Health	3,185	9%		Timing	Expected to have spent funds on Aged Housing (\$20,000), this has not occurred to due project delays.
Education & Welfare	31,066	75%	▲	Timing	No material variance.
Housing	98	0%		Timing	Tip maintenance costs lower than expected as manning of tip stations started later than budgeted. Rubbish Collection Fees currently less than budgeted. Town Planning consultant fees lower than budgeted. Expected to pay contribution to GSWG, not yet paid creating a timing difference (\$5,000).
Community Amenities	66,164	20%	▲	Timing	Maintenance costs on Halls (replaced air con and installed new powerpoints at CWA Hall not budgeted), Recreation (additional wages) and the Cuballing Recreation Centre (additional wages) are more than budgeted.
Recreation and Culture	(20,901)	(8%)		Timing	Expenditure on final storm damage works delayed (\$40,409). Road and bridge maintenance costs lower than budgeted, expect these to pick up again after the capital works program is completed.
Transport	235,698	13%	▲	Timing	Central Country Zone Golf Day payments to Cuballing Golf Club, unbudgeted expense (\$4,865). Feral Cat Management expenditure not budgeted (\$2,000). Yornaning Dam expenditure (\$5,000) budgeted but not spent.
Economic Services	(5,516)	(4%)		Permanent	Workers compensation claims are higher than budgeted. Loss on disposal is higher than budgeted due to Fair Value revaluations made for 30 June 2016 (\$7,743).
Other Property and Services	2,533	1%		Permanent	
Capital Revenues					
Grants, Subsidies and Contributions	(62,902)	(7%)			All Roads to Recovery and Blackspot payments received. Final 20% of Regional Road Group payments will not be claimed this financial year due to delays in project completion (\$66,240).
Proceeds from Disposal of Assets	(782)	(4%)		Permanent	No material variance
Capital Expenses					
Land and Buildings	172,572	59%	▲	Timing	Minor completion works undertaken at the Cuballing Transfer Station. Construction of Popanyinning Transfer Station will continue longer than budgeted, shed is constructed but fencing and station wall not due for completion until June 2017.
Infrastructure - Roads	177,830	16%	▲	Timing	Regional road group expenditure delayed until next financial year. Overall underspend on Roads to Recovery.
Plant and Equipment	(1,170)	(1%)		Timing	No material variance
Furniture and Equipment	0				No material variance
Financing					
Loan Principal	0	0%			No material variance

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 3: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	This Time Last Year	Current
	Note	30 June 2017	30 May 2016	31 May 2017
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	129,820	276,741	658,629
Cash Restricted	11	0	0	0
Cash Reserves	4	1,303,650	1,282,569	1,334,088
Receivables - Rates	6	41,871	0	67,899
Receivables - Other	6	97,802	111,480	24,761
Interest / ATO Receivable/Trust		0	0	6,928
Inventories		3,619	7,197	3,619
		1,576,762	1,677,987	2,095,925
Less: Current Liabilities				
Payables and Provisions		(104,083)	9,314	(13,292)
		(104,083)	9,314	(13,292)
Less: Cash Reserves	7	(1,303,650)	(1,282,569)	(1,334,088)
Net Current Funding Position		169,029	404,732	748,545

Note 3 - Liquidity Over the Year**Comments - Net Current Funding Position**

FAGS Allocation in 16/17 is paid in quarterly installments, in 15/16 there was an advance.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	255,381			255,381	CBA	0.00%	At Call
Investment Account	402,335			402,335	CBA	1.75%	At Call
Trust Bank Account			25,814	25,814	CBA	0.00%	At Call
Cash On Hand	700			700	N/A	Nil	On Hand
Reserves Account		2,904		2,904	CBA	0.00%	At Call
(b) Term Deposits							
Reserves Term Deposit 1		436,843		436,843	CBA	2.25%	09-Jun-17
Reserves Term Deposit 2		438,669		438,669	CBA	1.94%	07-Jun-17
Reserves Term Deposit 3		455,673		455,673	CBA	1.94%	02-Jun-17
Total	658,416	1,334,088	25,814	2,018,319			

Comments/Notes - Investments

Reserve Funds are on a rolling maturity schedule to maximise interest, linked to a Reserve transaction account.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 5: Budget Amendments

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

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget Adoption						0
	Permanent Changes						0
							0
	Changes Due to Timing						0
							0
							0
				0	0	0	

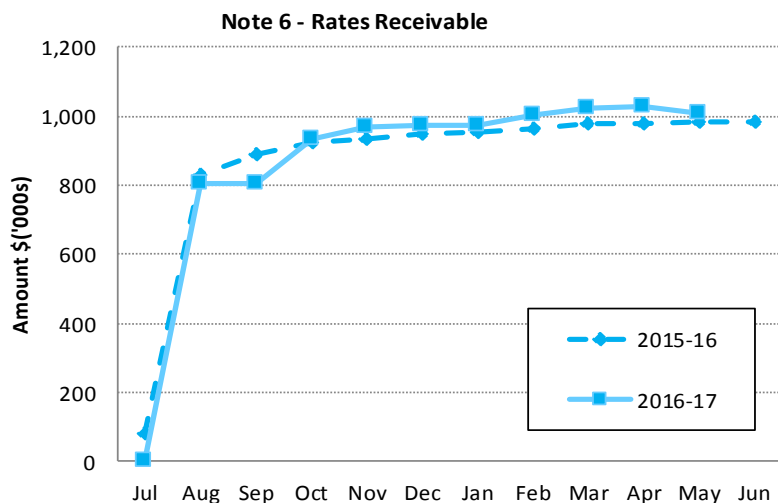
SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 6: Receivables

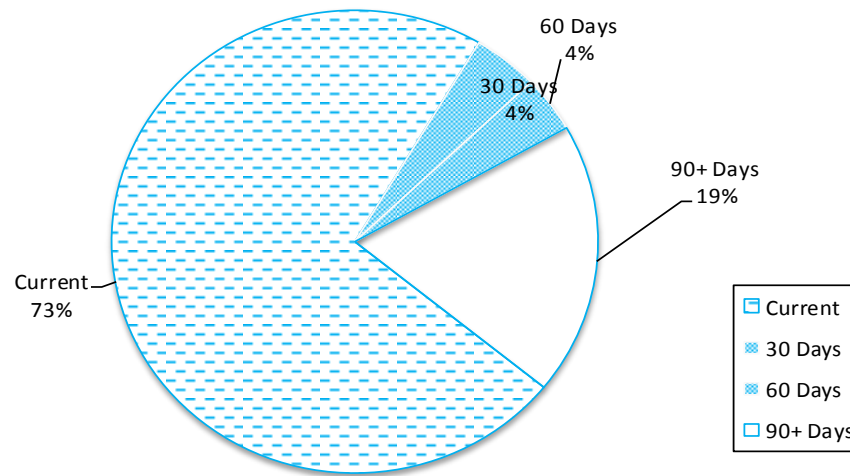
Receivables - Rates Receivable	31 May 2017	30 June 2016
	\$	\$
Opening Arrears Previous Years	47,139	39,377
Levied this year	1,031,127	996,640
Less Collections to date	(1,008,231)	(988,878)
Equals Current Outstanding	70,035	47,139
Net Rates Collectable	70,035	47,139
% Collected	93.50%	95.45%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	18,000	1,082	969	4,711	24,761
Balance per Trial Balance					
Sundry Debtors					24,761
Receivables - Other					6,928
Total Receivables General Outstanding					31,690

Amounts shown above include GST (where applicable)



Note 6 - Accounts Receivable (non-rates)



Comments/Notes - Receivables Rates

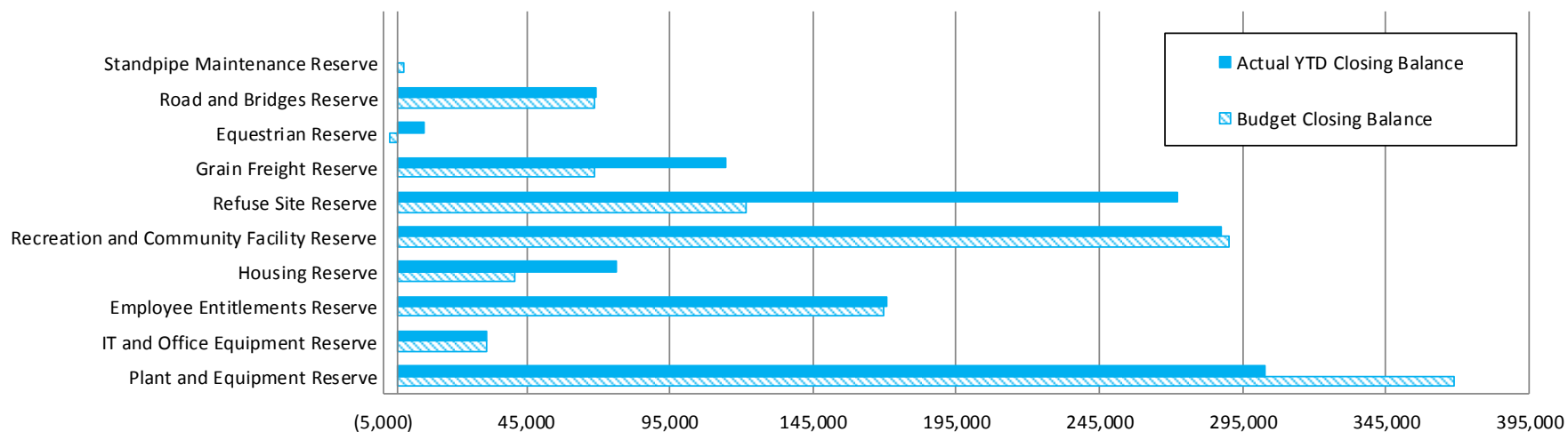
Rates Issue Date - 5th August 2016
 Discount Period Ends - 26 August 2016
 Rates Due - 9 September 2016
 81 on Instalment Option

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 7: Cash Backed Reserve

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant and Equipment Reserve	295,806	4,538	6,907	68,500	0	0	0	368,844	302,712
IT and Office Equipment Reserve	30,555	469	713	0	0	0	0	31,024	31,268
Employee Entitlements Reserve	166,928	2,561	3,898	0	0	0	0	169,489	170,825
Housing Reserve	74,799	1,148	1,746	5,000	0	(40,000)	0	40,947	76,546
Recreation and Community Facility Reserve	281,087	4,312	6,563	5,000	0	0	0	290,399	287,650
Refuse Site Reserve	265,878	4,079	6,208	0	0	(148,451)	0	121,506	272,086
Grain Freight Reserve	111,783	1,715	2,610	0	0	(45,019)	0	68,479	114,393
Equestrian Reserve	9,288	142	217	5,000	0	(17,000)	0	(2,570)	9,504
Road and Bridges Reserve	67,527	1,036	1,577	0	0	0	0	68,563	69,103
Standpipe Maintenance Reserve	0	0	0	2,000	0	0	0	2,000	0
	1,303,650	20,000	30,438	85,500	0	(250,470)	0	1,158,680	1,334,088

Note 7 - Year To Date Reserve Balance to End of Year Estimate



SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 8: Disposal of Assets

Asset Number	Asset Description	YTD Actual				Amended Budget			
		Net Book Value	Proceeds	Profit (Loss)		Net Book Value	Proceeds	Profit (Loss)	
		\$	\$	\$		\$	\$	\$	\$
	Plant and Equipment								
3	CN027 Mitsubishi Triton (Building)	25,558	17,815	(7,743)		20,137	18,597	0	(1,541)
		25,558	17,815	0	(7,743)	20,137	18,597	0	(1,541)

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 9: Rating Information

RATE TYPE	Rate in	Number of Properties	Rateable Value	YTD Actual			Amended Budget				
				Rate Revenue	Interim Rates	Back Rates	Total Revenue	Rate Revenue	Interim Rate	Back Rate	Total Revenue
	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV	6.9560	166	2,122,347	147,630	208	0	147,839	147,630	0	0	147,630
UV	0.7078	216	103,735,000	734,236	(1,397)	0	732,839	734,236	0	0	734,236
Sub-Totals		382	105,857,347	881,867	(1,189)	0	880,679	881,866	0	0	881,867
Minimum Payment	\$										
GRV	660.00	162	768,488	106,920	0	0	106,920	106,920	0	0	106,920
UV	840.00	130	11,239,152	109,200	0	0	109,200	109,200	0	0	109,200
Sub-Totals		292	12,007,640	216,120	0	0	216,120	216,120	0	0	216,120
		674	117,864,987	1,097,987	(1,189)	0	1,096,799	1,097,986	0	0	1,097,987
Discount							(65,545)				(58,000)
Write Off							(126)				
Amount from General Rates							1,031,127				1,039,987
Ex-Gratia Rates							0				0
Specified Area Rates							0				0
Totals							1,031,127				1,039,987

Comments - Rating Information

All land except exempt land in the Shire of Cuballing is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above for the 2016/17 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 10: Information on Borrowings

(a) Debenture Repayments

Particulars	Loan Date	Years	Principal at 1/07/2016	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
					Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
					\$	\$	\$	\$	\$	\$
Transport										
Loan 62 - Loader	11/08/2008	10	66,034		23,745	31,925	42,289	34,109	2,912	3,617
Loan 63 - Graders	7/02/2014	8	223,124		32,429	35,442	190,695	187,682	8,428	9,129
			289,158	0	56,174	67,368	232,984	221,790	11,340	12,746

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

Note 11: Grants and Contributions

	Grant Provider	Type	Opening Balance (a)	Budget Operating	Capital	YTD Budget	Annual Budget (d)	Post Variations (e)	Expected (d)+(e)	YTD Actual Revenue	
				\$	\$	\$				\$	
General Purpose Funding											
	Grants Commission - General	WALGGC	Operating	0	562,527	0	375,018	562,527	562,527	561,003	
	Grants Commission - Roads	WALGGC	Operating	0	313,774	0	209,183	313,774	313,774	314,120	
Law, Order and Public Safety											
	DFES Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Operating	0	21,900	0	14,600	21,900	21,900	25,900	
Recreation and Culture											
	Grants - Kidsport	Dept. of Communities	Operating	0	1,000	0	667	1,000	1,000	1,000	
	DREC Weather Shelter	R4R, Lotterywest, Contributions	Non-operating	0	0	76,369	50,913	76,369	76,369	0	
Transport											
	Direct Grant - Main Roads	Main Roads WA	Operating	0	75,045	0	50,030	75,045	75,045	75,045	
	Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	500,820	500,820	500,820	500,820	504,158	
	RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	331,200	331,200	331,200	331,200	264,960	
	Blackspot Grant Funding	Main Roads WA	Non-operating	0	0	31,866	31,866	31,866	31,866	31,866	
	WANDRRA Storm Damage Funding	Main Roads WA	Operating	0	77,538	77,538	77,538	77,538	77,538	47,231	
Economic Services											
	Youth Day Grant	Dept. of Communities	Operating	0	1,000	0	667	1,000	1,000	1,000	
	Volunteer Day Grant	Dept. of Communities	Operating	0	1,000	0	667	1,000	1,000	1,000	
TOTALS				0	1,053,784	1,017,793	1,643,167	1,994,039	0	1,994,039	1,827,283
SUMMARY											
	Operating	Operating Grants, Subsidies and Contributions		0	1,052,784	77,538	727,702	1,052,784	0	1,052,784	1,026,299
	Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	0	0	0	0	0	0	
	Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	940,255	914,799	940,255	0	940,255	800,984
TOTALS				0	1,052,784	1,017,793	1,642,501	1,993,039	0	1,993,039	1,827,283

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2017

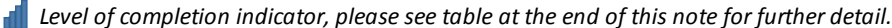








Note 12: Trust Fund

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 01 Jul 2016	Amount Received	Amount Paid	Closing Balance #####
	\$	\$	\$	\$
Bonds - Building	14,389	0	0	14,389
Bonds - Hall Hire	1,050	900	(1,100)	850
Commodine Tennis Club	3,090	0	0	3,090
Cuballing Country Festival	1,099	0	0	1,099
Cuballing Cricket Club	200	0	0	200
Yornaning Dam	0	500	(500)	0
Cuballing Football Association	566	0	0	566
Environment and Townscape Trust Fund	5,713	0	0	5,713
Police Licensing	5,148	287,984	(286,712)	6,420
Swipe Cards	1,545	0	0	1,545
Reimbursements	0	27	(27)	0
	32,800	289,411	(288,339)	33,872













SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2016

Note 13: Capital Acquisitions








Assets	Account	YTD Actual			Budget			Strategic Reference / Comment
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
								
Land & Buildings								
Governance								
	Shire Office Upgrade	04261	0	0	(22,987)	(21,250)	(21,250)	(1,737)
	Governance Total		0	0	(22,987)	(21,250)	(21,250)	(1,737)
Recreation And Culture								
	Skate Park Toilet Upgrade	11315	0	0	0	(24,820)	(24,820)	24,820
	DREC Weather Shelter	11310	0	0	(23,458)	(96,869)	(96,869)	73,411
	Recreation And Culture Total		0	0	(23,458)	(121,689)	(121,689)	98,231
Community Amenities								
	Popanyinning Transfer Station	10742	0	0	(72,374)	(148,451)	(148,452)	76,078
	Community Amenities Total		0	0	(72,374)	(148,451)	(148,452)	76,078
	Land & Buildings Total		0	0	(118,819)	(291,390)	(291,391)	147,752
Plant , Equip. & Vehicles								
Economic Services								
	Building Vehicle	13600	0	0	(38,270)	(43,000)	(43,000)	4,730 Budget - trade July
	Recreation And Culture Total		0	0	(38,270)	(43,000)	(43,000)	4,730
Transport								
	Mower	12420	0	0	(19,900)	(20,000)	(20,000)	100 Budget - purchase Sept
	Machinery Float	12422	0	0	(56,000)	(50,000)	(50,000)	(6,000) Budget - purchase Sept, additional equipment \$6,000
	Transport Total		0	0	(75,900)	(70,000)	(70,000)	(5,900)
	Plant , Equip. & Vehicles Total		0	0	(114,170)	(113,000)	(113,000)	(1,170)

Roads

Transport

	RRG - Wandering Narrogin Road	12115	0	0	(356,538)	(496,800)	(496,800)	140,262	J600
	R2R - Yornaning West Cement Stabilisation	12120	0	0	(52,953)	(71,895)	(71,894)	18,941	R005
	R2R - Victoria Road Sealing	12120	0	0	(78,366)	(68,720)	(68,718)	(9,648)	R122
	R2R - Popanyinning West Cement Stabilisation	12120	0	0	(36,057)	(68,021)	(68,018)	31,961	R002A
	R2R - Popanyinning West Road Realignment	12120	0	0	(263,825)	(244,096)	(244,094)	(19,731)	R002B
	R2R - Popanyinning West Reseals	12120	0	0	(43,032)	(54,013)	(54,011)	10,979	R002C
	R2R - Yornaning West Reseal	12120	0	0	(5,757)	(7,366)	(7,365)	1,608	R005A
	GFR - Cuballing East Cement Stabilisation	12115	0	0	(37,435)	(45,019)	(45,015)	7,580	J149 - Grain Freight Reserve
	BS - Stratherence Road/ Kerruish Road	12125	0	0	(17,663)	(14,149)	(14,144)	(3,519)	B064
	BS - Yornaning West Road	12125	0	0	(23,035)	(22,433)	(22,433)	(602)	B005
Transport Total			0	0	(914,662)	(1,092,512)	(1,092,492)	177,830	
	Roads Total		0	0	(914,662)	(1,092,512)	(1,092,492)	177,830	
	Capital Expenditure Total		0	0	(1,147,651)	(1,496,902)	(1,496,883)	324,412	

Level of Completion Indicators

-  0%
-  20%
-  40%
-  60%
-  80%
-  100%
-  Over 100%

Percentage YTD Actual to Annual Budget
Expenditure over budget highlighted in red.

9.1.3 Fees and Charges 2017/2018 Adoption

Applicant:	N/A
File Ref. No:	ADM250
Disclosure of Interest:	N/A
Date:	23 rd May 2017
Author:	Tonya Williams
Attachments:	9.1.3a Draft 2017/18 Schedule of Fees and Charges

Summary

Council is to consider adopting the Fees and Charges Schedule for the 2017/2018 year in advance of the 2017/2018 Budget adoption.

Background

In preparation for the 2017/2018 budget period the attached fees and charges are submitted for Council adoption. By adopting the fees and charges prior to the budget any applicable advertising can be undertaken and the new charges can be incorporated into the draft budget workings.

At present there has not been any formal notification from the statutory authorities associated with building or planning fees however Council's fees and charges contain clauses that allow fees set by external bodies to override those advertised and published by Council.

Comment

The 2017/2018 schedule of fees and charges has been formulated using the 2016/2017 year as a basis and incorporating new charges, CPI increases and input from external statutory bodies that Council collects fees on behalf of. The adoption of Popanyinning School Hire charges, Private Works overtime rates, cost recovery for tyre removal at the Transfer Stations and, additional Rubbish Collection Services and bin fees have been included as previously approved and advertised by Council. Other changes include minor adjustments to Building Hire Fees and Annual Licence Fees for Community Groups in Shire Buildings as these have not been changed in a number of years.

There have not been any other significant increases proposed to other areas of the fees and charges schedule.

In the annual budget item, Council will still set additional fees and charges for kerbside collections and Rates for rural and townsite properties.

Strategic Implications - Nil

Statutory Environment

6.16. Imposition of fees and charges Local Government Act (1995)

(1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

* Absolute majority required.

(2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
- (b) supplying a service or carrying out work at the request of a person;

- (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

* Absolute majority required.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications - Nil

Financial Implications - Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation

Some fees and charges are set by external statutory bodies.

Options

Council may resolve:

1. the Officer's Recommendation;
2. not resolve the Officer's Recommendation and review Fees and Charges as part of Budget deliberations.

Voting Requirements – Absolute Majority

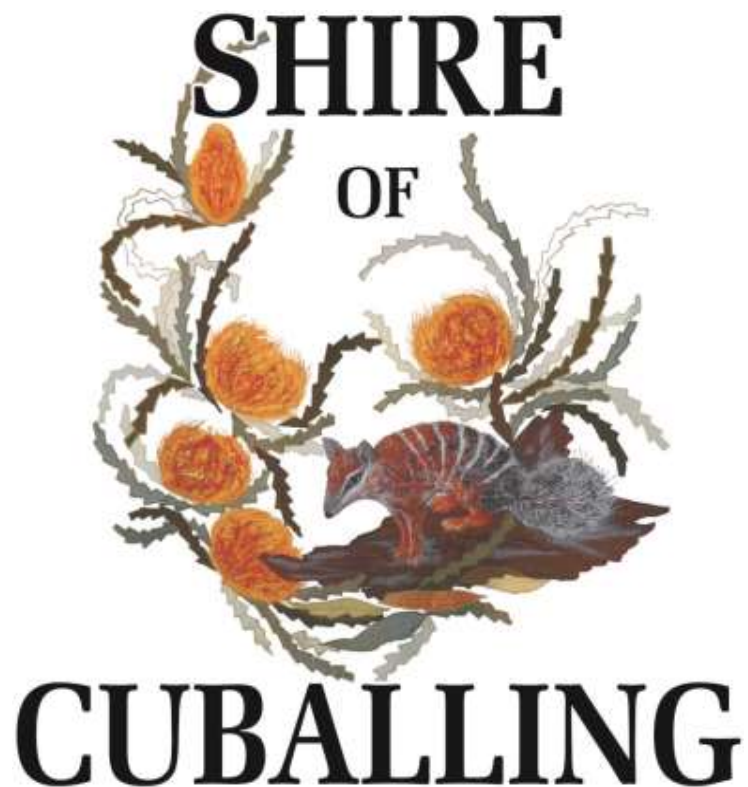
COUNCIL DECISION – 2017-46:

That Council adopt the draft Schedule of Fees and Charges for the 2017/2018 financial year effective as of 1st July 2017 as included at Attachment 9.1.3 with the addition of a fee for a daily hire of the Cuballing Oval of \$50 per day.

Moved: Cr Newman

Seconded: Cr Dowling

Carried 6/0



SHIRE OF CUBALLING

SCHEDULE OF FEES AND CHARGES

2017/2018

SHIRE OF CUBALLING
FEES AND CHARGES 2017/2018

ADMINISTRATION	Rate	GST	Total Charge	2016/2017 Charge
GENERAL				
Photocopying				
A4	\$0.30	YES	\$0.33	\$0.33
A4 (double sided)	\$0.40	YES	\$0.44	\$0.44
A3	\$0.50	YES	\$0.55	\$0.55
A3 (Double sided)	\$0.60	YES	\$0.66	\$0.66
CWA (and other Community Groups and CEO discretion)	\$0.10	YES	\$0.11	\$0.11
<i>Note: Colour copies +50%</i>				
Faxes (First page, \$0.20 thereafter)	\$1.00	YES	\$1.10	\$1.10
Binding	\$2.50	YES	\$2.75	\$2.75
Laminating	\$5.00	YES	\$5.50	\$5.50
Electoral Rolls	\$10.00	NO	\$10.00	\$10.00
Rate book	\$50.00	NO	\$50.00	\$50.00
Council Minutes and Agendas	At cost	YES	At Cost	At Cost
Budgets / Annual Reports	At cost	YES	At Cost	At Cost
Town Planning Scheme Text	\$30.00	YES	\$33.00	\$33.00
Local Planning Strategy	\$30.00	YES	\$33.00	\$33.00
History Book - Numbat Country	\$27.27	YES	\$30.00	\$30.00
Shire Coffee Mugs	\$9.09	YES	\$10.00	\$10.00
Shire Emblem Coasters - per set	\$15.00	YES	\$16.50	\$16.50
Medallions	\$6.82	YES	\$7.50	\$7.50
 <i>Note: Agendas, Minutes, Annual Reports and Budgets are available to inspect at the Shire office and available for download from the Shire website free of charge To obtain a personal copy will incur relevant charges</i>				
RATE ENQUIRIES				
Rate Enquiry Fee (non EAS)	\$20.00	YES	\$22.00	\$22.00
Rate Enquiry Fee (EAS)	\$110.00	NO	\$110.00	\$110.00
Rate Notice Reprint	\$10.00	NO	\$10.00	\$10.00
Payment Plan Administration Fee	\$9.09	YES	\$10.00	\$10.00
FREEDOM OF INFORMATION				
Personal Information about the applicant	\$0.00	NO	\$0.00	
Non-personal application	\$30.00	NO	\$30.00	\$30.00
Archive Research of Council Records per hour or part thereof	\$30.00	NO	\$30.00	\$30.00
Staff Time for Photocopying (per hour or part thereof)	\$30.00	NO	\$30.00	
Photocopying required for enquiry	At cost	NO	At cost	At cost
Charge for duplicating tape, film or computer information	At cost		At cost	
Charge for delivery, packaging and postage	At cost	NO	At cost	At cost
Deposits				
Advance deposit may be required of estimated charges			25%	
Further advance deposit may be required to meet the charges for dealing with the application			75%	
<i>prescribed pensioner concession cards, the Charge is reduced by 25%.</i>				
 <i>Other fees and charges as stated and amended from time to time in the Freedom of Information Regulations 1993</i>				
PAYMENT RELATED FEES				
Dishonoured Cheque Fees	\$20.00	YES	\$22.00	\$22.00

ANIMAL CONTROL	Rate	GST	Total Charge	2016/2017 Charge
REPLACEMENT TAG	\$5.00	NO	\$5.00	\$5.00
DOG REGISTRATION FEES				
Non-Working Dogs				
Unsterilised				
1 Year	\$50.00	NO	\$50.00	\$50.00
3 Year	\$120.00	NO	\$120.00	\$120.00
Lifetime	\$250.00	NO	\$250.00	\$250.00
Sterilised				
1 Year	\$20.00	NO	\$20.00	\$20.00
3 Year	\$42.50	NO	\$42.50	\$42.50
Lifetime	\$100.00	NO	\$100.00	\$100.00
Pensioners receive a 50% discount on the above license fees				
Working Dogs				
Unsterilised				
1 Year	\$12.50	NO	\$12.50	
3 Year	\$30.00	NO	\$30.00	
Lifetime	\$62.50	NO	\$62.50	
Sterilised				
1 Year	\$5.00	NO	\$5.00	
3 Year	\$10.63	NO	\$10.63	
Lifetime	\$25.00	NO	\$25.00	
Owners of working dogs receive a 25% concession				
Only 50% of the registration fee is payable after 31st May for that year (expiry 31 Oct that year)				
All fees and penalties as stated in Dog Regulations as amended from time to time. Any discrepancies between the above amounts will revert to the regulations to the extent of the inconsistency.				
CAT REGISTRATION FEES				
1 Year	\$20.00	NO	\$20.00	\$20.00
3 Year	\$42.50	NO	\$42.50	\$42.50
Lifetime	\$100.00	NO	\$100.00	\$100.00
Pensioners receive a 50% discount on the above license fees				
Only 50% of the registration fee is payable after 31st May for that year (expiry 31 Oct that year)				
All fees and penalties as stated in Cat Regulations as amended from time to time. Any discrepancies between the above amounts will revert to the regulations to the extent of the inconsistency.				
POUND FEES				
Seizure Fee	\$50.00	NO	\$50.00	\$50.00
Sustenance - per day or part thereof	\$15.00	NO	\$15.00	\$10.00
Disposal/ Destruction	\$50.00	NO	\$50.00	\$50.00

HEALTH	Rate	GST	Total Charge	2016/2017 Charge
SWIMMING POOL INSPECTION FEE				
Annual	\$50.00	YES	\$55.00	\$55.00
WATER SAMPLING				
To be charged at cost of Environmental Health Officer plus travelling and courier charges <i>eg. Dryandra approximately \$250 per visit</i>				
PERMITS AND LICENCES				
Cuballing Tavern Alfresco Area	\$100.00	NO	\$100.00	\$100.00
Popanyinning Kennels	\$100.00	NO	\$100.00	\$100.00
Lazeaway Caravan Park	\$200.00	NO	\$200.00	\$200.00
BUILDING	Rate	GST	Total Charge	2016/2017 Charge
BUILDING SURVEYOR FEES				
Building Surveyor Time Per hour or part thereof	\$100.00	YES	\$110.00	\$110.00
Building Surveyor Travel Per km	\$0.86	YES	\$0.95	\$0.95
BUSHFIRE ATTACK LEVEL ASSESSMENT				
Assessment Fee - Ratepayer, residence in Shire	\$300.00	YES	\$330.00	\$330.00
Assessment Fee - all other	\$600.00	YES	\$660.00	\$660.00
Building Surveyor Travel (outside Shire only) Per Hour	\$100.00	YES	\$110.00	\$110.00
Per km	\$0.86	YES	\$0.95	\$0.95
BUILDING LICENCE APPLICATIONS				
<i>Note: All statutory health, building and planning fees listed here are based on current information and may be subject to change. Where the listed fee or charge is different to what is published by the State Government that legislation shall prevail.</i>				
Certified Domestic Building Permits Class 1 or 10 building or incidental construction	0.19% of estimated value as determined by the LGA but not less than \$96	NO		
Certified Commercial / Industrial Permits Class 2 to 9 building or incidental construction	0.09% of estimated value as determined by the LGA but not less than \$96	NO		
Uncertified application for a building permit	0.32% of estimated value as determined by the relevant permit authority but not less than \$96	NO		
<i>All fees and penalties as stated in Building Regulations as amended from time to time. Any discrepancies between the above amounts will revert to regulations to the extent of the inconsistency.</i>				
APPLICATION FOR A BUILDING APPROVAL CERTIFICATE FOR UNAUTHORISED BUILDING WORKS				
For the issue of a building approval certificate - Class 1 or 10 Minimum Fee \$96	.38% of estimated current value of the unauthorised structure as determined by the LGA.			
Application for an occupancy permit for a building in respect of which unauthorised work has been done Minimum Fee \$96	.18% of estimated current value of the unauthorised structure as determined by the LGA.			
STATUTORY BUILDING LEVIES				
Building and Construction Industry Training Fund Levy - % of value over \$20,000 of building	0.20%	NO		
Builders Registration Board \$41.50				
<i>All other statutory fees are as applied by the Builders Registration Act. Any Statutory legislation will take precedence over stated fees in this section.</i>				
OTHER BUILDING CONTROL FEES AND CHARGES				
Certificate of Design Compliance	\$336.82	YES	\$370.50	\$370.50
Certificate of Construction Compliance	\$336.82	YES	\$370.50	\$370.50
Certificate of Building Compliance	\$336.82	YES	\$370.50	\$370.50
<i>Certificates charged at 0.2% of the value of building works, minimum charge of \$370.50</i>				

TOWN PLANNING	Rate	GST	Total Charge	2016/2017 Charge
<i>All fees and penalties as stated in Planning and Development Regulations as amended from time to time. Any discrepancies between the above amounts will revert to the regulations to the extent of the inconsistency.</i>				
TOWN PLANNING SCHEME AMENDMENTS				
Shire Planner	\$88.00 per hour	NO		
Senior Planner	\$66.00 per hour	NO		
Planning Officer	\$36.86 per hour	NO		
Other Staff eg. Environmental Health Officer	\$36.86 per hour	NO		
Secretary / administration clerk	\$30.20 per hour	NO		
TOWN PLANNING STRUCTURE PLANS				
Shire Planner	\$80.60 per hour	NO		
Senior Planner	\$61.20 per hour	NO		
Planning Officer	\$33.70 per hour	NO		
Other Staff eg. Environmental Health Officer	\$33.70 per hour	NO		
Secretary / administration clerk	\$28.40 per hour	NO		
PLANNING APPLICATIONS				
Fee is payable on estimated value of development				
a) Not more than \$50,000	\$147	NO	\$147.00	\$147.00
b) \$50,001-\$500,000	0.32% of estimated cost of development			
c) \$500,001 - \$2.5million		NO		
plus % in excess of \$500,000 of estimated value	\$1,700 + 0.257% for every \$1 in excess of \$500k			
d) \$2.5million - \$5million		NO		
plus % in excess of \$2.5million of estimated value	\$7,161 + 0.206% for every \$1 in excess of \$2.5m			
e) \$5million - \$21.5 million		NO		
plus % in excess of \$5 million of estimated value	\$12,633 + 0.123% for every \$1 in excess of \$5m			
f) More than \$21.5 million	\$34,196	NO		
Home Occupation Application	\$222	NO	\$222.00	\$222.00
Home Occupation Renewal	\$73	NO	\$73.00	\$73.00
Non-conforming Use				
Application for change of use or continuation of non-conforming use				
Where development is not occurring	\$295	NO	\$295.00	\$295.00
Activity without approval				
<i>Where an application for development approval is lodged after the development has commenced or been carried out, an additional amount, by way of penalty, that is twice the amount of the maximum fee payable for determination of the application</i>				
<i>For example the maximum fee for development of not more than \$50,000 is \$147. If the development had commenced or been carried out at the time of application, a fee by way of penalty of \$294 would be applied to the application in addition to the fee of \$147, making the total fee chargeable \$441.</i>				
ADVERTISING - WHERE REQUIRED				
In local papers	At cost	YES	At cost	At cost
Statewide papers	At cost	YES	At cost	At cost
SUBDIVISION APPLICATIONS				
1 Lot	\$2,153	NO	\$2,153.00	\$2,153.00
2-100 Lots	\$2,985	NO	\$2,985.00	\$2,985.00
	\$68.00 per Lot			
101+ Lots	\$9,798.00	NO	\$9,798.00	\$9,798.00
	\$24.00 per Lot			
OTHER TOWN PLANNING FEES AND CHARGES				
Issue of zoning certificate	\$73	NO	\$73.00	\$73.00
Reply to property settlement questionnaire	\$73	NO	\$73.00	\$73.00
Provision of written planning advice	\$73	NO	\$73.00	\$73.00

CEMETERY	Rate	GST	Total Charge	2016/2017 Charge
BURIAL FEES				
Reservation of Plot	\$30.00	YES	\$33.00	\$33.00
Interment/ Burial Fee	Cost plus 10%	YES	Cost plus 10%	Cost plus 10%
Headstone Licence	\$30.00	YES	\$33.00	\$33.00
PLACEMENT OF ASHES IN NICHE WALL				
Single	\$50.00	YES	\$55.00	\$55.00
Double	\$68.18	YES	\$75.00	\$75.00
RESERVATION OF ASHES IN NICHE WALL				
Single	\$16.82	YES	\$18.50	\$18.50
Double	\$30.00	YES	\$33.00	\$33.00
GRAVE DIGGING				
	Cost plus 10%	YES	Cost plus 10%	Cost plus 10%
RECREATION FACILITY HIRE	Rate	GST	Total Charge	2016/2017 Charge
CUBALLING SHIRE HALL				
Bond (no alcohol)	\$100.00	NO	\$100.00	\$100.00
Bond (alcohol)	\$200.00	NO	\$200.00	\$200.00
<i>A bond is payable. GST is not applicable to bonds when paid, however will be brought into account if bond needs to be used.</i>				
Hire Fee				
Major Functions (ie. Weddings, parties, shows etc)	\$200.00	YES	\$220.00	\$220.00
Minor Functions (ie. Displays, exhibitions, dance groups etc)	\$100.00	YES	\$110.00	\$110.00
Local Community Groups 50% Discount	\$25.00	YES	\$27.50	\$27.50
CUBALLING CWA HALL				
Bond (no alcohol)	\$100.00	NO	\$100.00	\$100.00
Bond (alcohol)	\$200.00	NO	\$200.00	\$200.00
<i>A bond is payable. GST is not applicable to bonds when paid, however will be brought into account if bond needs to be used.</i>				
Hire Fee				
Major Functions (ie. Weddings, parties, shows etc)	\$200.00	YES	\$220.00	\$220.00
Minor Functions (ie. Displays, exhibitions, dance groups etc)	\$100.00	YES	\$110.00	\$110.00
Local Community Groups 50% Discount	\$25.00	YES	\$27.50	\$27.50
CUBALLING RECREATION CENTRE				
Bond (no alcohol)	\$100.00	NO	\$100.00	\$100.00
Bond (alcohol)	\$200.00	NO	\$200.00	\$200.00
<i>A bond is payable. GST is not applicable to bonds when paid, however will be brought into account if bond needs to be used.</i>				
Hire Fee				
Major Functions	\$150.00	YES	\$165.00	\$165.00
Use of oval and/or kitchen (ie. K9 Club) - Hourly Rate	\$25.00	YES	\$27.50	\$27.50
Use of toilets/ showers (eg. Equestrian) - Daily Rate	\$110.00	YES	\$121.00	\$110.00
Council Meetings/ Functions and Council Committee Meetings	Nil		Nil	Nil
POPANYINNING SHIRE HALL				
Bond (no alcohol)	\$100.00	NO	\$100.00	\$100.00
Bond (alcohol)	\$200.00	NO	\$200.00	\$200.00
<i>A bond is payable. GST is not applicable to bonds when paid, however will be brought into account if bond needs to be used.</i>				
Hire Fee (includes crockery)				
Major Functions (ie. Weddings, parties, shows etc)	\$200.00	YES	\$220.00	\$220.00
Minor Functions (ie. Displays, exhibitions, dance groups etc)	\$100.00	YES	\$110.00	\$110.00
Popanyinning Progress Association	Nil		Nil	Nil
POPANYINNING SCHOOL				
Hire Fee - Local Community Groups	\$27.27	YES	\$30.00	\$30.00
<i>When alcohol is to be consumed, a permission to serve alcohol form is required to be obtained from the Council and displayed at the</i>				
SPORTING ASSOCIATION ANNUAL RENTAL				
Cuballing Cricket Club	\$720.00	YES	\$792.00	\$770.00
Cuballing Tennis	\$920.00	YES	\$1,012.00	\$990.00
K9 Club	\$360.00	YES	\$396.00	\$385.00
Cuballing Craft Group	\$360.00	YES	\$396.00	
Cuballing Bootscooters	\$0.00	YES	\$0.00	\$0.00
Popanyinning Tennis Courts	\$0.00	YES	\$0.00	\$0.00
Popanyinning Railway Building	\$0.00	YES	\$0.00	\$0.00
Changeroom Annual Hire				
Dryandra Pony Club	\$463.64	YES	\$510.00	\$500.00
Dryandra Equestrian Association	\$463.64	YES	\$510.00	\$500.00
Grounds Hire				
Dryandra Pony Club	\$2,318.18	YES	\$2,550.00	\$2,500.00
Dryandra Equestrian Association	\$2,318.18	YES	\$2,550.00	\$2,500.00

PRIVATE WORKS	Rate	GST	Total Charge	2016/2017 Charge
YELLOW SAND - PER TRUCK LOAD				
No delivery Private Load	\$109.09	YES	\$120.00	\$120.00
Shire of Cuballing Ratepayers <i>Other areas will include a per km rate</i>	\$186.36	YES	\$205.00	\$205.00
Trailer Load - Ratepayers	\$31.82	YES	\$35.00	\$35.00
TOP SOIL - PER TRAILER LOAD				
No delivery Private Load	\$72.73	YES	\$80.00	\$80.00
BLUE METAL				
Shire of Cuballing Ratepayers - per tonne <i>No delivery, material cost only</i> <i>All areas will include a per km rate</i>	\$53.33	YES	\$58.66	\$58.66
GRAVEL - PER TRUCK LOAD				
No delivery Private Load	\$60.00	YES	\$66.00	\$66.00
Shire of Cuballing Ratepayers <i>Other areas will include a per km rate</i>	\$109.09	YES	\$120.00	\$120.00
Trailer Load - Ratepayers	\$25.00	YES	\$27.50	\$27.50
<i>Truck Load = Approx 13 tonne, Bucket Load = Approx 3 tonne</i>				
REMOVAL OF ABANDONED VEHICLE AND/OR VEHICLE WRECKAGE	\$500.00	YES	\$550.00	\$550.00
PLANT HIRE - \$/HR INC OPERATOR				
Loader Hire	\$140.00	YES	\$154.00	\$154.00
Grader Hire	\$150.00	YES	\$165.00	\$165.00
Multi-Tyre Roller	\$110.00	YES	\$121.00	\$121.00
Vibe Roller	\$115.00	YES	\$126.50	\$126.50
Tip Trucks (6 wheelers)	\$115.00	YES	\$126.50	\$126.50
Tip Truck 3 tonne	\$75.00	YES	\$82.50	\$82.50
Tip Truck 4 tonne	\$85.00	YES	\$93.50	\$93.50
Semi Side Tipper	\$130.00	YES	\$143.00	\$143.00
John Deere Tractor and Operator <i>Includes slasher or mower</i>	\$100.00	YES	\$110.00	\$110.00
Machinery Float	\$101.00	YES	\$111.10	\$111.10
Machinery Float	\$130.00	YES	\$143.00	\$143.00
Operator overtime (1.5 time)	\$13.64	YES	\$15.00	\$15.00
Operator overtime (Double time)	\$27.27	YES	\$30.00	\$30.00
PLANT HIRE - \$/HR NO OPERATOR				
Multi-Tyre Roller	\$70.00	YES	\$77.00	\$77.00
Vibe Roller	\$75.00	YES	\$82.50	\$82.50
Other Services				
STANDPIPE WATER CHARGES				
Residents - Per kL (1000L)	\$4.50	NO	\$4.50	\$4.50
Minimum Charge for card holders per billing cycle	\$10.00	NO	\$10.00	\$10.00
Swipe Card (non refundable)	\$30.00	NO	\$30.00	\$30.00
<i>To convert from gallons to kilolitres: 1000 gallons multiplied by.0046 = 4.60 kilolitres</i> <i>Accounts are sent quarterly</i>				
RUBBISH COLLECTION				
Replacement Bin	\$80.00	YES	\$88.00	\$88.00
Additional Service	\$250.00	YES	\$275.00	\$275.00
Additional Individual Bin Service (240L)	\$118.18	YES	\$130.00	\$130.00
TIP FEES				
Tyres - Car	\$6.00	YES	\$6.60	\$6.60
Tyres - Truck	\$20.00	YES	\$22.00	\$22.00
Tyres - Tractor (up to 1m)	\$40.00	YES	\$44.00	\$44.00
Tyres - Tracto (1-2m)	\$60.00	YES	\$66.00	\$66.00

9.1.4 Related Party Transactions Policy

File Ref. No: ADM118
Disclosure of Interest: Nil
Date: 24th May 2017
Author: Tonya Williams
Attachment: 9.1.4A Draft Policy 2.14

Summary

Council is to consider a Council Policy for Related Party Transactions in accordance with AASB124.

Background

Policies set guiding direction for Council staff to manage the operations of the Shire on a daily basis without the need to present matters to Council for consideration.

In March 2015 the Australian Accounting Standards Board issues a Standard that extended the scope of AASB124 for Related Party Disclosures to include not for profit entities, including local governments. The standard came into effect on the 1st July 2016 for the financial year ending 30th June 2017.

Comment

A Related Party is a person or entity that is related to the local government and that is preparing its financial statements. The standard seeks to include in financial statements the total value of Related Party Transactions between the Shire of Cuballing and the Key Management Personnel. Transactions that need to be declared are purchases and sales of goods, property or assets, rendering or receiving services and leases. The Standard applies to all Related Party Transactions which include Key Management Personnel, entities subject to significant influence by the Shire and joint ventures.

Key Management Personnel are defined as those persons that have authority and responsibility for planning, directing and controlling activities of the local government, specifically Councillors, the CEO and Senior Staff. Entities with significant influence are defined as those that have the power to participate in the financial and operating decision of the Shire but does not have final control. Significant influence is by close relationships to Key Management Personnel or their interest in other entities.

The draft Policy, included at Attachment 9.1.4A, outlines transactions that are included under the Standard but are "Ordinary Citizen Transactions". These transactions are provided under the same conditions to all citizens and therefore have no bearing on Council decision making, for example Rates payments. The draft policy requires that a resolution will be passed by Council each financial year outlining which transactions fall into this category and will not need to be declared.

Some Related Party Transaction are already included in the Annual Report, such as Councillor Payments and total employment packages of employees that exceed \$100,000. The Annual Financial Statements will include a Note that outlines Key Management Personnel Compensation declarations and the Related Party Transactions Disclosure. Total amounts are provided in the Financial Statements as well as the number of Related Parties, rather than a specific breakdown of each transaction.

The policy requires Key Management Personnel will need to complete the Related Party Declaration each quarter.

Strategic Implications - Nil

Statutory Environment

2.7. Role of council Local Government Act (1995)

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

Policy Implications

Council is setting policy for future application.

Financial Implications – Nil

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

The Council can resolve:

1. the Officer's Recommendation;
2. resolve to adopt the attached Draft Policy Manual addition with amendment or in part;
3. defer and seek additional information.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2017-47:

That Council adopt the Draft Related Party Transactions Policy included at Attachment 9.1.4A.

Moved: Cr Ballantyne

Seconded: Cr Dowling

Carried 6/0

2.14	Related Party Disclosures
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Background

The scope of AASB 124 *Related Party Disclosures* was extended in July 2015 to include application by not-for-profit entities, including local governments. The operative date for Local Government is 1 July 2016, with the first disclosures to be made in the Financial Statements for year ended 30 June 2017. This policy outlines required mechanisms to meet the disclosure requirements of AASB 124.

The objective of the standard is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and transactions.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire of Cuballing must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.

The purpose of this procedure is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

Identification of Related Parties

AASB 124 provides that the Shire of Cuballing will be required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances.

Related parties includes a person who has significant influence over the reporting entity, a member of the Key Management Personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person. KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

For the purposes of determining the application of the standard, the Shire of Cuballing has identified the following persons as meeting the definition of *Related Party*:

- An elected Council member
- a person employed under section 5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer or Director
- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner.
- Entities that are controlled or jointly controlled by a KMP or their close family members. Entities may include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

The Shire of Cuballing will therefore assess all transactions made with these persons or entities.

Identification of Related Party Transactions

A Related Party Transaction is a transfer of resources, services or obligations between the Shire of Cuballing (reporting entity) and the related party, regardless of whether a price is charged.

For the purposes of determining whether a Related Party Transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

- Paying rates
- Fines
- Use of Shire of Cuballing owned facilities such as Recreation Centre, parks, ovals and other public open spaces (whether charged a fee or not)
- Attending council functions that are open to the public
- Employee compensation whether it is for KMP or close family members of KMP
- Application fees paid to the Shire of Cuballing for licences, approvals or permits
- Lease agreements for housing rental (whether for a Shire of Cuballing owned property or property sub-leased by the Shire of Cuballing through a Real Estate Agent)
- Lease agreements for commercial properties
- Monetary and non-monetary transactions between the Shire of Cuballing and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire of Cuballing (trading arrangement)
- Sale or purchase of any property owned by the Shire of Cuballing, to a person identified above.
- Sale or purchase of any property owned by a person identified above, to the Shire of Cuballing
- Loan Arrangements
- Contracts and agreements for construction, consultancy or services

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with Council and are referred to as an Ordinary Citizen Transaction (OCT).

Where the Shire of Cuballing can determine that an OCT was provided at arms length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

Disclosure Requirements

For the purposes of determining relevant Related Party Transactions, KMP will be required to complete a *Related Party Disclosures - Declaration* form for submission to financial services.

Ordinary Citizen Transactions (OCTs)

The Shire Administration will recommend to Council annually, declaring, in its opinion and based on the facts and circumstances, the OCTs that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make.

Disclosure of the OCTs will not be required in the quarterly *Related Party Disclosures - Declaration* form.

Related Party Transactions Disclosure

Where these services were not provided at arms length and under the same terms and conditions applying to the general public, elected Council members and KMP will be required to make a declaration in the *Related Party Disclosures - Declaration* form about the nature of any discount or special terms received.

All Related Party Transactions are to be declared in the *Related Party Disclosures - Declaration* form.

Frequency of disclosures

Elected Council members and KMP will be required to complete a *Related Party Disclosures - Declaration* form each quarter.

Disclosures must also be made:

- by Councillors immediately prior to any ordinary or extraordinary election; and
- by KMP immediately prior to the termination of employment.

Confidentiality

All information contained in a disclosure return, will be treated in confidence. Generally, related party disclosures in the annual financial reports will be reported in aggregate and as such, individuals are not specifically identified. Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified, if the disclosure requirements of AASB 124 so demands.

Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements. In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

Associated Regulatory Framework

AASB 124 Related Party Disclosures

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Further Information

Related Party Disclosures - Declaration form

9.1.5 Related Party Transactions Ordinary Citizen Transactions

File Ref. No: ADM267
Disclosure of Interest: Nil
Date: 7th June 2017
Author: Tonya Williams
Attachments: Nil

Summary

Council is to consider Ordinary Citizen Transactions for the financial year ended 30th June 2017 for Related Party Transactions in accordance with AASB124.

Background

In March 2015 the Australian Accounting Standards Board issues a Standard that extended the scope of AASB124 for Related Party Disclosures to include not for profit entities, including local governments. It came into effect on the 1st July 2016 for the year ended 30th June 2017.

A Related Party is a person or entity that is related to the local government and that is preparing its financial statements. Transactions that need to be declared are purchases and sales of goods, property or assets, rendering or receiving services and leases. The Standard applies to all Related Party Transactions which include Key Management Personnel, entities subject to significant influence by the Shire and joint ventures.

Key Management Personnel are defined as those persons that have authority and responsibility for planning, directing and controlling activities of the local government, specifically Councillors, the CEO and Senior Staff. Entities with significant influence are defined as those that have the power to participate in the financial and operating decision of the Shire but does not have final control. Significant influence is by close relationships to Key Management Personnel or their interest in other entities. Councillors and Key Management Personnel will need to complete the Related Party Declaration each quarter.

Council adopted the Related Party Disclosures Policy in June 2017.

Comment

The Related Party Disclosures Policy outlines transactions that are included under the Standard but are "Ordinary Citizen Transactions".

These transactions are provided under the same conditions to all citizens and therefore have no bearing on Council decision making, for example Rates payments.

Council will need to decide each financial year outlining which transactions fall into this category and will not need to be declared, as per Council's the Related Party Transactions Policy.

Disclosure Requirements

For the purposes of determining relevant Related Party Transactions, elected Council members and KMP will be required to complete a *Related Party Disclosures - Declaration* form for submission to financial services.

Ordinary Citizen Transactions (OCTs)

The Shire Administration will recommend to Council annually, declaring, in its opinion and based on the facts and circumstances, the OCTs that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make.

Disclosure of the OCTs will not be required in the quarterly *Related Party Disclosures - Declaration* form.

Related Party Transactions Disclosure

Where these services were not provided at arms length and under the same terms and conditions applying to the general public, elected Council members and KMP will be required to make a declaration in the *Related Party Disclosures - Declaration* form about the nature of any discount or special terms received.

All Related Party Transactions are to be declared in the *Related Party Disclosures - Declaration* form.

Strategic Implications - Nil
Statutory Environment – Nil

Policy Implications

Council has considered Policy at 9.1.4 in this agenda. This policy, if adopted, has application.

Financial Implications – Nil
Economic Implications – Nil
Social Implications – Nil
Environmental Considerations – Nil
Consultation – Nil

Options

The Council can resolve:

1. the Officer's Recommendation;
2. resolve the Officer's Recommendation with amendments;
3. defer and seek additional information.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2017-48:

That Council resolve that for the year ended 30th June 2017:

- 1. Paying Rates;**
- 2. Fines;**
- 3. Use of Shire of Cuballing owned facilities such as Recreation Centre, Civic Centre, library, parks, ovals and other public open spaces (whether charged a fee or not); and**
- 4. Attending Council functions that are open to the public;**

are Ordinary Citizen Transactions and have been provided to Key Management Personnel as defined in AASB124 on the same terms and conditions that apply to the general public and have been provided in the course of delivering public service objectives and are unlikely to influence the decision that users of Council's financial statements make.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

9.2 CHIEF EXECUTIVE OFFICER:

9.2.1 2017/18 Appointment of Fire Control Officers

Applicant:	N/A
File Ref. No:	ADM81
Disclosure of Interest:	Nil
Date:	26 th May 2017
Author:	Gary Sherry
Attachments:	9.2.1A Bush Fire Advisory Committee Meeting – Unconfirmed Minutes – Meeting 5 th April 2017

Summary

Council is to consider the recommendations of the Bushfire Advisory Committee to:

- 1. appoint a Chief Bush Fire Control Officer (CBFCO);**
- 2. appoint a Deputy Chief Bush Fire Control Officer (DCBFCO); and**
- 3. appoint Fire Control Officers for the 2017/18 season.**

Background

The Shire of Cuballing considers annually the appointment of Fire Control Officers recommended by the Bush Fire Advisory Committee.

Comment

The Shire of Cuballing's Bushfire Advisory Committee held a meeting on Wednesday 5th April 2017. Minutes of that meeting are included at Attachment 9.2.1A. The meeting decided to recommend the following appointments:

1. Anthony Mort as Chief Bushfire Control Officer (CBFCO).
Mr Mort was elected into the role of CBFCO in 2011, and has been involved with the Cuballing Town Volunteer Bush Fire Brigade for a number of years.
2. Graeme Dent as Deputy Chief Bushfire Control Officer (DCBFCO).
Mr Dent was elected to the role of DCBFCO in 2011 and has been involved with the Yornaning area for many years.
3. The meeting recommended the following persons be appointed as Fire Control Officers for the Shire of Cuballing for the 2017/18 bush fire season:

Popanyinning East:	Justin Page
Popanyinning West:	Craig Cousins
Popanyinning Town:	Fred Chapman
Cuballing East:	Mike Burges and Rob Harris
Cuballing West:	Nelson Young
Shire of Cuballing:	Gary Sherry & Bruce Brennan

With the stepping down of long time Popanyinning Town Fire Control Officer, Mr Wayne Bird, Mr Fred Chapman was nominated to that position.

4. The meeting also recommended that Council seek to have the neighbouring Council's appoint the following persons as Dual Fire Control Officers for the 2017/18 bush fire season with the authority to act in fire situations that cross or are located just across the Shire boundary.

Shire of Narrogin:	Rob Harris
Shire of Wickepin:	Mike Burges
Shire of Pingelly:	Graeme Dent
Shire of Wandering:	Craig Cousins
Shires of Williams:	Nelson Young

5. The meeting recommended that Council appoint the Chief Bush FCO and Shire CEO as Clover Burn Permit Officers. Clover burns are normally conducted during the prohibited burning period and because of the increased risk, a lesser number of authorised officers are normally appointed.

Strategic Implications - Nil

Statutory Environment

Bush Fires Act 1954

S 38. Local government may appoint Bush Fire Control Officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2) (a) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
- (b) *[deleted]*
- (c) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the Authority may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
- (d) Where a local government that has been served with a notice pursuant to paragraph (c) fails or neglects to comply with the requirements of that notice, the Authority may appoint a person to the vacant office.
- (e) A bushfire control officer appointed under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the Authority, by the Authority.
- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- (4) A bushfire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for
- (a) carrying out normal brigade activities;
- (b) *[deleted]*
- (c) *[deleted]*

- (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
 - (e) procuring the due observance by all persons of the provision of Part III.
- (5) (a) A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to the provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.
- (b) The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions so issued carry out the directions but subject to the provisions of this Act.
- (c) The provisions of this subsection are not in derogation of those of subsection (4).

Bush Fire Regulations 1954

Policy Implications - Nil

Financial Implications – Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. an amended resolution with different appointments;
3. to defer consideration at this time.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2017-49:

That Council:

1. **adopt the Shire of Cuballing Bushfire Advisory Committee's Recommendations to appoint:**
 - a. **Anthony Mort as Chief Bush Fire Control Officer for 2017/18; and**
 - b. **Graeme Dent as Deputy Chief Bush Fire Control Officer for 2017/18;**
2. **appoint the following persons as Fire Control Officers for the Shire of Cuballing for the 2017/18 bush fire season:**

CBFCO	Anthony Mort
DCBFCO	Graeme Dent
Popanyinning East:	Justin Page
Popanyinning Town:	Fred Chapman
Popanyinning West:	Craig Cousins
Cuballing East:	Mike Burges and Rob Harris
Cuballing West:	Nelson Young
Shire of Cuballing:	Gary Sherry and Bruce Brennan

3. seek to have neighbouring Council's appoint the following persons as Dual Fire Control Officers for the 2017/18 bush fire season:

Shire of Narrogin:	Rob Harris
Shire of Wickepin:	Mike Burges
Shire of Pingelly:	Graeme Dent
Shire of Wandering:	Craig Cousins
Shire of Williams:	Nelson Young

4. adopt the Shire of Cuballing Bushfire Advisory Committee's Recommendation to appoint Anthony Mort and Gary Sherry as Clover Burning Permit Officers.

Moved: Cr Newman

Seconded: Cr Haslam

Carried 6/0

**SHIRE OF CUBALLING
BUSH FIRE ADVISORY COMMITTEE
Cuballing Shire Administration Office
Wednesday 5th April 2017.**

Minutes

1. OPENING

The meeting commenced at 7:04pm

2. ATTENDANCE AND APOLOGIES

Anthony Mort	Chief Bush Fire Control Officer
Graeme Dent	Deputy Chief Fire Control Officer
Gary Sherry	Chief Executive Officer
Bruce Brennan	Manager of Works & Services
Cr Tim Haslam	Councillor
Rob Harris	Fire Control Officer
Mike Burges	Fire Control Officer
Craig Cousins (from 7.23pm)	Fire Control Officer
Nelson Young	Fire Control Officer
Chris Stewart	Department of Parks & Wildlife
Fred Chapman	Popanyinning Brigade

Apologies

Paul Blechynden	Department of Fire and Emergency Services
Justin Page	Fire Control Officer
Clayton Reed	Cuballing Brigade

3. CONFIRMATION OF MINUTES

Moved: Graeme Dent	Seconded: Fred Chapman
That the minutes of the BFAC meeting held on 14th September 2016 are a true and correct record.	

Carried

4. REPORTS

4.1 CHIEF BUSH FIRE CONTROL OFFICER

Fires this year –

- Lange Road, Hotham River Popanyinning – Co-operated with DPAW
- East Popanyinning (Duncan Patten's property) – Very large fire, Congratulations and thank you for all your efforts.

4.2 DEPUTY CHIEF BUSH FIRE CONTROL OFFICER

- East Popanyinning Fire – Large fire, great response.
- Popanyinning Fire Brigade – Fred has done a great job
- Hotham Bridge:
 - Closing Roads is an safety issue
 - Road Traffic is a serious issue
 - No evidence of arson could be recovered.

1

- 4.3 POPANYINNING TOWN
- Going pretty well
 - Good turn up to meeting last night for training etc
- 4.4 NELSON YOUNG
- Brayden Potts interested to be a FCO
 - Quiet year
- 4.5 ROB HARRIS
- Good result at Popanyinning Fire
 - Support from surrounding brigades
 - Night fire after a harvest ban during day
 - Open season going ok
 - Firebreak Policy - implement
- 4.6 DEPARTMENT OF PARKS AND WILDLIFE
- Attended two Shire of Cuballing fires
 - Six fires in the region this year – three were due to arson
 - Twelve burns planned – two in the Shire of Cuballing (500 hectares)



Report for Cuballing Shire Bushfire Advisory Committee

5th April 2017

Fires

There have been 6 fires on Parks and Wildlife reserves in the Wheatbelt this season. Most fires attended occurred in the Cuballing and Narrogin Shires. These include 3 fires that were suspicious or cause unknown.

Thankfully there have been no large incidents across the state this season requiring our local resources to be deployed.

Prescribed Fire

The Autumn burn program consists of 12 burns in the Southern Wheatbelt including 2 in the Cuballing Shire.

Burning has commenced as of the 28th of March.

Fire Access Tracks

We have been successful in gaining Bushfire Mitigation funding to complete track upgrade and maintenance at Tutanning and Boyagin Nature reserves.

4.7 DEPARTMENT OF FIRE AND EMERGENCY SERVICES

Anthony Mort read the Department of Fire and Emergency Service's report

2017 Bush Fire Brigade Training program - DFES Narrogin

The DFES Narrogin Office will be running a range of training courses throughout 2017; the following describes some of the training scheduled.

Please note that:

- a) Training courses can be delivered locally if there are enough people interested.
- b) Information sessions can be designed to suit your needs and delivered locally
- c) Course dates may vary during the year; please contact DFES Narrogin to confirm details.
- d) Registrations/ RSVPs are essential as many courses have maximum numbers
- e) Participants need to be BFB members
- f) Shires normally cover venue hire and catering costs (using their ESL funding) for BFB courses

INTRODUCTION TO FIRE FIGHTING

12-13 May 2017

DFES Narrogin

An entry level 1.5 day course better suited to VFRS/VFES than BFS due to the hydrant work. This course includes:

- Teamwork and Safety
- Radio Communications
- Basic Fire Theory
- Use and Maintain Equipment

INTRODUCTION TO BUSH FIRE FIGHTING

These can be arranged with Shires if there are enough BFB members interested. A basic one day course that suits people with little or no fire experience. This course covers:

- Teamwork and safety
- Bush Fire Suppression
- Bush Fire Behaviour
- Bush Fire Safety Awareness
- Incident command and control
- Map reading
- Radio communications practical with WAERN radios

BUSHFIRE FIGHTING

- Sat 3 - Sun 4 June 2017 (may change to Friday evening/ Saturday e.g. 2-3 June 2017) at Pingelly VFRS
- Monday 5 – Tuesday 6 June 2017 at DFES Narrogin

A two day, more detailed bush fire fighting course that covers:

- Responding to an Incident
- Map Reading
- Bush Fire Characteristics
- Types and Parts of a Fire
- Factors Affecting Fire Behaviour
- Bush Fire Safety Awareness
- Bush Fire Suppression (Firefighting Strategies, Methods and Tactics)

- Crew Protection Systems- burn-over drill
- Rural - Urban Interface

FIRE CONTROL OFFICER 22 August 2017

DFES Narrogin

A one day course that focuses is on the skills and knowledge a FCO requires (not fire fighting skills as FCO's/future FCOs already have these skills).

- WA Fire Services
- The relevant legislation, powers and authority
- Calculating Fire Danger Indices and Rates of Spread
- Permits
- The role of the FCO Local issues

GROUND CONTROLLER

12 September 2017 DFES Narrogin

This one-day course explores the varying types of aircraft operations focusing on fire-bombing within WA. The course provides an understanding of fire-bombing operations from aircraft types, strategies and tactics, terminology, communications, reporting and safety systems.

Information sessions

- Radio use
- Automatic Vehicle Location system
- Map reading
- Community bushfire awareness
- Crew protection - discussion/ hands-on (burn-over, deluge system , in-cab air units)
- Rural Urban interface (issues and strategies in fighting bush fires in built up areas)
- Walk through responding to a serious bush fire incident

Department of Parks And Wildlife

FIRES

There have been 6 fires on Parks and Wildlife reserves in the Wheatbelt this season. Most fires attended occurred in the Cuballing and Narrogin Shires. These include 3 fires that were suspicious or cause unknown.

Thankfully there have been no large incidents across the state this season requiring our local resources to be deployed.

PRESCRIBED FIRE

The Autumn burn program consists of 12 burns in the Southern Wheatbelt including 2 in the Shire of Cuballing.

Burning has commenced as of the 28th March 2017.

FIRE ACCESS TRACKS

We have been successful in gaining Bushfire Mitigation funding to complete track upgrade and maintenance at Tutanning and Boyagin Nature reserves.

The meeting discussed road closures particularly in relation to fires adjacent to the Great Southern Highway and the Hotham River.

4.8 CRAIG COUSINS

- Covered the two fires already

5. ELECTION OF OFFICERS

5.1 CHIEF BUSH FIRE CONTROL OFFICER

Graeme Dent nominated Anthony Mort, who accepted.

There being no further nominations A Mort was nominated for Chief Bush Fire Control Officer for the Shire of Cuballing for 2017/18.

5.2 DEPUTY CHIEF BUSH FIRE CONTROL OFFICER

Anthony Mort nominated Graeme Dent, who accepted.

There being no further nominations G Dent was nominated the position of Deputy Chief Bush Fire Control Officer for the Shire of Cuballing for 2017/18.

5.3 FIRE CONTROL OFFICERS FOR SHIRE OF CUBALLING

Cuballing East FCO: Rob Harris accepted.
Mike Burges subject to acceptance.

Cuballing West FCO: Nelson Young accepted

Popanyinning Town FCO: Fred Chapman accepted

Popanyinning East FCO: Justin Page accepted.

Popanyinning West FCO: Craig Cousins accepted.

DUAL FIRE CONTROL OFFICERS

Shires of Cuballing/Narrogin	R Harris
Shires of Cuballing/Wickepin	M Burges
Shires of Cuballing/Pingelly	G Dent
Shires of Cuballing/Wandering	C Cousins
Shires of Cuballing/Williams	N Young

CLOVER BURN PERMIT OFFICERS Chief Bush FCO and Shire CEO

6. GENERAL BUSINESS

6.1 SUSPICIOUS FIRES

Justin Page detected and extinguished fire

6.2 UNIFORMS

Uniforms are now available for brigade members.

6.3 USE OF DRONES

- Potential in remote areas
- DPAW air fleet leave if drone present
- Drones – Register for local fires

6.4 ID OF FIRE FIGHTERS AND INCIDENT REPORTS

- Names of fire fighters included on report sheet
- New forms coming
- Fire Fighter Cancer Act now provides liability for impact of Fire Fighting (eg: cancer)

6.5 BURNING PERMITS

- Sending permits via form
- Is an electronic copy a permit?

6.6 FIRE BREAKS IN RURAL FARM LAND

- Long process this year
- 500 Hectare limit for areas
- Plantations are an issue

6.7 EMERGENCY SERVICES MAP BOOKS 2014

- DPAW have supply area's

6.8 INFORMAL FCO HANDBOOK

- CBFCO provided a draft handbook put together by local staff
- Includes ground controller information
- Fire bombers use DPAW asset/Channel for radio
- Will ask for Ground Controller control sign on dispatch
- Water bombers are contracted by DPAW

7. NEXT MEETING

The next meeting of the Shire of Cuballing Bush Fire Advisory Committee is to be held at the Shire Council Chambers on Wednesday 6th September 2017, commencing at 7:00 pm.

8. CLOSE

There being no further business, the meeting closed at 8.21 pm.

Cr Newman declared a Financial Interest in Agenda Item 9.2.2 in that he has a lease arrangement with Optus for the land included in the development application and left the Council Chamber at 3:39pm.

9.2.2 Application for Telecommunications Facility – Lot 2 Springhill Road, Cuballing

Location:	Lot 2 on Plan 14367 Springhill Road, Cuballing
Applicant:	Daly International Pty Ltd (have gone into receivership) and now Catalyst ONE are undertaking the project for Optus
File Ref. No:	A432
Disclosure of Interest:	Nil
Date:	6 th June 2017
Author:	Gary Sherry
Attachments	9.2.2A Information from applicant 9.2.2B Location plan

Summary

A Development Application seeking approval for a telecommunications facility at Lot 2 Springhill Road is recommended for conditional approval.

Background

The applicant, on behalf of Optus, seeks development approval for a proposed new telecommunications facility (mobile phone base station) to improve mobile coverage and access to enhanced services for Cuballing and the surrounding district. Optus propose to install the following:

- one 60 metre high monopole (mast/tower);
- three antennas mounted at the top of the tower on a headframe and one parabolic transmission antenna;
- equipment shelter coloured 'Paper Bark' with a floor area of 7.5m²;
- ancillary equipment; and
- a 2.4 metre tall chain link fence around the facility.

Details submitted by the applicant are set out in Attachment 9.2.2A. This provides extensive background information including the site selection process, the proposal, planning controls and visual impact. Appendix A shows the preliminary plans, while Appendix B sets out the Environmental Electromagnetic Energy (EME) Report.

The site's location is outlined in Attachment 9.2.2B which is approximately 1.2km south of the Cuballing townsite.

The Shire administration invited comment on the Development Application for over a 6 week period through:

- sending letters to wide-ranging stakeholders including adjoining/nearby landowners, relevant State Government authorities and local Members of Parliament;
- giving notice to everybody receiving mail at the Cuballing post office;
- placing notices in the Cuby News, the Narrogin Observer and on a notice board on the application site; and
- having details on the Shire website.

The Shire received no submissions on the Development Application.

Comment

Following assessment against the planning framework, it is recommended that Council approve the Development Application subject to conditions. It is noted, for instance, that:

- there are no significant environmental, cultural heritage or social impacts;
- the nearest residence is approximately 530 metres from the telecommunication facility;
- the Development Application complies with *State Planning Policy 5.2 Telecommunications Infrastructure*; and
- the required mobile telecommunication service provided by this proposed facility is important to the Cuballing community.

While noting the above, some considerations with the Development Application include:

1. The proposed telecommunication facility is across the road from the Cuballing cemetery. The tower will be very visible at this site.
2. The proposed telecommunication facility will have some visual impacts give the site is high in the landscape and overlooks Cuballing.
3. The proposed tower is close to proposed Rural Residential areas on the western and eastern sides of Springhill Road in the draft Local Planning Strategy. While there is no buffer standard between homes and telecommunication facilities, if there is appropriate line of sight, consideration should be given to moving the tower southward on Lot 2 to be further away from a proposed future rural residential area.
4. It is acknowledged that some people are concerned about the possible health effects of electromagnetic energy from mobile phone base stations. The Australian Communications and Media Authority requires all telecommunications providers to strictly adhere to Commonwealth legislation and associated regulations regarding mobile phone facilities and equipment. The submitted EME report states that the maximum calculated electromagnetic energy level from the site will be 0.18% of the public exposure limit which is substantially within the allowable limit under the standard.

Strategic Implications

The Development Application aligns with the Strategic Community Plan which seeks to improve all forms of communication within the Shire.

Statutory Environment

The planning framework is extensive relating to telecommunication facilities and this Development Application including:

- *Telecommunications Act 1997*;
- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- *State Planning Policy 2.5 Rural Planning*;
- *State Planning Policy 5.2 Telecommunications Infrastructure*;
- *Shire of Cuballing Town Planning Scheme No. 2* - the site is zoned "General Agriculture" with telecommunications infrastructure a "P" (permitted) use in this zone;
- *Shire of Cuballing Local Planning Strategy*; and
- the area proposed for the telecommunications facility is classified as a Bush Fire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>.

Policy Implications - Nil

Financial Implications - Nil

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations – Nil

Consultation

The Development Application was subject to widespread consultation and no submissions were received.

Options

The Council can:

1. approve the Development Application with no conditions;
2. approve the Development Application with conditions;
3. refuse the Development Application (giving reasons); or
4. defer and request additional information.

Voting Requirements - Simple Majority

COUNCIL DECISION – 2017-50:

That Council approve the Development Application for a telecommunications facility at Lot 2 on Plan 14367 Springhill Road, Cuballing, subject to the following conditions:

- 1. the development hereby approved must be carried out in accordance with the plans submitted with the application, addressing all conditions, or otherwise amended by the local government and shown on the approved plan and these shall not be altered and/or modified without the prior knowledge and written consent of the local government;**
- 2. this development approval shall lapse and be of no further effect if the development hereby permitted has not been substantially commenced within 2 years of the date hereof. Where the Development Approval has lapsed, no further development is to be carried out; and**
- 3. any lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.**

ADVICE

- A) All operations must be carried out in accordance with the separate requirements of the Australian Communications and Media Authority and Australian Radiation Protection and Nuclear Safety Agency pertaining (but not limited) to electromagnetic energy.**
- B) The operator is encouraged to maintain a low-fuel area near the telecommunication facility.**
- C) If the applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.**

Moved: Cr Ballantyne

Seconded: Cr Dowling

Carried 5/0

Cr Newman entered the Council Chamber at 3:42pm



**Planning Application
Proposed New Telecommunications
Facility**

**Lot 2 Springhill Road, Cuballing,
WA 6311**

**(Lot 2 on Plan 14367, CT:
Volume 1662, Folio 449)**

Prepared on behalf of Optus
by Daly International Pty Ltd
31 March 2017





DA for New Telecommunications Facility at
Lof 2 on Plan 14367

TABLE OF CONTENTS

<i>Section</i>	<i>Page</i>
EXECUTIVE SUMMARY	3
1 INTRODUCTION	4
2 BACKGROUND	4
2.1 Benefits of Mobile Technologies.....	4
2.2 Purpose of the Proposal	5
2.3 Network Coverage Objectives.....	6
3 SITE SELECTION	6
3.1 Site Selection Process	6
3.2 Co-location Opportunities.....	7
3.3 New Facility Locations.....	8
3.3.1 Site Identification and Assessment.....	8
3.4 Site Selection Conclusion	9
4 SITE CONTEXT	10
4.1 Subject Site and Surrounds	10
5 THE PROPOSAL	15
5.1 Installation details.....	15
5.2 Access details.....	15
5.3 Power details.....	15
5.4 Construction of the Proposed Facility	15
6 COMMONWEALTH PLANNING CONTROLS	16
6.1 Telecommunications Act 1997 & Telecommunications (Low Impact Facilities) Determination 1997	16
6.2 Telecommunications Code of Practice	16
6.3 The Mobile Phone Base Station Deployment Industry Code C564:2011	17
6.4 The Environment Protection and Biodiversity Conservation (EPBC) Act 1999	18
7 STATE PLANNING CONTROLS	19
7.1 State Legislation	19
7.1.1 <i>The Planning and Development Act 2005</i>	19
7.1.2 <i>The Planning & Development Act (Local Planning Scheme) Regulations 2015</i>	19
7.1.3 <i>The Environmental Protection Act 1986</i>	20
7.2 State Statutory Provisions	20
7.2.1 <i>State Planning Policy 5.2 – Telecommunications Infrastructure (2015)</i>	20
8 LOCAL PLANNING PROVISIONS	22
8.1 Shire of Cuballing Town Planning Scheme No. 2 (TPS).....	22
8.1.1 <i>Scheme & Zone Provisions</i>	22
8.2 Other Constraints (Overlays).....	23
8.2.1 <i>Bushfire</i>	23
9 VISUAL IMPACT	24
10 CONCLUSION	25
Appendix A Preliminary Plans	
Appendix B Environmental EME Report	
Appendix C Certificate of Title	



DA for New Telecommunications Facility at
Lot 2 on Plan 14367

EXECUTIVE SUMMARY

Proposal	<p>Optus Mobiles Pty Ltd (Optus) proposes installation of a new telecommunications facility at Lot 2 Springhill Road, Cuballing. The proposal is part of a nationwide rollout to improve mobile coverage and access to enhanced services via the Optus mobile network in metropolitan, regional and rural areas across Australia. The proposed works involve installation of:</p> <ul style="list-style-type: none"> • one (1) new 60 tall guyed mast tower; • three (3) new antennas, to be mounted at the top of the tower on a headframe (C/L 57m); • one (1) new parabolic transmission antenna (C/L 53m); • one (1) new equipment shelter coloured 'Paper Bark', with a floor area of 7.5m², located adjacent to the new tower; and; • ancillary equipment associated with the operation of the facility. <p>The new facility will be wholly contained within a compound enclosed by a 2.4m tall chain link fence.</p>	
Purpose	To provide new coverage, including 3G and 4G coverage the township of Cuballing, including the Great Southern Highway, Cuballing West Road and Wandering-Narrogin Roads.	
Property Details	Lot 2 Springhill Road, Cuballing (Lot 2 on Plan 14367)	
Town Planning Scheme	Council: Shire of Cuballing Scheme: Town Planning Scheme No. 2 Zone: Rural - General Agriculture Definition: Telecommunications Infrastructure	
Metropolitan Region Scheme	Scheme: Nil Zone: Nil	
Planning Considerations	Referrals	N/A
Planning Considerations	State Planning	SPP 5.2 (Telecommunications Infrastructure)
Planning Considerations	Local Policies/Strategy	Nil
Application	Development and use of the land for the purpose of a new mobile telecommunications base station.	
Applicant	<p>Daly International Box 14/Level 5/97 Pirie Street ADELAIDE, SA 5000 Contact: Daniel Hay 0415 950 215 DHay@dalyinternational.com.au Ref: Cuballing (P8084) RFNSA Ref: 6311003</p>	
Quality and Assurance Check	D Hay	

1 INTRODUCTION

This development application has been prepared by Daly International Pty Ltd, acting on behalf of Optus Mobile Pty Ltd ('Optus') for the deployment of mobile telecommunications facilities. This application seeks approval for the construction of a new mobile phone base station at Lot 2, Springhill Road, Cuballing.

Optus regularly tests the efficiency of its existing network and has identified shortcomings in coverage around the Cuballing area. In particular, improvements in coverage are sought to address network capacity issues, coverage blackspots and future development within the region.

The proposed facility comprises installation of:

- one (1) new 60 tall guyed mast tower;
- three (3) new antennas, to be mounted at the top of the tower on a hexagonal headframe (C/L 57m);
- one (1) new parabolic transmission antenna;
- one (1) new equipment shelter coloured 'Paper Bark', with a floor area of 7.5m², located adjacent to the new tower; and;
- ancillary equipment associated with the operation of the facility.

The facility is to be located within a leased compound, enclosed by a new 2.4m high chainlink security fence. Access to the site is to be via the existing site access off Springhill Road.

All mobile carriers are bound by the operational provisions of the Telecommunications Act 1997 and the Telecommunications Code of Practice 1997. While some works can be carried out under the Telecommunications (Low Impact Facilities) Determination 1997 without development approval, this proposal is not defined as 'Low Impact' and therefore requires Council approval to proceed.

This report supports an application for development and use of the leased area within the subject site for a new telecommunications facility servicing the wider the above defined area.

2 BACKGROUND

2.1 *Benefits of Mobile Technologies*

Mobile telecommunications play a central role in society and are becoming more deeply integrated into our day to day lives. Mobile communications networks shape how and when people communicate and how we access information on a daily basis. Today, improved connectivity means that mobile devices are used for everything from commerce and research to location-based services and social media.



DA for New Telecommunications Facility at
Lot 2 on Plan 14367

Individuals, families, businesses and society are all benefiting from the improved connectivity facilitated by mobile technologies.

In addition to its personal and social value, the evolution of mobile technologies has delivered significant benefits to the Australian economy by improving productivity, business management and customer engagement. Since its introduction, mobile technology has played a key role in stimulating labour productivity growth by allowing employees to be more efficient, with more productive use of time. According to Deloitte (2016), the Australian economy is approximately \$34 billion larger in 2015 than it would have been otherwise due to the long-term productivity of mobile technologies.

Mobile technology's economic contribution is not limited to improving productivity. It improves connectivity and participation in the workforce. Mobile technology also provides employees with the flexibility to work from home, promoting sustainable commuting and reducing traffic congestion. According to the Australian Mobile Telecommunications Association (AMTA), two decades ago only 4% of Australians owned a mobile device. According to the Australian Bureau of Statistics (ABS), there are now over 21 million subscribers with internet access connections via a mobile handset in Australia (ABS, 2015). Mobile technology's continual development has allowed it to become the preferred channel to access the internet for most people in Australia and the rest of the world.

2.2 Purpose of the Proposal

To cater for the growing demand for mobile services, Optus has embarked on a nationwide rollout to deliver an improved, reliable telecommunications network to the Australian public. The rollout will provide improved mobile coverage and enhanced services in metropolitan, regional and rural areas throughout Australia. The rollout consists of the upgrade of existing telecommunications facilities and, where required, the installation of new mobile base stations to expand the coverage footprint and offer seamless mobile services.

Additional base stations are required where surrounding facilities cannot provide sufficient coverage to a target area. New facilities are also required where existing base stations are fully utilised and cannot service additional uses in the area. Optus has undertaken analysis of their mobile network in the Cuballing area and has identified that coverage and network quality need to be improved. If this investment is not made, the following main issues will arise:

- Users may have difficulty connecting to the mobile network or the call may drop out. This impacts businesses, residents, visitors to the area and the ability of the user to contact emergency services.
- Users may experience reduced data transfer speeds, longer download times and poor network performance at busy times of the day with data intensive and time sensitive applications (e.g. newscasts, social media, mobile banking, weather forecasts, sports highlights etc.).

Optus has undertaken investigations into the use of other Carrier and broadcast facilities within the area. In this case there are no existing facilities that meet the criteria for Optus' improvements, as discussed in more detail below. As such, it is concluded that the deployment of a new Optus mobile phone base station in the Cardup area is the only viable solution.

2.3 Network Coverage Objectives

Optus regularly undertakes detailed assessments of the performance and coverage of their digital mobile telephone network to ensure the system is reliable and achieving the required objectives. Reference to customer demand also provides an indication of poor performance or where coverage does not exist.

Recently, the network has experienced significant and growing demand for mobile broadband. As usage of smart phones, tablets and other wireless devices continues to rapidly expand, further demand is placed on the network. Optus is aware that their customers are sensitive to network dropouts and poor speed and wants to provide services that meet the expectations of the Australian community.

In this case, Optus has identified significant demand for coverage by users in and around the target area.

3 SITE SELECTION

3.1 Site Selection Process

Optus carefully examined a range of possible deployment options in the area before concluding that a new telecommunications facility located at Springhill Road would be the most appropriate solution.

Optus commenced the site selection process with a search of potential sites that meet the network's technical requirements, with a view to also having the least possible impact on the surrounding area. Optus applies and evaluates a range of criteria as part of this site selection process.

Optus assesses the technical viability of potential sites through the use of computer modelling tools that produce predictions of the coverage that may be expected from these sites, as well as from the experience and knowledge of radio engineers.

There are also a number of other important criteria that Optus uses to assess and select potential site options. These take into account factors other than the technical performance of the site, and include:

- The potential to upgrade existing Optus facilities within the region;
- The potential to co-locate on an existing telecommunications facility;

DA for New Telecommunications Facility at
Lot 2 on Plan 14367



- The potential to locate on an existing building or structure;
- Regulatory compliance and the potential to obtain relevant planning approvals;
- Proximity to community sensitive locations and areas of environmental heritage;
- Impacts on the existing use of the site;
- The ability to secure tenure with landowner; and
- The cost of developing the site and the provision of utilities (power, access to the facility and transmission links).

During the site selection process for the new facility, Optus carefully considered all of the above criteria. This analysis is detailed in the following sections.

3.2 Co-location Opportunities

The Communications Alliance Industry Code – Mobile Phone Base Station Deployment promotes the use of existing sites in order to mitigate the effects of facilities on the landscape. A number of existing facilities within proximity to Cuballing were investigated as potential candidates for co-location.

The closest mobile facilities in the area are as follow, also shown in **figure 1**:

- **RFNSA 6311002 (3.15km) Lot 425 Hotham Street, Cuballing WA 6311**
This is a NBN Co. 40m monopole. Telstra are co-located on the tower already. NBN Co. confirmed that the highest available height on the monopole is 31m for, Optus's cannot achieve transmission link at this height.

Therefore the candidate cannot be considered further.



Figure 1: Locations of nearest existing telecommunications facilities – Blue pin identifies subject site (RFNSA website)

3.3 New Facility Locations

In addition to there being no suitable telecommunications structures for co-location, there were no tall buildings or structures that could be used as a support structure for the antennas. As no co-location options are suitable, Optus considers that a new telecommunications facility will be required to service the Cuballing area.

3.3.1 Site Identification and Assessment

A large number of potential sites were initially identified through a desk based assessment. A shortlist of the four (4) most suitable candidates was drawn up and a detailed assessment was undertaken. The locations of these are shown in **figure 2**.

Table 1 provides the summary of the assessment of each site.



Figure 2: Candidates Investigated (Google Earth)

Candidate	Site Details	Facility Type	Description & Comments
A	Lot 1 Springhill Rd, Cuballing 6311	60m Guyed Mast	<p>The radio frequency need for the site can be achieved at this site, however the candidate was discounted due to unfavourable Planning and construction constraints at the site.</p> <p>The land is elevated and would be well visible from several main roads as well as being close to a dwelling on the land. It is preferable to minimise the total number of opportunities that the facility would be highly visible form – in this instance candidate C is preferable.</p>



DA for New Telecommunications Facility at
Lot 2 on Plan 14367

			<p>Additionally, construction would be unreasonably expensive at this site as a particularly long power run would be required.</p> <p>Therefore the candidate was be pursued.</p>
B	Lot 425 Hotham Street Cuballing WA 6311	Co-locate on NBN Co. facility	<p>While the radio frequency need for the site could be achieved at this site, the site is too low for a line-of-site to achieve transmission i.e. the site is unable to link into the Optus network).</p> <p>Therefore the candidate cannot be pursued.</p>
C	Lot 2, Springhill Road, Cuballing WA 6311	60m Guyed Mast	<p>Candidate C is Optus's preferred candidate.</p>
D	170 Watsons Road, Cuballing, WA 6311	60m Guyed Mast	<p>The radio frequency need for the site can be achieved at this site, however the candidate was discounted due to marginal Planning constraints at the site.</p> <p>Candidate C is considered to have marginally more favourable planning merit compared to Candidate D. therefore, as Candidate D did not result in the best planning outcome, the candidate was discounted.</p>

Table 1: Summary of candidates investigated.

3.4 Site Selection Conclusion

A thorough assessment of potential telecommunications base-station sites in the surrounding area has been undertaken. For one or more reasons, the majority of these sites have been ruled out.

All candidates were located in a General Agriculture zone as identified by the Shire of Cuballing Town Planning Scheme No.2.

One (1) candidate was a co-location opportunity, however the existing facility was too low for Optus to achieve line-of-site for transmission purposes. All three (3) remaining greenfield options are capable of achieving the radio frequency demand for the site however Candidate C is the standout option from a good town planning perspective. Therefore, **Candidate C** is the most feasible option to progress for this development application. Accordingly, on behalf of Optus, we submit this development application to the Shire of Cuballing for a new telecommunications facility.

4 SITE CONTEXT

4.1 Subject Site and Surrounds

The subject site and surrounds are best described as an open rural setting, with the primary land use being for agricultural purposes. The site is located on the eastern edge of Springhill Road, some 1.2km south of the Cuballing Township. The subject land is a large rural paddock which maintains some groups of established vegetation. The land maintains large frontages to both Springhill Road (western boundary) and the Great Southern Highway (eastern boundary). Both road frontages are well landscaped providing a good level of enclosure for vehicle users travelling along these roads.

The subject land occupies the entire eastern area defining the locality. West of the site the area is comprised of undeveloped bushland, with a small local cemetery set within the corner of the bushland and Springhill Road. Refer to **figure 8** showing a photograph from the cemetery looking towards the subject land.

The closest dwelling is also located east, some 530m from the site. The dwelling is well setback from Springhill Road. The established bushland sits between the dwelling and the subject land which should provide a high level of visual screening of the proposed structure when viewed from the dwelling.

Figures 3-11 illustrate the context and appearance of the proposed site.



Figure 3: Context of proposed Optus site (Google Earth) – Prime Candidate C

DA for New Telecommunications Facility at
Lot 2 on Plan 14367



Figure 4: Close up of Prime Candidate C



Figure 5: Looking south west towards the site with Springhill Road in the background

DA for New Telecommunications Facility at
Lot 2 on Plan 14367



Figure 6: View from the site looking south adjacent to Springhill Road



Figure 7: View from the site looking north within the subject land

DA for New Telecommunications Facility at
Lot 2 on Plan 14367



Figure 8: Looking south east towards the site from local cemetery



Figure 9: View looking south east towards facility along Springhill Road – note site entrance in far left of photo

DA for New Telecommunications Facility at Lot 2 on Plan 14367



Figure 10: View looking east away from the facility



Figure 11. Proposed use of existing access from Springhill Road



DA for New Telecommunications Facility at
Lot 2 on Plan 1 4367

5 THE PROPOSAL

5.1 Installation details

Optus proposes to construct a new telecommunications facility comprising installation of the following elements:

- one (1) new 60 tall guyed mast;
- three (3) new antennas, to be mounted at the top of the tower on a hexagonal headframe (C/L 57m);
- two (2) parabolic transmission antennas;
- one (1) new equipment shelter coloured 'Pale Eucalypt', with a floor area of 7.5m², located adjacent to the new tower; and;
- ancillary equipment associated with the operation of the facility.

The new facility will be wholly contained within a compound enclosed by a 2.4m tall chain link fence.

5.2 Access details

Mobile base stations operate on a continuously unmanned basis and require infrequent maintenance. Accordingly, the proposed facility will not be a significant generator of vehicular or pedestrian traffic and will not adversely impact local traffic flow.

Access to the site is proposed off Springhill Road via the existing site access.

Vehicles and plant involved in the construction will be parked inside the site, off Springhill Road on the cleared area adjacent to the proposed compound. The exact details of plant location will be finalised once the construction contractor has been selected. No dedicated parking spaces are proposed; the ongoing maintenance will be completed by a single light vehicle visiting the site 1-5 times per year who can park on the access track.

5.3 Power details

The power will be run underground to the facility from the nearest power pole located within the property. The approval process with Western Power has commenced.

5.4 Construction of the Proposed Facility

The construction of a telecommunications facility fundamentally consists of four stages:

1. Site preparation;
2. Facility construction;
3. Equipment installation and commission; and



DA for New Telecommunications Facility at
Lot 2 on Plan 14367

4. Facility optimisation.

Any traffic impacts associated with construction will be of a short term nature and are not anticipated to adversely impact the surrounding road network. In the unlikely event that a road closure will be required, Optus will request permission from the relevant authorities.

Impacts on the environment and local amenity as a result of the construction by means of noise, dust and vibration will be short term in nature. The distance between the proposal site and any residential or sensitive development will mitigate any detrimental impacts.

6 COMMONWEALTH PLANNING CONTROLS

Licensed telecommunications carriers must operate under the provisions of the *Telecommunications Act 1997* and the following legislation:

- *The Telecommunications (Low Impact Facilities) Determination 1997* (as amended);
- *The Telecommunications Code of Practice 1997*; and
- *The Environment Protection and Biodiversity Conservation (EPBC) Act 1999*.

6.1 *Telecommunications Act 1997 & Telecommunications (Low Impact Facilities) Determination 1997*

The Telecommunications Act 1997 has been operative since 1 July 1997. This legislation establishes the criteria for 'Low Impact' telecommunications facilities. If a proposed facility satisfies the requirements of a 'Low Impact' facility, the development is exempt from the planning approval process.

Further clarification of the term 'Low Impact' is provided in *The Telecommunications (Low Impact Facilities) Determination 1997*, which identifies the type of facilities that can be 'Low Impact' and the areas in which these facilities can be installed.

The facility proposed here is not 'Low Impact' under the definitions contained in the Commonwealth Legislation and is therefore subject to State and local planning laws and guidelines. In this case, the provisions of *The Planning & Development Act 2005*, and the Shire of Cuballing Town Planning Scheme, together with relevant policies made under these documents, will be applicable to the proposal. The Shire of Cuballing will be the determining authority in relation to the proposal.

6.2 *Telecommunications Code of Practice*

Under *The Telecommunications Act 1997* the Government established *The Telecommunications Code of Practice 1997*, which sets out the conditions under which a carrier must operate.



Section 2.11 of *The Telecommunications Code of Practice 1997* sets out the design, planning and installation requirements for the carriers to ensure the installation of facilities in accordance with industry 'best practice'.

6.3 The Mobile Phone Base Station Deployment Industry Code C564:2011

The Mobile Phone Base Station Deployment Industry Code C564:2011 (the 'Deployment Code') is designed to allow communities and Councils to have greater participation in decisions made by telecommunications carriers when deploying mobile phone base stations, and to provide greater transparency to local communities and councils when a carrier is planning and selecting a site for, installing and operating mobile phone radio communications infrastructure.

Table 2, below, demonstrates how the objectives of the Deployment Code have been met in this case. The terms Electromagnetic Emissions (EME) and Electromagnetic Radiation (EMR) are used interchangeably in the Deployment Code to mean the radiofrequency portion of the electromagnetic spectrum.

Deployment Code Objective	Response
Apply a precautionary approach to the deployment of mobile phone radio communications infrastructure	The site selection process utilised here follows guidance set out at section 4 of the Deployment Code considering environmental and community sensitivities.
Provide best practice processes for demonstrating compliance with relevant exposure limits and protection of the public	An Environmental EME Report has been produced for the site in accordance with requirements of the Deployment Code and following the template shown at Appendix C of the Deployment Code. The site specific report is provided at Appendix B to this report, showing that the maximum EME level calculated as a result of the proposed systems is 0.18% of the public exposure limit.
Ensure that the exposure of the community to EMR is minimised	<p>The environmental EME level is minimised through radio network design. Adaptive power control is the network feature that automatically adjusts the power and hence minimises EME from both the base station and the handset. Another feature, called discontinuous transmission, reduces EME emissions by automatically switching the transmitter off when no speech or data is sent.</p> <p>The site has been designed to restrict public access to any areas that exceed the general public exposure limits.</p> <p>EME exposure to the public will be minimised by:</p> <ul style="list-style-type: none"> • Inherent height of antenna and separation from publically accessible areas;



DA for New Telecommunications Facility at
Lot 2 on Plan 14367

	<ul style="list-style-type: none"> • Site access restrictions – secure fence, locked gates and & signage; • Site access restrictions – restricted ladder access.
To ensure relevant stakeholders are informed, consulted and engaged with before mobile phone radio communications infrastructure is constructed	As per guidance in the Deployment Code, it is expected that public consultation will occur through the Development Application process where one is required.
Specify standards for consultation, information availability and presentation	Given the distance to any sensitive locations or uses, it has not been considered necessary to undertake any advance consultation in relation to the proposed development.
Consider the impact on the wellbeing of the community, physical or otherwise, of mobile phone radio communications infrastructure site selection	The preferred site recommended for development maximises separation to any residential and sensitive development. As a result, detrimental impacts on the local community are minimised, while providing a high quality mobile telecommunications service for the benefit of the community.
To ensure Council and community views are incorporated into the mobile phone radio communications infrastructure site selection.	This opportunity will be provided during the Development Application process.

Table 2: Summary of how Optus has addressed the objectives of the Deployment Code.

6.4 The Environment Protection and Biodiversity Conservation (EPBC) Act 1999

The EPBC Act 1999 obliges telecommunications carriers to consider 'matters of national environmental significance'. Under this legislation, an action will require approval from the Minister of Environment if it has, or is likely to have, an impact on a matter of 'national environment significance'. There are nine matters of national significance protected under the EPBC that must be considered, classified as:

- World heritage places
- National heritage places
- Wetlands of international importance (listed under the Ramsar Convention);
- Listed threatened species and ecological communities;
- Migratory species protected under international agreements;
- Commonwealth marine area;
- The Great Barrier Reef Marine Park;
- Nuclear actions (including uranium mines);
- A water resource in relation to coal seam gas development and large coal mining development.

Figure 12, together with the EPBC Act Protected Matters Report generated on the location of the proposed facility, shows that there is 1 listed threatened ecological community, 10 threatened species, 3 migratory species. There will be no clearing

DA for New Telecommunications Facility at
Lot 2 on Plan 14367

associated with the construction of the facility and therefore these species are unlikely to be affected.



Figure 12: EBPC Protected Matters Search (www.environment.gov.au)

7 STATE PLANNING CONTROLS

7.1 State Legislation

7.1.1 The Planning and Development Act 2005

The Planning & Development Act 2005 is the primary piece of legislation governing development and subdivision in Western Australia. It sets out overarching development controls, in particular the requirement to obtain approval to commence development where it is established in a planning scheme.

7.1.2 The Planning & Development Act (Local Planning Scheme) Regulations 2015

The Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) took effect on the 19th of October 2015, replacing *The Town Planning Regulations 1967*. Amongst other elements, the Regulations introduce a set of deemed provisions that now form part of every local planning scheme in the State.

Under Part 7 of the Regulations (Requirement for development approval), a person must not commence or carry out any works on, or use, land in the Scheme area unless:

- a) The person has already obtained the development approval of the local government; or
- b) The development is of a type referred to in clause 61.

Clause 61 defines types of development for which development approval is not required. As the proposed development of a telecommunications facility does not



DA for New Telecommunications Facility at
Lot 2 on Plan 14367

meet the criteria, it requires development approval under the Shire of Cuballing Local Planning Scheme.

7.1.3 The Environmental Protection Act 1986

The Environmental Protection Act 1986 (EP Act) establishes a system where environmental assessment of proposals is required if there is likely to be a significant effect on the environment. This is generally not needed where a determination is made under a District Planning Scheme because the Scheme provisions will have undergone assessment by the Environmental Protection Authority (EPA) and therefore the impacts of such an approval would have been considered by the EPA.

This proposal does not raise matters not already considered under the EPA's assessment of the District Planning Scheme. Furthermore, it does not involve major clearing and is not for a 'prescribed class' under the Act. It is therefore not considered that referral to the EPA would be necessary.

7.2 State Statutory Provisions

State Planning Policies (SPPs) are developed under Part 3 of *The Planning and Development Act 2005* and provide the highest level of planning policy control and guidance in Western Australia. Development Control Policies (DCPs) are part of the planning framework, however are more used to guide decision making in relation to subdivision and development applications.

7.2.1 State Planning Policy 5.2 – Telecommunications Infrastructure (2015)

Primarily, the policy aims to balance the need for effective telecommunications services and effective roll-out of networks with the community interest in protecting the visual character of local areas. The objectives of the policy are to:

- Facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;
- Manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;
- Ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and
- Promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.

The site was selected to minimise visual impacts by being away from the developed areas and out of direct line of sight for most people in and passing through the area.



DA for New Telecommunications Facility at
Lot 2 on Plan 14367

Table 3, below, sets out the provisions of the policy relating to visual impacts together with the response for this situation.

Policy provision	Response
Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:	
a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites	<p>The proposal is located within a rural area away from the Cuballing township. The site is located off Springhill Road, a local road which is not considered part of the main tourist route.</p> <p>The subject land shares a boundary to the Great Southern Highway, however maintains a considerable distance (in excess of 1km) from the highway – The highway is also very well landscaped along the corridor.</p> <p>Therefore it is considered that the accumulative visual impact upon the local landscape is not considered significant.</p>
b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land	<p>The site has been selected so as not to compromise any significant views, places of significance or local landmarks.</p> <p>As mentioned above, the proposal will be visible from along Springhill Road. This road is generally well landscaped which will provide immediate screening of the facility.</p> <p>The proposal will be partially visible from the local cemetery, again, direct views will not be possible.</p> <p>One means of considering the visual impact is to consider the alternative sites available. In this instance the co-location at Lot 425 Hotham Street Cuballing WA 6311 would be the best means of minimising visual impact upon the locality. However this option is not capable of linking to the Optus network and therefore is not a viable candidate.</p> <p>Other alternative candidate were deemed to have a visual impact greater than the nominated site and where therefore discounted.</p>
c) not be located on sites where environmental, cultural heritage, social and visual landscape values may be compromised	<p>The subject site is rural land with some groups of remanent vegetation scattered throughout the land. There are no reported environmental, cultural or heritage sites on the subject land.</p> <p>The local cemetery is 80m away set within established bushland. The site is not considered to compromise the social value of the cemetery.</p> <p>As described throughout this report, the landscape value of the locality is well regarded. The site has been located away from main tourist routes and set behind road side vegetation to help minimise potential visual impact.</p>



DA for New Telecommunications Facility at
Lot 2 on Plan 14367

<p>d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;</p>	<p>The antennas will be factory grey colour and the shelter will be 'Pale Eucalypt' finish.</p> <p>The structure will be constructed of steel, which is non-reflective and best suited to be sympathetic with the surrounding landscape. A guyed mast is the only structure capable of achieving the necessary height and therefore other structures cannot be considered.</p>
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Table 3: Visual Impacts expectations set out in SPP 5.2

In addition to the visual impact assessment addressed in **table 3**, **SPP 5.2** highlights that telecommunications infrastructure should be located where it will facilitate continuous network coverage and/or improve telecommunications services to the community. As described in more detail in section 2 to this report, in this situation the facility will provide improved coverage to the Cuballing region.

SPP 5.2 goes on to highlight that telecommunications infrastructure should be co-located where possible and preferably within existing infrastructure corridors where existing or proposed buildings are not available. In this case, as set out in section 3, there were no viable co-location opportunities within the search area and there are no buildings or structures that could be used that would be capable of achieving coverage objectives.

As set out above, the proposal is in compliance with the aims and objectives of **SPP 5.2**.

8 LOCAL PLANNING PROVISIONS

8.1 Shire of Cuballing Town Planning Scheme No. 2 (TPS)

8.1.1 Scheme & Zone Provisions

Under the TPS, the proposed site falls within land zoned as '**General Agriculture**' as shown in **figure 14**.

As there are currently no provisions in the Shire of Cuballing Town Planning Scheme No.2 relating to mobile phone facilities.

DA for New Telecommunications Facility at
Lot 2 on Plan 14367



Figure 14: Shire of Cuballing LPS Zoning (www.planning.wa.gov.au)

8.2 Other Constraints (Overlays)

8.2.1 Bushfire

The proposed facility is located within an area identified as Bush Fire Prone (shown on maps produced by the Department of Fire & Emergency Service, **figure 15**). **SPP 3.7 – Planning in Bushfire Prone areas** and provisions under the District Planning Scheme seek to prevent increasing the risk or consequence of bushfires in the area. The development will not emit undue heat or sparks and will not provide a source of fuel for bushfires. The structure and shelter are designed for use in bushfire prone areas. No habitable buildings are being introduced and therefore the development does not introduce any additional risks. The proposal will vital communication services in time of emergency which will assist firefighting and community announcement activities during these times.

DA for New Telecommunications Facility at
Lot 2 on Plan 14367



Figure 15: Map of Bush Fire Prone Areas 2016 (Landgate SLIP)

9 VISUAL IMPACT

Mobile base stations are relatively commonplace in today's landscape – thousands of mobile telecommunications facilities are in operation across Australia, over a variety of land uses and environments.

Mobile telecommunications facilities are required to protrude above the surrounding landscape in order to function correctly and this site, at a height of 60m, will be visible from a number of surrounding perspectives. Optus has identified that the size of the facility is the lowest height capable of providing a feasible level of service to the area.

In order to provide coverage for users, sites are often required in or near populated areas to address the demand created by users. In this situation, Optus have had to balance the visual impacts to nearby rural living dwellings while remaining close enough to provide coverage for users.

It is acknowledged that the site, by virtue of its scale and location, will be visible from certain perspectives in the proximity of the site. In this case the site has been set back a minimum of 530m from the nearest residential dwelling located off Springhill Road. A very good level of existing vegetation will aid in screening the bulk of the proposal when viewed from this location.

The locality is designated as a rural area, and this is not expected to change in the near future. Accordingly, it is not envisaged that sensitive uses will, in the future, encroach upon the subject site.

10 CONCLUSION

Optus propose to provide improved call and data quality coverage to the Cuballing region.

The facility will form an integral component in the Optus mobile phone network and will provide an important community benefit by providing improved and reliable communications services to the existing local community and future development planned for the region.

The proposed location within a General Agricultural zoned area is considered logical and appropriate. Whilst the proposed location will be visible from some locations, most notably along Springhill Road, the area is defined by large farming lots that are typically very well vegetated able to provide to good visual mitigation, given the separation between sensitive land uses, the structure is believed to provide appropriate separation.

Importantly, the proposed facility represents a necessary piece of community infrastructure that the community rely upon, and one which future residential populations will continue to utilise.

Optus considers the proposed facility and its impacts would be appropriate and acceptable in the proposed location and respectfully requests favourable consideration by the Shire of Cuballing.

9.2.3 Delegating Council Authority – 2017/18

Applicant: N/A
File Ref. No: ADM022
Disclosure of Interest: Nil
Date: 8th June 2017
Author: Gary Sherry
Attachments: 9.2.3A Draft Delegations Register

Summary

Council is to review and confirm delegation of Council authority to the Chief Executive Officer and other parties.

Background

Section 5.46 of the Local Government Act 1995 requires that the Chief Executive Officer is to keep a register of the delegations made under the Act to the Chief Executive Officer and to employees and at least once every financial year.

Council last reviewed all their delegations on Thursday 16th June 2016.

Council should note that under section 5.44 of the Local Government Act, Council can only delegate to the Chief Executive Officer and the Chief Executive Officer is able to delegate to Council employees. Therefore, although Council policy requires approval by two staff for some activities, the Council delegation is to the Chief Executive Officer and the Chief Executive Officer then on delegate, in writing, to additional staff. Some specialist delegations, particularly building and health matters, are on delegated to appropriately trained or qualified staff.

Comment

A revised draft list of Council's delegations are included at Attachment 9.2.3A, with new additions included in red and deletions struck out.

One delegation is recommended for amendment and one is recommended for deletion.

Delegation F3: Payment of Accounts has the Deputy Chief Executive Officer is on-delegated the authority to make payments. This amendment recognises that the delegation permits Council's payments to be authorised by at least one of the Chief Executive Officer or Deputy Chief Executive Officer and another staff member.

Delegation F5: Credit Card / Fuel Card is removed because this delegation is superseded by other Council consideration including:

- Delegation A2: Purchase Orders
- Policy 2.2 Purchasing Policy
- Policy 2.9 Credit Cards

Strategic Implications - Nil

Statutory Environment

Local Government Act 1996

5.42. Delegation of some powers and duties to Chief Executive Officer

- (1) A local government may delegate* to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to Chief Executive Officer's

A local government cannot delegate to a Chief Executive Officer any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

5.44 Chief Executive Officer may delegate powers and duties to other employees

- (1) A Chief Executive Officer may delegate to any employee of the local government the exercise of any of the Chief Executive Officer's powers or the discharge of any of the Chief Executive Officer's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the Chief Executive Officer under section 5.42, but in the case of such a power or duty —
 - (a) the Chief Executive Officer's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the Chief Executive Officer's delegate, are subject to any conditions imposed by the local government on its delegation to the Chief Executive Officer.
- (4) Subsection (3)(b) does not limit the Chief Executive Officer's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —
"conditions" includes qualifications, limitations or exceptions.

5.46. Register of, and records relevant to, delegations to Chief Executive Officer's and employees

- (1) The Chief Executive Officer is to keep a register of the delegations made under this Division to the Chief Executive Officer and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Building Act 2011

127 Delegation: special permit authorities and local governments

- (1) A special permit authority or a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.
- (2) A delegation of a special permit authority's powers or duties may be only to an employee of the special permit authority, or to an employee of one of the legal entities that comprise the special permit authority.
- (3) A delegation of a local government's powers or duties may be only to a local government employee.
- (4) The delegation must be in writing executed by or on behalf of the delegator.
- (5) Except as provided for in subsection (6A), a person to whom a power or duty is delegated under this section cannot delegate that power or duty.
- (6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section but in the case of such a power or duty —
 - (a) the CEO's power under this subsection to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions, qualifications, limitations or exceptions imposed by the local government on its delegation to the CEO.
- (6) A person exercising or performing a power or duty that has been delegated to the person under this section is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown.
- (7) Nothing in this section limits the ability of the delegator to perform a function through an officer or agent.
- (8) In subsections (3) and (6A) —
CEO means chief executive officer;
local government employee, in relation to a local government, means a person employed by the local government under the Local Government Act 1995 section 5.36.

Bush Fires Act 1954

48 Delegation by Local Government

- (1) A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.
- (2) Performance by the chief executive officer of a local government of a function delegated under subsection (1) —
 - (a) is taken to be in accordance with the terms of a delegation under this section, unless the contrary is shown; and
 - (b) is to be treated as performance by the local government.
- (3) A delegation under this section does not include the power to subdelegate.
- (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.

Policy Implications

On occasions Council Policy guides or controls the use of Council's delegated authority.

Financial Implications - Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. the Officer's Recommendation with additions to, amendment of or deletion of any of the delegations shown in the attached draft delegations register.

Voting Requirements – Absolute Majority

COUNCIL DECISION – 2017-51:

That Council endorses the Shire of Cuballing Delegations Register June 2017 included at Attachment 9.2.3A Draft June 2017 Delegations Register as amended.

Moved: Cr Bradford

Seconded: Cr Haslam

Carried 6/0



Draft

DELEGATIONS REGISTER

(To be adopted 15th June 2016)

1. ADMINISTRATION

A1: Legal Advice

The Chief Executive Officer is delegated the authority to appoint legal counsel and obtain advice, assistance and opinions as the Chief Executive Officer deems necessary in the exercise of the management of the Shire of Cuballing with all legal advice received to be made available at the next Council meeting.

Guidelines

This delegation is subject to sufficient provision having been made in Council's budget for any expenses to be incurred.

Reference: Local Government Act 1995 section 5.42

A2: Purchase Orders

The Chief Executive Officer is delegated the authority to issue Purchase Orders for goods or services on behalf of the Shire of Cuballing.

Guidelines

Issuing of a Council order is only permitted where sufficient funds have been allocated in Council's budget and the mode of purchase is in accordance with Council's Purchasing Policies.

Reference: Local Government Act 1995 section 5.42

On Delegation to the following officers in the following manner:

Deputy Chief Executive Officer	up to orders of \$10,000
Manager Works & Services	up to orders of \$10,000
Administration Officer	up to orders of \$2,000
Works Supervisor	up to orders of \$2,000

A3: Tender Invitation

The Chief Executive Officer is delegated the authority to call Tenders to supply goods and/or services for all budgeted items.

Objective: To expedite the purchase of goods and services.

Reference: Local Government Act 1995 sections 3.57 & 5.42.
Local Government (Functions and General) Regulations 11.

A4: Media

The Chief Executive Officer is delegated the authority for the publicity of Council activities through the media.

Reference: Local Government Act 1995 section 5.42
Shire of Cuballing Policy 1.6

A5: Common Seal

The Chief Executive Officer is delegated the authority to affix Common Seal (witnessed by President and CEO) to documents to be executed by the Shire of Cuballing where such documents are consistent and in accord with resolutions of Council, subject to Council being notified of executed documents in a timely manner.

Reference: Local Government Act 1995 sections 5.42, 9.49A(2) & 9.49A(4)

A7: Permission to Conduct Activities on Council Property

The Chief Executive Officer is delegated authority to grant permission to conduct activities on Council Property.

Objective: To expedite the Council approval process

Reference: Local Government Act 1995 section 5.42(1)

On Delegation: Deputy Chief Executive Officer

A8: Liquor Permits

The Chief Executive Officer is delegated the authority to determine applications for the consumption and sale of liquor on property under the care, control and management of the Shire of Cuballing.

Objective: To expedite the Council approval process

Reference: Local Government Act 1995 section 5.42(1)
Liquor Control Act 1988 sections 59 & 119

A9: Impounding

The Chief Executive Officer is delegated the authority to exercise power in relation to the removal and impoundment of any goods which are involved in any contravention that can lead to impoundment, and to use reasonable force in the exercise of this power.

Objective: To expedite good governance.

Reference: Local Government Act 1995 section 3.39 and Part 3.

A10: Enter Land in Emergencies

The Chief Executive Officer is delegated the authority to:

1. sign and issue Notices of Entry;
2. in the event of an emergency enter land, premises or thing immediately and without notice and perform any of its functions as it considers appropriate to deal with the emergency; and
3. exercise reasonable force to gain entry to land in the event of an emergency.

Reference: Local Government Act 1995 section 3.32 and 3.34

A11: Appointment of Authorised Persons – Enforcement and Legal Proceedings

The Chief Executive Officer is delegated the authority to appoint:

1. persons pursuant to section 9.29 of the Local Government Act 1995, to represent the Shire of Cuballing generally in proceedings in the court of petty sessions and Local Court.
2. under section 9.10 of the Local Government Act 1995 persons or classes of persons to be authorised for the purposes of performing particular functions.
3. under section 3.24 of the Local Government Act 1995 any person to exercise the powers given to a Local Government under Subdivision 2 of Division 3 of Part 3 of the Act.
4. under section 3.39 of the Local Government Act any person to exercise the powers given to a Local Government under subdivision 4 of Division 3 of Part 3 of the Act.
5. persons or classes of persons in relation to enforcement and legal proceedings.

Reference: Local Government Act 1995 section 9.16
Dog Act
Bush Fires Act
Health Act
Local Laws

A12: Execution of Documents

The Chief Executive Officer is delegated the authority to prepare the necessary documentation taking into account any specific or policy requirements of Council and arrange for execution of the contract documents where:

1. the Council has authorised entering into a formal contract, or
2. a formal contract is authorised under a delegated authority from the Council, or
3. a formal contract is considered necessary by the Chief Executive Officer as part of the day to day operation of the Council;

Reference: Local Government Act 1995 section 5.42

A13: Destruction of Records

The Chief Executive Officer is delegated the authority to destroy records in accordance with Council's Record Keeping Plan.

Reference: Shire of Cuballing Record Keeping Plan
State Records Act 2000
State Records Office's General Disposal Authority for Local Government Records

A18: Industrial Representation

The Chief Executive Officer is delegated the authority to sign an employer's warrant for representation on industrial awards and to appear on the Shire of Cuballing's behalf.

Reference: Local Government Act 1995 sections 5.42

A19: Bond Refunds

The Chief Executive Officer is delegated the authority to refund bond monies where all conditions of approval have been met, with the aggrieved applicant having a right of appeal to Council.

Objective: To expedite the Council approval process

Reference: Local Government Act 1995 section 5.42(1)

2. BUILDING

B1: Building Permit

The Chief Executive Officer is delegated the authority to approve or refuse plans and specifications submitted under section 20 of the Building Act.

Reference: Building Act 2011 Sections 20, 22, 127

On Delegation: Building Surveyor

B2: Demolition Permit

The Chief Executive Officer is delegated the authority to approve or refuse plans and specifications submitted under section 21 of the Building Act.

Reference: Building Act 2011 Sections 21, 22, 127

On Delegation: Building Surveyor

B3: Building Orders

The Chief Executive Officer is delegated authority to:

1. make building orders pursuant to section 110 of the Building Act 2011 in relation to: -
 - a. Building work;
 - b. Demolition work; or
 - c. An existing building or incidental structure; and
2. revoke building orders pursuant to section 117 of the Building Act 2011

Reference: Building Act 2011 Sections 110, 117, 127

On Delegation: Building Surveyor

B4: Extension of Period of Duration of Occupancy Permit or Building Approval Certificate

The Chief Executive Officer is delegated the authority to approve or refuse to approve applications submitted under section 65 of the Building Act

Reference: Building Act 2011 Section 65, 127

On Delegation: Building Surveyor

B5: Grant of Occupancy Permit, Building Approval Certificate

The Chief Executive Officer is delegated the authority to approve or refuse plans and specifications submitted under section 58 of the Building Act 2011.

Reference: Building Act 2011 Section 58, 127

On Delegation: Building Surveyor

3. HEALTH

H1 Offences

The Chief Executive Officer is delegated the authority to to issue notices, serve direction and take actions on behalf of Council which is authorised by the Health Act 1911 or its subordinate legislation, conditional upon such action being reported to Council at its next held full meeting.

Reference: Health Act 1911
Shire of Cuballing Health Local Law 2007

On Delegation Environmental Health Officer

H2: Itinerant Food Vendors Licence

The Chief Executive Officer is delegated the authority to issue Itinerant Food Vendors Licence in accordance with the requirements of the Health Act and Shire of Cuballing Health Local Law.

Objective: To expedite the issue of planning approval.

Reference: Local Government Act 1995 section 5.42
Health Act 1911
Shire of Cuballing Health Local Law 2007

On Delegation Environmental Health Officer

H3: Septic Tank Installations

That the Chief Executive Officer is delegated the authority to approve septic tanks and other apparatus for the treatment of sewage and disposal of effluent and liquid waste.

Reference: Health Act 1911 Section 107(2)(a)
On Delegation Environmental Health Officer

H4: Notices

The Chief Executive Officer is delegated the authority to issue notices to owners and occupiers of land requiring certain things to be done by the owner or occupier of that land.

Reference: Local Government Act 1995 section 3.25
Health Act Parts IV, V, VI, VII, VIIA, VIII, IX, XV

H5: Renewing Licences

The Chief Executive Officer is delegated the authority to renew all licences provided the circumstances of the original licence have not substantially altered.

Reference: Health Act 1911

H6: Administration of Health

The Chief Executive Officer is delegated the authority to exercise and discharge the powers and functions of the Shire of Cuballing under the Health Act 1911 relating to:

- forming of opinions and making of declarations;
- the granting and issue of licenses, permits, certificates and approval;
- the issue of notices, orders and requisitions and the carrying out and putting into effect of notices, orders and requisitions;
- the ordering and authorisation of legal proceedings for breaches of the Health Act 1911, all regulations and local laws.

Reference: Health Act 1911

On Delegation Environmental Health Officer

4. PLANNING

P1: Home Occupations

The Chief Executive Officer is delegated authority to approve the issue of Home Occupation Licence subject to compliance with Shire of Cuballing Town Planning Scheme No 2.

Reference: Local Government Act 1995 section 5.42
Shire of Cuballing Town Planning Scheme No 2

P2: Planning

The Chief Executive Officer is delegated authority for:

1. Requirements for Public Notice

- 1.1 Making a determination on the form or forms of public notice to be given of a proposed development, scheme amendment, road closure or other proposal where the Local Planning Scheme or other legislation requires that such public notice be given and give such notice.

- 1.2 Making a determination to require that public notice of a development to be given in accordance with Local Planning Scheme where such notice is considered to be in the public interest.

2. Approval of Permitted “P” and Incidental Uses

Making a determination on all “P” and Incidental uses where a proposed development is generally in accordance with the Local Planning Scheme, Local Planning Strategy, Council policies and is consistent with guiding precedent approvals.

3. Residential Design Code Matters

Making a determination on any matter required to be determined under the Residential Design Codes including where an exercise of discretion is required, provided that appropriate notice of the proposed development is given to adjoining properties where it is required or is considered to have the potential to adversely affect the amenity of an adjoining property.

4. Minor Modification of Planning Determinations

Making modifications to planning approvals where:

- 4.1 the modification conforms to the relevant Local Planning Scheme objectives and policies;
- 4.2 the modification does not have a detrimental effect on the amenity of the locality; and
- 4.3 the extension to a development approval is to a maximum of 2 years.

NOTES:

- Where consent of abutting landowners was required for the original application, then the modification should also be referred to abutting landowners for comment where the modification requires a substantial variation from the original application.
- Where the original application was required to be the subject of public notice under the relevant Local Planning Scheme or the Residential Design Codes, then (if the modification is considered substantial) the modification will need a new public notice readvertised in accordance with the Local Planning Scheme or the Residential Design Codes.

5. Dealing with Subdivisions

Making recommendations to the Western Australian Planning Commission in respect of applications or other matters relating to Subdivision, Boundary Adjustment, Amalgamation and Strata Titling where such matters are in accordance with the Local Planning Scheme, Local Planning Strategy, Council Policies and established precedent, including minor variations to approved subdivisions and clearance of conditions provided appropriate consultation with other Council Officer’s is carried out.

6. Dealing with Scheme Amendments

- 6.1 Requiring modifications to Local Planning Scheme Amendment documents to ensure that all documents are maintained at a consistent high quality and the information contained within the document addresses all issues considered relevant and will enable the public and referral agencies to fully understand the Amendment.

- 6.2 Accepting modifications to Local Planning Scheme Amendment documents required by the Western Australian Planning Commission or the Minister for Planning at any stage throughout the Scheme Amendment process.
 - 6.3 Respond in writing to scheme amendment requests. Based on Council resolution, the CEO to set out that support for scheme amendment requests should cover multiple lots or a precinct compared to an individual lot, unless the site subject to the scheme amendment request is a considerable area or the applicant provides suitable justification for the proposal to the satisfaction of the Council.
7. Legal Proceedings
- 7.1 all matters relating to Planning Infringement Notices including sections 228, 229, 230 and 231 of the Planning and Development Act
 - 7.2 Taking all necessary action against owners or occupiers of properties to cease illegal uses, comply with the Local Planning Scheme and/or comply with conditions of Development Approval, including instituting prosecution proceedings under the Planning and Development Act, in the Court in its summary jurisdiction.
 - 7.3 Represent Council, or appoint appropriate representatives, where necessary at prosecutions, appeals and enquiries pertaining to the enforcement of the provisions of the Planning and Development Act and the implementation of Council's Local Planning Scheme
8. Miscellaneous Matters
- 8.1 Electing to return or defer consideration of incomplete and unsatisfactory applications for planning consent.
 - 8.2 Granting variations to relevant Planning Policies and provisions of the Residential Design Codes on Building Licence applications (where the application is exempt from the requirement to gain planning approval under the Residential Design Codes and/or the Local Planning Scheme).
 - 8.4 Provision of written and verbal responses to planning appeals, mediated settlements resulting from appeals and Western Australian Planning Commission requests for reconsideration.
 - 8.5 Prepare submissions and correspondence to government agencies and other organisations where consistent with the Local Planning Scheme, Local Planning Strategy, Council policies and guiding precedent approvals.
9. Right to have matter heard By Council

Where an applicant disputes or has issue with a planning determination made in accordance with this delegation, it will be a matter of right for the applicant to request that the matter be reconsidered by Council, provided the exercise of such right does limit any other right of appeal that exists in Law.

10. Matters that may be of significant financial interest to Council

Despite other indications in this delegation, it is required that any planning matter that may have significant impact on Council infrastructure is to be determined by the Council.

Reference: Local Government Act 1995 section 5.42

P3: Subdivision Clearance

The Chief Executive Officer is delegated the authority to endorse subdivision referral proformas and to certify the compliance with subdivision conditions when satisfied that suitable arrangements have been made.

Reference: Local Government Act 1995 section 5.42
Town Planning and Development Act 1928 part III Sections 20 and 24

P4: Secondhand Fencing

The Chief Executive Officer is delegated the authority to approve the use of secondhand material for fencing.

Reference: Local Government Act 1995 section 5.42

5. WORKS

W1: Roadside Clearing

The Chief Executive Officer is delegated the authority to permit clearing of roadside vegetation

Guideline Any application must comply with legislation and Council Policy.

Reference: Local Government Act 1995 section 5.42
Environmental Protection (Clearing of Native Vegetation) Regulations
2004
Shire of Cuballing Policy 5.18

W2: Road Trains/Mass Permits

The Chief Executive Officer is delegated the authority to approve rigid and articulated vehicle movements, up to a maximum 27.5m, on low volume roads within the Shire of Cuballing.

Guideline An approval provided under this delegation must comply with Council Policy.

Reference: Local Government Act 1995 section 5.42

On Delegation Manager Works & Services

W3: Seed Collection

The Chief Executive Officer is delegated the authority to permit wildflower picking and native seed collection on Shire of Cuballing property and reserves vested in or under the control of the Shire of Cuballing.

Guidelines

Any permits will be subject to and in accordance with conditions set by the Department of Environment and Conservation.

Reference: Local Government Act 1995 section 5.42

On Delegation Manager Works & Services

W4 Undertaking Private Works

The Chief Executive Officer is delegated the authority to accepting or rejecting private works.

Reference: Local Government Act 1995 section 5.42(1)

On Delegation Manager Works & Services for Private Works that are up to one full day in length.

W5: Temporary Road Closure

The Chief Executive Officer is delegated the authority to temporarily close roads during adverse weather conditions.

Reference: Local Government Act 1995 section 3.50

On Delegation Manager Works & Services

W6: Temporary Closure of Roads for Public Events

The Chief Executive Officer is delegated the authority to determine applications for the temporary closure of roads for public events.

Guidelines

The determination shall be in accordance with provisions of the Road Traffic (Events on Roads) Regulations 1991 and the Local Government Act 1995 and shall, when approved by the Chief Executive Officer, contain the following conditions:

1. The closure is to be advertised in a local newspaper.
2. Arrangements are to be made for appropriate signposting to effect the closure.
3. The applicant is to take out a Public Risk Insurance policy which indemnifies Council against any damages claims and a copy of the Policy is to be provided to Council.
4. The applicant is to notify the Police and Emergency Services and ensure that whilst the event is in progress, satisfactory arrangements are made to allow access to premises by Emergency Services.

The Chief Executive Officer may determine additional conditions to be imposed on any approvals issued.

Reference: Local Government Act 1995 section 3.50

W6: Tree Safety

The Chief Executive Officer is delegated the authority to issue an order to make a tree safe on private land and to enter that property to make a tree safe.

Reference: Local Government Act 1995 section 5.42

On Delegation Manager Works & Services

W7: Sale of Surplus Equipment, Materials and Scrap

The Chief Executive Officer is delegated the authority to sell by the holding of a surplus goods sale at Council's Depot or any other fair means, items of surplus equipment, materials, tools, etc which are no longer required, are outmoded, or are no longer serviceable.

Guidelines

This delegation applies only to items with a sale value less than \$2,000.

Reference: Local Government Act 1995 section 5.42

6. FIRE CONTROL

BF1: Roadside Burning

The Chief Executive Officer is delegated the authority to approve applications for the burning of road verges

Guideline

Any approval will be conditional of being in accordance with Council Policy.

Reference: Local Government Act 1995 section 5.42
Shire of Cuballing Policy 6.4

BF2: Use of Shire Vehicles during Fire

The Chief Executive Officer is delegated the authority for the use of Council plant and equipment in the event of a fire.

Reference: Local Government Act 1995 section 5.42

On Delegation Manager Works & Services

BF3: Extension/Reduction Restricted/Prohibited Burning Periods

The Chief Executive Officer is delegated the authority to suspend, amend or vary Prohibited and Restricted burning times.

Guideline

The Chief Executive Officer will exercise this delegation in consultation with the Chief Bush Fire Control Officer.

Reference: Local Government Act 1995 section 5.42
Bush Fire Act 1954 sections 17(7)(a), 17(8), 17(10) & 18(5)(a)
Bush Fire Regulations 1954 regulation 15C

BF4: Control of Fires

The Chief Executive Officer is delegated the authority, where Council's volunteer bush fire brigades believe they cannot effectively or safely manage a bush fire incident, to transfer control of that incident to the Department of Fire and Emergency Services (DFES).

Guidelines

The Shire will support FESA's management of any incident with:

- At least one and preferably more senior shire bushfire control officers will be a member of the Incident Management Team to provide local knowledge and facilitate effective liaison with local firefighting resources.
- Shire bush firefighting resources, including appliances and volunteers, remain at the incident and assist in suppression activities as determined by the Incident Controller.

Reference: Bush Fires Act 1954 section 13(4)

BF5: Harvest Bans

The Chief Executive Officer is delegated the authority to impose harvest and vehicle movement bans.

Guideline

The Chief Executive Officer will exercise this delegation in consultation with the Chief Bush Fire Control Officer.

Reference: Local Government Act 1995 section 5.42
Bush Fire Regulations 1954 regulations 38A, 38C, 39A & 39B

BF6: Fire Breaks

The Chief Executive Officer is delegated the authority, in liaison with the Chief Bush Fire Control Officer, to resolve fire hazard problems, including where considered necessary, to forward letters demanding the construction of fire breaks and where not complied with, the issuing of contracts for the construction of the break at the land owner's expense.

Reference: Local Government Act 1995 section 5.42
Bush Fires Act 1954 sections 33 & 48

BF6: Infringements

The Chief Executive Officer is delegated the authority to issue infringement notices.

Guideline

The Chief Executive Officer will exercise this delegation in consultation with the Chief Bush Fire Control Officer.

Reference: Local Government Act 1995 section 9.16
Bush Fires Act 1954

7. FINANCE

F1: Outstanding Debtors

The Chief Executive Officer is delegated the authority to write off uncollectable, economically uncollectable or erroneously created debts, in the following manner:

1. Where a Sundry Debtor invoice has:
 - a. a value of less than two hundred and fifty dollars;
 - b. has been outstanding for at least 90 days; and
 - c. in the Chief Executive Officer's opinion, will not be economically practical to pursue payment of the account through the court system;the Chief Executive Officer may approve that the invoice be written off.
2. Where a Sundry Debtor invoice, less than two hundred and fifty dollars in value, has been raised in error, the Chief Executive Officer may approve that the invoice be written off.
3. Where Rates Debtor accounts have a balance less than ten dollars and, in the Chief Executive Officer's opinion, it will not be economically practical to pursue payment of the account through the court system, the Chief Executive Officer may approve that the amount be written off.
4. Where a Rates debtor amount, less than ten dollars, was raised in error, the Chief Executive Officer may approve that the amount be written off.

Reference: Local Government Act 1995 sections 5.42 & 6.12(c)

F2: Investment of Funds

The Chief Executive Officer is delegated the authority to invest surplus funds, Trust funds, Loan funds and Reserve funds after ensuring that sufficient working capital is to be retained, in accordance with Council Policy.

Guideline

The Chief Executive Officer will exercise this delegation in consultation with the Deputy Chief Executive Officer.

Reference: Local Government Act 1995 section 5.42, 6.14
Local Government (Financial Management) Regulations regulation 19
Shire of Cuballing Policy 2.8

F3: Payment of Accounts

The Chief Executive Officer is delegated authority to make payments from all Council bank accounts.

Guidelines

Each payment is to be authorised by two members of staff including:

1. one of the Chief Executive Officer or Deputy Chief Executive Officer; and
2. one of either the Chief Executive Officer or Deputy Chief Executive Officer, Administration Officer, Rates Officer or Manager Works & Services.

Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing -

1. The payee's name;

2. The amount of the payment;
3. The date of the payment; and
4. Sufficient information to identify the transaction.

Reference: Local Government Act 1995 section 5.42
Local Government (Financial Management) Regulations 1996 regulation 12

On Delegation Deputy Chief Executive Officer

~~**F5: Credit Card / Fuel Card**~~

~~The Chief Executive Officer is delegated to use the Shire of Cuballing's Credit Card and Fuel Card within the constraints of the Budget and Council Policy.~~

~~Reference: Local Government Act 1995 section 5.42
Local Government (Financial Management) Regulations 11(1)(a)~~

F6: Cost Recovery

The Chief Executive Officer is delegated to instigate proceedings to recover costs in Court.

Reference: Local Government Act 1995 section 5.42

F7: Assistance to Community Organisations and Events

The Chief Executive Officer is delegated to determine the level of in-kind assistance provided to community organisations and events.

Guidelines

This assistance may include the use of Shire plant and machinery or the use of employees.

Reference: Local Government Act 1995 section 5.42

F8: Rates

The Chief Executive Officer is delegated the performance of the following functions of the Council:

1. Compile the necessary rate records as specified in Sections 6.39(1) and 6.39(2) of the Local Government Act 1995 and reassess rates payable in accordance with Section 6.40;
2. The service of Notice of Valuation and rates referred to in Section 6.41 of the LGA 1996;
3. Determine the date that a rate or service charge becomes due and payable in accordance with Section 6.50 of the Local Government Act 1995;
4. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book 6.76(4) of the LGA 1996;
5. The recovery of rates and service charges pursuant to the provisions of Sections 6.54 to 6.62 of the Local Government Act 1995;

6. Entering into a written agreement in accordance with 6.49 of the LGA 1996 for the payment of rates and service charges;
7. Lodge caveats on land where the rates are in arrears and it is considered that the interests of the Council should be protected and the subsequent withdrawal of caveats once arrears of rates have been settled in accordance with 6.64(3) of the LGA 1996;
- 8 Allow or disallow in accordance with Section 6.76(5) any objection to the rate record lodged under Section 6.76(1) and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection in accordance with Section 6.76(6); and
9. Extend the period of time for receipt of a notice under Section 6.77 and to refer notices received under Sections 6.77 and 6.78 to a Land Valuation Tribunal (Section 6.79).

Reference: Local Government Act 1995 section 5.42

F9: Insurance – Public Liability Claims

The Chief Executive Officer is delegated authority to consider claims against Council for property damage that does not exceed the insurance policy excess levels, and to accept or deny liability on behalf of Council.

Guidelines

In cases where liability is accepted, payment may only be made up to the value of Council's relevant insurance excess amount and then only upon receipt of a release form.

Reference: Local Government Act 1995 section 5.42

F10: Disposal of Impounded and Abandoned Vehicles

The Chief Executive Officer is delegated authority to sell impounded or abandoned vehicles with an estimated value less than \$10,000.

Guidelines

The sale of the vehicles impounded or abandoned vehicles will be conducted in the following manner:

Estimated Market Value	Method of Advertising Action
\$1 - \$500	Notices seeking offers for purchases shall be displayed on the Shire of Cuballing's notice boards, Facebook and on the website. Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.
\$501 - \$5,000	Notices seeking offers for purchases shall be advertised with local public notice and displayed on the Shire of Cuballing's notice boards, Facebook and on the website. Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.
\$5,001 +	Items shall be tendered as per the requirements of S3.58 of the Local Government Act 1995. Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.

All tenders/offers received shall be opened in accordance with approved tender opening procedures.

The Acceptance of tenders/offers by the Chief Executive Officer will be according to:

1. The highest tender/offer shall be accepted for any item.
2. Where two or more tenders/offers are received of equal value, the winning tender/offer shall be determined by a lottery.
3. If for any reason it is deemed necessary to vary from (a) or (b), then the matter must be referred to Council for its consideration.

Reference: Local Government Act 1995 section 5.42

8. STAFF

S1: Conferences, Seminars And Training Courses

The Chief Executive Officer is delegated authority to approve the attendance by council staff at conferences, seminars and training courses where attendance will enhance the professional development of the officer, provide benefits to Council and is relevant to the duties and responsibilities of the officer.

Guidelines

This delegation is subject to sufficient provision having been made in Council's budget for any expenses to be incurred.

On Delegation

Manager Works & Services, Deputy Chief Executive Officer for conferences, seminars and training courses that are to be attended by staff under their responsibility that does not require Council incurring accommodation expenses.

S2: Appointment of Staff

The appointment and termination of staff can only be confirmed by:

Position	Office
Chief Executive Officer	Council
Deputy Chief Executive Officer	Chief Executive Officer on recommendation to Council
Manager Works & Services	Chief Executive Officer on recommendation to Council
Building Surveyor	Chief Executive Officer
Environmental Health Officer	Chief Executive Officer
Administration Staff	Chief Executive Officer
Works Staff	Chief Executive Officer

Guidelines

All appointments and terminations will be advised to Council at the first opportunity.

S3: Authorisation to Appoint Acting Chief Executive Officer

The Chief Executive Officer is delegated the authority to appoint either the Deputy Chief Executive Officer or the Manager Works and Services to be Acting Chief Executive Officer during the absence of the Chief Executive Officer.

Objective: To expedite the Council appointment process for an Acting Chief Executive Officer.

Guidelines

1. In the event that the Chief Executive Officer cannot delegate the appointment of the Acting Chief Executive Officer position, Council will authorise the appointment.
2. Any appointment by the Chief Executive Officer of an Acting Chief Executive Officer cannot be for a period greater than four weeks.
3. Council is to be provided with prior notice when possible, or notice as soon as practicable after any appointment is made.

Reference: Local Government Act 1995 section 5.42(1)

9.2.5	Draft 2017 - 2027 Community Strategic Plan
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Applicant: N/A
File Ref. No: ADM81
Disclosure of Interest: Nil
Date: 8th June 2017
Author: Gary Sherry
Attachments: 9.2.5A Draft 2017 - 2027 Community Strategic Plan

Summary

Council is to consider advertising for public comment a draft 2017-2027 Community Strategic Plan.

Background

The State Government's Local Government Reform Program requires local governments in Western Australia to introduce an Integrated Planning and Reporting Framework (IPRF).

The IPRF is designed to ensure more effective delivery of the local government's strategic intentions, and to provide a process to:

- Ensure community input is explicitly and reliably generated;
- Provide the capacity for location specific planning where appropriate;
- Inform the long term objectives of the local government with these inputs;
- Identify the resourcing required to deliver against the long term objectives; and
- Clearly articulate long term financial implications and strategies

The IPRF will deliver:

- A long term strategic plan that clearly links the community's aspirations with the Council's vision and long term strategy;
- A corporate business plan that integrates resourcing plans and specific Council plans with the strategic plan; and
- A clearly stated vision for the future of the local government area.

The Strategic Community Plan is a strategy and planning document that has been developed to show the community vision, our strategic direction, and priorities for action over the next 10 years. It clearly links the community's aspirations with the Council's vision and long term strategy

At the July 2014 Ordinary Meeting, Council considered the Strategic Community plan and resolved

The Strategic Community Plan is a strategy and planning document that has been developed to show the community vision, our strategic direction, and priorities for action over the next 10 years. It clearly links the community's aspirations with the Council's vision and long term strategy

At the July 2014 Ordinary Meeting, Council adopted the 2014-2024 Strategic Community Plan.

In June 2015, Council reviewed and amended the Strategic Community Plan for 2014-2024.

Comment

Following informal discussion with Council a Draft 2017 - 2027 Community Strategic Plan, included at Attachment 9.2.5A, has been prepared for consideration by Council. The Draft

2017 - 2027 Community Strategic Plan is in the format required for completion of further stages of Council's IPR requirements.

The Officer's Recommendation suggests completing community consultation on the Draft 2017 - 2027 Community Strategic Plan. As part of this comment is a community survey on priorities be offered to residents and ratepayers to simplify the opportunity to comment on the broad strategic direction of Council. Council may wish to complete a community workshop to discuss the contents of the Draft 2017 - 2027 Community Strategic Plan.

Following this public consultation process Council can then finalise the document for adoption.

Strategic Implications

The Strategic Community Plan will be the foundation strategic document for Shire for Cuballing that articulates community long term vision, values, and aspirations. It will establish the community's vision for the Shire's future, and its aspirations and service expectations. It will drive the development of other informing strategies such as workforce, asset management, operations and service plans and supporting strategies.

Statutory Environment

Local Government Act (1995)

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations (1996)

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

Policy Implications – Nil

Financial Implications

Formal adoption of the Strategic Community Plan will be the basis from which the Corporate Business Plan and the Long Term Financial Plan are developed, and from which the annual budget will be derived.

Social Implications

The Strategic Community Plan establishes the community's vision for the Shire of Cuballing's future and articulate community aspirations and service expectations.

Economic Implications

The Strategic Community Plan establishes the community's vision for the Shire of Cuballing's economic future

Environmental Considerations

The Strategic Community Plan establishes the community's vision for the Shire of Cuballing's role in preserving and protection the local environment.

Consultation

Council has completed extensive consultation in the past that appears to remain relevant. the Officer's Recommendation includes reference to future consultation, prior to formal adoption of a finalised Community Strategic Plan.

Options

Council may resolve:

1. the Officer's Recommendation;
2. the Officer's Recommendation with an amendment to the Draft 2017 - 2027 Community Strategic Plan included at Attachment 9.2.5A; or
3. not advertise the Draft 2017 - 2027 Community Strategic Plan included at Attachment 9.2.5A and request staff to prepare options for alternative action.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2017-52:

That Council:

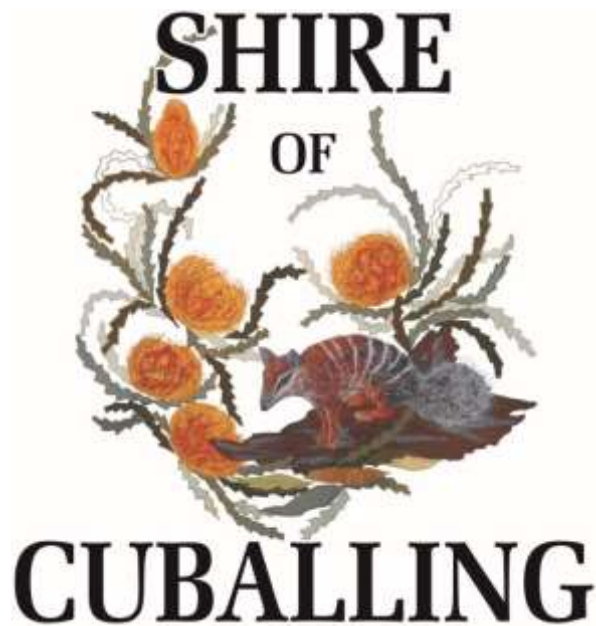
1. **advertises the Draft Community Strategic Plan 2017-2027, included at Attachment 9.2.5A, for a six week consultation period inviting residents to have further input into the development of the document.**

2. seek general community input through a community survey; and
3. after the consultation period submissions received be presented to Council for consideration and possible inclusion into the Plan prior to formal adoption.

Moved: Cr Newman

Seconded: Cr Bradford

Carried 6/0



DRAFT Strategic Community Plan 2017-2027

A progressive, diverse and caring community, with access to modern services and infrastructure, in a unique part of the world

THE INTEGRATED PLANNING AND REPORTING FRAMEWORK

There has been a major paradigm shift in the way that Local Government will go about its business in the future. The Integrated Planning and Report Framework, legislated in late 2011, has been established to allow Local Governments to plan for the future and to equip their organisations to respond to short, medium and long term community requirements.

The three major components of this framework include the:

Strategic Community Plan

An overarching plan that will guide the future direction of Council's policies, plans, projects and decision making over the next ten years to 2027.

Corporate Business Plan

A plan for the Shire as an organisation to activate the strategies identified in the Strategic Community Plan and drive Shire operations to 2020.

Annual Budget

The allocation of resources required to deliver the Strategic Community Plan and the Corporate Business Plan. The annual budget will be derived from an annual review of the Corporate Business Plan.

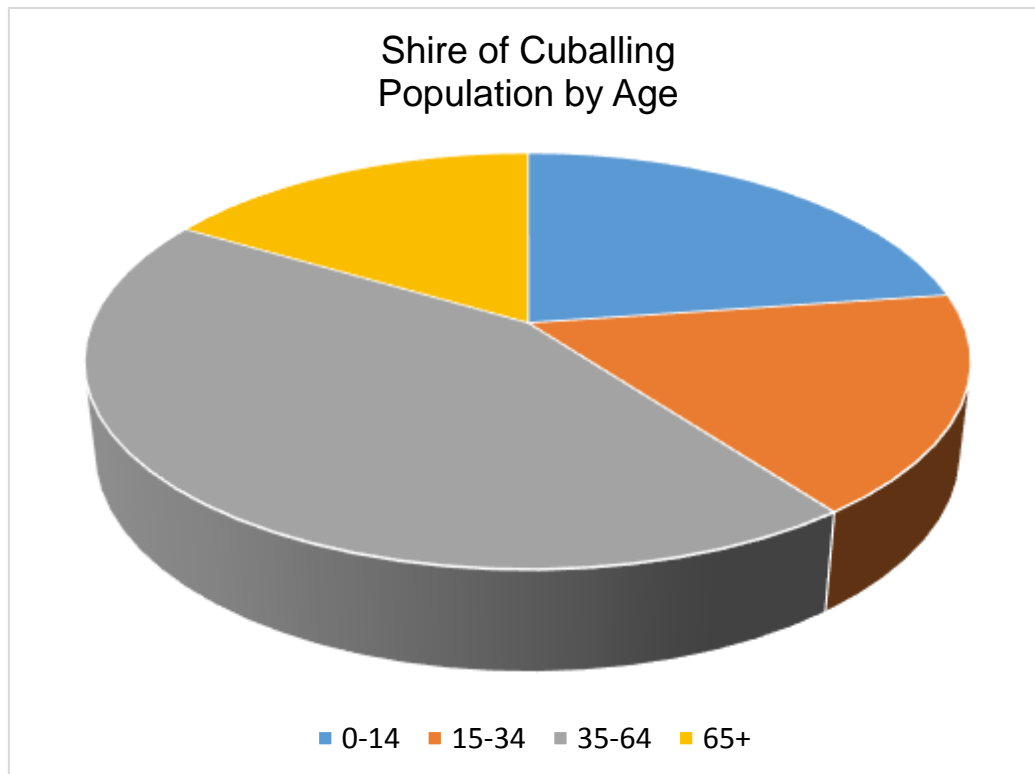
THE SHIRE OF CUBALLING COMMUNITY

The Shire of Cuballing is primarily an agricultural shire that incorporates the small towns sites of Popanyinning, Cuballing and Yornaning in the Wheatbelt Region of Western Australia.

The Shire of Cuballing has an estimated population of around 897 (ABS- 3218.0 Regional Population Growth, Australia) and is located 190 kilometres south east of Perth on the Great Southern Highway.

Differently to much of the wheatbelt, the Shire of Cuballing has consistently had a growing population (22% in the last decade) with an increasing number of people seek the benefits that a small, friendly community like the towns of Cuballing and Popanyinning offer. Cuballing, which has a population of about 350. Popanyinning has a smaller population of about 250. The remainder of the Shire population lives outside the townsite boundaries on farming and lifestyle properties.

The population of the Shire of Cuballing is largely families with children. The most numerous age demographics are people aged between 35 and 64 and under 20.



Living in Cuballing, there is access to a comprehensive suite of sporting facilities, community service organisations and amenities. The larger centres of Narrogin, to the south, and Pingelly, to the north, provide schools, shopping, banking and medical facilities.

OUR NATURAL LANDSCAPE

The Shire of Cuballing is in the Hotham River catchment. The Hotham joins the Williams River to form the Murray River which flows into the Peel Harvey Inlet. The Hotham River starts at the southern and eastern boundaries of the shire and provides its northern boundary.

Of the 28,000 ha of Dryandra State Forest, 17,500 ha is in the Shire of Cuballing. The Dryandra State Forest is a rare remnant of the open eucalyptus woodlands that covered the area before clearing for agriculture.

The Lions Village at Dryandra provides a great place for groups and families to explore the woodland and learn more about the unique wildlife of the area, with the endangered animals breeding centre at Barna Mia providing a great experience.

The Dryandra State Forest is linked through roadside vegetation and wildlife corridors on private property and to the Shire of Cuballing's Yornaning Dam. Yornaning Dam is a freshwater dam built to supply the steam engines with fresh water in the early 1900's. The Yornaning Dam is home to a large amount of bird life and has a recreation area and nature trails.

OUR ECONOMY

The economy of the Shire of Cuballing is based around the agricultural industry. In addition to the broad acre farming enterprises the main employers in the Shire of Cuballing are Birds Silos and Shelters, McDougall Weldments, Whitfords Fertilisers and Whangagin Grains. A number of more intensive agricultural enterprises, including cattle feedlots and piggeries, are developing in the Shire. The CBH Receival Site in Yornaning currently provides seasonal employment, but is expected to close by 2026.

Increasingly transport links are key economic driver of agricultural industries. The Shire of Cuballing has the tier 2 railway line and Great Southern Highway running north-south through the centre of the Shire. The Cuballing East Road has been identified as a Grain Freight Route linking grain growing areas to the east with the Great Southern Highway through to delivery centres in Brookton.

The close proximity of the towns of Narrogin and Pingelly allows local residents to work in these larger towns and enjoy the semi-rural lifestyle of the two towns of Cuballing and Popanyinning. Cuballing is served by the Cuballing Tavern and the Cuballing Road House. Popanyinning has the general store and café.

The potential for economic growth in Cuballing is good. Tourism is also a growing industry in Cuballing with the Dryandra State Forest and the Dryandra Regional Equestrian Centre as major draw cards. Nature and heritage trails in Popanyinning provide an avenue for tourists to experience the local history and wildflowers. Local accommodation includes Lazeaway Holiday Park, the Cuballing Tavern and the Lions Dryandra Village.

RECREATIONAL AND SPORTING FACILITIES

The major sporting venue in the Shire of Cuballing is the Dryandra Regional Equestrian Centre which is home to the local Dryandra Pony Club and Dryandra Regional Equestrian Association. The venue attracts large numbers of riders from around the state to its regular equestrian events.

Other recreational resources include the Cuballing Recreation Centre hosting Cricket and Tennis facilities, Cuballing Golf Course. Popanyinning Tennis Courts, the Cuballing Skateboard Park and playgrounds. New recreational activities in Popanyinning include a motorcross park and the Popanyinning Riding School.

RESOURCE CAPACITY

The table below highlights the trend in the population and resourcing position of the Shire of Cuballing over the 5 year period between the last two Census', 2006 and 2011 through to 2016.

Resource Profile	2006 (05/06 where applicable)	2011 (11/12 where applicable)	2016 (15/16 where applicable)
Population	817	891	897 (estimated)
Number of Electors		567	624
Employees			14 Full Time
			5 Part Time/Casual
	15 FTE	14 FTE	15.4 FTE
Rates	521,614	698,309	993,139
Other Grants	1,240,688	3,635,876	1,736,981
Capital Expenditure	905,889	1,914,767	1,500,980
Operational Expenditure	1,635,408	3,249,967	3,354,244
Value of Assets	15,556,439	19,548,195	50,388,085

The Shire continues to be in a strong financial position. In 2015 the Shire of Cuballing was ranked 2nd of all the 141 Western Australian local governments in the Financial Health Indicator published by the Department of Local Government.

The Shire of Cuballing's Corporate Business Plan 2016-2021 will detail the actions and projects aligned to the strategies of the Strategic Community Plan 2016-2027.

The associated operational and capital expenses have been identified over the 4 year period of the Corporate Business Plan and the 10 year period of the Long Term Financial Plan, and reconciled against the Shire's revenue streams for the same period.

This verifies that the Strategic Community Plan can be appropriately actioned and funded through the Corporate Business Plan and the Long Term Financial Plan. Both these Plans reference the Shire's Asset Management Plan and the Workforce Plan.

THE STRUCTURE OF THE PLAN

The Strategic Community Plan is structured around four themes. Each theme has associated goals, strategies and outcomes which success will be measured against.

Social:	Our community, neighbourhoods, recreation and culture
Environment:	Our environment, resource management and services
Economic:	Our economy, infrastructure, systems, services and management
Civic Leadership:	Our Council, services, policies and engagement

The Strategic Community Plan is set out in the following manner.

Vision	An overarching statement that describes the future desires of the community
Themes	Four key themes which underpin the development of goals and strategies
Goals	Statements that describe what the community wants to achieve
Strategies	What we will do to meet the goals
Actions	Activities and initiatives required to deliver the Strategies will be identified in the Corporate Business Plan
Outcomes	The end result for the community once the strategies have been implemented and goals achieved
Performance Indicators	The indicators of progress toward achieving implementation

VISION

A progressive, diverse and caring community, with access to modern services and infrastructure, in a unique part of the world

MISSION

To provide the leadership, facilities, infrastructure and services that will serve the needs of our community.

CORE VALUES

- Transparency – by being open and accountable.
- Honesty – by acting with integrity and building trust.
- Respect – by being tolerant, helpful and showing empathy and care for others.
- Dedication – in the continual pursuit of excellence.
- Proactivity – through forward thinking and being positive.
- Cohesiveness – through teamwork, unity and shared ownership.

STRATEGIC DRIVERS

The following key drivers of population, community and economic development for the 10 years to 2026 have been identified for the Shire of Cuballing:

- Agriculture – key employment and economic generation industry.
- Lifestyle – rural living is attractive to families and retirees.
- Recreation – access to a range of quality facilities and programs for children, youth and adults.
- Access – better transport links to accommodate increased economic and population growth.
- Tourism – need leverage off existing visitors to Dryandra and for local recreation events.
- Housing – availability and affordability of housing would attract more people to the Shire.
- Health – access to hospital, aged care, medical and specialist services.
- Education – access to primary and high school facilities, childcare services and further education programs.

STRATEGIC PLAN FRAMEWORK

The table below provides an overview of the Shire of Cuballing's Strategic Goals.

Community - Our Community, Neighbourhoods, Recreation and Culture			
A healthy and caring community which has strong support for all ages and abilities	A safe community where residents feel secure and comfortable at home, work and play	A healthy community engaging in positive and rewarding lifestyles with access to recreational and leisure opportunities	A vibrant community, enjoying access to a wide range of quality arts and cultural activities
Environment - Our Environment, Resource Management and Services			
Valuing our unique environment and ensuring the natural resources within the Shire are recognised as an important asset and managed in a sustainable manner	Recognising the environmental and recreational value of Council reserves, and managing them in a way that will preserve them for future generations to enjoy	Aiming for the equitable and sustainable development of land within the Shire of Cuballing that provides a genuinely desirable lifestyle	Managing waste and recycling in a manner that is environmentally sustainable and meets the expectations of the community
Economy - Our Economy, Infrastructure, Systems and Services			
Community infrastructure and services delivered in a timely manner, are well utilised, effective and meet the expectations of the community	Transport systems that are functional, efficient, economical and safe, coupled with continuous improvement to meet the safety and amenity needs of the community	Managing community assets in a whole of life and economically sustainable manner	Promoting sustainable and diverse economic development opportunities that make the Shire of Cuballing an attractive place to live, work and visit
Governance & Organisation - Our Council, Services, Policies and Engagement			
An independent Council that is supported by an excellent organisation	Governance structures that ensure accountable, transparent and ethical decision making	Building the organisation and managing its structure, finances and assets in a sustainable manner	A Council that proactively engages with all elements of its community in order to make decisions that reflect positively on the future of Cuballing

SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

- A healthy and caring community which has strong support for all ages and abilities
- A safe community where residents feel secure and comfortable at home, work and play
- A healthy community engaging in positive and rewarding lifestyles with access to recreational and leisure opportunities
- A vibrant community, enjoying access to a wide range of quality arts and cultural activities

	Strategy	Outcome
1.1	Create a vibrant social environment that is accessible and inclusive for all ages and abilities	The community feel welcome involved and connected to each other
1.2	Create a vibrant built environment that is accessible and inclusive and reflects the Shire's identity and local heritage	Active, attractive and affordable towns which the community are proud of and engaged in
1.3	Encourage and support volunteers and community groups	Active and growing volunteer and community groups
1.4	Facilitate improved access to health and welfare programs and education opportunities	The community has access to a broad range of improving health and welfare programs and education opportunities
1.5	Provide and promote sport, recreation and leisure facilities and programs	A variety of accessible sport and recreation opportunities and activities
1.6	Support local arts and cultural activities	A variety of arts and cultural activities can be pursued by locals
1.7	Create and maintain a safe environment for the community	A feeling of safety within our neighbourhoods and a sense of being looked out for
1.8	Manage environmental health risks in the Shire	A Shire which seeks to mitigate environmental health risks to ensure a healthy and safe community

Environment - Our Environment, Resource Management and Services

Goals

- Valuing our unique environment and ensuring the natural resources within the Shire are recognised as an important asset and managed in a sustainable manner
- Recognising the environmental and recreational value of Council reserves, and managing them in a way that will preserve them for future generations to enjoy
- Aiming for the equitable and sustainable development of land within the Shire of Cuballing that provides a genuinely desirable lifestyle
- Managing waste and recycling in a manner that is environmentally sustainable and meets the expectations of the community

	Strategy	Outcome
2.1	Protect, restore and enhance the Shire's natural assets	An environment which is effectively managed for future generations and for the intrinsic value of its biodiversity
2.2	Educate the community on ways to use our environment responsibly and build environmental awareness	A community which values and respects the environment
2.3	Provide equitable access for all users to our environment while balancing the protection of natural assets	A range of parks, reserves and trails which the broadest community can access
2.4	Sustainably manage our waste, water, energy use and facilities and investigate opportunities to reduce their impacts on our environment	A sustainable and progressive approach to managing the impacts of waste, water and energy use on the environment
2.5	Plan for and adapt to changes in our climate and the impacts of increased water and energy vulnerability	A Shire which address the challenges and opportunities presented by climate change and water and energy vulnerability

Economy - Our Economy, Infrastructure, Systems and Services.

Goals

- Community infrastructure and services delivered in a timely manner, are well utilised, effective and meet the expectations of the community
- Transport systems that are functional, efficient, economical and safe, coupled with continuous improvement to meet the safety and amenity needs of the community
- Managing community assets in a whole of life and economically sustainable manner
- Promoting sustainable and diverse economic development opportunities that make the Shire of Cuballing an attractive place to live, work and visit

	Strategy	Outcome
3.1	Deliver a diverse range of affordable services and infrastructure across the Shire	A range of services, facilities and programs that the broadest community can access
3.2	Ensure essential services and infrastructure are aligned to community needs now and in the future	Services and infrastructure which meets the needs of the broadest community and responds to changing priorities
3.3	Deliver and advocate for a diverse and safe transport system which is efficient and meets the needs of all users	A diverse and safe transport system that balances the needs of all users including pedestrians, cyclists, private vehicles, public transport and freight
3.4	Create and strengthen partnerships to advocate for and deliver community facilities, and services and major infrastructure	The community has access to a range of education, health, cultural, recreational and transport opportunities to maximise their potential
3.5	Maintain a robust asset management practices and maintenance programs	Assets which meet the expectations of the community
3.6	Facilitate and guide high quality and efficient building and development across the Shire	A community with high quality and efficient buildings and development
3.7	Advocate and plan for local economic development in a sustainable manner	A growing community supported by improved job opportunities and diversity in our industries, businesses and housing

Governance & Organisation - Our Council, Services, Policies and Engagement.

- An independent Council that is supported by an excellent organisation
- Governance structures that ensure accountable, transparent and ethical decision making
- Building the organisation and managing its structure, finances and assets in a sustainable manner
- A Council that proactively engages with all elements of its community to make decisions that reflect positively on the future of the Shire of Cuballing

	Strategy	Outcome
4.1	Councillors provide strong and visionary leadership	A clear direction for the future.
4.2	Maintain a clear, transparent and ethical decision making process	Openness and transparency in Council decisions
4.3	Ensure open and consistent communication between the Shire and the community	The community is aware of Council decisions and activities
4.4	Actively engage with the community to inform decision making and improve conversations within the community	The community have a variety of opportunities to be involved and are able to make meaningful contributions to decision making
4.5	Be innovative in the management of Shire operations, services, staff and resources to create a resilient and financially stable Shire	A Shire that is progressive, sustainable, resilient and adaptive to changes
4.6	Employees actively contribute to improved operational service delivery and ensure excellent customer service	Employees continually improve the operational service delivery and the community receives excellent customer service

PERFORMANCE MEASUREMENT

The following strategic measures or key performance indicators will be monitored and reported annually, to track the Shire's progress in achieving the outcomes identified in the Strategic Community Plan.

Strategy		Outcome	Performance Indicators
Community - Our Community, Neighbourhoods, Recreation and Culture			
1.1	Create a social environment that is accessible and inclusive for all ages and abilities	The community feel welcome involved and connected to each other	Completion of Disability Access and Inclusion Plan objectives
1.2	Create a vibrant built environment that is accessible and inclusive and reflects the Shire's identity and local heritage	Active, attractive and affordable towns which the community are proud of and engaged in	Community satisfaction with townscape streetscapes and appearances Community satisfaction with Council's conservation of heritage buildings and sites.
1.3	Create a vibrant social environment that is accessible and inclusive for all ages and abilities	Assist or conduct events that allow the community to come together.	Conduct four community events each year Community satisfaction with community events.
1.4	Encourage and support volunteers and community groups	Active and growing volunteer and community groups	Rate of community volunteering. Conduct one volunteer recognition event year
1.5	Facilitate improved access to health and welfare programs and education opportunities	The community has access to a broad range of improving health and welfare programs and education opportunities	Community satisfaction with access to adequate health and medical facilities. Construct four independent aged living units in Cuballing Operate at full capacity four independent aged living units in Cuballing Community satisfaction access to adequate educational facilities.
1.6	Provide and promote sport, recreation and leisure facilities and programs	A variety of accessible sport and recreation opportunities and activities	Complete KidsSport program Community satisfaction with recreation facilities.

Strategy		Outcome	Performance Indicators
			Community satisfaction with recreation pathways.
1.7	Support local arts and cultural activities	A variety of arts and cultural activities can be pursued by locals	Conduct a cultural event such as the Cuballing Music festival. Conduct a childrens cultural event such as the Cuballing Movie night. Support the Regional Library in Narrogin
1.8	Create and maintain a safe environment for the community	A feeling of safety within our neighbourhoods and a sense of being looked out for	Number of offences against public property. Community perception of safety and security in public places.
1.9	Manage environmental health risks in the Shire	A Shire which seeks to mitigate environmental health risks to ensure a healthy and safe community	Percentage of scheduled inspections of health food premises undertaken
Environment - Our Environment, Resource Management and Services			
2.1	Protect, restore and enhance the Shire's natural assets	An environment which is effectively managed for future generations and for the intrinsic value of its biodiversity	Community satisfaction with management of biodiversity of Shire reserves.
2.2	Educate the community on ways to use our environment responsibly and build environmental awareness	A community which values and respects the environment	Community satisfaction with Shire support of local community environmental initiatives
2.3	Provide equitable access for all users to our environment while balancing the protection of natural assets	A range of parks, reserves and trails which the broadest community can access	Community satisfaction with access to Shire Popanyinning walk trails and other Shire natural reserves
2.4	Sustainably manage our waste, water, energy use and facilities and investigate opportunities to reduce their impacts on our environment	A sustainable and progressive approach to managing the impacts of waste, water and energy use on the environment	Reduction of waste entering landfill. Community satisfaction with kerbside waste and recycling collection.
2.5			Percentage change in the Shire's water consumption.

Strategy		Outcome	Performance Indicators
	Plan for and adapt to changes in our climate and the impacts of increased water and energy vulnerability	A Shire which address the challenges and opportunities presented by climate change and water and energy vulnerability	Community satisfaction with the Shire's advocacy for water reuse projects.
Economic - Our Economy, Infrastructure, Systems and Services			
3.1	Deliver a diverse range of affordable services and infrastructure across the Shire	A range of services, facilities and programs that the broadest community can access	Community satisfaction with Cuballing and Popanyinning cemeteries. Community satisfaction with gravel road maintenance services
3.2	Ensure essential services and infrastructure are aligned to community needs now and in the future	Services and infrastructure which meets the needs of the broadest community and responds to changing priorities	Community satisfaction with road construction activities.
3.3	Deliver and advocate for a diverse and safe transport system which is efficient and meets the needs of all users	A diverse and safe transport system that balances the needs of all users including pedestrians, cyclists, private vehicles, public transport and freight	Completion of two road safety activities or initiatives each year
3.4	Create and strengthen partnerships to advocate for and deliver community facilities, and services and major infrastructure	The community has access to a range of education, health, cultural, recreational and transport opportunities to maximise their potential	Community satisfaction with parks, gardens and public spaces
3.5	Maintain a robust asset management practices and maintenance programs	Assets which meet the expectations of the community	Asset consumption ratio. Asset sustainability ratio. Asset renewal funding ratio.
3.6	Facilitate and guide high quality and efficient building and development across the Shire	A community with high quality and efficient buildings and development	Community satisfaction with public buildings.
3.7	Advocate and plan for local economic development in a sustainable manner	A growing community supported by improved job opportunities and diversity	Support and participate in the Dryandra Regional Visitors Centre

Strategy		Outcome	Performance Indicators
		in our industries, businesses and housing	Community satisfaction with Council's tourism strategy
Governance & Organisation - Our Council, Services, Policies and Engagement			
4.1	Councillors provide strong and visionary leadership	A clear direction for the future.	Community satisfaction with Council's support and advocacy for the community.
4.2	Maintain a clear, transparent and ethical decision making process	Openness and transparency in Council decisions	Hold the Annual Electors Meeting before 31 st December each year.
4.3	Ensure open and consistent communication between the Shire and the community	The community is aware of Council decisions and activities	Community satisfaction with Council's communication with the community.
4.4	Actively engage with the community to inform decision making and improve conversations within the community	The community have a variety of opportunities to be involved and are able to make meaningful contributions to decision making	Community satisfaction with Council's engagement with the community.
4.5	Be innovative in the management of Shire operations, services, staff and resources to create a resilient and financially stable Shire	A Shire that is progressive, sustainable, resilient and adaptive to changes	Improving Operating surplus/(debt) ratio.
			Improving Rates Coverage Ratio.
			Compliance with legislative requirements of Local Government Act
			Compliance with the State Records Act
			Increased revenue from the Shire's commercial services including Building Services and Private works.
			Improving performance in the Shire's OSH activities
4.6	Employees actively contribute to improved operational service delivery and ensure excellent customer service	Employees continually improve the operational service delivery and the community receives excellent customer service	Reduction in Staff turnover.
			Community satisfaction with customer services.

STRATEGIC PLAN IMPLEMENTATION AND REVIEW

The Strategic Community Plan drives the development of the Corporate Business Plan, both of which are integrated with and informed by the Council's Asset Management, Workforce and Long Term Financial Plans. Together they form the Local Government Integrated Planning and Reporting Framework.

The integration of strategic, business, asset, service and financial plans means the Shire's resources are aligned to the strategic directions and aspirations of the Shire of Cuballing and its community.

Implementation of this Strategic Plan is achieved through the corporate and service level actions and projects that are identified through the Corporate Business Planning process.

Key performance indicators at the strategic and operational levels provide valuable information on how efficiently the Shire is delivering its services, actions and projects and how successful it is in achieving its outcomes and goals set out in the Strategic Community Plan.

A strategic review of the Strategic Community Plan is scheduled for completion in June 2019 ie two years from adoption by Council.

A full review of the Strategic Community Plan with community consultation is scheduled for completion in June 2021 ie four years from adoption by Council.

9.3 MANAGER OF WORKS & SERVICES:

Nil

9.4 ENVIRONMENTAL HEALTH OFFICER:

Nil

9.5 BUILDING OFFICER:

Nil

10. CONFIDENTIAL MATTERS:

10.1.1	Lease Agreement – Dryandra Timber Products – 58 (Lot 1) Austral Street, Cuballing
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Applicant: N/A
File Ref. No: ADM221
Disclosure of Interest: Nil
Date: 8th June 2017
Author: Gary Sherry
Attachments: 10.1.1A Draft Lease of 58 (Lot 1) Austral Street, Cuballing

COUNCIL DECISION – 2017-53:

That Council:

- 1. offer the draft Lease, included at Attachment 10.1.1A for 58 (Lot 1) Austral Street, Cuballing to Dryandra Timber Products;**
- 2. delegate the Chief Executive Officer to make minor amendments to the draft lease included at for 58 (Lot 1) Austral Street, Cuballing in concluding negotiations with Dryandra Timber Products; and**
- 3. authorise the Shire President and Chief Executive Officer to sign and seal the draft Lease for 58 (Lot 1) Austral Street, Cuballing, included at Attachment 10.1.1A with any negotiated minor amendments.**

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 6/0

11. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil

12. URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:

12.1.1 Urgent Business – Sale of Obsolete Materials

Disclosure of Interest: Nil
Date: 15th June 2016
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider reviewing urgent business relating to the sale of obsolete materials.

Background - Nil

Comment

Staff are attempting to have the Agenda prepared at least a week before each Council Meeting. In completing this schedule, business of an urgent nature will arise from time to time in particular where commercial activities within the district would be delayed by Council not considering the item.

Statutory Environment

Shire of Cuballing – Standing Orders Local Law 1999 – Section 3.10:

3.10 Urgent Business Approved By the Person Presiding or by Decision

In cases of extreme urgency or other special circumstance, matters may, with the consent of the person presiding, or by decision of the members present, be raised without notice and decided by the meeting.

Strategic Implications - Nil

Policy Implications

Financial Implications - Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. to not consider the urgent business.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2017-54:

That Council consider the urgent business relating to the sale of obsolete materials.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

Cr Conley declared a Financial Interest in Agenda Item 12.1.2 in that he has an ongoing business relationship with Mr Sexton and left the meeting at 4:01pm.

12.1.2 Sale of Shire of Cuballing Surplus or Obsolete Equipment

Applicant: Mr S Sexton
File Ref. No: ADM260
Disclosure of Interest: Nil
Date: 15th June 2017
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider the disposal of Surplus or Obsolete Equipment offered for sale.

Background

14 lots of surplus and obsolete equipment recently identified by staff were advertised for sale:

- On Council's website;
- On Council's Facebook page;
- In an edition of the Cuballing News local newsletter;
- On local noticeboards.

Council offered the following as conditions of sale:

1. Everything sold on "as is – where is" basis. No guarantees or warranty provided. Inspections of equipment is strongly encouraged.
2. All the obsolete or surplus equipment is located at the Shire of Cuballing Depot, Austral Street, Cuballing. All equipment sold must be collected from this site during normal business hours.
3. Used grader blades are offered on a first come, first served basis for \$5 per blade.
4. Written offers are required for all equipment with the exception of the used grader blades.
5. Offers for purchase are sought until 4pm, Wednesday 5th April.
6. Written offers can be made by stating your name and contact details and the amount of an offer for a piece or pieces of equipment by:
 - emailing enquiries@cuballing.wa.gov.au.
 - Mail to PO Box 13, Cuballing WA 6311; or
 - Dropping a written offer to the Shire of Cuballing Office, Campbell Street, Cuballing during office hours.
7. Further information and inspections can be arranged by contacting Manager Works and Services Bruce Brennan on 0427 836 061 during normal business hours or by email at supervisor@cuballing.wa.gov.au.

At their April 2017 Ordinary Meeting Council considered all offers, shown at Attachment 9.2.2A, and resolved the following:

COUNCIL DECISION – 2017-27:

That Council:

1. Accept the following offers of purchase:

Wayne Parker	Howard PTO mower/slasher	\$500
Wayne Parker	Three rims and tyres – 14.00R24	\$50
Jason Hall	LTY 1842 Husqvarna Ride on mower with catcher	\$500
Steve Bilston	Ute mounted sprayer	\$400
Darrel Marwick	Dura Poly Tank	\$150

- | | | | |
|----|--|-----------------|------|
| | Dianne Ferguson | 8 Planter boxes | \$20 |
| 2. | Select the offer of Wayne Parker to purchase the Set Of Steps for \$100; and | | |
| 3. | Offer the following materials for the following amounts on a publicly advertised first come, first served basis: | | |
| | Robin 5KVA generator for \$100 | | |
| | Concrete cut off saw for \$30 | | |
| | Six 14.00R24 tyres for \$750 each | | |
| | Two 11R22.5 Rims for \$50 | | |
| | 3 metal spreaders for \$50 | | |
| | Fuel Tank for \$100 | | |
| | Metal Cupboard for \$2 | | |
- Moved: Cr Haslam Seconded: Cr Dowling

Carried 6/0

The Shire administration advised all who submitted offers of Council's decision and provided successful bidders with Shire of Cuballing invoices to complete the sale.

Comment

Council has received an offer for the purchase of four of the six 14.00R24 grader tyres for \$500 (GST Exclusive) from Mr Steve Sexton of Cuballing.

This offer is \$250 per tyre less than the Council resolution in April 2017. The offer is a discount of over \$500 on a new tyre.

If Council chooses not to accept this offer, the tyres will be retained in the Shire Depot, indefinitely until an offer of \$750 per tyre is received.

Strategic Implications - Nil

Statutory Environment

Council has delegated the following authority in relation to the Sale of Surplus Equipment, Materials and Scrap.

W7: Sale of Surplus Equipment, Materials and Scrap

The Chief Executive Officer is delegated the authority to sell by the holding of a surplus goods sale at Council's Depot or any other fair means, items of surplus equipment, materials, tools, etc which are no longer required, are outmoded, or are no longer serviceable.

Guidelines

This delegation applies only to items with a sale value less than \$2,000.

Policy Implications – Nil

Financial Implications

Council has not budgeted for income from the sale of these surplus items.

Economic Implications - Nil

Social Implications

Council staff has contacted alternative local users of these tyres, without obtaining a firm offer for the sale of the tyres.

Environmental Considerations

The sale of surplus or obsolete Shire equipment is a method of recycling and maximising the life of this equipment. Surplus materials not sold, will be placed in landfill or recycling at a Shire of Cuballing Waste Disposal Site.

Consultation - Nil

Options

The Council can resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation; or
3. to not accept any offer and either complete another sale process again or dispose of the items at a Shire of Cuballing Waste Disposal Site.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2017-55:

That Council accept the offer of purchase for four 14.00R24 grader tyres for \$500 (GST Exclusive) from Mr Steve Sexton of Cuballing.

Moved: Cr Dowling

Seconded: Cr Newman

Carried 5/0

Cr Conley entered the Meeting at 4:03pm.

13. NEXT MEETING

Special Council Meeting, 12.30pm, Wednesday 28th June 2017 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

Ordinary Council Meeting, 2.00pm, Thursday 20th July 2017 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

14. CLOSURE OF MEETING:

There being no further business, the Shire President, Cr Conley, closed the meeting at 4:04pm.