

*A progressive, diverse and caring community,
with access to modern services and infrastructure,
in a unique part of the world*

MINUTES

of the

Ordinary Meeting of Council

held

WEDNESDAY 15th AUGUST 2018

Shire of Cuballing
Council Chambers
Campbell Street, Cuballing

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1. DECLARATION OF OPENING:

The Shire President, Cr Conley, declared the meeting open at 2.05 pm.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1 Attendance

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

President
Deputy President

Mr Gary Sherry
Mr Richard Pares

Chief Executive Officer
Deputy Chief Executive Officer

Mr Paul Lewis

2.1.2 Apologies

Nil

2.1.3 Leave of Absence

Nil

3. STANDING ORDERS:

COUNCIL DECISION – 2018/71:

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:

4.3.1 Native Title impacts on Aged Persons Units

Mr Paul Lewis asked about the Council's native title concerns over land designated to construct Aged Persons Units in Cuballing and how this would impact on land to be purchased by Council at 74 Austral Street Cuballing.

The Shire President, Cr Conley, outlined that it was always Council's intention to construct aged persons units on Reserve 49201, 18 Andover Street Cuballing, vested in Council for the purposes of Aged Persons Accommodation. However this reserve was created in about 2007 and it now appears that native title was not extinguished by the creation of the reserve. Therefore the land is impacted by the forthcoming Southwest Native Title Settlement. Council may consider locating aged housing units on the 74 Austral Street site to allow the project and regional grant application to proceed.

4.3.2 Council's Participation in the Corrie Street Development Application

Mr Paul Lewis expressed concern regarding the development application to allow a fire wood yard to be constructed at 1 Corrie Street, Cuballing. Mr Lewis believed that the appearance of a pile of fire wood would provide a negative impression for people entering and leaving Cuballing on the Great Southern Highway. Mr Lewis indicated that he had lodged comment for Council to consider.

The Shire President, Cr Conley, thanked Mr Lewis for making comment and appearance was always one of the considerations assessed by Council when considering development applications.

The Chief Executive Officer, Mr Gary Sherry, outlined that because Council sought comment from Main Roads WA, Council was required to provide a 42 day comment period for all state government agencies. Therefore Council will consider the development application at their September 2018 Ordinary Meeting.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Thursday 19th July 2018

COUNCIL DECISION – 2018/72:

That the minutes of the Ordinary Meeting of Council held on Thursday 19th July 2018 be confirmed as a true record of proceedings.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

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

Nil

8. DISCLOSURE OF FINANCIAL INTEREST:

The Chief Executive Officer, Mr Sherry, declared an Impartiality Interest in 9.2.3 Cuballing Golf Club Lease in that he is a member of the Cuballing Golf Club.

Cr Ballantyne declared an Impartiality Interest in 9.2.3 Cuballing Golf Club Lease in that he is a member of the Cuballing Golf Club.

Cr Conley declared an Impartiality Interest in 9.2.3 Cuballing Golf Club Lease in that he is a member of the Cuballing Golf Club.

9. REPORTS OF OFFICERS AND COMMITTEES:

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1 List of Accounts Submitted for Council Approval and Payment – July 2018

File Ref. No: NA
Disclosure of Interest: Nil
Date: 10th August 2018
Author: Nichole Gould
Attachments: 9.1.1A List of July 2018 Trust Accounts
9.1.1B List of July 2018 Municipal Accounts

Summary

Council is to consider the July 2018 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 July 2018.

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 – 2018/73:

That Council receives the List of Accounts for July 2018 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 July 2018 totalling \$34,720.00 included at Attachment 9.1.1A; and**
- 2. Municipal Fund in July 2018 totalling \$221,286.02 included at Attachment 9.1.1B.**

Moved: Cr Dowling

Seconded: Cr Newman

Carried 6/0

**LIST OF TRUST FUND ACCOUNTS DUE AND SUBMITTED TO COUNCIL
JULY 2018**

Chq/EFT	Description	Amount
20180702	Police Licensing Payments	87.20
20180703	Police Licensing Payments	5,178.30
20180704	Police Licensing Payments	610.35
20180705	Police Licensing Payments	876.75
20180706	Police Licensing Payments	13,382.65
20180709	Police Licensing Payments	100.00
20180710	Police Licensing Payments	481.70
20180711	Police Licensing Payments	1,495.55
20180712	Police Licensing Payments	88.00
20180716	Police Licensing Payments	2,054.55
20180717	Police Licensing Payments	786.65
20180718	Police Licensing Payments	14.95
20180719	Police Licensing Payments	309.60
20180720	Police Licensing Payments	840.40
20180723	Police Licensing Payments	2,219.30
20180724	Police Licensing Payments	2,216.00
20180725	Police Licensing Payments	831.80
20180727	Police Licensing Payments	339.20
20180730	Police Licensing Payments	1,262.50
20180731	Police Licensing Payments	1,544.55
		34,720.00

**LIST OF MUNICIPAL FUND ACCOUNTS DUE AND SUBMITTED TO COUNCIL
JULY 2018**

Chq/EFT	Description	Amount
20180709	Loan Repayment No. 63 Graders	3,160.66
20180718	ATO Clearing Account BAS	10,324.00
20180719	Rent On Austral Street	660.00
20182072	Rent For Grader Driver House 5	660.00
20180711	Rent On Austral Street	660.00
20180711	Rent On Austral Street	660.00
20180709	Interest On Graders	553.62
EFT3657	Cherry Picker Hire with operator, lights adjustment, take down shade sail and repair float valve in tank	220.00
EFT3658	1 x Spill kit/ Bio Hazard kit	30.96
EFT3659	Fix and Fit new alternator to Holden Colorado Duel Cab	637.75
EFT3660	30,000km Service CN039 Toyota Corolla	317.27
EFT3661	Install new air conditioner controller	188.24
EFT3662	Screening of Robinson Crusoe - 14 July 2018 Popanyinning Hall	132.00
EFT3663	Remove trees near power lines Replace float on over head tank	220.00
EFT3664	DCEO Fuel	775.05
EFT3665	Interim Invoice June 2018	928.12
EFT3666	Fuel Account June 2018	1,869.77
EFT3667	Rubbish Removal - Household Service x 256	5,186.14
EFT3668	Freight Charges - Corsign Pty Ltd	151.58
EFT3669	Local Government Supervisor Conference - A Mort	1,094.50
EFT3670	Vocus NBN Plan 12 months including set up fee as per quote 000490	330.00
EFT3671	Repair Rake for frontend loader	1,982.30
EFT3672	3 x Mats for Cuballing Hall	690.00
EFT3673	Hire of Rubber tyred roller for winter grading. For June 2018	7,040.00
EFT3674	3 x Boxes Toilet Rolls 2 x Boxes Hand towels	265.10
EFT3675	Bin Collection Cuby Transfer Station 11.92 tonnes @ \$77.50 per tonne - Transferred to Shire of Narrogin Landfill Site	2,379.25
EFT3676	Photocopier Monthly Meter Reading Fuji Xerox DCVC4475	535.60

Chq/EFT	Description	Amount
EFT3677	Breakfast Forum: Council Controlled Organisations - How Local Government Can Meet Market Failures to be held on Wednesday, 1 August at the Perth Convention and Exhibition Centre. - CEO, Cr Conley	50.00
EFT3678	Rental on Gas bottles	73.94
EFT3679	1 ton Asphalt in a 50 bag	1,718.75
EFT3680	Fix and repair roller tyre CN 151	278.28
EFT3681	Annual Subscription to Central Country Zone of WALGA 2018-19	4,158.00
EFT3682	30x Hotdog Rolls	21.60
EFT3683	50% Reimbursement Synergy - B Brennan	161.75
EFT3684	Assistance with 2018/19 Budget	759.00
EFT3685	1 x Welcome to Yornaning Dam sign 6 x Camping is Not Permitted Signs 1 x McCarthy St Sign 1 x Yornaning Dam next entry sign 8 x Clamps 8 x Brackets and bolts and nuts 1 x Custom sign	888.36
EFT3686	1 x 200mm Orga for digga	550.00
EFT3687	Freight for Culverts Wd - Ngn Road	378.35
EFT3688	1 x Cargo net	242.00
EFT3689	Annual License Fee - IT Vision Software System	23,074.44
EFT3690	Replace leaking orbital control valve on Komatsu Grader	7,344.66
EFT3691	Management Liability Insurance 2018/19	11,554.02
EFT3692	LGIS Workcare First Instalment 2018/19	56,644.09
EFT3693	2018/19 Narrogin Directory Advertising (Shire Pages)	864.44
EFT3694	3 x Chain saw Sharpening stones	150.00
EFT3695	2x batteries 12 volt	986.08
EFT3696	12x Scotch Fillet Steak 12x Chicken Kebabs	107.40
EFT3697	12 x Tube stock Grevilleas	60.00
EFT3698	2 x 11.2-24 BKT Tyres	740.00
EFT3699	Subscription to Ramm Rental of pocket Ramm data	7,352.65
EFT3700	RRG MCA Applications for Wandering Narrogin road	660.00
EFT3701	Contract Ranger Service - Labour 1hr 29/06/18 & 1hr 2/07/18 & 1hr 3/07/18	749.63
EFT3702	Quarterly Alarm Monitoring	110.00

Chq/EFT	Description	Amount
EFT3703	Service to DocuCentre DCVC4475 Printer	176.00
EFT3704	6 x Pad locks Keyed number 1 + Master	530.49
EFT3705	Road Safety Audit Wandering Narrogin Rd	3,234.00
EFT3706	6x Staff Badges - full colour name bars as per previous order 75x25mm White Background, text in black, rounded corners, name & positions in title case.	153.12
EFT3707	Shire of Wickpin Shared SAM Trailer Costs 2017/18	1,408.44
EFT3708	2 x Bobins for road broom	2,310.00
EFT3709	Freight charges for refuse site passes	10.44
EFT3710	1 x pressure release valve	224.25
EFT3711	WALGA Subscription	23,280.84
EFT3712	Cloud Server Access Fee July to December 2018	897.05
EFT3713	Evoluent VerticalMouse 4 Right - Wireless	574.55
14658	Vehicle Registration 12 Months	5,178.30
14659	Council Meeting Meals	165.00
14660	Monthly electricity charges – various council buildings	3,855.90
14661	Council Meeting Meals	110.00
14661	Service Charge - Shire Office	419.77
14662	Monthly Electricity Charge Street Lightning x 42 Lights	593.85
14662	Water Charge - Toilets Francis St Popanyinning	90.51
14663	Groceries	557.81
14664	Building Surveyor Services - Labour 11.25hrs @ 110/hour, Mileage 102Km @ .95c/km	1,468.55
DD1646.1	Monthly Wireless Limitless Inc Calls Internet	90.64
DD1646.2	Monthly Internet Service	132.82
DD1654.1	Superannuation contributions	221.85
DD1654.2	Superannuation contributions	4,679.41
DD1654.3	Superannuation contributions	433.22
DD1654.4	Superannuation contributions	433.97
DD1654.5	Superannuation contributions	222.45
DD1654.6	Superannuation contributions	52.45
DD1654.7	Superannuation contributions	191.75
DD1654.8	Superannuation contributions	328.85
DD1654.9	Superannuation contributions	123.49
DD1661.1	Superannuation contributions	224.35
DD1661.2	Superannuation contributions	4,714.16
DD1661.3	Superannuation contributions	437.17
DD1661.4	Superannuation contributions	437.17

Chq/EFT	Description	Amount
DD1661.5	Superannuation contributions	224.14
DD1661.6	Superannuation contributions	69.93
DD1661.7	Superannuation contributions	193.17
DD1661.8	Superannuation contributions	345.62
DD1661.9	Superannuation contributions	124.89
DD1671.1	DCEO Credit Card - Australian Institute of Building Surveyors - Building Expense	1,036.30
		221,286.02

9.2 CHIEF EXECUTIVE OFFICER:

9.2.1 Freedom of Information (FOI) Statement

Applicant:	N/A
File Ref. No:	ADM039
Disclosure of Interest:	Nil
Date:	6 th August 2018
Author:	Gary Sherry
Attachments:	9.2.1A Draft Freedom of Information Statement

Summary

Council is to consider a revised Freedom of Information Statement.

Background

Under the requirements of the Freedom of Information Act 1992 the Shire of Cuballing adopted a Freedom of Information (FOI) Information Statement at their July 2017 Ordinary Meeting.

Local Governments are required to have an information statement made available for inspection or purchase by members of the public. Some agencies have elected to publish their information statement electronically on their website. Others have elected to have both a hard copy and a copy available on their website. Another option is to have hard copy version incorporated in the agency's annual report.

Whichever manner the agency chooses to publish its information statement in, it is required to provide a copy to the Information Commissioner.

Information statements are an important part of FOI legislation. They assist members of the public to exercise their rights under the FOI Act, by describing the information and records available, together with a summary of the responsibilities and functions carried out by each agency.

The provisions in the FOI Act concerning information statements require that subsequent republishing of the information statement occurs at intervals of not more than 12 months.

Comment

An updated draft Information Statement has been prepared and is included at Attachment 9.2.1A. The preparation of the draft Information Statement has been completed with the assistance of the Office of the Information Commissioner.

It is a requirement of the Freedom of Information Act 1992 that an up-to-date Information Statement be published at least every 12 months.

A final, adopted Information Statement will be available on the Council website and from the Shire Administration Office

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017
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.

	Strategy	Outcome
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.

Statutory Environment

Freedom of Information Act 1992

Part 5 — Publication of information about agencies

94. Term used: information statement

A reference in this Act to an information statement, in relation to an agency, is a reference to a statement that contains —

- (a) a statement of the structure and functions of the agency;
- (b) a description of the ways in which the functions (including, in particular, the decision making functions) of the agency affect members of the public;
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;
- (d) a description of the kinds of documents that are usually held by the agency including —
 - (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and
 - (ii) which kinds of documents can be purchased; and
 - (iii) which kinds of documents can be obtained free of charge;
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and
 - (ii) the address or addresses at which access applications can be lodged;
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and
 - (ii) the address or addresses at which applications for amendment of personal information can be lodged.

96. Information statement, each agency to publish annually

- (1) An agency (other than a Minister or an exempt agency) has to cause an up to date information statement about the agency to be published in a manner approved by the Minister administering this Act —
 - (a) within 12 months after the commencement of this Act; and
 - (b) at subsequent intervals of not more than 12 months.
- (2) In giving approval under subsection (1) the Minister has to have regard, amongst other things, to the need to assist members of the public to exercise their rights under this Act effectively.

- (3) In the case of an agency that comes into existence after the commencement of this Act the reference in subsection (1)(a) to the commencement of this Act is to be read as a reference to the time when the agency commences its operations.
- (4) A subcontractor does not have to comply with subsection (1) if the relevant contractor has complied with that subsection on behalf of the subcontractor.
97. Information statement and internal manual, each agency to make available etc.
- (1) An agency (other than a Minister or an exempt agency) has to cause copies of —
- (a) its most up to date information statement; and
- (b) each of its internal manuals,
- to be made available for inspection and purchase by members of the public but may delete any exempt matter from those copies.
- (2) An agency has to provide a copy of its information statement to the Commissioner as soon as is practicable after the statement is published under section 96.
- (3) A subcontractor does not have to comply with subsections (1) and (2) if the relevant contractor has complied with those subsections on behalf of the subcontractor.

Policy Implications – Nil

Financial Implications – Nil

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Consultation

Office of the Information Commissioner.

Options

Council can resolve:

1. the Officer's Recommendation; or
2. to adopt an amended draft Information Statement; or
3. to complete a substantially different Information Statement for review by Council at a later time.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/74:

That Council adopt the Draft Information Statement included at Attachment 9.2.1A.

Moved: Cr Dowling

Seconded: Cr Newman

Carried 6/0



FREEDOM OF INFORMATION STATEMENT 2018

This Information Statement is published by the Council in accordance with the requirements of Section 96 of the Freedom of Information Act 1992 (Western Australia).

The Council is pleased to comply with the legislation and welcomes enquiries.

An updated Information Statement will be published at least every 12 months.

Date of Adoption:

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1. MISSION STATEMENT

The Shire of Cuballing operates in a relatively stable environment in which the expectations and requirements of the community and government, as well as environmental and economic factors impact on its activities and overall performance.

Council is committed to improve the quality of life of the residents of the Shire of Cuballing through services based on the principles of quality, equity, value and responsiveness and to ensure operations of the Shire are conducted in a cost efficient and effective manner as not to unfairly impose upon its ratepayers and residents.

The objectives of Council is to ensure that the Shire of Cuballing is a progressive, diverse and caring community, with access to modern services and infrastructure, in a unique part of the world.

By these means, the community confidence in the Shire as an efficient provider of services and an effective manager of its resources will be gained.

2. DETAILS OF LEGISLATION ADMINISTERED

Including, yet not limited to:

- Local Government Act 1995;
- Freedom of Information Act 1992;
- Dog Act 1976;
- Planning and Development Act 2005; and
- all other legislation relevant to Local Government functions

3. COUNCIL STRUCTURE

The Shire of Cuballing consists of seven (6) Councillors including the Shire President.

Local Government Elections are held in October of every second year. Councillors are elected for a four year term with three members retiring at each election. Extraordinary elections are held to fill any vacancies which may have occurred during the year.

The President of the Council is elected by the Councillors at the first meeting following each ordinary election.

Council is the decision making body of all policy matters. The Chief Executive Officer reports to Council and the present Shire organisational structure is shown in Figure 1 (attached).

4. DETAIL OF DECISION MAKING PROCESS

Ordinary meetings of full Council are generally held on the third Wednesday of each month with exception that no meeting is held in January.

Council Meetings normally commence 2:00pm and the date and time of the meeting are advertised locally. Members of the public are welcome to attend and Public Question Time is an early item of business.

The main business of the meeting is to consider and make resolutions.

Correspondence and applications on any matters to be considered by Council must be received at the Council office at least two week prior to the week of the Council meeting if they

are to be guaranteed of being dealt with at this meeting.

4.1 Minutes

Minutes of Full Council are placed on display in Council's Library and on the Shire of Cuballing website within 10 days after Ordinary Council Meeting.

5 SHIRE OF CUBALLING SHIRE COUNCILORS

Councillor M (Mark) Conley	President	Term expires October 2021
Councillor E (Eliza) Dowling	Deputy President	Term expires October 2021
Councillor S (Scott) Ballantyne		Term expires October 2021
Councillor D (Dawson) Bradford		Term expires October 2019
Councillor TP (Tim) Haslam		Term expires October 2019
Councillor RDJ (Roger) Newman		Term expires October 2019

Council has appointed the following as members of Committees of Council and as delegates of Council to the respective committee or organisation as included in the following table:

No	Committee/Service	Delegate	Proxy
1	Audit Committee	All Councillors	N/A
2	Bush Fire Advisory Committee	Cr Haslam	Cr Newman
3	Dryandra Regional Equestrian Park Management Committee	Cr Haslam	Cr Newman
4	Dryandra Voluntary Regional Organisation of Councils (DVROC)	Cr Conley	Cr Dowling
5	Education (School Awards, etc)	Cr Bradford	Cr Dowling
6	Cuballing Wickopin Local Emergency Management Committee	Cr Conley	Cr Ballantyne
7	Popanyinning Progress Association	Cr Haslam	Cr Bradford
8	Wheatbelt South Regional Road Group	Cr Ballantyne	Cr Newman
9	Great Southern Regional Waste Alliance	Cr Conley	Cr Dowling
10	Dryandra Country Visitors Centre	Cr Bradford	Cr Dowling
11	Central Country Zone of WALGA	Cr Conley Cr Dowling	CEO
12	Development Assessment Panel	Cr Conley Cr Bradford	Cr Ballantyne Cr Newman
13	Plant Management Review Group	Cr Bradford Cr Newman	Cr Haslam
14	Wheatbelt South Aged Housing Alliance	Cr Dowling	Cr Conley

6 DELEGATIONS

The Chief Executive Officer has the delegated authority from Council to make decisions on a number of specified administrative and policy matters. These delegations are listed in Council's Delegation Register and are reviewed by Council annually. The Chief Executive Officer has the power under the Local Government Act 1995 to sub-delegate these Authorities.

In keeping with the legislative requirements:

- to determine policies to be applied by the Council in exercising its discretionary powers;
- to determine the type, range and scope of projects to be undertaken by the Council; and
- to develop comprehensive management plans, budgets, financial controls and

performance objectives and indicators for the operations of the Council

The Council makes decisions which direct and/or determine its activities and functions. Such decisions include the approval of works and services to be undertaken, and the allocation of resources to works and services.

Decisions are also made to determine whether or not approvals are to be granted for applications from residents for various forms of development.

7 SERVICES FOR THE COMMUNITY

Full Council makes decisions on policy issues relating to services that are provided for members of the public.

These services currently include, but one not limited to:

Roads/Footpaths/Kerbing	Stormwater Drainage
Traffic Control Devices	Street Lighting Waste Disposal
Street Tree Planting	Refuse Collection Control
Public Toilets	Public Library
Aged Persons Accommodation	Parks and Reserves
Dog /Cat Control	Planning Controls
Environmental Health Matters	Pest Controls
Town Planning	Occupational Health and Safety
Community Information	Noxious Weed Controls
Building Control	Citizenship Ceremonies

8 PUBLIC PARTICIPATION

8.1 Council Meetings

Members of the public have a number of opportunities to put forward their views on particular issues before Council.

These are:

1. Deputations - With the permission of the Presiding Officer or President, a member of the public can address a Committee or Council personally or on behalf of a group of residents for a period of time determined by the Committee and/or Council on any issue relevant to Council;
2. Presentation to Council with prior notification, approval and arrangement with Council, a member of the public can address Council on any issue relevant to Council;
3. Petitions - Written petitions can be addressed to the Council on any issue within the Council's jurisdiction;
4. Written Requests - A member of the public can write to the Council on any Council policy, activity or service; and
5. Elected Members - Member of the Public can contact their Elected Members of Council, to discuss any issue relevant to Council

8.2 Community Consultation

The Council consults with local residents on particular issues that affect their neighbourhood as per the following examples:

1. Electors are invited to attend the annual general meeting of electors to discuss any specific issues over a large range of topics. All residents may attend, but only electors

- on the Council Electoral roll, are eligible to vote
2. Working Party/Sub-Committee - Local residents are invited to work with Members of Council and staff, to develop strategies to address various matters as they may arise.

9 ACCESS TO DOCUMENTS

9.1 Documents Available for Inspection

The following documents are available for public inspection at the Council Office or on the Shire of Cuballing website free of charge.

Members of the public may purchase printed copies of these documents and the charges are shown below:

Document	Fee
Council Agenda	at the set photocopying rate
Council Minutes	at the set photocopying rate
Policy Manual	at the set photocopying rate
Council Budget	at the set photocopying rate
Council Annual Financial Statements	at the set photocopying rate
Council Local Laws	at the set photocopying rate
Community Strategic Plan	at the set photocopying rate
Corporate Business Plan	at the set photocopying rate
Long Term Financial Plan	at the set photocopying rate
Workforce Plan	at the set photocopying rate
Asset Management Plans	at the set photocopying rate
Rates Assessment Book	\$50
Delegation Register	at the set photocopying rate
Building Plans	at the set photocopying rate
Council Town Planning Scheme No. 2	\$33
Consolidated Roll	\$10
Owner & Occupier Roll	\$10

10 OTHER INFORMATION REQUESTS

10.1 FOI Operations:

It is the aim of the agency to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the FOI process.

If information is not routinely available, *the Freedom of Information Act 1992* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in the document is accurate, complete, up to date and not misleading.

10.2 Freedom of Information Applications:

Access applications have to:

- be in writing,
- give enough information so that the documentation requested can be identified;
- give an Australian address to which notices can be sent; and
- be lodged at the agency with any application fee payable.

Applications and enquiries should be addressed to the Freedom of Information Coordinator:-

Postal Address:

Shire of Shire of Cuballing
 PO Box 13
 CUBALLING WA 6311

In Person:

Shire of Cuballing Administration Building
 22 Campbell Street
 CUBALLING WA 6311

An application will be acknowledged in writing and the applicant will be notified of the decision within 45 (calendar) days.

10.3 Freedom of Information Charges

A scale of fees and charges are set under the Freedom of Information Regulations 1993. Apart from the application fee for non – personal information all charges are discretionary. The charges are as follows:-

1.	<u>Type of Fee</u>	
	Personal information about the applicant	No Fee
	Application fee (for non-personal information)	\$30
2.	<u>Type of Charge</u>	
	Charge for time dealing with application (per hour, or pro rata)time supervised by staff (per hour, or pro rata)	\$30
	Photocopying staff time (per hour, or pro rata)	\$30
	Per photocopy (Black & White)	0.33
	Transcribing from tape, film or computer (per hour, or pro rata)	\$30
	Duplicating a tape, film or computer information	Actual Cost
	Delivery, packaging and postage	Actual Cost
3.	<u>Deposits</u>	
	Advance deposit may be required of the estimated charges	25%
	Further advance deposit may be required to meet the charges for dealing with the application.	75%

For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the Charge is reduced by 25%.

11 ACCESS ARRANGEMENTS

Access to documents can be granted by way of inspection of a document, a copy of a computer disk or USB drive.

12 NOTICE OF DECISION

As soon as possible, but in any case within 45 days, the applicant will be provided with a notice of decision which will include details such as –

- the date the decision was made;
- the name and designation of the officer who made the decision;
- if the document is an exempt document the reasons for classifying the matter exempt or the fact that access is given to an edited document;

- information on the right to review and the procedures to be followed to exercise those rights.

13 REFUSAL OF ACCESS

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency. Applications should be made in writing within 30 days of receiving the notice of decision.

Applicants will be notified of the outcome of the review within 15 days.

If the applicant disagrees with the result the applicant can apply to the Information Commissioner for an external review, and details would be advised to applicants when the internal review is issued.

14 ATTACHMENTS

Attachment 1 - Application for Access to Documents

Figure 1 – Shire of Cuballing Organisational Structure at 31st December 2016

Attachment 1 - Application for Access to Documents

SHIRE OF CUBALLING

PO Box 13 Cuballing WA 6311

Phone: 08 9883 6031

Email: enquiries@cuballing.wa.gov.au

APPLICATION FOR ACCESS TO DOCUMENTS (Under Freedom of Information Act 1992, S.12)

Details of Applicant:

Given Names:

Australian Postal Address:

Postcode:

Phone:

Mobile:

If application is on behalf of an organisation:

Name of Organisation/Business:

Details of Request: *(please tick)*

Personal documents

Non-personal documents

I am applying for access to document(s) concerning:

Form of Access *(please tick appropriate box)*

I wish to inspect the document(s)

Yes

No

I require a copy of the document(s)

Yes

No

I require access to another form

Yes

No

(Specify)

Fees and Charges:

Attached is a cheque/cash to the amount of \$_____ to cover the application fee.

I understand that before I obtain access to documents I may be required to pay processing charges in respect of this application and that I will be supplied with a statement of charges if appropriate.

Applicants Signature:

Date

NOTES

Freedom of Information Applications

- Please provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Cuballing may request proof of your identity.
- If you are seeking access to a document(s) on behalf of another person, the agency will require authorisation, usually in writing.
- Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.
- Further information can be obtained from the Office of the Information Commissioner. The Freedom of Information Act is available for purchase from the State Government Bookshop, 815 Hay Street, Perth (Telephone: 9222 8216)

Forms of Access

You can request access to documents by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded document or of works recorded in shorthand or encoded form, or a written document in the cost of a document from which words can be reproduced in written form.

Where the agency is unable to grant access in the form requested, access may be given in a different form.

Lodgement of Applications

Applications may be lodged by post or in person at:-

Shire of Cuballing
PO Box 13
CUBALLING WA 6390

(Office Use Only)

FOI Reference Number:

Received on: _____ Deadline for response _____

Acknowledgement sent on: _____

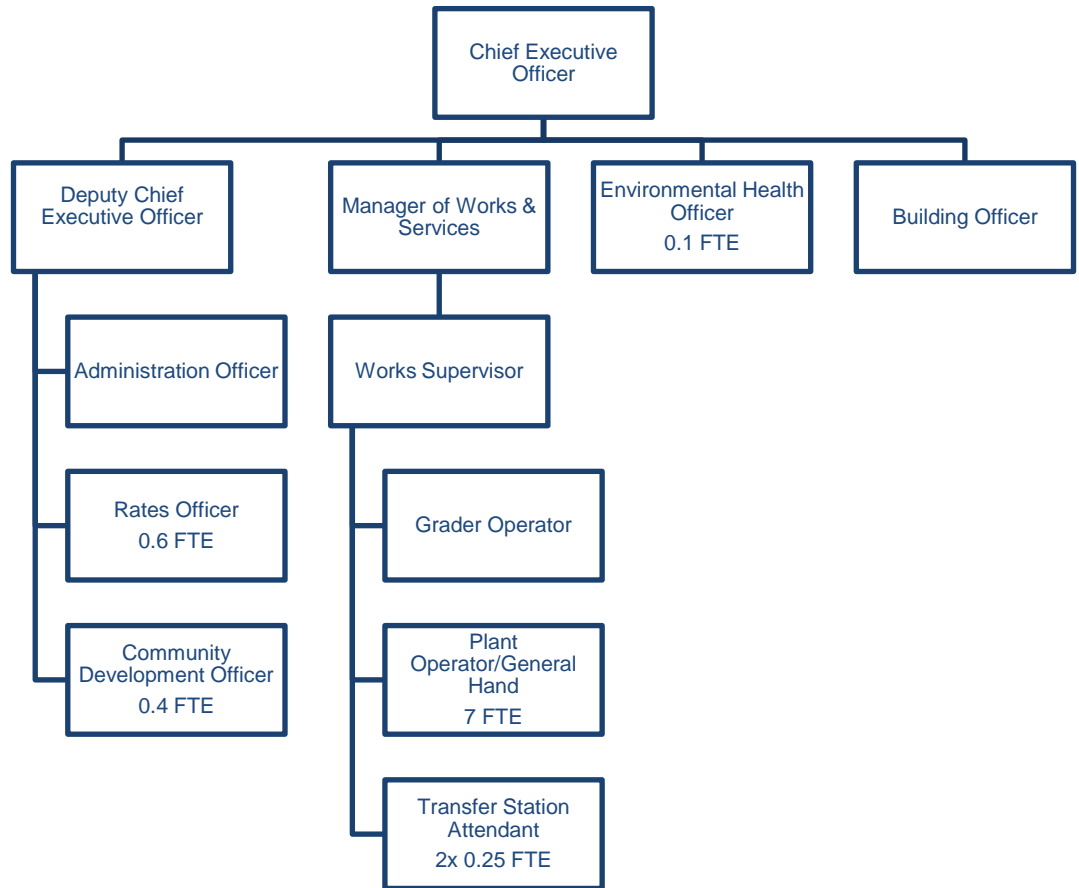
Proof of Identity (if applicable)

Type _____ Sighted _____

Figure 1 – Shire of Cuballing Organisational Structure at 31st December 2016

Organisation Structure

The Shire manages its responsibilities and services through the organisational structure illustrated below:



9.2.2 Appointment to Committees and of Delegates

Applicant: NA
File Ref. No: ADM64/ADM65
Disclosure of Interest: Nil
Date: 7th August 2018
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider an appointment of a Council delegate to the new organisation of Cuballing Volunteer Action Group

Background

At the Special Meeting of Council held on Monday 23rd October 2017, Council resolved the following:

COUNCIL DECISION – 2017/111:

That Council appoint the following as members of Committees of Council and as delegates of Council to the respective committee or organisation as included in the following table:

No	Committee/Service	Delegate	Proxy
1	Audit Committee	All Councillors	N/A
2	Bush Fire Advisory Committee	Cr Haslam	Cr Newman
3	Dryandra Regional Equestrian Park Management Committee	Cr Haslam	Cr Newman
4	Dryandra Voluntary Regional Organisation of Councils (DVROC)	Cr Conley	Cr Dowling
5	Education (School Awards, etc)	Cr Bradford	Cr Dowling
6	Cuballing Wickepin Local Emergency Management Committee	Cr Conley CEO	Cr Ballantyne
7	Popanyinning Progress Association	Cr Haslam	Cr Bradford
8	Wheatbelt South Regional Road Group	Cr Ballantyne	Cr Newman
9	Great Southern Regional Waste Alliance	Cr Conley	Cr Dowling
10	Dryandra Country Visitors Centre	Cr Bradford	Cr Dowling Deputy CEO
11	Central Country Zone of WALGA	Cr Conley CEO	Cr Dowling
12	Development Assessment Panel	Cr Conley Cr Bradford	Cr Ballantyne Cr Newman
13	Plant Management Review Group	Cr Bradford Cr Newman	Cr Haslam
14	Wheatbelt South Aged Housing Alliance	Cr Dowling	Cr Conley

Moved: Cr Dowling

Seconded: Cr Newman

Carried 6/0

At the time of this decision the Officer's Report noted that Council should not appoint a delegate to the Cuballing Progress Committee as the Committee has not met for some time. The report noted that should this change, Council can appoint a delegate in the future if required.

Comment

A new Cuballing community group, similar to the Cuballing Progress Committee, has commenced meeting. the Cuballing Volunteer Action Group (CVAG) held their first meeting on Wednesday 11th July 2018 and presented to Council at the 19th July 2018 Ordinary Council Meeting. Their next meeting is scheduled to be held on Wednesday 8th August 2018.

It is recommended that, at the request of the CVAG, that a Council delegate be appointed by Council.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017

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.
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.

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.
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Statutory Environment

Local Government Act (1995)

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

**Absolute majority required*

5.10 Appointment of committee members

- (1) A committee is to have as its members -
- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish -
- (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11. Tenure of committee membership

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until -
- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
 - (b) the person resigns from membership of the committee;
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day, whichever happens first.

- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until -
- (a) the term of the person's appointment as a committee member expires;
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day, whichever happens first.

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Social Implication

The CVAG are a local community group and a Council delegate attending their meetings will assist in communication between Council and the community group.

Environmental Considerations – Nil

Consultation

Members of the CVAG attended and presented to Council at the July 2018 Ordinary Meeting of Council.

Options

Council may resolve:

1. the Officer's Recommendation;
2. appoint alternative Councillors as the Council delegate and proxy delegate; or
3. to not appoint a delegate or proxy delegate to CVAG.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/75:

That Council appoint:

- 1. Cr Ballantyne as a delegate of Council; and**
- 2. Cr Newman as a Proxy Delegate of Council;**

to the Cuballing Volunteer Action Group.

Moved: Cr Bradford

Seconded: Cr Newman

Carried 6/0

The Chief Executive Officer, Mr Sherry, declared an Impartiality Interest in 9.2.3 Cuballing Golf Club Lease in that he is a member of the Cuballing Golf Club.

Cr Ballantyne declared an Impartiality Interest in 9.2.3 Cuballing Golf Club Lease in that he is a member of the Cuballing Golf Club.

Cr Conley declared an Impartiality Interest in 9.2.3 Cuballing Golf Club Lease in that he is a member of the Cuballing Golf Club.

9.2.3	Cuballing Golf Club Lease
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Applicant:	N/A
File Ref. No:	ADM249
Disclosure of Interest:	The author is a member of the Cuballing Golf Club Inc
Date:	7 th August 2018
Author:	Gary Sherry
Attachments:	9.2.3A Draft Cuballing Golf Club Lease

Summary

Council is to consider offering a 21 year lease of the Cuballing Golf Club on a portion of Reserve No. 7530 to the Cuballing Golf Club (Inc).

Background

Reserve No. 7530 is vested to Council for the purposes of Recreation.

The Cuballing Golf Club (CGC) has held an informal tenure of the area of the Golf Club on a portion of Reserve 7530 for at least fifty years. In that time the CGC has developed and maintained all the buildings on the property and pay all the ongoing expenses. The CGC also maintain the grounds of the reserve

Comment

One expense Council has incurred in maintaining the Cuballing Golf Club has been to insure the CGC club house.

Recent advice from Councillors insurance brokers was that the ownership of the clubhouse may be questioned by insurers in the event of a claim. Given that CGC has developed and maintained all the buildings on the property and pay all the ongoing expenses, while Council's control of the land would not be questioned, the ownership of the buildings could be. Council is unable to insure property it does not own.

The draft lease agreement, included at Attachment 9.2.3A, seeks to codify existing practices and state the CGC is responsible for all maintenance and ongoing expenses but that the buildings on the site are owned by Council and are therefore able to be insured by Council.

The draft lease includes the following requirements:

- the permitted uses under the lease are recreation activities being not limited to golf and activities reasonable associated with golf;
- the CGC will pay all utility charges for use on the site;
- the CGC may charge for use of the Golf Club by other users;
- the CGC are responsible for maintenance and keeping the Golf Club clean and tidy;
- CGC will insure the contents of any buildings on the site and the Shire will insure Council property;
- the CGC will complete bush fire precautions and not use the course on total fire ban days or during harvest bans;

- the lease term is for 21 years from 1st July 2018; and
- the annual lease fee will be \$1 per annum and the fee can be reviewed annually.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017

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.
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.
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

Statutory Environment

Section 3.58 of the Local Government Act applies to the disposition of property, and a lease is included in the definition of disposition. However, as the lease of land will be to an incorporated community sporting group such as the Lessees, this lease is an exempt disposition, so the requirements of section 3.58 are not applicable.

The consent of the Minister for Lands is required for the lease, as the premises are situated on a Reserve. The Department for Lands has indicated that the Ministers approval, formally given after a lease has been executed by lessee and lessor, would be given for the draft lease.

Policy Implications – Nil

Financial Implications

The lease agreement provides for lease fee of \$1 per annum for the lease of the Golf Club. .

Council will remain responsible for ongoing insurance costs for the Council owned infrastructure included in the lease.

Economic Implication

The activities of the CGC attract visitors to the Cuballing Shire. This attraction provides economic opportunity for existing and new local businesses.

Social Implication

The CGC are a popular local community group of some fifty years standing.

Environmental Considerations – Nil
Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. a slightly amended Officer's Recommendation;
3. to defer consideration of the Cuballing Golf Club lease.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/76:

That Council:

1. **approves the draft Lease of the Cuballing Golf Club, included at Attachment 9.2.3A, with the Cuballing Golf Club Inc;**
2. **delegates to the Chief Executive Officer the authority to make minor amendments to the draft Lease of the Cuballing Golf Club included at Attachment 9.2.3A in order to address any drafting issues or minor adjustment of any of the terms; and**
3. **authorises the President and Chief Executive Officer to apply the Shire seal onto, and to execute, the draft Lease of the Cuballing Golf Club included at Attachment 9.2.3A, including any minor amendments as provided for in (2) above.**

Moved: Cr Bradford

Seconded: Cr Dowling

Carried 6/0



LEASE AGREEMENT

RESERVE 7530
Stratherne Road Cuballing

SHIRE OF CUBALLING
AND
CUBALLING GOLF CLUB

SHIRE OF CUBALLING
PO BOX 13
CUBALLING WA 6311

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THIS AGREEMENT is made on the day of 2018

BETWEEN:

SHIRE OF CUBALLING of
PO Box 13, Cuballing WA 6311
in the State of Western Australia ("the Lessor")

AND

Cuballing Golf Club Inc. of
PO Box 43, Cuballing WA 6311
in the State of Western Australia ("the Lessee")

1. RECITALS

- A. The subject land (the "Leased Premises") is defined in Item 1 of the Schedule being a portion of Reserve No. 7530 being a reserve for the purpose of "Recreation" and
- B. The Lessor may, with the consent of the Minister for Lands, lease the Leased Premises for a period not exceeding 21 years.
- C. The Parties have mutually agreed that the Lessees will have the usage of the Leased Premises on the terms and conditions set out in this Agreement.

2. DEFINITIONS AND INTERPRETATIONS

- 2.1 This Agreement the following terms shall have the following meanings unless inconsistent with the context:

"Fee" means the sum defined in Item 3 of the Schedule.

"Leased Premises" means the Land, grounds, facilities and improvements thereon.

"Lessee" means the Cuballing Golf Club Inc.

"Lessor" means the Shire of Cuballing or in the event of amalgamation the local Governments with which the Shire of Cuballing amalgamate

"Parties" means Lessor and the Lessee.

"Permitted Use" means the use of the Leased Premises described in Item 4 of the Schedule.

"Term" means the period defined in Item 2 of the Schedule.

- 2.2 References to laws include regulations, instruments and local laws and all other subordinate legislation or orders made by any authority with jurisdiction over the Stadium. Illegal means contrary to a law as defined in this sub clause.

- 2.3 This Agreement must be interpreted so that it complies with all laws applicable in Western Australia. If any provision of this Agreement does not comply with any law, then the provision must be read down so as to give it as much effect as possible. If it is not possible to give the provision any effect at all, then it must be severed from the rest of the Agreement.
- 2.4 Reference to any party shall mean and include a reference to that party, his successors or executors, administrators or personal representatives of a party's estate (as the case may be) and transferees.
- 2.5 Reference to a statute includes all amendments for the time being in force and any other statute enacted in substitution for and the regulations, local laws or other orders for the time being made under that statute.
- 2.6 Headings and the Summary are for ease of reference only and shall not affect the interpretation or construction of this Agreement.

3. RIGHTS TO THE LEASED PREMISES

- 3.1 Subject to consent from the Minister for Lands being obtained, Lessor grants to the Lessee the right to use the Leased Premises during the term, at the fee and on the conditions set out in this Agreement.

4. LESSEES' OBLIGATIONS

- 4.1 Liability of Lessee
The Cuballing Golf Club Inc. is liable for each term of this Agreement and in relation to all Lessee's obligations under this Agreement.
- 4.2 Permitted Use
- (a) This Agreement confers on the Lessee a right to occupy and use the Leased Premises for the Permitted Use.
- (b) The Lessee must not use the Leased Premises or allow the Leased Premises to be used for any purpose other than the Permitted Use.
- 4.3 Payment of Rent
- (a) The lessee will pay to the lessor the annual rental fee specified in Item 3 of the Schedule clear of all deductions.
- (b) The annual rental fee shall be paid within 7 days of the signing of this Agreement and on the 1st July each year thereafter for the term of the Agreement.
- 4.4 Rates and Charges
- (a) The Lessee must pay, when due and payable, all rates, taxes and other charges (including impositions, assessments, outgoings, duties and fees, with the exception of local government annual general rates) of any public, municipal, government or statutory body, authority or department which are separately charged upon the Leased Premises or imposed or levied upon the Lessor in

respect of the Leased Premises separately or the ownership of the Leased Premises separately.

- (b) The Lessee must, in respect of the supply of any water, gas, electricity, telephone, Waste disposal or other services separately metered or charged for the Leased Premises pay all accounts when they become due and payable.
- (c) The lessor will charge the lessee in relation to the use of ablutions on premises owned by the Lessor adjacent to the leased Premises.

4.5 Hire Charges

The Lessee may levy and may permit approved hirers to levy admission charges for appropriate activities and events.

4.6 Maintenance

- (a) The Lessee must at the Lessee's expense:
 - (i) Keep and maintain the Leased Premises and all Improvements in good and safe repair and condition;
 - (ii) Keep and maintain the leased Premises in a clean and tidy condition;
 - (iii) Make good any damage caused to the Leased Premises by the Lessee, the lessee's employees, others under his or her control or hirers of the premises other than the lessor.
- (b) The lessee shall not use or permit toilets, grease traps and other sanitary appliances to be used for any purpose other than that for which they were constructed and not to do or allow any act or thing to be done that might choke or otherwise affect or damage the same.

4.7 Insurance

- (a) The lessee shall insure and keep insured all buildings, fixtures and fittings (other than those owned by the Lessor) to their full replacement value against fire, explosion, impact, storm, tempest, earthquake, theft, accident and all other risks that lessor requires.
- (b) The lessee shall maintain public liability insurance or public risk insurance cover of not less than \$20,000,000 to cover claims made on the lessee.
- (c) A Certificate of Currency and/or a copy of the insurance policy together with proof of payment of the current premium shall be provided to lessor within 21 days after the date of this Agreement and thereafter annually.

4.8 Compliance with law

The lessee must comply with all laws and the requirements, notices or orders of any Governmental Agency having jurisdiction or authority in respect of:

- (i) the leased Premises;
- (ii) the use and occupation of the leased Premises; or

- (iii) the Improvements, and without limitation, including any machinery, plant, equipment, fixtures and fittings of the Lessee on the Leased Premises.

4.9 Illegal Use

- (a) The lessee must not, and must not let anyone else:
 - (i) Use the leased Premises for any illegal purposes.
 - (ii) Do anything which might cause nuisance, damage or disturbance to an occupier or owner of any adjacent property.
 - (iii) Do anything which might affect any insurance policy relating to the Leased Premises by causing:
 - it to become void or voidable; or
 - any claim on it being rejected; or
 - a premium to be increased.

4.10 Bushfire Prevention

- (a) The Lessee shall take appropriate precautions to prevent and manage the risk of bushfires and shall comply with Lessor's Firebreak Order and any approved variations to this.
- (b) The golf course may not be used on a day which is a declared Total Fire Ban or on days when a Harvest Ban and/or a Ban on the Movement of Vehicles applies.

4.11 Town Planning Scheme

The Lessee will comply with the provisions of the Shire of Cuballing Town Planning Scheme No 2 (as amended) including those relating to the erection and display of signs.

4.12 Handling of Food

Where food is sold or handled in any way and the Leased Premises the Lessee shall:

- (i) Construct or otherwise provide to the reasonable satisfaction of the Lessor adequate facilities for the hygienic handling of such food, including facilities for the washing of hands and utensils;
- (ii) notwithstanding any other provision of this Agreement not permit or suffer any food vendor or handler to breach in any way the provisions of the Health Act 1911 or any order, regulation or local law made thereunder or the provisions of any other written law or order or direction made thereunder relating to food or its preparation or handling; and
- (iii) without limiting the generality of the foregoing the lessee will take adequate measures and at all times reasonable measures to safeguard any food being sold or distributed on the demised premises, from flies and dust.

4.13 Additions by Lessee

The Lessee shall not make any external or internal additions or alterations to the walls roof floors partitions ceilings supports elevation plan or architectural appearance of the Leased Premises without the lessor's previous written consent which shall not be unreasonably withheld. All permitted alterations or additions shall be made completed and carried out to the entire satisfaction of, and the materials used therein shall be approved by the Lessor.

4.14 Yielding Up Premises

At the expiration or sooner determination of this Agreement the Lessee shall deliver up possession of the Leased Premises to the Lessor in good and substantial repair and condition fair wear and tear only excepted having regard to the age of the building, and shall surrender all keys for the Leased Premises to the Lessor at the place then fixed for the payment of rent and shall inform the Lessor of all combinations on locks safes and vaults if any in the Leased Premises. The Lessee's obligations to observe or perform this covenant shall survive the expiration or other termination of this Agreement.

4.15 Ownership of Fixtures and Fittings

All fixtures fittings plant machinery utensils shelving counters safes and other material or articles brought onto the Leased Premises by the Lessee shall be trade or tenant's fixtures and subject to tenant's rights of removal and the Lessee may at or prior to the expiration of the Agreement take remove and carry away the same from the Leased Premises but the Lessee shall in such removal do no damage to the Leased Premises or shall forthwith make good any damage which it may occasion thereto and shall sufficiently paint out or remove all signs.

4.16 Continuation

That if the Lessee shall with the consent of the Lessor remained in possession of the Leased Premises after the expiration of the said Term or any extension thereof it shall so remain as a tenant from month to month at a monthly rental equal to one twelfth (1/12) the amount of rent hereby reserved (and payable in advance as herein provided) and otherwise upon the same terms and conditions as herein contained or implied so far as the same may be applicable.

4.17 Permit Lessor to Enter

The Lessee shall permit Lessor, its agents or employees, to enter the Leased Premises bringing any necessary equipment during normal business hours, after giving reasonable notice except in cases of emergency:

- (i) to inspect the Leased Premises;
- (ii) to carry out repairs or agreed alterations; and
- (iii) to do anything necessary to comply with notices or orders of any authority.

4.18 Defect Notices

The Lessee shall carry out repairs within 28 days of being served with a written notice of any defect or lack of repair the Lessee is obliged to make good under this Agreement. If the Lessee does not comply with the notice, the Lessor may carry out the repairs and the Lessee must repay the cost to the Lessor on demand.

5. LESSOR'S OBLIGATIONS

5.1 Permitted Use

The Lessor will not interrupt the Lessee's use of the Leased Premises for the Permitted Use in accordance with the terms and conditions of this Agreement except as is provided in Clause 4.6.

5.2 Public Liability

The Lessor will maintain an appropriate public liability insurance cover for risks associated with the Lessors buildings which are contained on the Leased Premises Lessors relationship to the Leased Premises.

5.3 Insurance

The Lessor shall insure and keep insured its buildings fixtures and fittings to their full replacement value against fire, explosion, impact, storm, tempest, earthquake, theft, accident and all other risks that Lessor requires.

6. ESSENTIAL TERMS

(a) Without limiting the provisions of this Agreement which are essential terms it is agreed that each of the covenants by the Lessee contained in each of the following clauses is deemed to be an essential term of this Agreement:

- (i) Clause 4.2 (Use of Leased Premises);
- (ii) Clause 4.3 (Payment of Rent);
- (iii) Clause 4.6 (Maintenance);
- (iv) Clause 4.8 (Compliance with law) and
- (v) Clause 4.9 (Illegal Use and Other Activities).

(b) In respect of the Lessee's obligation to pay Rent or make other payments, the acceptance by the Lessor of any late payment shall not constitute a waiver of the essentiality of the Lessee's obligation to make that payment or of the Lessee's continuing obligation to pay during the Term.

7. INDEMNITIES

7.1 Generally

To take and be subject to the same responsibilities in regard to persons and property to which the Lessee would be subject if during the Term the Lessee were the owner of the freehold of the Premises.

7.2 Indemnity

To indemnify and keep indemnified the Lessor and the Minister for Lands, employees, agents and servants from and against all claims, demands, writs, summonses, actions,

suits, proceedings, judgments, orders, decrees, damages, costs, losses and expenses of any nature whatsoever which the Lessor may suffer or incur in connection with the loss of life, personal injury, illness and or damage to property, arising from or out of any occurrence in or upon or at the Premises or the use of the Premises by the Lessee or any part thereof or to any person or the property of any person using or entering on or near the Premises howsoever occasioned or occurring (loss, injury, illness, damage or destruction caused or occasioned by any negligent act, default or omission of the Lessor or its servants, agents or contractors excepted).

7.3 Abuse of installations

To indemnify and keep indemnified the Lessor from and against any and all loss or damage whatsoever occasioned by the neglect, use, mis-use or abuse of:

- (a) water, electricity or gas supplied to the Premises; or
- (b) installations, fixtures or fittings for water, gas or electricity,

by the Lessee or by any servant, agent, contractor or invitee of the Lessee, and that the Lessee will pay for all damage or injury to the Premises or to the Lessor or to any other person in consequence of any breach or nonobservance of the provisions of this paragraph.

7.4 Insurance moneys

Without prejudice to the generality of paragraph (a) (to the extent that the terms and conditions of any insurances effected by the Lessee or any moneys paid to the Lessor out of insurances effected by the Lessee do not fully indemnify the Lessor from and against all actions, claims, demands, notices, losses, damages, costs and expenses to which the Lessor shall or may be or become liable in respect of all or any of the matters referred to in subparagraphs (i), (ii) and (iii) of this paragraph) to indemnify the Lessor and keep the Lessor indemnified from and against all actions, claims, demands, notices, losses, damages, costs and expenses to which the Lessor shall or may be or become liable in respect of all or any loss or damage to property or death or injury to any person of any nature or kind and however or wherever sustained that:

- (a) is caused or contributed to by the use or occupation of the Premises except to the extent caused or contributed to by the negligence or act, default or omission of the Lessor;
- (b) results from any act, default or omission by the Lessee under this Lease; or
- (c) results from any notice, claim or demand to pay, do or perform any act, matter or thing to be paid, done or performed by the Lessee under this Lease.

8. TERMINATION OF AGREEMENT

- (a) The parties agree that, in addition to any other ground for termination at law, this Agreement may be terminated by;
 - (i) the Lessor in the event of breach of an essential term of this Agreement and failure by the Lessee to remedy the breach within twenty eight days after service by the Lessor on the Lessee of written notice specifying the breach and requiring the Lessee to remedy it;

- (ii) the Lessee giving six (6) months' notice of termination in writing to the Lessor;
 - (iii) this Agreement will still continue in the event that one of the Lessees wishes to terminate this Agreement, with the remaining Lessee to be fully responsible for all obligations and terms of the Agreement.
- (b) In the event that either the Lessor or the Lessee gives notice of termination pursuant to this clause such termination shall not affect the Lessor's remedies or rights with respect to any antecedent breach of any covenant by the Lessee and furthermore, no compensation whatsoever shall be payable to the party receiving the notice of termination.

9. RIGHTS AND OBLIGATIONS AT TERMINATION OF AGREEMENT

- (a) On the expiration or earlier determination of this Agreement, the Lessee must surrender peaceably and yield up the Leased Premises to the Lessor.
- (i) In a clean state, free from rubbish and in a good state of repair.
 - (ii) fill in, consolidate and level off any unevenness, excavation or hole caused by the Lessee or by the Lessee's use of the Leased Premises to the satisfaction of the Lessor; and
 - (iii) remove any fixtures, fittings or any other property owned by the lessee on the Leased Premises as may be required by the Lessor.
- (b) The Lessee's obligations to observe and perform the covenant contained in this clause will survive the expiration or earlier determination of this Agreement.

10. GENERAL PROVISIONS

10.1 Notices

Any notice required to be given to the Lessee here under may be given by the Lessor or its solicitors and may be left for the Lessee at its address herein or at the Leased Premises or sent to it by post in a letter addressed to it at such address or at the Leased Premises or at its office last known to the Lessor and a notice sent by post shall be deemed to have been served within 2 days following that on which it was posted notwithstanding actual non receipt.

10.2 Mediation

- (a) The Parties agree to resolve any dispute by mediation where:
- (i) A mediator, accredited by the Law Society of WA, is appointed by mutual agreement of the Parties;
 - (ii) The costs of the mediation and the mediator will be shared equally between the Parties.
- (b) The mediation procedure will be determined by the accredited mediator.

10.3 Applicable Law

- (a) This Agreement shall be construed and interpreted in accordance with the laws in force in the State of Western Australia.
- (b) The parties submit to the non-exclusive jurisdiction of the courts of Western Australia.

10.4 Restriction on Assignment

The Lessee shall not transfer, assign, sublet, mortgage, charge, part with possession of, nor dispose of, the Leased Premises or any part thereof or benefit of this Agreement without the prior written consent of the Lessor and the Minister for Lands.

10.5 Variation

A variation of any provision of this Agreement must be in writing and signed by the parties.

10.6 Contact Details

The Lessee shall ensure that Lessor is always provided with the current contact details for the authorized representatives of the Lessee and with contacts for emergency situations.

10.7 Abandonment of the Leased Premises

If the Lessee vacates the Leased Premises during the Term, whether or not it ceases to pay the rental, the Lessor may:

- (i) accept the keys;
- (ii) enter the Leased Premises to inspect, maintain or repair them;
- (iii) show the Leased Premises to prospective occupiers;

without this being re-entry or waiver of Lessor's rights to recover the Fee or other money under this Agreement.

10.8 Agreement Preparation

Upon demand by the Lessor, the Lessee shall pay the fees and expenses incidental to the preparation, execution and stamping of this Agreement.

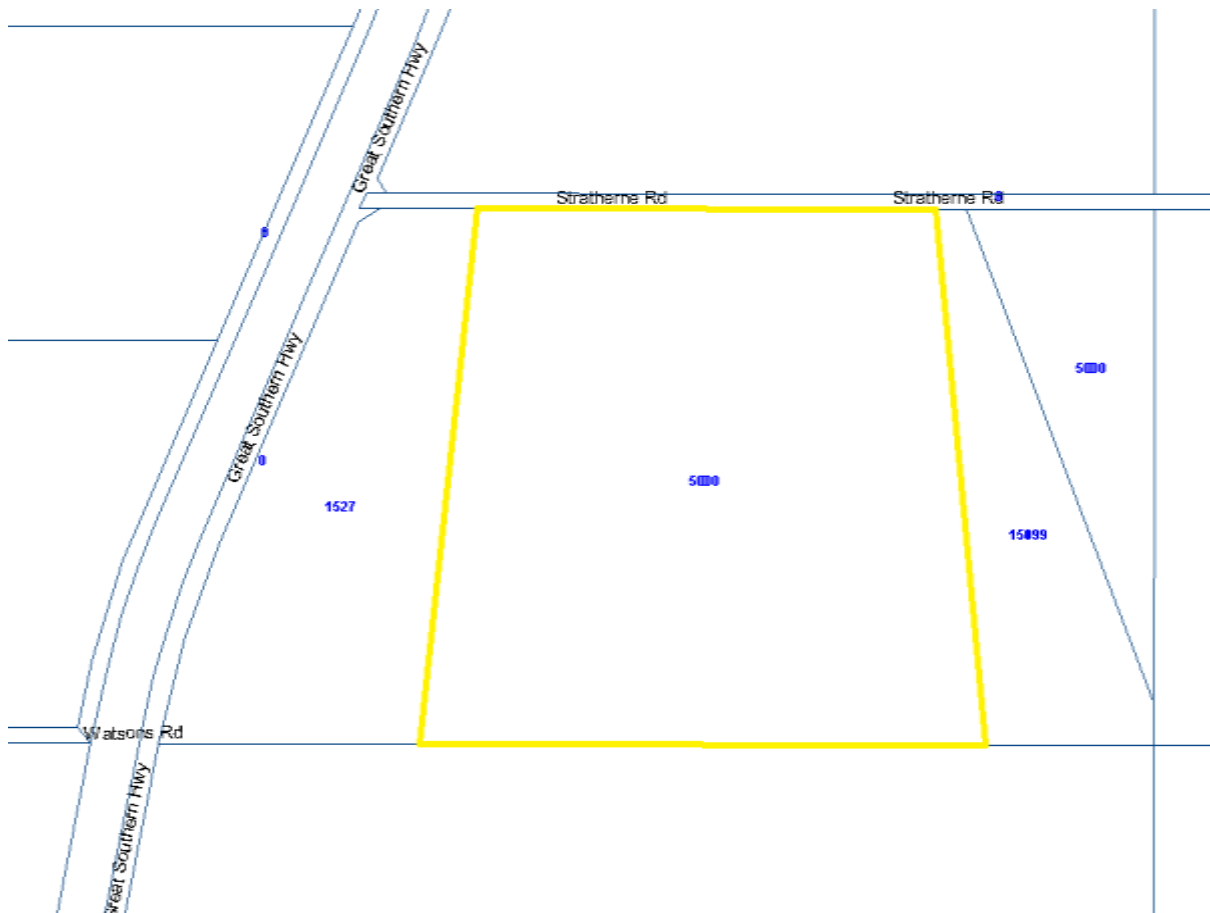
10.9 Entire Agreement

The terms as set out in this Agreement contains the entire Agreement between the parties notwithstanding any negotiations or discussions prior to the execution of this Agreement.

SCHEDULE 1

Item 1: THE LAND

The portion of Reserve No. 7530 comprising of Lot 5000 on DP 5000P68978 DOLA Pin 11895285 shown below:



Item 2: THE TERM

Twenty-one (21) years
 Commencement Date: 1 July 2018
 Expiry Date: 30 June 2039

The Lessee must no later than 5 years prior to the expiry of this Agreement advise the Lessor in writing that they intend to renew the Agreement. The rental and conditions for the new term shall be in the Lessor's complete discretion.

Item 3: RENTAL

\$1 per annum.

The rental shall be reviewed on the 1st July 2019 and each twelve months thereafter.

Item 4: PERMITTED USE

Recreation activities being golf and activities reasonably associated with golf.

THE COMMON SEAL of the
SHIRE OF CUBALLING
was hereunto affixed by authority of a
Resolution of the Council
in the presence of:

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

The COMMON SEAL of the
Cuballing Golf Club Inc.
was here unto affixed pursuant to a resolution of
the Association in the presence of:

PRESIDENT

SECRETARY

9.2.4 Wheatbelt Secondary Freight Project – Continuing Support

Applicant:	N/A
File Ref. No:	ADM008
Disclosure of Interest:	Nil
Date:	8 th August 2018
Author:	Gary Sherry
Attachments:	9.2.4A Wheatbelt Secondary Freight Route Network Map 9.2.4B Wheatbelt Secondary Freight Project Briefing Report

Summary

Council is to consider continuing support to the Wheatbelt Secondary Freight Project.

Background

Sustainably funding the local government road network to meet the needs of industry and the community is a key issue for rural local governments in Western Australia.

Wheatbelt local governments have identified a network of secondary freight routes, which provide the infrastructure necessary to enable transport the majority of road freight within (as opposed to through) the region.

The Wheatbelt Secondary Freight Route (WSFR) network in the Main Roads WA Wheatbelt region comprises some 4,400km of Local Government managed roads that connect with State and National highways to provide access for heavy vehicles into the region. These roads are intended to enable large, high productivity trucks safe and cost effective access to business.

The Shire of Cuballing has the Wandering Narrogin Road and the Cuballing East Road included on the secondary freight network. A map showing WSFR network is included at Attachment 9.2.4A.

In March 2017 Council first considered supporting the WSFR and decided that:

COUNCIL DECISION – 2017-20:

That Council:

1. support the approach of an application to the Building Better Regions Fund (BBRF) to be prepared by Wheatbelt Regional Development Australia (RDA) for the Wheatbelt Strategic Freight Networks Project;
2. support a local government in the Wheatbelt region being the applicant in a BBRF application for the Wheatbelt Strategic Freight Networks Project;
3. support the required local government contributions for the Wheatbelt Strategic Freight Networks Project to originate from Main Roads WA allocations to the Wheatbelt South and Wheatbelt North Regional Road Groups or any other funding source;
4. agree to providing a financial contribution of up to \$26,316 in the 2018/19 financial year for the Wheatbelt Strategic Freight Networks Project if alternative funding are not found; and
5. will provide any Shire of Cuballing asset management data required in a BBRF application to the Wheatbelt RDA for the Wheatbelt Strategic Freight Network Project.

Moved: Cr Ballantyne Seconded: Cr Newman

Carried 6/0

Subsequently funding was sourced through Wheatbelt RDA to progress the project and Council's contribution was not required.

A project Working Group has been established consisting of representatives from the following organisations:

- Wheatbelt North Regional Road Group (WN RRG)
- Wheatbelt South Regional Road Group (WS RRG)
- WA Local Government Association (WALGA)
- Regional Development Australia - Wheatbelt (RDA-W)
- Main Roads WA-Wheatbelt Region (MRWA-WR)
- Wheatbelt Development Commission (WDC)

The long term goal is to obtain funding support from the Federal Government for a broadly estimated, \$500 million capital works program over 10 - 20 year timeframe to bring the network up to a fit for purpose standard for current and anticipated future needs. In order to be considered for this Infrastructure Australia require a Stage 4 Business Case submission.

Comment

The WSFR project is developing a business case, with the supporting evidence and documentation required, to seek the addition of a program of road improvements across the network be added to the Infrastructure Australia Priority List.

The identified secondary freight routes have now been mapped and assessed against existing Restricted Access Vehicle (RAV) networks and commodity specific studies such as the work on agricultural lime and grain movement.

The next step in this project is to complete a technical assessment of the identified Secondary Freight Routes against the requirements for movement of Restricted Access Vehicles and to prioritise, scope and cost the work that would be required to provide a secondary freight network at the required level of service. It is proposed that this will be followed by the development of a business case for funding.

Council has been requested to reaffirm their commitment to the Wheatbelt Secondary Freight Project and commit to a \$6,000 in the 2018/19 year as a co-contribution required from all 42 LG's for the funding application to be submitting over the coming months to undertake the detailed planning and design works to enable the preparation of a stage 4 Infrastructure Australia submission.

The intent of the Officer's Recommendation is to have very similar positions of support by all 42 wheatbelt local governments to present a united front. It is this collaboration and agreement that ensures traction both at a Federal and State Government Level.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017
ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

- 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.

GOVERNANCE & ORGANISATION - Our Council, Services, Policies and Engagement.

- 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
4.5	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.

Statutory Environment - Nil

Policy Implications – Nil

Financial Implications

The Shire of Cuballing is considering an contribution of \$6,0000 to leverage significant additional funding. This contribution has not been included in Council's 2018/19 Budget. Council maintains a Roads and Bridges Reserve with funds of \$71,566 at 1st July 2018. This reserve could be used to make this contribution if required.

Participation in the WSRF project could provide an alternative source of road funding for an improved freight network in the future.

Economic Implication

The secondary freight network, comprising local government roads, is a key economic asset in the wheatbelt region.

Social Implication

The secondary freight network are also key transport links for all passenger and other traffic between wheatbelt communities.

Environmental Considerations – Nil

Consultation

Wheatbelt South Regional Road Group
WALGA
Wheatbelt RDA
Wheatbelt Development Commission
Main Roads WA

Options

Council may resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation that still supports the WSFR project. Such a resolution would slightly weaken the intent of similar positions of support by all 42 Wheatbelt local governments to present a united front;
3. to not continue to participate in the WSFR project; or
4. defer consideration at this time to receive additional information.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/77:

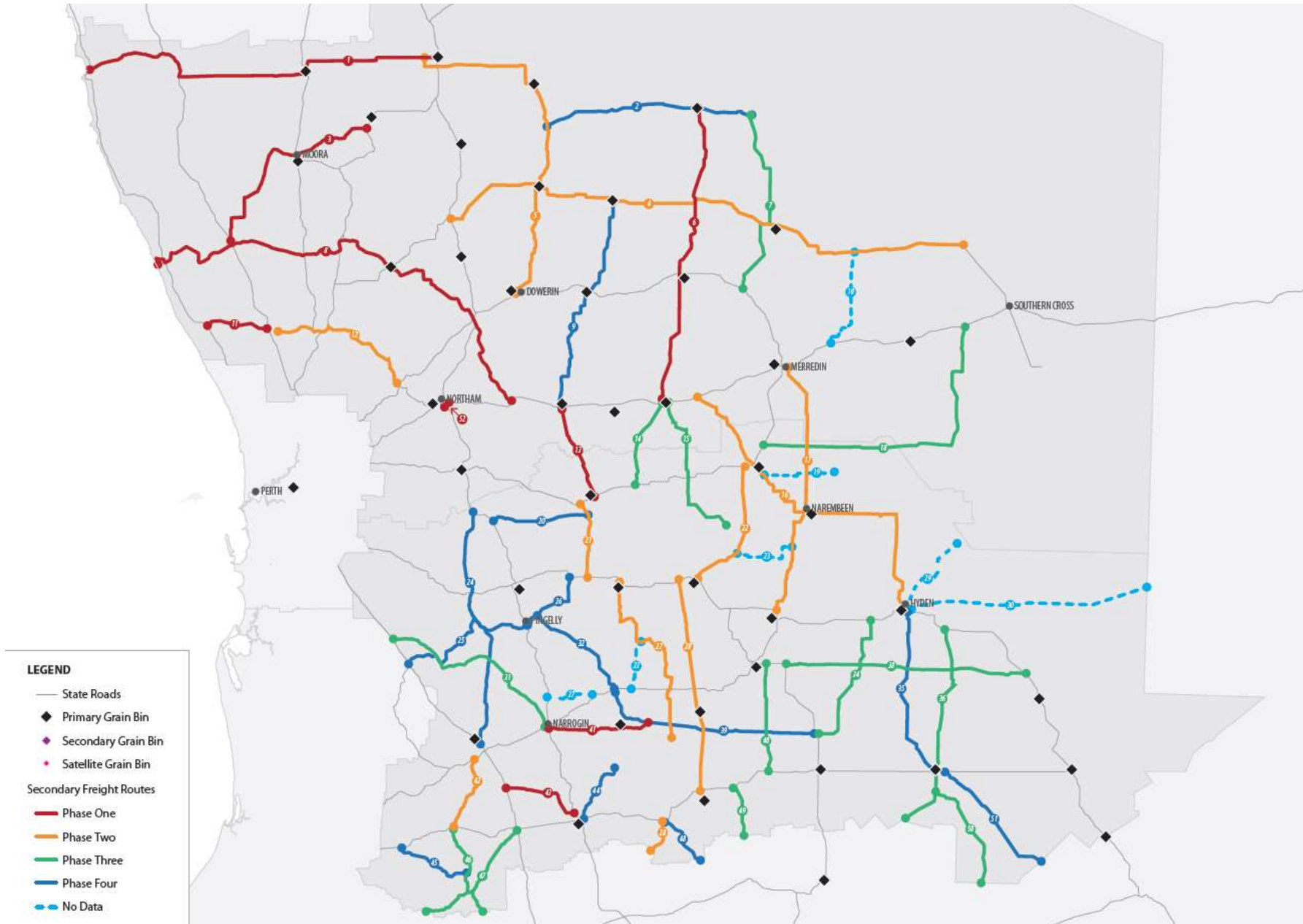
That Council:

1. **Notes the Secondary Freight Routes Project Development report;**
2. **Supports the strategic intent of the Secondary Freight Routes project;**
3. **Authorises the Chief Executive Office to prepare and sign a letter of support in favour of an application for Federal Government Funding under the Building Better Regions Program to develop the Secondary Freight project; and**
4. **Endorses in principle an allocation of \$6,000 in 2018/19 to co-fund Secondary Freight Route Project development subject to a successful Building Better Regions Program application.**

Moved: Cr Haslam

Seconded: Cr Dowling

Carried 6/0





WHEATBELT NORTH REGIONAL ROAD GROUP
Comprising Avon, Kellerberrin, North East and Moora Sub Groups

WHEATBELT SOUTH REGIONAL ROAD GROUP
Comprising Hotham-Dale, Lakes, Narrogin and Roe Sub Groups
correspondence to RRG Secretariat, Main Roads WA PO Box 333 NORTHAM WA 6401

Briefing Note:

Wheatbelt Secondary Freight Route

August 2018

OVERVIEW

The Wheatbelt Secondary Freight Route (WSFR) network in the Main Roads WA Wheatbelt region comprises some 4,400km of Local Government managed roads that connect with State and National highways to provide access for heavy vehicles into the region. These roads are intended to enable large, high productivity trucks safe and cost effective access to business. The WSFR project is developing a business case, with the supporting evidence and documentation required, to seek the addition of a program of road improvements across the network be added to the Infrastructure Australia Priority List.

WSFR WORKING GROUP

The project is being driven by local government authorities associated with the Regional Road Groups of the Wheatbelt Region. The project is intended to support and contribute to other work being undertaken by Main Roads WA, the Department of Transport and the Department of Primary Industries and Regional Development that is considering strategic transport investments across the agricultural regions through the Revitalising Agricultural Regional Freight (RARF) project.

A project Working Group has been established consisting of representatives from the following organisations:

- Wheatbelt North Regional Road Group (WN RRG)
- Wheatbelt South Regional Road Group (WS RRG)
- WA Local Government Association (WALGA)
- Regional Development Australia - Wheatbelt (RDA-W)
- Main Roads WA-Wheatbelt Region (MRWA-WR)
- Wheatbelt Development Commission (WDC)



The project has been encouraged by indications from the Federal Government that they are keen to receive well developed business cases for investment in nationally significant supply chains, with the Working Group

developing the Wheatbelt Secondary Freight Routes project. Secondary Freight Routes connect with State and National highways, providing access for heavy vehicles into the region, allowing trucks safe, cost effective access to businesses.

GOAL - INFRASTRUCTURE AUSTRALIA INFRASTRUCTURE PRIORITY LIST

The immediate goal is the inclusion of the WSFR project on the Infrastructure Australia Infrastructure Priority List (IPL), which is a prioritised list of nationally significant investments. It provides decision makers with advice and guidance on specific infrastructure investments that will underpin Australia's continued prosperity. Infrastructure Australia is seeking submissions for the next update of the Infrastructure Priority List, which will be published in February 2019.

The long term goal is to obtain funding support from the Federal Government for a broadly estimated, \$500 million capital works program over 10 - 20 year timeframe to bring the network up to a fit for purpose standard for current and anticipated future needs. In order to be considered for this list Infrastructure Australia require a Stage 4 Business Case submission.

Led by the Wheatbelt North and Wheatbelt South Regional Road Groups, work is underway to secure the funds needed to do the work required to formally submit the Wheatbelt Secondary Freight Routes proposal for consideration by Infrastructure Australia. RDA Wheatbelt (RDAW) have provided seed funding of approximately \$80k to support project scoping with the aim of securing the \$2 million to \$5 million (depending on the findings) needed to development an investment ready business case. The project development costs are likely to be of the order of 1% of the final investment.

To be confident that sufficient funds are available before starting the detailed planning, engineering and costing, preliminary data has been collected from Local Governments concerning roads that have been identified as part of the network. These works constitute components associated with the development of Stages 1 and 2 of Infrastructure Australia's IPL submission process.

The WSFR Working Group proponents are currently investigating funding options for funding the Stage 4 IPL submission of up to \$5M. This has primarily sought State Government support of \$1.25 million cash through the Leverage Fund, administered by the Department of Primary Industries and Regional Development, conditional upon Federal cash support of \$3.5 million through an application to the Building Better Regions Fund and Local Government cash and in-kind support of \$350,000. These funds will be utilised to prepare complete and compliant Stage 1 to Stage 4 submissions to Infrastructure Australia. If successful, this will result in the project being added to the Infrastructure Priority List, facilitating conversations with the Federal Government for capital funding contributions.

AUSTRALIAN FEDERAL GOVERNMENT – INQUIRY INTO NATIONAL FREIGHT AND SUPPLY CHAIN PRIORITIES

The Federal Government has announced the Roads of Strategic Importance (ROSI) initiative. The aim of this initiative is to implement actions that address findings from the Inquiry into National Freight and Supply Chain Priorities.

The Federal Government has allocated \$3.5 billion over the next decade through the new Roads of Strategic Importance (ROSI) initiative, to ensure key freight roads efficiently connect agricultural and mining regions to ports, airports and other transport hubs.

The Major Project Business Case Fund will also provide an Australian Government contribution towards planning and business case development on projects with clear strategic merit. The Fund will facilitate earlier Australian Government engagement in the project planning stage to ensure broader Commonwealth objectives are considered as projects are developed. \$250M has been allocated towards planning and business cases development works on projects across the country, as priorities are identified through ongoing consultation with state and territory governments.

In July 2017 RDA Wheatbelt of behalf the Wheatbelt RRG submitted a full paper to the National Freight and Supply Chain Priorities Inquiry (*July 2017 RDA Wheatbelt Inc Submission to the Inquiry into National*

Freight and Supply Chain Priorities), which discusses the various issues in relation to the need for the WSFR project to receive priority.

This paper outlined the fundamental issues that will be addressed by this project are the growing and changing freight task, consolidation of grain receival facilities, increasing use of larger vehicles, pressure to increase supply chain productivity, poor road safety outcomes and the lack of available capital to meet requirements.

The efficiency of supply chains serving industries in the Wheatbelt region is determined by the performance of the weakest link. Failure to maintain and improve productivity of the secondary freight network will reduce the international competitiveness of the Wheatbelt agricultural sector, which underpins employment and economic activity in the region. Transport links need to be addressed if the production of this sector is to be supported.

WA STATE GOVERNMENT – DEPARTMENT OF TRANSPORT: REVITALISING AGRICULTURAL REGIONAL FREIGHT PROJECT

Separately Western Australian Department of Transport (DoT) in association with Department of Industry and Regional Development (DPIRD) and Main Roads WA are developing a strategy and investment proposals to support improvements to freight related infrastructure in the agricultural regions. The project team is working to ensure that the need for investment in Local Government roads (secondary freight routes) is reflected in the analysis to ensure these don't remain the weakest link in the supply chain.

The WSFR Working Group has submitted a draft submission to the RARF project which outlines the process undertaken so far as part of the WSFR project, route identification, data collection, project scoping and costing, business case development and initial route prioritisation. This submission is on behalf of all local governments associated with the Wheatbelt RRG. It focuses on the priorities of local government roads within the region.

WSFR Working group will continue to work with MRWA WR and WDC as part of the RARF project consultation, and see this consultation as ongoing throughout the course of 2018 and beyond. The WSFR is representative of the views of all Wheatbelt local governments through the RRG, will be the key local government consultation point for the RARF Project. The Committee through its membership is in regular consultation with both MRWA WR and WDC, as part of our project development.

PROPOSED BUDGET AND FUNDING OPTIONS

The draft budget and potential funding options are summarised as follows:

Capital Cost	\$500M	Details
Planning Cost	\$5M	~1% of capital cost
Federal Govt	\$3.5M	BBRF - requires co-contribution; or Major Project Business Case Fund
WA State Govt	\$1.25M	DPIRD Leverage Fund DoT – RARF
Local Govt	\$250K	Approx. - \$6K each from 42 LGAs

Feedback from DPIRD regarding the Leverage Fund application of \$1.2M by RDA-Wheatbelt on behalf of WSFR, was that the application was considered better suited for MRWA consideration and to link into with the current RARF project work given the significant alignment between the two sets of work. It was recommended that the WSFR Working Group continue to pursue their relationship with DoT and MRWA to ensure the requirements of the WSFR are adequately included in the RARF activities. The WSFR Working Group has

continued on-going discussions and consultation with RARF via Main Roads WA-WR and WDC as directed by DPIRD.

ADVOCACY AND CONSULTATION

The working group is continuing to use every opportunity to promote and seek support for the proposal with stakeholders, the community and political leaders at Federal and State level. It will be helpful if Local Governments can support this effort. The way in which this is done will depend on the audience and the key issues in your area. However, the common messages are:

1. Industry and jobs depend on an efficient supply chain in order to remain internationally competitive;
2. The supply chain is only as strong as the weakest link, which are typically the connections to the major highways;
3. The size, weight and productivity of trucks has increased and is expected to continue to do so;
4. The road freight task has increased and is expected to continue to do so;
5. Local Governments in the Wheatbelt Regions are spending more than \$100m per year maintaining roads. To make this expenditure more efficient, some roads need to be upgraded to a higher standard as they were not designed for the purposes for which they are now used;
6. This proposed project is a step change for a defined network. Once delivered it will contribute to lower freight costs, lower road network operating costs and a safer road network.

At the Federal level Ministers Corman and Porter as well as Members Melissa Price and Rick Wilson have received a briefing. At the State level, Ministerial advisers and senior department staff have been briefed and discussions held with local members Darren West and Mia Davies.

State support for an application to Infrastructure Australia will be critical. The project team is seeking to ensure that this work supports and is supported by other project work being undertaken by the Department of Transport in conjunction with Main Roads WA and the Department of Primary Industries and Regional Development analysing strategic freight issues. It also builds on work completed in 2017 looking specifically at the agricultural lime freight task.

A summary of consultation undertaken is as follows:

Organisation	Personnel	Details
Local Govt	42 LGAs RRG WN and WS	Project scoping Data collection Technical Representatives
Federal Govt	McCormack and McVeigh Ministers Corman and Porter Members Melissa Price and Rick Wilson RDA Wheatbelt	Advisor Briefing Teleconference Summary Documentation
State Govt	DPIRD - Minister MacTieman DoT – Minister Saffioti RAFT MRWA WR WDC	State Leverage Fund – requested \$1.25M RARF Submission In-principle support Communication conduit
Industry	CBH Ag Lime WA	Match priority routes Lime Strategy
Infrastructure Australia	Nicole Lockwood (Director)	Advice on IA Stage 3 – 4 submission Assistance at each step
Freight and Logistics Council	Kellie Houlahan (Policy Adviser)	Conduit to State Govt

AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

In November 2017 Cr Ricky Storer, President of the Shire of Koorda and Chair of the WN RRG, delivered a presentation outlining the proactive, collective approach of Wheatbelt Councils to the regional freight challenges and the outcomes that would result from investment in secondary freight routes in the Wheatbelt at the Australian Local Government Association National Local Roads and Transport Congress. The Hon Darren Chester, Minister for Infrastructure and Transport as well as Acting Minister for Regional Development and Local Government delivered a presentation during the same session which was attended by a number of senior Federal Government officers and more than 200 Local Government delegates from around Australia.

PROJECT METHODOLOGY

Over the last 2 years 42 Local Government authorities across the Wheatbelt region have collaborated to identify priority routes across the Secondary Freight Network and have also participated in a technical data collection process led by the Shire of Dandaragan to estimate costs, preparation of a business case and a cost benefit analysis of the work to be undertaken. The in-kind investment by Local Government to date, facilitated through the RRG, is estimated to be well in excess of \$750,000.

The work flow is currently nearing the end of Phase 2 and seeking resources to support Phase 3. No capital funding request can occur without Phase 3 being completed (a requirement of the Federal funding processes for capital projects over \$100m).

Two workshops were undertaken in March 2018 that reviewed the road and traffic data available. The Technical Representatives from each of the Regional Road Group Sub-groups were invited to participate in these workshops, along with Main Roads WA staff and other stakeholders. The workshops provided direction to the consultants that have been commissioned by RDA Wheatbelt to prepare the funding submission for Building Better Regions Fund.



Phase 1: Scoping

1. Assessment of the condition of the existing road network (based on available data supplemented with consultation and field investigations) covering the identified secondary freight network.
2. Development of transport modelling to inform scope and design criteria.
3. Development and agreement as to the scope and standards required across the 80+ routes.
4. Development of concept design to facilitate a P50 cost estimate for the 80+ routes (including methodology to determine costings across a large road network with limited data).
5. Assessment and prioritisation of routes for a program of delivery including supporting justification for costs and benefits within a business case framework.

The cost estimating process for this phase will require input from a number of disciplines including the following consultants;

- geotechnical
- environmental
- consultation
- transport and traffic engineering
- civil engineering

Phase 2: Preparation of Business Case and BBRF application

This phase is used to undertake the work required to compile the evidence and complete the business case to support the submission for the required funding amount (determined from Phase 1). Completion of this Phase is subject to finalisation of the required co-contributions based on the figure calculated in Phase 1.

RDA Wheatbelt is providing seed funding for this Phase to be completed subject to the agreement of RRG North and South in relation to meeting the required minimum co-contribution level. The required co-contributions are set by the Federal Government based on the physical location of the benefit of the project. For areas classified as Remote or Very Remote the required co-contribution is 25% of the project amount (i.e. \$1 for every \$3 of grant funding). For other classifications it is \$1 for \$1.

Tasks to complete Phase 2 include the following:

1. Undertake problem definition and needs assessment
2. Develop opportunity statement based on potential benefits of the project
3. Quantify benefits of undertaking the work against the following areas:
 - a. Criteria 1: Economic Benefit
 - b. Criteria 2: Social Benefit
4. Provide Input as necessary into the following areas
 - a. Criteria 3: Value for Money
 - b. Criteria 4: Project Delivery
5. Collation of business case and supporting evidence for inclusion in BBRF application.

PROJECT SCOPING

This process has been an excellent example of a large number of local governments (42) working together on a common strategic regional priority. To date, local government staff has provided a large amount of information and data in an in-kind capacity. The key undertakings of the project so far are:

1. Identification of nominated WSFR roads based upon a simple criteria developed by RRG with routes that:
 - i. Listed on Roads 2030.
 - ii. Regional Distributor that connects Regional Centres or major freight generating locations.
 - iii. Parallel routes not to be closer than 20km apart.
 - iv. Route not to duplicate or replace existing freight routes on State or National Highways.
 - v. Routes serving significant recent increases in regional freight that is anticipated to be sustained.
2. Determination of basic project framework and minimum design standards.
3. Road condition assessment of all identified roads across 42 local governments against minimum design standards.
4. High level scope of works and order of magnitude costs for upgrades required.
5. A summary of data collection and assessment across the 42 local of governments for both Wheatbelt north and south is:

	Route Length (km)	Proposed Works (km)	Proposed Length (%)	Indicative Costs (\$)
Wheatbelt North	1,608	1,134	71	\$ 197,000,000
Wheatbelt South	2,729	1,717	63	\$ 296,000,000
TOTAL	4,337	2,851	66	\$ 493,000,000

BUSINESS CASE

The WSFR engaged economic consultant, Pracsys, to develop a BBRF business case for the planning and staging prioritisation of the secondary freight routes. This planning work will inform the strategic allocation of road capital works funding provided to LGAs in the region, identifying the economically optimal sequence for developing the network and ensuring that roads are designed and constructed to an optimal standard from a 'whole-of-life' asset management perspective. If successful, BBRF funding will allow for the development of a detailed scope of works that will form the basis for a subsequent submission for Infrastructure Australia funding. It will therefore be important to consider the benefits associated with both the initial planning stage, and broader project, within the BBRF Business Case.

The methodology was divided into two components:

1. Phase 1: Estimating Benefits High Level at an IA IPL submission level and for the BBRF proposal
It is recommended that a Benefit Cost Ratio (BCR) of at least 1.2 be targeted as lower levels are unlikely to attract funding under the BBRF. In addition, a \$30 million impact threshold applies to IA funding applications. This phase will be used to understand and produce high level estimates of project benefits, informing a 'go/no go' decision for phase 2.
2. Phase 2: Developing a BBRF CBA and Business Case
Based on the outcomes of Phase 1, document a concise Cost-Benefit Analysis and Business Case in support of the BBRF submission.

Estimating Planning Benefits

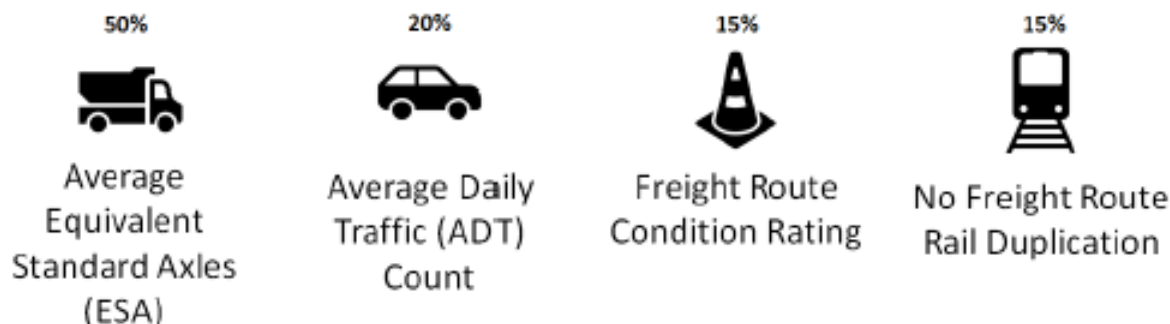
The benefits attributable to the Wheatbelt secondary freight routes prioritisation planning process were outlined and in turn used to provide a preliminary prioritisation of works for internal review. Benefits were calculated where possible, however some benefits are unquantifiable, and other benefits are best left for in-depth quantification in the detailed planning phase. The methodology included:

- Investigate plausible project benefits and compare to typical costs
- Apply assumed BCRs to hypothetical 100km works segments (over 5 to 10 years)
- Conduct comparison of net benefit using scenarios
Scenario A: Conduct works without strategic planning – using randomised project sequence
Scenario B: Conduct works based on strategic planning - using an optimised project sequence

The detailed planning exercise is expected to achieve a benefit in the order of \$20 million based solely on the benefits gained from freight route prioritisation.

Initial Prioritisation System

The WSFR were evaluated on a route-by-route basis to give an early indication of their relative upgrade priorities. The evaluation conducted was a Multiple Criteria Analysis (MCA) assessing the following criteria weightings – this may be added to in future:



Attachment 1 shows a the initial first draft of the staging plan and prioritisation process. This will evolve as further planning is undertaken and additional data collected.

PROPOSED DELIVERY METHODOLOGY

The Working Group is currently investigating a number of delivery methods for the development of the IA Stage 4 submission. These will largely be dependent upon the level of funding available. The options considered include complete outsourcing of the project, or a collaborative delivery method undertaken by the RRG and its associated LGA staff with various levels of support from consultants and/or Main Roads WA staff. The more collaborative model provides the opportunity to utilise the technical skills of staff within the region that have the greatest understanding and knowledge of the road network and its associated issues. It also allows for collaboration amongst all stakeholders and working party members, as well the opportunity for information sharing, capacity building and upskilling. The latter approach would entail local government and state government agency staff working together to deliver a project with regional benefits.

The proposed delivery options are:

Option A - Fully Funded – Consultant Delivery

- \$5M
- Technical Consultant
 - Full project delivery
 - Target greater number of routes
 - Wider scale technical input
- Local Government
 - Project Management
 - Input from Technical Working Group
- MRWA
 - Technical Support
 - Review

Option B - Partially Funded – RRG Delivery

- \$1M - \$5M depending upon funding levels
 - LGA project team could be funded or In-kind.
 - MRWA FTE
 - WDC FTE
- LGA – Project Delivery Team
 - LGA Driven
 - Technical Working Group
 - Project Delivery Team
 - Technical Consultant
- Technical Consultant
 - Funding used for specific technical purposes
 - Targeted technical input
 - Prioritised routes
 - Economic assessment and business case development

IMPLICATIONS FOR LOCAL GOVERNMENT

The in-kind support from staff and Councillors at 42 Local Governments who have provided data so far is greatly appreciated.

1. Road Group Sub Groups have undertaken ongoing consultation via the Sub-groups and Technical Representative regarding outcomes being requested through this project to ensure they properly reflects the needs of LGAs in progressing the WSFR network. It would be of value if each Shire could ensure their representative receives these monthly updates (you can add them to the mailing list through admin@rdawheatbelt.com.au)
2. Cash Co-contributions are requested from LGA with a contribution of \$6,000 per local government being requested to provide an overall contribution of \$250,000 across the 42 LGA. It is requested that these funds come from 2018/19 budgets and request each LGA to draft an Agenda Item – August or September Council Meetings
3. Shire of Dandaragan will be undertaking the project management role for this application (should it proceed) on behalf of all 42 local governments (thankyou Dandaragan).
4. It is still the intention to seek other forms of co-contribution for this project as outlined.
5. The Working Group will continue to work towards the development of a Technical Working Group and Project Delivery Team. It will seek to identify potential resources for these roles through the RRG and nominations via Sub-groups and their respective LGAs. Positions within these groups may be either funded or in-kind depending upon funding available or the ultimate delivery methodology.

9.2.5 Capital Purchase – Fast Fill Trailer

Applicant: N/A
File Ref. No: ADM83/ADM214
Disclosure of Interest: Nil
Date: 8th August 2018
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider approval of out of Budget expenditure for the purchase of a fast fill trailer to be located at the Popanyinning Fire Station as part of a DFES Capital Grant.

Background

During Budget deliberations, Shire staff applied for a Capital Grant from the Department of Fire and Emergency Services to purchase new fast fill trailer to be located at the Popanyinning Fire Station. It was believed that this grant was unsuccessful and the purchase was therefore not included in the 2018/19 Council Budget.

A similar trailer, currently stationed in Cuballing, was purchased through a DFES Capital Grant in 2016/17.

Comment

Staff submitted the DFES capital grant application based on a quotation from a local supplier. With Council approval, staff will now seek quotes under Council's Purchasing Policy.

The total expenditure expected will be met by a DFES Capital Grant of \$7,490.

The fast fill trailer will replace a much older trailer. The older trailer will be relocated to a rural location in an outlying sector of the Shire of Cuballing.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017
SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

- A safe community where residents feel secure and comfortable at home, work and play.

	Strategy	Outcome
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.
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.

Statutory Environment

Local Government Act (1995)

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

Policy Implications – Nil

Financial Implications

The purchase of this facility will have income from the DFES that covers the \$7,490 of the expected expenditure.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation

Department of Fire and Emergency Services
Chief Bushfire Control Officer

Options

Council may resolve:

1. the Officer's Recommendation;
2. to not proceed with the purchase a fast fill trailer to be located at the Popanyinning Fire Station.

Voting Requirements – Absolute Majority

COUNCIL DECISION – 2018/78:

That Council approve out of Budget expenditure to purchase a fast fill trailer to be located at the Popanyinning Fire Station in accordance with the Department of Fire and Emergency Services Capital Grant approval up to an amount of \$7,490 (excluding GST).

Moved: Cr Ballantyne

Seconded: Cr Dowling

Carried 6/0

9.2.6 Policy Payment List Amendment

Applicant: N/A
File Ref. No: ADM118
Disclosure of Interest: Nil
Date: 8th August 2018
Author: Gary Sherry
Attachments: 9.2.6A Draft amended Policy 2.14 Creditor Names on Online Documents

Summary

Council is to consider adoption of a revised Shire of Cuballing policy in relation to the including of creditor names in Council documents published online.

Background

At their regular review of Council's Policy Manual at the December 2017 Ordinary Meeting of Council, a new policy 2.14 Creditor Names on Online Documents was adopted.

This policy sought to reduce fraud risk in a manner suggested by Council's auditor. The policy removes creditors names from documents published on the internet to increase the difficulty of cyber criminals to pose as those creditors to extort money from Council through a false invoice or the like. This type of fraud has been successful at a number of businesses and local governments larger than the Shire of Cuballing.

The policy did allow creditors names to be available publicly on all copies of agenda/minutes not published on the internet.

Comment

The ability of staff to comply with the section of the policy 2.14 Creditor Names on Online Documents relating to replacing creditor names with creditor numbers for identification is extremely difficult. This is particularly time consuming with staff needing to individually replace each creditor name with a creditor number.

Council could pay for a specific report to be developed by Council's finance system provider, but this is expected to be costly.

The Officer Recommendation is to amend the policy to remove the requirement have a creditor name included in the table presented in online documents. A draft amended policy is shown at Attachment 9.2.6A with amendments to the draft policy completed in red and/or strikethrough font for easy appearance

If this amended policy is adopted, it would only impact on copies of minutes and agendas published on Council's website. The "creditors name" column of the table would be removed in its entirety.

An example of how this draft policy would impact is outlined below using payments included at 9.1.1 in this agenda:

From

Chq/EFT	Name	Description	Amount
20180709	Loan Repayment No. 63 Graders	Loan Repayment No. 63 Graders	3,160.66
20180718	ATO Clearing Account BAS	ATO Clearing Account BAS	10,324.00
20180711	Rent On Austral Street	Rent On Austral Street	660.00

Chq/EFT	Name	Description	Amount
20180711	Rent On Austral Street	Rent On Austral Street	660.00
20180709	Interest On Graders	Interest On Graders	553.62
EFT3657	Ashley Blyth Tree Lopping	Cherry Picker Hire with operator, lights adjustment, take down shade sail and repair float valve in tank	220.00
EFT3658	JR & A Hersey P/L	1 x Spill kit/ Bio Hazard kit	30.96
EFT3659	Narrogin Auto Electrics	Fix and Fit new alternator to Holden Colorado Duel Cab	637.75

To

Chq/EFT	Description	Amount
20180709	Loan Repayment No. 63 Graders	3,160.66
20180718	ATO Clearing Account BAS	10,324.00
20180711	Rent On Austral Street	660.00
20180711	Rent On Austral Street	660.00
20180709	Interest On Graders	553.62
EFT3657	Cherry Picker Hire with operator, lights adjustment, take down shade sail and repair float valve in tank	220.00
EFT3658	1 x Spill kit/ Bio Hazard kit	30.96
EFT3659	Fix and Fit new alternator to Holden Colorado Duel Cab	637.75

This approach suggested in the Officer's Recommendation has been recently supported at the Shire Narrogin by a legal advice around Regulation 13 of the Local Government (Financial Management) Regulations.

Under the draft policy exact copies of the Council minutes and agendas will provided to Councillors and made available at the Shire office. However the copies published online are technically public communications and therefore an exact copy of the minutes and agendas, including creditor names, is not required.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017

GOVERNANCE & ORGANISATION - Our Council, Services, Policies and Engagement.

- Governance structures that ensure accountable, transparent and ethical decision making.
- Building the organisation and managing its structure, finances and assets in a sustainable manner.

	Strategy	Outcome
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.

Statutory Environment

Local Government (Financial Management) Regulations 1996

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;
 and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Policy Implications

Council is setting policy for future application. Any adopted amendments will be included in Council's Policy Manual.

Financial Implications

Compliance with policy 2.14 Creditor Names on Online Documents has significant staff resourcing compliance costs

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation

Shire of Narrogin
IT Vision

Options

Council may resolve:

1. the Officer's Recommendation;
2. delete policy 2.14 Creditor Names on Online Documents due to the significant compliance costs.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/79:

That Council the draft amended policy 2.14 Creditor Names on Online Documents as included at Attachment 9.2.6A.

Moved: Cr Dowling

Seconded: Cr Newman

Carried 6/0

2.14 Creditor Names on Online Documents

Policy Statement:

The names of all Creditors shall be removed from online copies of the List of Accounts Submitted for Council Approval and Payment Monthly Report in Agendas and Minutes ~~and replaced with creditor numbers for identification.~~

All hardcopies will show full creditor names and will be available at the Shire Administration Office for the general public to review any payment made as part of the monthly report to Council.

Objective:

To reduce Council risk of fraudulent behaviour through impersonation of legitimate suppliers.

Resolution No: 2017/133
Resolution Date: 21st December 2017

9.2.7 Strategic Review of Tourism Activities

Applicant: N/A
File Ref. No: ADM144
Disclosure of Interest: Nil
Date: 9th August 2018
Author: Gary Sherry
Attachments: N/A

Summary

Council is to consider the activities to be undertaken by the Shire of Cuballing as part of a review of tourism activities.

Background

Council has contributed towards the operating costs of Dryandra Country Visitors Centre (DCVC) for a number of years. There is never been a formal agreement and the original sum of \$3,000 per annum increased over time to \$5,000 per annum in 2012/13.

As a result of reductions in grant funding and a request from the Town of Narrogin to increase its contribution towards the Regional Library, Council reconsidered its investment in the DCVC and made the following decision in March 2013:

That:

1. Council Advise the Dryandra Country Visitors Centre (DCVC) that \$3,000 will be made available for the 13/14 financial year providing DEC makes a substantial contribution to DCVC and that Council is not in a position to make a commitment for future funding at this time.

Moved: Cr Conley

Seconded: Cr Newman

Carried 6/0

In March 2014 Council again considered an annual contribution to the DCVC and resolved in the following manner:

That the Shire of Cuballing advise Dryandra Country Visitor Centre:

1. We are prepared to pay \$2,500 towards the wages of the Visitor Centre Manager for the 2014/15 financial year, based on a perception that ratepayers did not receive value for money in the past;
2. Funding for the 2015/16 financial year will be considered at a later date; and
3. We are not prepared to contribute to the Australia's Golden Outback Marketing Strategy.

Moved: Cr Ballantyne

Seconded: Cr Dowling

Carried by Absolute Majority 6/0

In 2015/16 five local governments provided a contribution to the DCVC including

Town of Narrogin	\$	15,000
Shire of Narrogin	\$	15,000
Shire of Wickepin	\$	5,000
Shire of Pingelly	\$	6,000
Shire of Cuballing	\$	2,500

In May 2016 Council again considered an annual contribution to the DCVC and resolved in the following manner

That Council make an allocation to the Dryandra Country Visitors Centre of \$5,000 in Council's 2016/17 budget.

Moved: Cr Newman

Seconded: Cr Haslam

Carried 6/0

Council further increased the contribution to \$7,000 for DCVC for the 2017/18 financial year.

In 2017/18 the only local governments to make a financial contribution to the DCVC were the Shires of Narrogin and Cuballing.

In March 2018 a group of the volunteers who provide the services from the DCVC visited the Shire of Cuballing and familiarised themselves with the tourist facilities on offer.

The DCVC believe that they have enlivened and lengthened visitor's lengths of stay with great feedback about Yornaning Dam. DCVC have given out more than 10,000 self-published biodiversity guides and are nominating for a 2019 WA Tourism Award in the category of Eco-Tourism.

The DCVC have been undertaking a renovation of their premises at the corners of Park and Fairway Streets in Narrogin with interpretive signage being the last installation waiting completion. The renovation has the facility freshly painted, with new furniture, lighting, and new displays. The new standing lightbox displays which features Cuballing and Narrogin history, focusing on our local Noongar history, how the towns came to be founded and some other tantalising snippets of information. Photographs of the renovations are included at Attachment 9.2.4A.

The DCVC will be launching the refurbished visitor centre in early August 2018. Invitations to the opening will be provided to all Shire of Cuballing Councillors and CEO with the Shire Presidents of Cuballing and Narrogin completing the formal opening.

Comment

A working party including Cr Bradford, Cr Dowling, Cr Haslam and the Chief Executive Officer met to discuss the future tourism activities of the Shire of Cuballing. Comments of the topics of discussion are included below.

Dryandra Council Visitors Centre

The DCVC remains the only significant, full time, tourism resource that is available to the Shire of Cuballing at this time. Alternative tourism resources, including at the offices of the Shire of Cuballing are not open to the same extent and the DCVC has dedicated volunteers and staff with local tourism knowledge.

The DCVC continues to develop it offering to visitors and has recently revamped the DCVC building. The new look centre is a visitor attraction in itself.

The Shire of Cuballing could benefit from local tourism statistics collected by the DCVC. Such increased statistics could inform Council on the tourism activity in and about the Shire and assist Council and staff in making decisions.

The contribution to the DCVC has increased over time to \$7,000 per annum. Comparing the services provided, this represents value in providing services that otherwise would not be available to the Shire of Cuballing.

Develop Local Tourism Business

Local tourism businesses are not well represented on internet and other contemporary tourism advertising and promotion mediums. Increasingly younger tourists expect tourism businesses to be contactable through social media and email.

The Shire of Cuballing should seek the DCVC assist local tourism businesses in areas such as contemporary customer service, social media and internet presence.

Local Tourism Brochures

The Shire of Cuballing has little, up to date, tourism promotion product that focus on destinations and attractions in the Shire of Cuballing. Subjects of such specific promotion could include:

- environmental locations attractions in the Shire of Cuballing. There is little promotion material that links Dryandra attractions such as Barna Mia to the Shire of Cuballing.
- The local Shire of Cuballing heritage including Shire properties such as the town halls in Cuballing and Popanyinning and private properties such as the Cuballing Tavern and Post Office; and
- General tourism information about the Shire of Cuballing. Local stopping points, areas of interest and how to stay longer or where to approach for further information could all be included. A map showing attractions would be a central point.

The Shire of Cuballing should expend \$2,000 to develop brochures in 2018/19. Obtaining digital copies of brochures is important for future social media and internet promotions.

Local Tourism Internet/Social Media Presence

Increasing tourism promotion is turning to internet and social media. In 2019/20 the Shire should look to develop a local tourism promotion presence using social media and internet.

There is opportunities to use promotions across a range of media, where brochures are not only available in printed form from the DCVC and other tourist promotion sites, but also on through social media and an internet presence.

Examples of social media and internet promotion could include:

- Ensuring that Shire tourism sites and facilities are identified on Google maps and other social media sites. Shire facilities should include public toilets and picnic spots.
- Advertising local events on a local tourism Facebook page. Cross promotion of such local tourism activities; and
- Promote photographs and videos of local attractions and events on an Instagram feed.

Promotion of Local Tourism Businesses by Shire of Cuballing

In promoting tourism, to maximise the benefit to the whole local economy, the Shire of Cuballing will need to include local businesses. This gives rise to the potential for conflicts of interest or perceptions of bias to individual businesses.

Council promotion of local businesses should be relatively basic, advising of the existence of a local business rather than actively selling the benefits and be the same for each business included in a Shire promotion. The inclusion of local businesses would most likely be a secondary purpose to the promotion of the Shire of Cuballing as a destination.

It should be expected that the inclusion of a local business in a Shire promotion would be limited to the business name, the basic activity of the business and contact details. Photographs could be included if deemed suitable.

Free Camping on Shire Property

The lack of opportunities for short stay free camping is seen as having a negative impact on local service businesses. Tourists who would utilise free camping, don't use other local accommodation sites, but travel through the Shire of Cuballing to free camping sites in other towns. Therefore free camping is not seen as competition to local accommodation businesses.

While no fee for camping is paid, centrally located free camping that doesn't interfere with other community activities, provides commercial opportunities for local service businesses.

Therefore the Shire of Cuballing should continue to investigate opportunities for free camping by self-contained camping vehicles for short, overnight stays in central locations in the Shire of Cuballing that is low cost and doesn't impact on other Shire services where local businesses could receive benefit from such tourism.

Assist in Holding Local Events and Maximise Promotion Opportunities at Local Events

The Shire of Cuballing has a number of events that occur within the Shire of Cuballing each year. The Shire of Cuballing should seek to assist to maximise these events and take up the potential to promote the opportunities within the Shire at these events.

Possible activities could include:

- Seek promotion by local agents of local real estate opportunities at events that attract visitors from outside the Shire of Cuballing;
- Promoting local events attracting visitors from outside the Shire in Council publications and social media;
- Assist local groups and individuals to host events and activities in the Shire of Cuballing. Examples include local geocaching sites, making local recreation facilities available to sporting events, temporarily closing roads for local events and assist with traffic management where appropriate.

Strategic Implications

The Shire of Cuballing Community Strategic Plan 2017 has the following goals relevant to this matter:-

ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

- Promoting sustainable and diverse economic development opportunities that make the Shire of Cuballing an attractive place to live, work and visit.

	Strategy	Outcome
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.

Statutory Environment - Nil

Policy Implications – Nil

Financial Implications

Council has allocated \$7,000 as a contribution to the DCVC with an additional amount of \$2,000 for area promotion activities in their 2018/19 Council Budget. It is anticipated that this level of funding is sustainable in the medium term.

Economic Implication

Tourism is an industry of the Shire of Cuballing.

Social Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. defer this matter and seek additional information prior to future consideration.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/80:

That Council focus on tourism development including:

1. continuing the \$7,000 annual support of the Dryandra Country Visitors Centre
2. request that the Dryandra Country Visitors Centre provide local tourism statistics on membership and visitors;
3. request that the Dryandra Country Visitors Centre assist local tourism business in areas such as contemporary customer service, social media and internet presence;
4. in 2018/19 develop and produce a range of local tourism brochures that focus on environmental, heritage and general Shire of Cuballing topics;
5. in 2019/20 look to develop a local tourism internet/social media presence that uses existing brochures and advertises local events and activities;
6. permit basic promotion of local tourism businesses in Council tourism development. This promotion would include the business name, contact details and photographs if deemed suitable;
7. continue to investigate opportunities for low cost, free camping on Shire of Cuballing property by self-contained camping vehicles for overnight stays in central locations in the Shire of Cuballing where local businesses could receive benefit from such tourism;
8. look to assist direct promotion of local real estate at events that attract visitors into the Shire of Cuballing; and
9. assist in traffic management at events at the Dryandra Regional Equestrian Centre and at the off road racing held in Cuballing.

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 6/0

9.2.8	Proposed Subdivision/Amalgamation – WAPC 157004 – Lot 31 Halls Road, Wardering
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Applicant:	WAPC
File Ref. No:	ADM292
Disclosure of Interest:	Nil
Date:	9 th August 2018
Author:	Gary Sherry
Attachments:	9.2.8A Location Plan 9.2.8A Application 157004 WAPC Information

Summary

A subdivision application for Lot 31 Halls Road, Wardering to create two lots is supported.

Background

The Western Australian Planning Commission (WAPC) has referred subdivision application 157004 to the Shire of Cuballing for comment. Responses are required by 12th September 2018.

The location of the application site is outlined in Attachment 9.2.8A.

The subdivision/amalgamation application (boundary adjustment) is set out in Attachment 9.2.8B. The application site consists of one single 64.1502 hectare site and the proposal is to create a homestead lot of 12.1 hectares and a 52.0502 hectare lot to be retained for agricultural purposes.

The property is zoned “General Agriculture” in the Shire of Cuballing Town Planning Scheme No. 2 (TPS2).

Council granted approval for a winery use for this property in December 2014.

Comment

The boundary adjustment application is supported as it is considered generally consistent with TPS2.

Under the application the larger lot is retained for general agricultural purposes. The subdivision boundary follows the established fences on the property. The entirety of this lot is currently leased by the owner to for broad acre agricultural production.

The smaller, homestead lot includes the homestead and shed, a significant amount of revegetated area and the entirety of the vineyard used for wine production.

The subdivision generally meets the WAPC requirements for a homestead lot in the WAPC *Development Control Policy 3.4 Subdivision of rural land*.

While the Shire should always look to ensure that agricultural land be protected for agricultural purposes, should this subdivision be approved, the same amount of agricultural production, being from broad acre agriculture and grape production, can still occur.

Strategic Implications

The Shire of Cuballing Local Planning Strategy (LPS) looks to have Council protect the good agricultural broad acre farming land in the Shire. The LPS states:

Council is particularly aware of the increasing pressure on existing broad acre farming operations to subdivide, and is keen to ensure that this is not done so at the expense of the existing agricultural activities. As a result, there will be a general presumption against subdivision in agricultural areas.

However Council may recommend subdivision approval where:

- The lots have already been physically divided by significant natural or man-made features;
- The lots are required for the establishment of uses ancillary to the rural use of the land; or
- The adjustment of boundaries will not result in the creation of one or more additional lots.

Statutory Environment

Planning and Development Act
State Planning Policy 2.5 - Rural Planning

Development Control Policy 3.4 Subdivision of rural land
6.6 Homestead lots

The creation of homestead lots is intended to allow primary producers to continue to occupy their dwelling when they cease to farm, and provide settlement opportunities in areas where land fragmentation is limited and unlikely to increase. Homestead lots are to be created in a manner that is consistent with the rural character and landscape of a locality. Homestead lots may be facilitated through boundary rationalisation or the creation of a new lot.

Homestead lots may therefore be created to enable an approved existing house on a rural lot to continue to be occupied provided that:

- (a) the land is in the DC 3.4 Homestead lot policy area (refer Appendix 2);
- (b) the homestead lot has an area between one and four hectares, or up to 20 hectares to respond to the landform and include features such as existing outbuildings, services or water sources;
- (c) there is an adequate water supply for domestic, land management and fire management purposes;
- (d) the dwelling is connected to a reticulated electricity supply or an acceptable alternative is demonstrated;
- (e) the homestead lot has access to a constructed public road;
- (f) the homestead lot contains an existing residence that can achieve an appropriate buffer from adjoining rural land uses;
- (g) a homestead lot has not been excised from the farm in the past;
- (h) the balance lot is suitable for the continuation of the rural land use, and generally consistent with prevailing lot sizes, where it can be shown that this is consistent with the current farming practices at the property; and
- (i) the dwelling on a homestead lot must be of a habitable standard and may be required to be certified as habitable by the local government.

Where there are a number of existing approved dwellings on a rural lot, more than one homestead lot may be considered as a one-off application.

Policy Implications

The application complies with TPS2 and the LPS.

Financial Implications

There are no direct financial implications from the subdivision application for Council.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation

The WAPC invites comments from the Shire and other government/servicing agencies at the subdivision stage.

Options

Council may resolve:

1. the Officer's Recommendation;
2. to support the boundary adjustment with conditions; or
3. to not support the boundary adjustment (giving reasons).

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION

That Council support the subdivision/amalgamation of Lot 31 Halls Road, Wardering as outlined in the application to the Western Australian Planning Commission included at Attachment 9.2.8B.

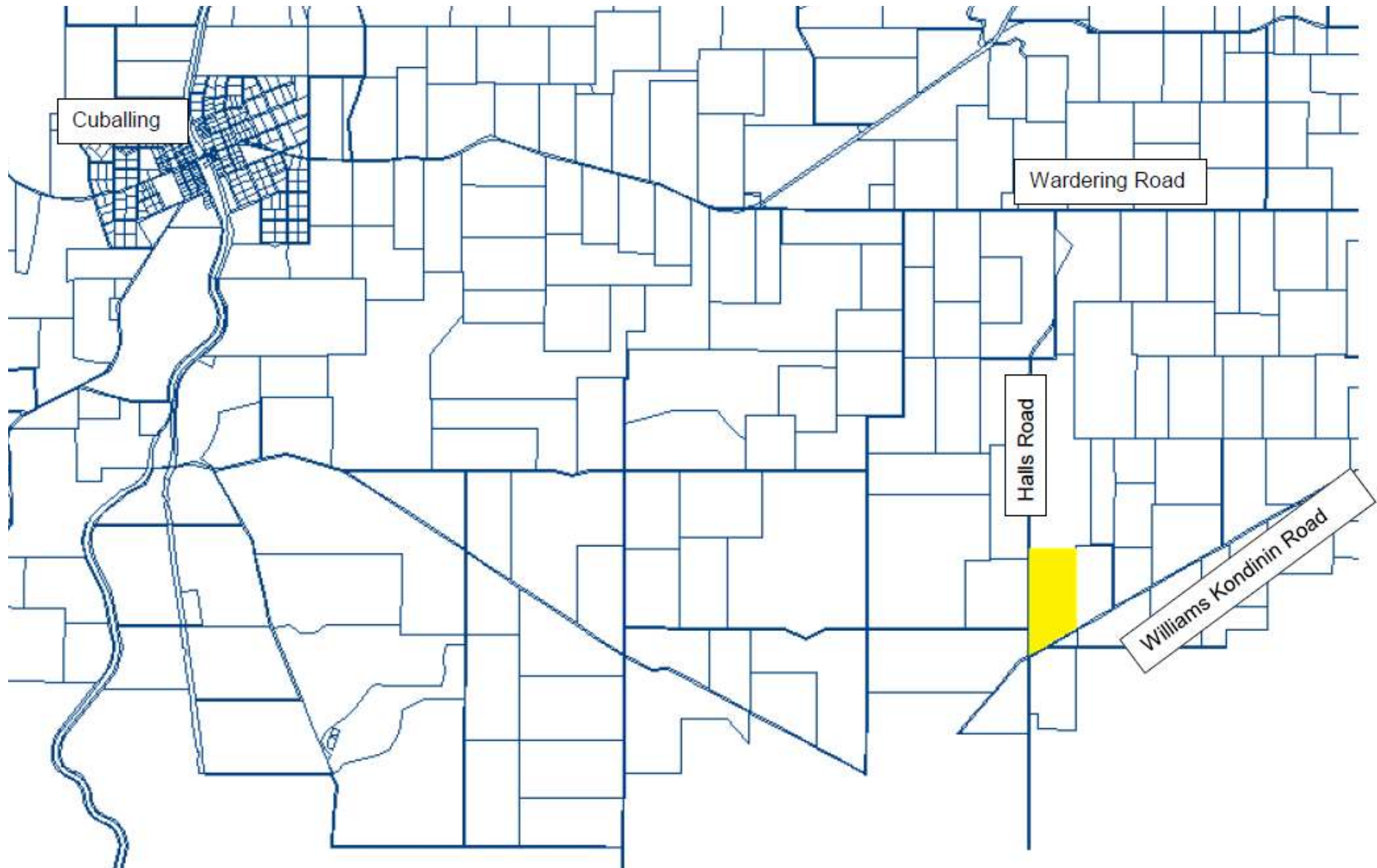
COUNCIL DECISION – 2018/81:

That Council not support the subdivision/amalgamation of Lot 31 Halls Road, Wardering as outlined in the application to the Western Australian Planning Commission included at Attachment 9.2.8B because the creation of two, small lots is contrary to the principle of ensuring ongoing agricultural production in the general agriculture zone of the Shire of Cuballing.

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 6/0





Our Ref : 157004
 Previous Ref :
 Your Ref :
 Enquiries : Rosa Rigali (6551 9306)

1 August 2018

Chief Executive Officer
 Shire Of Cuballing
 P O Box 13
 CUBALLING WA 6311

Hills Wardering
Application No: 157004 - Lot No 31 Hills Road Wardering

The Western Australian Planning Commission has received an application for planning approval as detailed below. Plans and documentation relating to the proposal are attached. The Commission intends to determine this application within 90 days from the date of lodgement.

Please provide any information, comment or recommended conditions pertinent to this application by the 12th September 2018 being 42 days from the date of this letter. The Commission will not determine the application until the expiry of this time unless all responses have been received from referral agencies. If your response cannot be provided within that period, please provide an interim reply advising of the reasons for the delay and the date by which a completed response will be made or if you have no comments to offer.

Referral agencies are to use the Model Subdivision Conditions Schedule in providing a recommendation to the Commission. Non-standard conditions are discouraged, however, if a non-standard condition is recommended additional information will need to be provided to justify the condition. The condition will need to be assessed for consistency against the validity test for conditions. A copy of the Model Subdivision Conditions Schedule can be accessed: www.planning.wa.gov.au

Send responses via email to referrals@planning.wa.gov.au. **Always quote reference number "157004" when responding.**

This proposal has also been referred to the following organisations for their comments:
 Dept Biodiversity, Conser & Attraction (DBCA-WHT) / Dept Mines Ind Regulation And Safety (MIRS) / Main Roads Wa (MRWA-WH) / Water Corporation (STATE) / Western Power (STATE) and LG As Above.

Yours faithfully

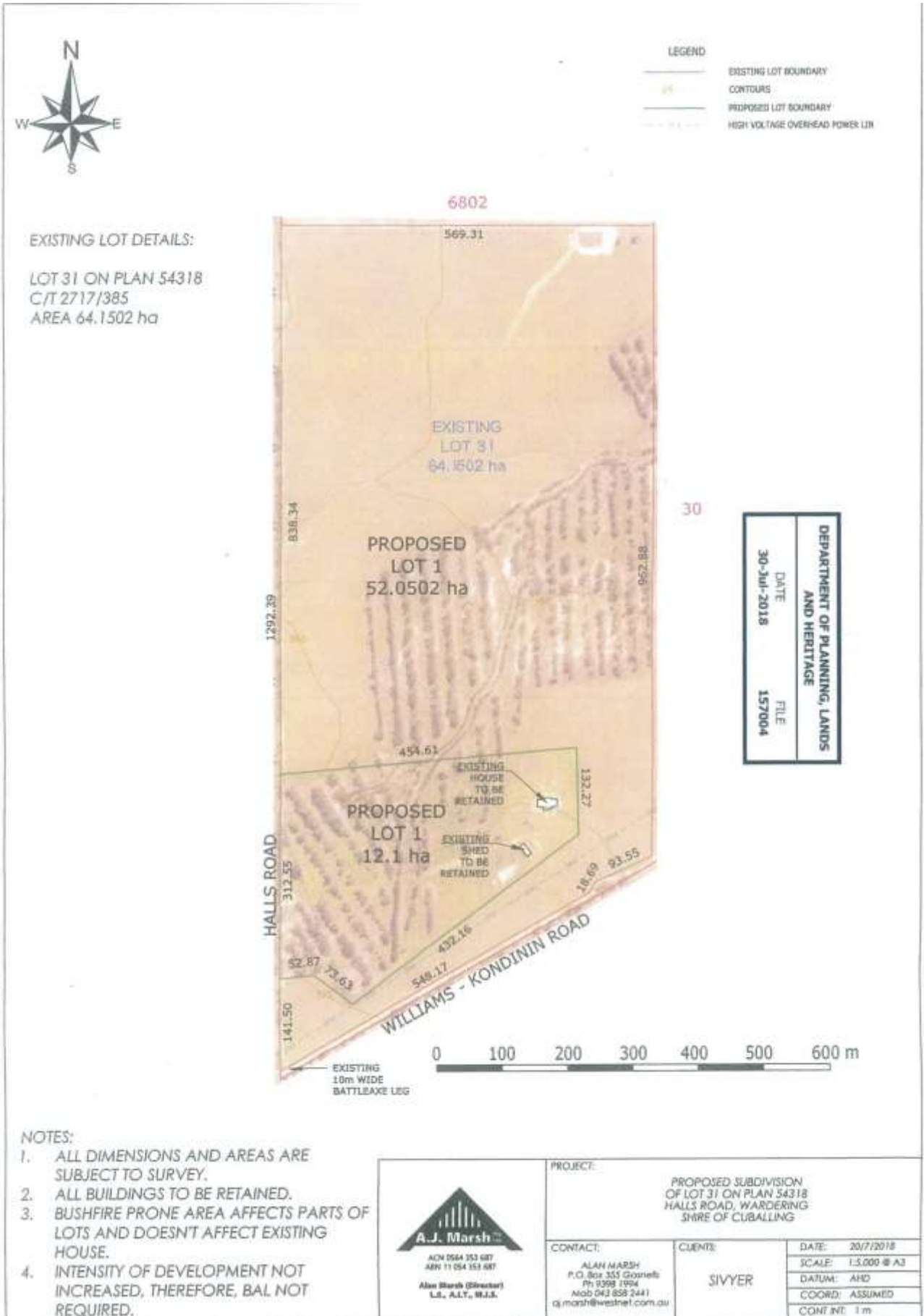
Ms Sam Fagan
 Secretary
 Western Australian Planning Commission

APPLICATION DETAILS

Application Type	Subdivision	Application No	157004
Applicant(s)	Aj Marsh Pty Ltd		
Owner(s)	David William Spencer Sivyer; Helen Jean Sivyer		

e-mail: referrals@planning.wa.gov.au; web address: <http://www.planning.wa.gov.au>





9.3 MANAGER OF WORKS AND SERVICES:

Nil

10. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil

11. URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:

Nil

Mr Lewis left the Council Chamber at 3.20pm.

12. CONFIDENTIAL MATTERS:

12.1.1 Building Services Contract – Shire of Gnowangerup

Applicant: N/A
File Ref. No: ADM73
Disclosure of Interest: Nil
Date: 9th August 2018
Author: Gary Sherry
Attachments: 12.1.1A Building Services Contract

COUNCIL DECISION – 2018/82:

That Council:

- 1. endorses the Goods and/or Services Contract, included at Attachment 12.1.1A, to provide Building Services to the Shire of Gnowangerup; and**
- 2. authorises the President and Chief Executive Officer to apply the Common Seal and to execute the Goods and/or Services Contract, included at Attachment 12.1.1A.**

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 6/0

13. NEXT MEETING

Ordinary Council Meeting, 2.00pm, Wednesday 19th September 2018 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 3.24pm.