

*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 19th SEPTEMBER 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 2.03pm.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1 Attendance

Cr Mark Conley	President
Cr Eliza Dowling (From – 2.06pm)	Deputy President
Cr Scott Ballantyne	
Cr Roger Newman	
Cr Tim Haslam	
Cr Dawson Bradford	
Mr Gary Sherry	Chief Executive Officer
Mr Richard Pares	Deputy Chief Executive Officer
Mr Bruce Brennan	Manager of Works and Services
Mr Paul Lewis	
Mr Sam Macnamara	
Mr Carry Van Empel	
Mr Brian Harwood	

2.1.2 Apologies

Nil

2.1.3 Leave of Absence

Nil

3. STANDING ORDERS:

COUNCIL DECISION – 2018/83:

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

Moved: Cr Newman

Seconded: Cr Ballantyne

Carried 5/0

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 Cuballing Street Pruning – Beeston Street

Mr Paul Lewis asked about the recent tree pruning on streets in Cuballing townsite where the pruning of Beeston Street was included in advertising, however only a very small area of Beeston Street was actually pruned. Why was this the case?

The Manager Works and Services, Mr Bruce Brennan, advised that the machine that completed the pruning is very large, and best suited to pruning large areas of vegetation on rural roads. However to operate safely in a townsite situation, the area to be pruned is impacted by safety concerns over houses, vehicles and particularly power lines. The areas within Cuballing that could be pruned safely were completed, but other areas that required pruning were not. Parts of Beeston Street were pruned but other areas were not. Shire staff will complete some pruning later in the year.

4.3.2 Tree Change in the Shire of Cuballing

Mr Paul Lewis asked about a recent news report that indicated that an increasing number of people living in metropolitan Perth were retiring to country towns. Mr Lewis asked if the Shire of Cuballing should be looking to attract such people to the Shire.

Cr Dowling entered the Meeting at 2.06pm.

The Chief Executive Officer, Mr Gary Sherry, advised that he believed that the movement of retirees to rural areas was active in the Shire of Cuballing. The Shire of Cuballing has a large number of ratepayers who claimed the Senior and Pensioner rates discount. There are also significant number of rural lifestyle properties within the Shire that are owned by retirees or by people living in the metropolitan area who intend to retire to these properties in the future.

4.3.3 Shire Expenditure Queries

Mr Paul Lewis asked about recent Shire expenditure on:

- fluorescent light tubes. Mr Lewis believes that expenditure of \$33 per tube was very expensive.
- on a town planning consultant at \$121 per hour; Mr Lewis believes that this hourly rate is very expensive for an employee; and

- the CEO Credit card expenditure of \$2,395.63 listed as LGIS Golf Day.

In response:

- The Deputy Chief Executive Officer, Mr Richard Pares, advised that the LED fluorescent tubes represented good value to Council over the longer term because they lasted significantly longer than normal tubes, were considerably brighter, used substantially less electricity than other lights and were much safer because they don't shatter. The Shire has adopted a program to install these types of lights into all Shire buildings over a number of years;
- The Chief Executive Officer, Mr Gary Sherry, advised that the town planning consultant was not an employee but a contractor who was only paid for work completed, met all his own overhead costs and provided his own equipment; and
- The Chief Executive Officer, Mr Gary Sherry, advised that the CEO Credit card expenditure listed did include expenditure on a local government golf day, but also expenditure on the Local Government Supervisors conference, local government week expenses, fuel expenses, roadside clearing permit application costs and bank fees.

4.3.4 Cuballing Golf Club Lease - Insurance

Mr Paul Lewis asked about the Council policy of paying the insurance on the club house at the Cuballing Golf Club highlighted in their recently signed lease agreement. Mr Lewis believed that this insurance cost should be paid by the Golf Club.

The Chief Executive Officer, Mr Gary Sherry, advised that the Council payment of insurance of the Cuballing Golf Club building does reflect that this building is a Shire asset. The recent signing of a lease agreement only formally established the long standing arrangements between Council and the Cuballing Golf Club. Further the Cuballing Golf Club members maintained the Golf Club land and have at their expense completed significant improvements at the Golf Club. The Shire payment of the club house insurance does also reflect that the Council insures buildings used by the Cuballing Cricket Club, Cuballing Tennis Club and other community groups.

4.3.5 Cuballing Mens Shed – Improving Toilets

Mr Carry Van Empel, Secretary of the Cuballing Mens Shed (CMS), sought Council assistance for the Cuballing Mens Shed to upgrade their Mens Shed to include a toilet facility.

The CMS are looking to, or have been requested to, consider activities from their Mens Shed premises including:

- a regular Womens Shed. This has been very successful at the Wickepin Mens Shed and there is interest from local residents;
- youth activities. This could be an after school activity or school holiday program; and
- activities for the elderly who could visit from the Karinya Nursing Home.

All of these activities require improved toilet facilities to proceed.

The CMS had looked at constructing a toilet and yesterday bid on an unused transportable disabled toilet facility on a surplus auction site. Unfortunately, although the CMS was the

highest bidder, the auction did not meet the reserve. The cost of the facility is \$7,000 with additional buyers premium and GST.

The Shire President, Cr Conley, advised that the Council was considering the Mens Shed proposal at this meeting and would look to assist where possible.

4.3.6 Gate Permit – Named Road Reserve - Townsendale

Mr Sam Macnamara, asked about the Council process in considering his request for a gate permit.

The Shire President, Cr Conley, advised that the Council were considering Mr Macnamara's permit today and the matter would be finalised today.

4.3.7 Application for Development Approval - 1 Ridley Street, Cuballing

Mr Paul Lewis expressed his concerns over the development application at Ridley Street, Cuballing that is before Council.

The Shire President, Cr Conley, advised that Mr Lewis that Council was aware of Mr Lewis's comments submitted to Council as part of the development application process and Council would consider them when reviewing the development application at this meeting.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Bradford requested Leave of Absence from the October 2018 Ordinary Meeting of Council.

COUNCIL DECISION – 2018/84:

That Council grant Cr Bradford Leave of Absence from the October 2018 Ordinary Meeting of Council.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Wednesday 15th August 2018

COUNCIL DECISION – 2018/85:

That the minutes of the Ordinary Meeting of Council held on Wednesday 15th August 2018 be confirmed as a true record of proceedings.

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 6/0

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

Nil

8. DISCLOSURE OF FINANCIAL INTEREST:

Cr Bradford declared a Direct Financial Interest in 11.1.2 in that he has an ongoing contractual arrangement with Great Southern Fuel Supplies.

Mr Sherry declared a Direct Financial Interest in 12.1.1 in that he is the Officer being reviewed.

9. REPORTS OF OFFICERS AND COMMITTEES:

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1	List of Accounts Submitted for Council Approval and Payment – August 2018
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File Ref. No: NA
Disclosure of Interest: Nil
Date: 13th September 2018
Author: Nichole Gould
Attachments: 9.1.1A List of August 2018 Trust Accounts
9.1.1B List of August 2018 Municipal Accounts

Summary

Council is to consider the August 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 August 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 – 2018/86:

That Council receives the List of Accounts for August 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 August 2018 totalling \$14,508.15 included at Attachment 9.1.1A; and
2. Municipal Fund in August 2018 totalling \$147,764.02 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
AUGUST 2018**

Chq/EFT	Description	Amount
20180801	Police Licensing Payments	474.60
20180802	Police Licensing Payments	315.10
20180803	Police Licensing Payments	994.45
20180806	Police Licensing Payments	419.40
20180807	Police Licensing Payments	2,074.05
20180808	Police Licensing Payments	831.85
20180809	Police Licensing Payments	1,106.60
20180813	Police Licensing Payments	174.35
20180814	Police Licensing Payments	608.15
20180816	Police Licensing Payments	571.20
20180817	Police Licensing Payments	305.30
20180821	Police Licensing Payments	200.00
20180822	Police Licensing Payments	769.95
20180823	Police Licensing Payments	455.60
20180827	Police Licensing Payments	2,041.25
20180828	Police Licensing Payments	1,015.00
20180829	Police Licensing Payments	199.35
20180830	Police Licensing Payments	1,310.70
20180831	Police Licensing Payments	641.25
		14,508.15

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

Chq/EFT	Description	Amount
20180802	Rent On Austral Street	660.00
20180807	Interest On Graders	542.00
20180807	Loan Repayment No. 63 Graders	3,172.28
20180808	Rent For Grader Driver House	660.00
20180821	Rent On Austral Street	660.00
20180821	ATO Clearing Account Bas	6,910.00
20180830	Rent on Austral Street	660.00
EFT3714	LGIS Broking Vehicle Insurance - Cn 397 Komatsu Gd555-5 Motor Grader	27,681.87
EFT3715	1x One Bedroom Premier Apartment 31 July 2018. Shire to Accept All Charges - Meals, Beverages and Parking Etc	94.00
EFT3716	Monthly Internet Service	138.99
EFT3717	July 2017 Building Forms	396.55
EFT3718	Legal Advice - Dog Attack	4,390.65
EFT3719	Install New Down Pipes and Drain Water as Per Quote MSG2607	2,354.00
EFT3720	Culvert Cleaning Turners Road - 6 Hours	1,138.50
EFT3721	2000 DLX Window face Envelopes - Printed in Black Ink on One Side Only DLX Window Face Secret Press Seal Envelopes - Code: 140046 Finished Size Of 235 X 120mm - Boxed In 500's. Standing Artwork.	385.00
EFT3722	Medical Report - Ent File Review - Darrel Marwick	770.00
EFT3723	Town Planning Advice - Planning Services in January (9.5hrs @ \$125 P/Hr) On LPS Review	1,306.25
EFT3724	6 Bags of Cement	50.69
EFT3725	Fill Overhead and Underground Diesel Tanks Approx. 6,500litres	11,734.09
EFT3726	Rubbish Removal - Household Service X 256	5,809.65
EFT3727	1 X Bomber Jacket Rick Size XL	90.09
EFT3728	Freight Charges for Delivery from Asphalt in A Bag	609.02
EFT3729	IPads for Digital Literacy Workshops for Older Australians	1,015.00
EFT3730	1 X Set of Blade Guides for Komatsu Grader as Per Quote Q0000902385	618.00
EFT3731	UV Schedule No. G2018/1 Dated 7/10/2017-15/6/2018	182.55
EFT3732	Lgis Peel/Central Wheatbelt Regional Risk Coordination Programme Project Number 9471	2,435.40
EFT3733	2018/19 Analytical Services	392.70
EFT3734	Account for July 2018	210.00
EFT3735	Repair Air Problems and Renew Brake Drums, Pads and Scams as Per Quote on Tri Axle Float. Check Gigga Air Flow to Trailer.	5,417.50
EFT3736	Public Notice - Council Meeting Dates - Narrogin Observer	179.50
EFT3737	Replace Side Door on Hinge on Gw400 Truck	2,763.26
EFT3738	2 X Battery's for CN O26	1,062.86
EFT3739	1 X One Gas E Size Purchase of Bottle and Gas	554.95

Chq/EFT	Description	Amount
EFT3740	Hire of Rubber Tyred Roller for July 2018	10,164.00
EFT3741	5 Tonne 5 Mm Chip	259.78
EFT3742	12x Scotch Fillet 12x Chicken Kebabs	120.05
EFT3743	1 X Bulky Fitting for Bitumen IBC	18.50
EFT3744	50 X Vibe Led 4ft Fluoro Tubes High Out Put	1,673.49
EFT3745	4 X New Haulmax Drive Tyres 11r 22.5	1,720.00
EFT3746	15 X 20l Roundup Powermax 2 X Bags Simazine	2,889.70
EFT3747	1 X Pair of Boots Darryl	84.15
EFT3748	Office 365 Issues Corrected. Remote Server Error Fixing. Play Account Refresh - Synergy Soft Upgrade	1,879.00
EFT3749	2018/19 Subscription - "I'm Alert" Food Safety Program - Shared with Shires of Pingelly & Beverley	110.00
EFT3750	3 X Square Drum Spill Pallets 1 X Single IBC Bunded Pallet	2,433.92
EFT3751	Freight Charges from SOS Office	11.17
EFT3752	Breakfast Forum: Beneficial Enterprises - How Local Government Can Meet Market Failure - 1 August 2018 Cr Tim Haslam	50.00
EFT3753	Penrite Aluminium Fronrunner Pinboard 900x1200mm Beige X2	1,032.87
EFT3754	Repair Bridge 427 Wandering Narrogin Road as Per Quote 418	7,535.00
EFT3755	6 Month Fire Extinguisher Maintenance	729.30
EFT3756	Installation and Configuration of The Altus Service	1,100.00
EFT3757	2 X Boxes of Ear Plugs Max1/3301161	214.50
EFT3758	Fix and Repair Circle Drive on Grader 55537	3,251.82
EFT3759	Kids Day - Travel	2,895.00
EFT3760	4 X 8 Mm Ratchet Binders	239.80
EFT3761	Donation to Year 12 Presentation (Donation 1)	140.00
EFT3762	Contribution to PPA Popanyinning Bonfire Event On 25 August 2018	1,500.00
EFT3763	Contract Ranger Service - Labour 1 Hour @ \$84 P/Hr	144.00
EFT3764	Freight Charges for Stationary	66.41
EFT3765	Preparing Agendas & Minutes X 2 Participants	1,134.00
EFT3766	Stylus Pens X 10	177.58
14663	BCITF Forms July 2018	92.32
14664	Council Meals	165.00
14666	Monthly Electricity Charge Street Lightning X 42 Lights	594.10
14667	Building Surveyor Services July 2018 - Time/Hour 13.5hr @ 121.00 P/Hr, Travel/Km 136km @ .95c P/Km	1,762.70
14668	Mobile Account - Works Crew	80.00
14669	Water Charges - 10 Brundell St Cuballing	428.99
14676	Kerbside Rubbish and Recycling Charge	2,000.00
DD1669.1	Superannuation Contributions	224.35
DD1669.2	Superannuation Contributions	4,675.74
DD1669.3	Superannuation Contributions	437.17
DD1669.4	Superannuation Contributions	437.17
DD1669.5	Superannuation Contributions	257.05
DD1669.6	Superannuation Contributions	74.59

Chq/EFT	Description	Amount
DD1669.7	Superannuation Contributions	193.17
DD1669.8	Superannuation Contributions	338.71
DD1669.9	Superannuation Contributions	124.89
DD1682.1	Superannuation Contributions	224.35
DD1682.2	Superannuation Contributions	4,692.59
DD1682.3	Superannuation Contributions	437.17
DD1682.4	Superannuation Contributions	437.17
DD1682.5	Superannuation Contributions	255.08
DD1682.6	Superannuation Contributions	69.93
DD1682.7	Superannuation Contributions	193.17
DD1682.8	Superannuation Contributions	338.71
DD1682.9	Superannuation Contributions	124.89
DD1686.1	Monthly Wireless Limitless Inc Calls Internet	89.99
DD1698.1	CEO Credit Card - LGIS Golf Day - Registrations	2,395.63
TOTAL		147,764.02

The Shire President, Cr Conley, advised of a change in the order of proceedings and requested that Council consider Agenda Item 9.2.2, 9.2.4 and 9.2.3 at this time.

9.2.2	Gate Permit – Unnamed Road Reserve - Townsendale
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Applicant:	Mr Sam Macnamara
File Ref. No:	ADM268
Disclosure of Interest:	Nil
Date:	12 th September 2018
Author:	Gary Sherry
Attachments:	9.2.2A Location Map and Photographs 9.2.2B Letter of Application 9.2.2C Public Comment Received

Summary

Council is to consider a request for a permit to construct a gate across an unnamed road reserve in Townsendale.

Background

It is not uncommon for rural and townsite properties to have unmade road reserves included in their fenced property boundary. These road reserves were created with the original survey to provide possible road access to land parcels.

Where one property owner owns multiple parcels often the requirement for a road reserve to provide road access for an owner is redundant.

Whilst fencing in these road reserves to the adjoining property is logical and allows for the owner to maintain the area, the land does remain a road reserve and other people can legally access these road reserves.

Council has received a request from Mr Sam Macnamara for Council to permit a gate across an unnamed road reserve in Townsendale.

The road reserve runs north from Nottles Road thorough to Townsends Road. Photographs of the Nottles Road intersection and a location map are included at Attachment 9.2.2A.

At the southern end of the road reserve, Mr Macnamara owns property on the western side of the road reserve and Mr Owen Gath farms property on the eastern side. Mr Macnamara owns property on both sides of the road reserve 1.6km from Nottles Road. At the northern end, Amberflame Pty Ltd own property on the western side of the road reserve and Mr Macnamara on the eastern side.

Mr Macnamara uses the fenced road reserve to move sheep between paddocks on his property.

At the southern end these neighbours have fenced each side of the road reserve and the road is unmade but trafficable.

At the northern end of the road reserve the road is not trafficable and has been fenced into a landowners property.

In his request included at Attachment 9.2.2B, Mr Macnamara advises that he has sought a gate permit for southern end of the unmade Road Reserve because:

- sheep and farming equipment has gone missing from his property. Mr Macnamara advises that this missing 200 sheep from this property over the last 12 months;

- shooters have accessed the road reserve and have caused damage with their vehicles; and
- to assist in securing sheep that may escape through his fences

Mr Macnamara wishes to erect a simple wire gate that can easily be opened. Mr Macnamara has advised that the former owner of his property had a very similar gate on the Nottles Road intersection.

Council sought comment from 3 adjoining neighbours and invited comment on the request. Comment was received from the Gath family and from Mr Shaun Wittwer. This comment is included at 9.2.3C.

Comment

Council received two comments from owners of neighbouring properties.

In his submission Mr Shaun Wittwer advised that this gate would not impact on his operations and that he believed the status quo should remain for such unmade road reserves and neighbours should agree on the location of fences.

The Gath family's submission outlined strong opposition to the gate permit request. The Gath family opposed the request on the grounds that:

- The gate will not assist in security because people will be able to open the gate and gain access. This is true, but the presence of a gate will make it more difficult for people from outside the area to know of the presence of the road reserve. Staff are aware that sheep stealing is a topical issue in rural Western Australia;
- Mr Macnamara's fences are substandard and Mr Macnamara plans to allow his sheep to graze the road reserve. No part of a gate permit allows Mr Macnamara to permanently graze the road reserve without permission. Mr Macnamara has verbally advised that he plans to renew his fence adjoining the road reserve in the near future;
- Mr Macnamara's sheep have escaped and eaten salt tolerant plants planted in the road reserve by the previous owner and the Gath family some 20 years ago as part of a landcare project;
- The Gath family want unimpeded access to the road reserve. Should Council permit a gate, the Gath family and the wider public are still able to access the road reserve but would have the imposition of stopping to open a gate.
- A gate will impede the emergency response to fire. This is the case, but most fires that occur on private property in the Shire do so on fenced land and access through a gate or by cutting a fence is a normal occurrence. Once a gate is open, subsequent fire fighters arriving at the fire will not have to open the gate.
- maintaining the road will be a buffer between Gath's and Macnamara's and assist in defusing the ill feeling arising from a recent mix-up of sheep across this road reserve. The road reserve will remain between the two properties with only a gate at the Nottles road entrance. The provision of a gate permit will allow an additional fence or gate to be constructed and does not impact on any existing fence.

In conclusion the applicant's request to erect a gate is reasonable and a conditional approval can be provided that will ameliorate the concerns raised by neighbours. It owner of the

property prior to Mr Macnamara had a similar gate on this location that was often closed. Granting this permit will provide conditional approval for this to continue.

Strategic Implications

Shire of Cuballing Community Strategic Plan

SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

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

	Strategy	Outcome
1.7	Create and maintain a safe environment for the community.	A feeling of safety within our neighbourhoods and a sense of being looked out for.

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.
3.3	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.
3.5	Maintain a robust asset management practices and maintenance programs.	Assets which meet the expectations of the community.

Statutory Environment

Local Government Act 1995

Schedule 9.1 — Certain matters for which Governor may make regulations

5. Gates across public thoroughfares

- (1) Regulations may be made under which a local government may authorise a person to have across a public thoroughfare that is under its control or management a gate or other device that enables motor traffic to pass and prevents the straying of livestock.
- (2) Regulations may include provisions for ensuring that a gate that has been placed across a public thoroughfare with the authority of a local government is not left open.

Local Government (Uniform Local Provisions) Regulations 1996

9. Permission to have gate across public thoroughfare — Sch. 9.1 cl. 5(1)

- (1) A person may apply to the local government for permission to have across a public thoroughfare under the control or management of the local government a gate or other device that enables motor traffic to pass across the public thoroughfare and prevents livestock from straying.

- (2) The local government may, before dealing with the application, require the applicant to publish notice of the application in such manner as the local government thinks fit.
 - (3) Permission granted by the local government under this regulation —
 - (a) must be in writing; and
 - (b) must specify the period for which it is granted; and
 - (c) must specify each condition imposed under subregulation (4); and
 - (d) may be renewed from time to time; and
 - (e) may be cancelled by giving written notice to the person to whom the permission was granted.
 - (4) The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, conditions on the construction, placement and maintenance of the gate or other device across the public thoroughfare.
 - (5) The local government may, when renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (4) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.
 - (6) The local government may at any time, by written notice given to the person to whom permission was granted under this regulation, cancel the permission and request the person responsible for the gate or other device to remove it within a time specified in the request.
 - (7) A person to whom a request is made under subregulation (6) must comply with the request.
- Penalty: a fine of \$5 000.
- (8) A local government must keep a register of gates and other devices constructed in accordance with a permission granted under this regulation.

10. Gate across thoroughfare not to be left open — Sch. 9.1 cl. 5(2)

A person who is responsible for a gate registered under regulation 9(8) must ensure that the gate is not left open.

Penalty: a fine of \$1 000.

Policy Implications

It is not clear what process Council has used in the past to consider gate permits and staff recommend that as part of considering this application, the Council introduce a Policy to assist applicants and staff when dealing with similar applications. A policy could be based on the following principles:

- Gate permits will only be permitted under delegation when supported by all affected landowners. Where there is some dispute, a gate permit application would be decided by Council;
- The location of the gate should be positioned along the road to ensure that traffic stopping at the gate does not interfere with the use of the connecting road.
- Permits will be granted for a set-period of 3 years and will need to be renewed.
- Landowners seeking to lock gates will be required to provide access to service authorities and local fire brigades.
- All costs with establishing and maintaining an approved gate will be the responsibility of the permit holder.
- It is the responsibility of the permit holder to ensure any clearing of vegetation required to construct and maintain the gate shall comply with the EP (Clearing of Native Vegetation) Regulations 2004.
- Any gate permit will be cancelled if conditions of approval are not met.
- Applications for a gate permit will be advertised for community input and information.
- All approved gate permits shall be entered on the Shire's property database to alert staff etc to their existence.

- An administrative fee to cover the processing costs be required from applicants for gate permits.

Financial Implications

Council may seek to impose a fee for gate permits to cover administration costs. These fees range from \$20 to \$60 dollars per annum in rural local governments.

Council cannot impose a new fee or charge, outside of the adoption of such in the annual Shire Budget, without following the legislated consultation process.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation

Council has:

1. Written to neighbouring land owners advising of this proposal; and
2. Advertised the application and opportunity to comment in the Cuby News newsletter.

Council has received 2 submissions.

Options

Council may resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation with amended conditions; or
3. refuse the permit, giving reasons; or
4. defer any decision at this time and seek further information from staff.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council grant permission to Mr Sam Macnamara to erect a gate on unnamed road reserve identified in Attachment 9.2.2A subject to:

1. The exact position of the gate determined with on-site in consultation with the Shire of Cuballing's Manager Works & Services to ensure that vehicles stopping to open/close the gate do not impact on other traffic on Nottles Road;
2. The gate permit is valid until 31st August 2021 and the permit holder shall reapply for permission within 3-months prior to this date. If the permit holder does not reapply for the permit by the due date, Council will issue a written notice to have the gate removed;
3. the gate shall not be locked;
4. the gate is to be constructed to the standard of a rural gate as determined by the Manager Works & Services and shall not include any electrified or barbed wire;
5. the payment of any gate permit fees and charges imposed by the Shire of Cuballing at any time;
6. the costs for constructing and maintaining the gate are the responsibility of the permit holder;

7. this permit does not allow rubbish, disused or used materials to be placed on any portion of the road reserve;
8. this permit does not allow permanent grazing of the road reserve at any time and requires the continued preservation and reasonable maintenance of Mr Macnamara's boundary fence adjoining the road reserve.
9. the permit holder shall ensure any clearing of vegetation required to construct and maintain the gate complies with the EP (Clearing of Native Vegetation) Regulations 2004; and
10. this gate permit may be cancelled at any time by written notice issued by Council if the above conditions of approval are not being satisfactorily maintained.

Cr Dowling commented that Mr Gath had advised her that information had been excluded from the Officer's Report. Cr Dowling asked the Chief Executive Officer what information was not in the Officer's Report.

The Chief Executive Officer, Mr Gary Sherry, advised that in his discussions with Mr Gath, Mr Gath believed the Officer's Report should have included that:

- **the Chief Executive Officer had not discussed this matter with the previous owner of the property Mr Ian Nottle;**
- **Mr Gath believed that his reputation had been damaged because of rumours circulating that he had stolen sheep from his neighbours property; and**
- **the gate was erected in the unnamed road reserve between 20th and 27th of August and between 31st August and 3rd September. Mr Gath believes that this is an obvious breach of the Local Government Act and that the Shire should have taken action. The gate was only taken down after each of these occasions when Mr Gath advised the Chief Executive Officer of the fact it was up.**

COUNCIL DECISION – 2018/87:

That Council refuse permission to Mr Sam Macnamara to erect a gate on unnamed road reserve identified in Attachment 9.2.2A.

Moved: Cr Haslam

Seconded: Cr Bradford

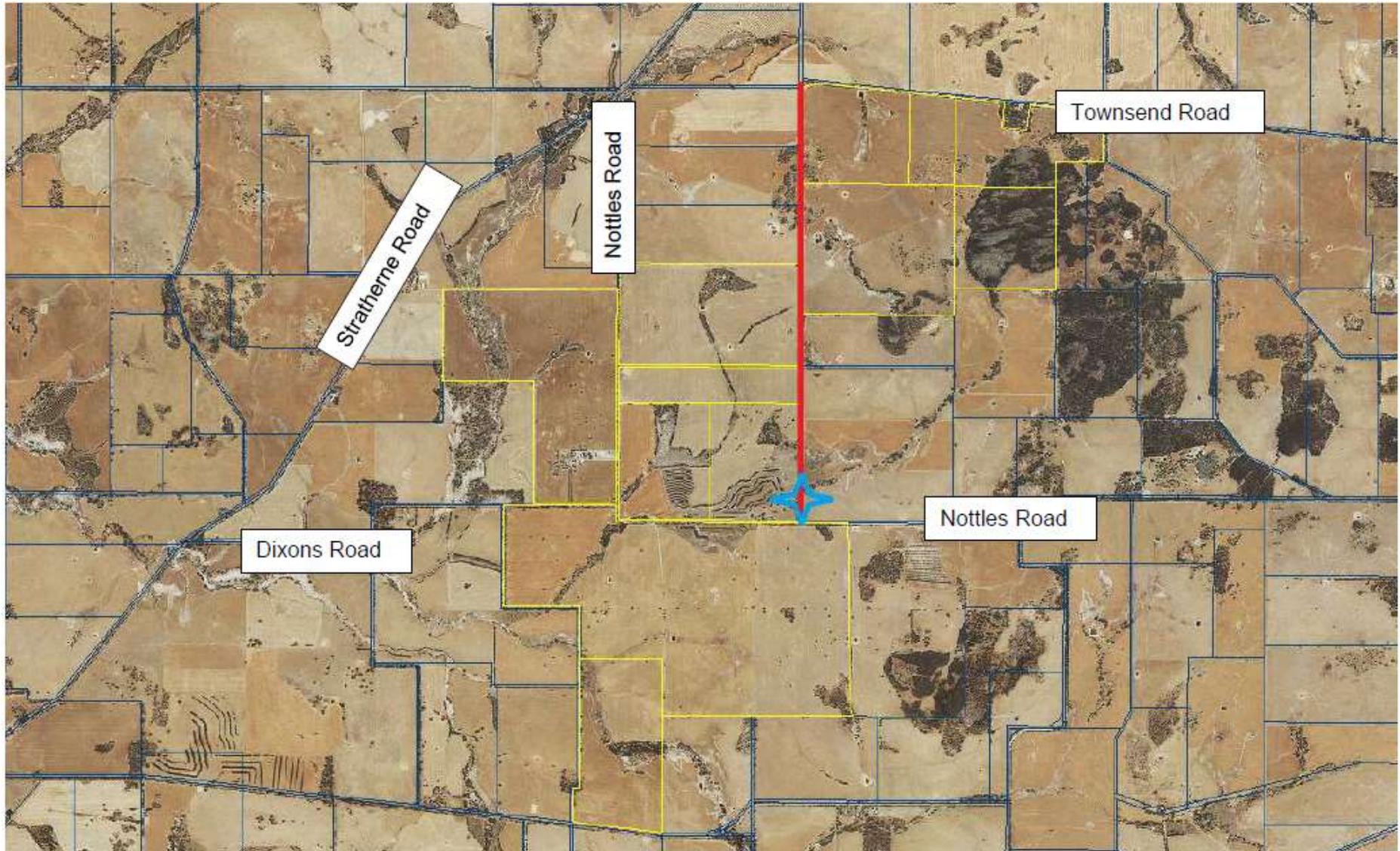
Carried 4/2

Council did not resolve the Officer's Recommendation because:

1. **gate permits haven't been a practice within the Shire of Cuballing in the past; and**
2. **issuing a gate permit will not solve issues between neighbours.**

Mr Macnamara left the Council Chamber at 2.45pm.





Gary Sherry

REC
11 AUG 2018

From: Sam & Kate Macnamara <s.k.macnamara@bigpond.com>
Sent: Monday, 6 August 2018 2:20 PM
To: Gary Sherry
Subject: Road Reserve Gate.

Hi Garry,

I would like to have a gate from Nottle road into a road reserve along our property. The road reserve runs alongside location P112514. This reserve also runs along Owen Gaths property.

We would like to have the gate shut because of the following reasons,

- We have had parts of our lamb marking cradle removed.
- People shooting.
- Sheep gone missing.
- Burn outs.

There are many trees in this road reserve. Ours and Owen Gaths sheep are on both sides of the reserve. It doesn't take much for a branch to fall onto the fence and we will have sheep out on the road.

I understand that it is public property, and that people are able to enter this area. We would like to erect a simple farm wire gate that can be easily opened and shut. We would do this to slightly deter people from entering this area, with sheep practically being our issue. We are missing 200 sheep from this farm over the last 12 months.

We are happy to pay for a permit, or to lease this area from the shire, or to purchase this area from the shire.

Regards
Sam Macnamara

23 AUG 2018
AM and GA Gath

Billeroy Farm

PO Box 29

Cuballing

WA 6311

Wednesday 22nd August 2018

Chief Executive Officer

Shire of Cuballing

PO Box 13

Cuballing

WA 6311

Dear Mr Sherry,

In response to your letter of 14th August regarding the application by Mr Macnamara for a gate permit, we wish to strongly oppose the granting of approval for a gate, for the following reasons.

If a gate is approved who is going to police it? Is Mr Macnamara aware that Schedule 10 of the Local Government Act 1995 states that he must ensure that the gate is not left open or face a penalty of \$1000 with a daily fine of \$100? Also, that according to 6.5(a) of the Act, any structure so placed must be illuminated every night from sunset to sunrise to prevent mishaps eg someone driving into the gate, not being aware that it is there. But that schedule 9.1 states the gate must still allow motor traffic to pass therefore the presence of a gate across this road reserve will not prevent access by members of the public. A gate will not stop anyone, they will just open it and when it is left open, will Mr Macnamara come from his home to close it? Clearly this makes for a totally unworkable situation. Additionally a gate will not stop vandalism or theft. Only vigilant farm management will.

We believe Mr Macnamara's fences adjacent to the road reserve are sub-standard (which is contrary to Schedule 8 of the Act and subject to a fine of \$5000) and that he plans to allow his sheep access to graze that road reserve if there was a permanent gate erected. For the last 100 years there has never been a gate across this public road and there has never been a problem prior to Mr Macnamara purchasing his property. There is an increasing salt problem in this area and his sheep have gone through his fences and wiped out a lot of the salt-tolerant plants in the road reserve which were planted about 20 years ago by the Gaths and Nottles with the aid of a government grant and if this was to continue it will degrade to a salt-affected wasteland. We do not want sheep on that road under any circumstances.

In regard to trees falling on fences - branches and trees fall on fences anywhere and anytime. It is a farmer's never-ending job to inspect and maintain fences and the (supposed) loss of 200 sheep is not surprising with the standard of fencing evident. Again it comes down to farm management and Mr Macnamara's fences should be of a better standard to keep his sheep in, so that argument carries no weight.

We require access to our land at all times unimpeded by any gate. Why should we be inconvenienced by a gate designed to mask the fact that Mr Macnamaras fences are incompetent and that he does not adequately supervise his property ?

Of great concern is that access and speed to fight a fire will be compromised by the presence of a gate. Earlier in 2018, Mr Macnamara burned approximately 1 kilometre of another unnamed road reserve and fencing southwest of the road in question along Dixon's boundary and up to our southern farm border which could have endangered our property. He left a controlled burn unattended and it was left to the Dixons and Wittwers to put it out after it got out of control. We had not been notified that a burn was taking place.

The placement of a gate across this road reserve is unnecessary and we wish to keep the public road as a buffer between the Gath's and the Macnamara's properties. There is ill-feeling between the Gaths and Macnamaras because of a mix-up of sheep on this road reserve and we have been verbally abused in person and on the telephone, we have been accused of nuisance behaviour regarding shooting and burn-outs. Most upsetting of all, we have been accused of trespassing and of stealing the 200 missing sheep. It was necessary to involve 2 stock agents from Elders to prove that this accusation was false and to recover our good reputation.

In the last few months there have been several temporary gates erected across this public road by Mr Macnamara, which we have dismantled and have informed the Shire of Cuballing. However today we have found that a permanent structure has been erected, which completely blocks access to the road and to our block which we have photographed and reported to the Shire. Clearly Mr Macnamara is not aware of schedule 6(1) of the Act where he faces a fine of \$5000 and a daily penalty of \$500 for any unauthorised obstruction on a public thoroughfare.

Finally regarding the request to lease or purchase this road reserve, The Gaths will never agree to this under any circumstances and will vigorously oppose any such action.

Yours sincerely

Mr Malcolm Gath, Mrs Gwenyth Gath, Mr Owen Gath and Mrs Catriona Gath

 and

ADM 268
28 AUG 2018

Dear Gary and Councilors

This comment is made on behalf of the Wittwer's in relation to Sam Macnamara's gate permit proposal.

We have one paddock at the northern end of the road onto which we have no gate. We don't use the road and don't foresee that we'd have the need to use it; therefore the gate would have no impact on us.

I'd like to point out that our farm, like many in the Cuballing shire has a number of surveyed road reserves running through it, some closed and others remain fenced. I believe that the status quo should remain in regard to these roads, that is; where neighboring farmers have fenced either side they should maintain both fences or come to agreement on where a single new fence should lie.

Thank you for the opportunity to comment

Shaun Wittwer on behalf of

Amberflame Pty Ltd

NH Wittwer & Co

9.2.4	Application for Development Approval – two sheds, one sea container and the storage and sale of firewood, sand, gravel and mulch at Lot 120 (No. 1) Ridley Street, Cuballing
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Location:	Lot 120 (No. 1) Ridley Street, Cuballing
Applicant:	Brian & June Harwood
Landowner:	Simon & Suzanne Clarke-Smith
File Ref. No:	A123
Disclosure of Interest:	Nil
Date:	12 th September 2018
Author:	Gary Sherry
Attachments	9.2.4A Information from applicant 9.2.4B Location plan 9.2.4C Submissions 9.2.4D <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> extract

Summary

Development approval is recommended for two sheds, one sea container and the storage and sale of firewood, sand, gravel and mulch (with the business component limited to a 3 year period) at Lot 120 Ridley Street, Cuballing.

Background

1. The application

The applicant seeks development approval for two sheds one sea container and the storage and sale of firewood, sand, gravel and mulch. One shed will be enclosed with a length of 12m, a width of 12m and a height of 3.6m, with the other shed to be open with a length of 12m, a width of 12m and a height of 3.6m.

Details submitted by the applicant are set out in Attachment 9.2.4A. This provides background information which is generally not repeated in this report. The site is intended to have vehicular access from Corrie Street.

The applicant has also outlined a proposal to construct a dwelling on the site which will be addressed through a separate Building Permit application.

2. Application site

The site's location is outlined in Attachment 9.2.4B. Lot 120 Ridley Street is 1.55 hectares in area, is dissected by a drainage line, contains no buildings and has limited vegetation generally on the edge of the site. Hotham River South adjoins the eastern boundary of the site. The site adjoins both Ridley Street (part of the Northam Cranbrook Road) and Corrie Street. Corrie Street is an unsealed road, of reasonable standard, which provides access to various properties.

3. Public consultation

The Shire administration undertook extensive consultation, in inviting public comment on the Development Application, for a 21 day period through writing to 22 adjoining/nearby landowners and Main Roads Western Australia, placing information in *The Cuby News* and placing notices on local notice boards.

The Shire received 5 submissions on the Development Application and these are provided in Attachment 9.2.4C. Two submissions had no objections, Main Roads provided advice and two submissions raised issues.

The main issues and concerns raised in the submissions are:

- given the site has access to a non-regional road (Corrie Street), Main Roads Western Australia will not support access onto Ridley Street. Therefore all vehicular access is to use Corrie Street;
- most neighbours would support the application if access was off Ridley Street;
- safety concerns on Corrie Street, particularly for children, which is currently a quiet street;
- negative impacts of truck traffic on Corrie Street and concerns that the amount of truck traffic will increase over time;
- concerns that Corrie Street will not be appropriately maintained and questions as to who will be responsible for maintain Corrie Street as traffic levels increase;
- the site is on the “gateway” into Cuballing where first impressions count. The appearance of a wood heap, sand, mulch and blue metal on the entry/exit of town from the main road could be an eye-sore; and
- dust impacts from sand blowing onto Ridley Street and onto other properties.

4. *Planning context*

4A) *Shire of Cuballing Town Planning Scheme No. 2*

The site is zoned “Rural Residential” in the *Shire of Cuballing Town Planning Scheme No. 2* (TPS2). The range of proposed uses do not fit neatly into existing land use categories in TPS2 and accordingly the development is suggested to be a “use not listed” and was accordingly advertised for public comment. The proposed uses have elements of a rural home business and agriculture-intensive (which includes plant nurseries).

Clause 4.2(c) of TPS2 sets out the following objectives for the Rural Residential Zone:

- To provide for rural smallholdings and a low density residential living environment in close proximity to the Rural Townsite zones;
- To ensure that all lots are adequately serviced with the necessary infrastructure;
- To ensure that no development is undertaken, specifically outbuildings, unless a single dwelling is existing on the property or is to be constructed at the same time.

4B) *Shire of Cuballing Local Planning Strategy* (endorsed in December 2004)

The Local Planning Strategy seeks to broaden the local economy. The Strategy has an aim “To provide employment opportunities for local residents” (page 16) and has a strategy “To encourage the consolidation of existing industrial uses and ensure the provision of the Town Planning Scheme provide protection to the residential area” (page 16). The Strategy also promotes sound natural resource management.

4C) *Draft Shire of Cuballing Local Planning Strategy*

The draft strategy has an objective to “assist with growing the district’s economic and employment base by encouraging greater diversification and promoting a resilient and increasingly robust economy” (page 16) and has a strategy to “Support non-residential land uses in residential areas, provided they complement (and are compatible with) residential development and are of a scale and design that respects the area’s amenity” (page 17).

4D) *Planning and Development (Local Planning Schemes) Regulations 2015*

Attachment 9.2.1D sets out an extract from the *Planning and Development (Local Planning Schemes) Regulations 2015* relating to matters to be considered by the local government in determining Development Application and options in determining applications. The Regulations include deemed provisions for local planning schemes which replace relevant clauses in local planning schemes in Western Australia including TPS2.

4E) *Bush Fire Prone Area*

Like most of the Cuballing townsite, the site is classified as a Bush Fire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>.

Comment

A) *Overview*

It is recommended that Council conditionally approve the Development Application for two sheds, one sea container and the storage and sale of firewood, sand, gravel and mulch, with the business component limited to a 3 year approval period. This follows assessment of the application against TPS2, the Local Planning Strategy, other relevant planning documents, information provided by the applicant, considering the views of the submitters and site characteristics.

Conditional approval is recommended for reasons including:

- the lot size of 1.55 hectares is generous and the storage of firewood, sand, gravel and mulch occupies a small portion of the property;
- there are manageable traffic impacts on Corrie Street which will still have low traffic numbers;
- only as-of-right vehicles will be used on Corrie Street, not Restricted Access Vehicles;
- the proposed use, if effectively managed, should be compatible with the area's rural residential character;
- expected off-site impacts are considered to be manageable including that vehicles have the potential to drive in and out of the site without a need to reverse and this should limit the associated noise of reversing beepers. Potential noise emissions are overall expected to be insignificant compared to the noise generated by traffic on Ridley Street;
- no clearing of native vegetation is proposed and there are opportunities for appropriate revegetation;
- landscape impacts can be addressed through buildings being well setback from Ridley Street, required replanting near the Ridley Street boundary and controlling signage;
- it assists to create economic activity;
- the planning framework is supportive of a range of uses in rural residential areas and supports a resilient and increasingly robust economy;
- given the extensive consultation on this Development Application, it can only be assumed that other landowners have no objections; and
- development conditions can assist to control the nature of the business.

While noting the above, there are various issues associated with the proposal which should be considered by the Council in determining the Development Application including matters outlined in Attachment 9.2.4D.

B) Key issues

The key issues with the application are summarised below:

- 3 year approval for the business component – this will provide the opportunity to monitor the on-going appropriateness of the business and to ensure that relevant conditions have been suitably met including a dwelling being finalised. Should the landowner/operator wish to continue operating the business after 3 years, there is a need to lodge another development application to the Shire. At that point, the Council can determine whether or not it will approve the application. If it chooses to approve, it can determine whether the approval is again time limited or has no time limit;
- landscaping – there is currently limited planting on the western boundary of the site adjoining Ridley Street. To improve the area’s amenity, on a key “gateway” into Cuballing, it is recommended that the applicant plant and maintain appropriate trees and shrubs;
- site appearance - the landowner/operator has a responsibility to maintain the site in a tidy condition so as not to prejudicially affect the amenity of the area;
- buffers – it is noted the site adjoins Ridley Street to the west, a farming property to the north and there is a vegetated road reserve to the east. The site only adjoins one rural residential zoned property. There are expected to be manageable off-site impacts. There is however a need for the operator to ensure that noise and other impacts are appropriately managed on an on-going basis;
- managing dust – this could be assisted through placing the sand, gravel, blue metal and mulch in concrete bunds or similar (which are covered) or watering down as required;
- noise – the applicant has set out commitments in the application including that there will be “no chain saws or circular saw used to cut wood”. Noise from loader beeper could be an issue but was not raised through the submissions. Normal vehicle noise should not be an issue given the site’s proximity to the highway;
- fire management – given the plans to store mulch on the site, a development condition is recommended to prepare and implement a Bushfire Management Plan which includes addressing emergency evacuation;
- drainage/stormwater management - there is a need to ensure that drainage/run-off is appropriately designed and controlled;
- hours of operation - the proposed hours of operation set out by the applicant are supported. Any work on the site is also subject to ongoing compliance with the *Environmental Protection (Noise) Regulations 1997*;
- size of sheds – the proposed two sheds will have a combined floor area of 288m² which is substantial on land zoned “Rural Residential” and greater than set out in Council’s Outbuilding Policy. While noting this, the Council has approved a number of large sheds on lots zoned “Rural Residential”;
- road use impacts – the large wood trucks accessing site irregularly are not expected to be an issue. Wood deliveries during winter should not be much of a dust issue given the road will be wetter. Customer traffic for small domestic loads (mums and dads loads of sand, gravel and mulch in summer) could however be. Large loads gravel and sand will be delivered direct from quarry to customer with only one truck movement in/out;
- safety on Corrie Street – any road user needs to comply with Western Australian road rules and drive responsibly; and
- maintaining Corrie Street – given there is no Council policy on developer contributions, the Shire will meet the cost of maintaining Corrie Street as it does for other roads under its responsibility. There are no plans to seal Corrie Street in the foreseeable future.

Strategic Implications - Nil

Statutory Environment

Planning and Development Act 2005, TPS2 and Planning and Development (Local Planning Schemes) Regulations 2015.

Policy Implications – Nil

Financial Implications

All costs associated with the development will be borne by the applicant. Should the applicant be aggrieved by Council's decision, the applicant may seek a review of that decision or conditions through the State Administrative Tribunal.

Economic Implications

The development, if approved and implemented, will support the local economy.

Social Implications

Some issues were received from community members.

Environmental Considerations

It is suggested there are limited environmental issues given the development is located on cleared land. Provided the operator effectively manages noise and dust, on an on-going basis, the development should have minimal off-site impacts. Given there is a drainage line that dissects the property, there is a need to ensure that development is appropriately located to minimise localised flood risks. A clearer site plan will assist. There are also opportunities for revegetating portions of the drainage line given it flows into Hotham River South.

Consultation

Adjoining/nearby landowners and the community were invited to make comment on the Development Application.

Options

The Council can resolve:

1. the Officer's Recommendation;
2. to approve the Development Application with amended conditions (providing reasons);
3. to approve the Development Application with no conditions (providing reasons);
4. to refuse the Development Application (providing reasons); or
5. defer and seek additional information.

Voting Requirements - Simple Majority

COUNCIL DECISION – 2018/88:

That Council approve the Development Application for two sheds, one sea container and the storage and sale of firewood, sand, gravel and mulch at Lot 120 on Plan 104400 (No. 1) Ridley Street, Cuballing subject to the following conditions:

- 1. the development approval, for the storage and sale of firewood, sand, gravel and mulch, is granted for a 3 year approval period only (to 21 September 2021). To continue operating after 21 September 2021, there is a need to lodge a new development application to the Shire;**
- 2. a clear site development plan, is submitted and approved by the local government, prior to the commencement of operations;**
- 3. the development hereby approved must be carried out in accordance with the plans and specifications submitted with the application (addressing all conditions) or otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government;**
- 4. this approval for the sheds and sea container shall expire if the development hereby approved has not been substantially commenced within a period of three years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the development approval has lapsed, no further development is to be carried out;**
- 5. the provision of details prior to occupation as to how stormwater will be addressed for the proposed development to the satisfaction of the local government. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government;**
- 6. the applicant/operator is to ensure that noise levels are considerate of adjoining and nearby properties at all times which comply with the Environmental Protection (Noise) Regulations 1997 (and any associated amendments);**
- 7. the use hereby approved must not create community safety concerns, or otherwise adversely affect the amenity of the subject locality by reason of (or the appearance or emission of) smoke, fumes, vibration, odour, vapour, dust, waste water, waste products or other pollutants;**
- 8. the hours of operation are limited to between 7.30am to 5.30pm Monday to Friday and 8.30am to 5.30pm Saturday, not including any public holidays;**
- 9. the landowner/operator shall maintain the site in a tidy condition so as not to prejudicially affect the amenity of the area;**
- 10. prior to the commencement of operations, the landowner/operator is to provide details of how waste material (including bark) will be appropriately disposed to the satisfaction of the local government;**
- 11. the applicant/operator is to implement dust control measures to the satisfaction of local government on an on-going basis;**

12. the applicant is required to submit a Landscape and Planting Plan to the satisfaction of local government prior to the commencement of site works, which is implemented prior to 21 September 2019;
13. the landscaped and planted area shall be maintained to the satisfaction of the local government at all times;
14. a Bushfire Management Plan to be prepared and implemented to the satisfaction of the local government prior to occupation. Thereafter, the approved Bushfire Management Plan shall be subsequently maintained to the satisfaction of the local government;
15. the vehicular crossover onto Corrie Street is to be designed, constructed and drained to the satisfaction of the local government prior to occupation and thereafter suitably maintained by the applicant/operator;
16. the external walls and roof of the sheds are clad in colourbond colours to the satisfaction of the local government; and
17. the sheds are not used for habitable purposes.

ADVICE:

- A) In relation to Condition 12, this includes the planting of a minimum 5 metre wide landscaping strip adjoining the western boundary and a minimum 3 metre wide landscaping strip adjoining the northern boundary to screen the firewood, sand, gravel and mulch storage.
- B) In relation to Condition 14, the property is classified as a Bush Fire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>.
- C) To address Shire of Cuballing Town Planning Scheme No. 2 requirements, a Building Permit should be lodged as soon as possible for a dwelling on Lot 120 Ridley Street. The dwelling is required to be completed and occupied by the applicant/operator by 21 September 2021
- D) The applicant should ensure they drive responsibly on Corrie Street and encourage their customers to likewise drive responsibly on Corrie Street.
- E) Some signs are exempt from development approval while other signs require a Development Application to the Shire. Please contact the Shire for further details.
- F) Advertising signs that are visible from the Great Southern Highway/Ridley Street may need approval from Main Roads WA. Further information is available from Main Roads WA.
- F) The applicant is encouraged to review the orientation of the dwelling to address passive solar design.
- G) The applicant is encouraged to revegetate portions of the drainage line that dissects the property given it flows into Hotham River South.
- H) If the applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development

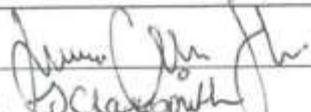
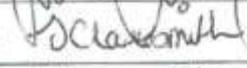
Act 2005 Part 14. An application must be made within 28 days of the determination.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

APPLICATION FOR DEVELOPMENT APPROVAL

Owner Details		
Name: MR SIMON CLARKE-SMITH MS SUZANNE CLARKE-SMITH		
ABN (if applicable):		
Address: 9 SUFFOLK STREET MT CLARENCE W.A. Postcode: 6330		
Phone: Work: 0422602710 Home: Mobile:	Fax: N/A	Email: SIMONCLARKESMITH @ YAHOO - COM - AU
Contact person for correspondence: BRIAN HARWOOD		
Signature: x 		Date: x 18.7.18
Signature: x 		Date: x 18/7/18
The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2).		

Applicant Details (if different from owner)		
Name: BRIAN HARWOOD JUNE HARWOOD		
Address: T3 RIDLEY STREET CUBALLING W.A. Postcode: 6311		
Phone: Work: Home: Mobile: 0419722219	Fax: N/A	Email: BGHARWOOD @ HOTMAIL - COM
Contact person for correspondence: BRIAN HARWOOD		
The information and plans provided with this application may be made available by the local government for public viewing in connection with the application. <input type="checkbox"/> Yes <input type="checkbox"/> No		
Signature: BG Harwood 		Date: 19th July 2018

Property Details		
Lot No: 120	House/Street No: 1	Location No:
Diagram or Plan No:	Certificate of Title Vol. No: 1630	Folio: 402
Title encumbrances (e.g. easements, restrictive covenants): NIL		
Street name: RIDLEY STREET	Suburb: CUBALLING W.A.	
Nearest street intersection:		
Proposed Development		
Nature of development: <ul style="list-style-type: none"> <input type="checkbox"/> Works <input type="checkbox"/> Use <input checked="" type="checkbox"/> Works and use 		
Is an exemption from development claimed for part of the development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, is the exemption for: <ul style="list-style-type: none"> <input type="checkbox"/> Works <input type="checkbox"/> Use 		
Description of proposed works and/or land use: STORAGE AND SALE OF JARRAH FIRE WOOD / SAND / GRAVEL MULCH. SHED FOR EQUIPMENT / STORAGE WATER TANK FOR HOME USE. HOUSE AND PARKING OF SMALL TRUCK AND BOAT OPERATION.		
Description of exemption claimed (if relevant): NIL		
Nature of any existing buildings and/or land use: NIL		
Approximate cost of proposed development: \$450,000 - 00		
Estimated time of completion: 3 YEARS		
OFFICE USE ONLY		
Acceptance Officer's initials:	Date received:	
Local government reference No:		

Proposed Plan for Property at
1 Ridley Street
Cuballing

Brian and June Harwood
73 Ridley Street
Cuballing
19th July 2018

Attention: Shire of Cuballing Council

The property; Lot no 120, Certificate of Title no 1630, Folio 402.
Address: 1 Ridley Street Cuballing WA 6311

The block is approximately 15,546 m² or 3.89 acres in size, Ridley Street facing end is due west, the farm side is due north and the south boundary has my nearest neighbour

The primary use of the block will be to build a retirement home for my wife and myself with land for vegie gardens and fruit trees, also going off grid utilising water tanks and solar power.

My wife and I have a five (5) year plan to build our dream home and retire in the town of Cuballing. My wife has a full-time job as the facility manager of an aged care facility for baptistcare in Brookton. I have commenced a small business selling jarrah fire wood, sand, gravel and mulches, small bobcat work this would be operated from the same block.

I have applied to the main roads for a drive way entrance on Ridley Street, however; my request has been denied due to the block having an entrance from Corrie Road.

The plan that I am proposing will be considered by council and addresses any impact upon the areas surrounding the block.

1. Location and size of any stock stored on site:

- Jarrah fire wood transported by prime mover with a tipping trailer 21 to 25 tons of split jarrah. The prime mover will use Corrie Road a maximum of 6 times per year. This wood will be stored at the front of the block on the north side (farm) maximum of 150 tons most times it would only be around 80 tons.
- Stock piles of yellow builders' sand,
- Gravel and road base
- Mulch for garden beds at any time the maximum of stock would not exceed 20 tons each pile all storage will be down the north side boundary.

2. **Transport of sold stock;** My intention is to continue offering a free delivery service of all the products. The main vehicle using Corrie Road will be my 5-ton Isuzu tipper truck.

- A customer may wish to do their own pickup with a ute or car trailer, however over the past 4 months this has only occurred 6 times.

3. **Corrie Road Usage:**

- As this is a gravel road **dust** and an **increase in traffic** may be an issue, however this will be limited as the bulk of my sales are fire wood and are conducted during the winter months the inclement weather will assist to eliminate and or reduce any dust issues.
- I estimate most deliveries that I can do is 5 a day with my truck
- Most week days will be an average of 0 to 2 deliveries a day selling fire wood.
- Sand and gravels are primarily sold during summer months this will decrease deliveries from the property as larger amounts of product would be picked up from a sand pit or quarry
- Timber being delivered to the property will occur during the winter months a maximum six loads.

4. **Trips on Corrie Road:**

- At this time, I can only make a guess as to approximately how many times my business will involve a vehicle to use Corrie Road.
- My truck approximately 10 to 12 times a week depending on orders.
- Family car will be used for pick up approximately twice a week
- All other times will be for private use as I use the truck as my primary transport.

5. **Noise:**

- The fire wood is already split and cut to size there will be no chain saws or circular saw used to cut wood.
- Limited noise from the operation of the Toyota bobcat and truck. The machinery are maintained to a high standard and will only be used for short time frames, (not all day) loading the truck the bobcat will be running for approximately 10 to 15 mins maximum per load.
- The noise experienced will be from the construction of buildings and infrastructure and limited to shire's guidelines
- The business will operate Monday – Saturday between the hours 07.30- 17.00

6. **Fencing:**

- I intend to improve the current fencing as it is old and in need of repair in places, however I will still use the same type of fencing with a new double gate entrance from Corrie Street onto the property
- A new dividing fence and gate will be installed separating the business operation from the home site.

7. Signage:

- My intention is to erect a sign on Ridley Street fence line within the property boundary.
- Possible wording 'Jarrah fire wood, sand, gravels, and mulches for sale contact 0412722219 free delivery' or words to that effect.

8. Shed:

- Proposed dimensions 24mtrs long, 12mtrs deep with an internal clearance of 3.6mtrs high
- One end will be enclosed giving me a 12 x 12mtrs lockable shed for tools and secure storage with two roller doors
- The other half will be an open front with a gravel floor to park boat, truck and bobcat.
- Family car will be in the lockup side,
- The shed will be all steel construction with custom orb zincalume sheeting and meet shire regulations.

9. Container:

- One 20-foot steel container will be located at Corrie Road (south) end of the shed.
- This will be secured to the ground as per council requirements.

10. Fence Lines and fire breaks:

- The north and south fence lines will be planted with a row of small trees so the view from surrounding areas will obscure the products.
- Trees will also act as a screen from noise and any possible dust.
- Trees to be planted approximately 2 meters apart and within 2 meters of the fence line.
- An allowance of 3mtr for a fire break along-side the tree lines on the north and south fence line.
- The west fence line (Ridley Street) will only have the 3mtr fire break,
- The natural water way will act as the fire break along the east fence line.

11. Drainage:

- All the water from the house and shed will be directed and stored in one large or two smaller rain water tanks and will become the main water supply for house and business
- Waste water / sewerage for house will meet all council guidelines

12. Proposed Dwelling:

- Attached is a proposed floor plan of the house that we intend to build
- Dwelling to be built upon the sale of current home located at 73 Ridley street Cuballing.
- Proposed dwelling will be built on steel supports raising the floor to 1mtr above ground level this will also safe guard the house from flood
- The plan is for 2mtr of verandas front and back with balustrades, construction is steel and timber and comprising of a Queensland style with heritage colours red and green, custom orb zincalume roof meeting all council legislation.

13. Time Period:

- Shed and stock will commence within 6 months of approval and the purchase of the property
- Construction of the house and gardens to be completed within a 3-year time frame.

14. Drive Way and Parking:

- The drive way onto and through the property will be of hard standing, gravel-based material

I hope that I have covered all aspects or any issues that may arise for this development plan to have a successful outcome.

Any further issues please do not hesitate to contact me Brian Harwood on my mobile 0412722219 for further clarification

Kindest regards

Brian and June Harwood



K Old and D Grooby
PO Box 150
CUBALLING WA 6311

14 August 2018

Dear Sirs

CORRIE St/ FORREST St, CUBALLING

We have received the notification of a proposed development at No1 Ridley Street, Cuballing and we have no objections at all.

However, I would like to take the opportunity to again enquire about the possibility of extending our block by purchasing the small piece of land next to us on Forrest St.

At the moment the land is unused, except as a turnaround for the Shire rubbish collection, which could remain as we would fence from below that point.

If we were able to purchase this land we would ensure that it was kept clear of weeds and long grass (as a firebreak between us and the next property) and we would continue to re-establish the river to its natural state by getting rid of the *Juncus acutus* (Spiny Rush) which is a declared noxious weed and which is completely clogging parts of the river. We would also re-fence along the roadway on Corrie St when we repair/re-fence the rest of our block.

We are members of the recently formed Cuballing Volunteer Action Group and are keen to make Cuby as attractive as possible as we intend to spend all of our retirement years in the town.

I realise that this piece of land is designated as a possible road but with the river involved in any road development, I wonder if this would realistically be too expensive to ever progress.

If purchase is never going to be possible, is there any option to lease the land from the council?

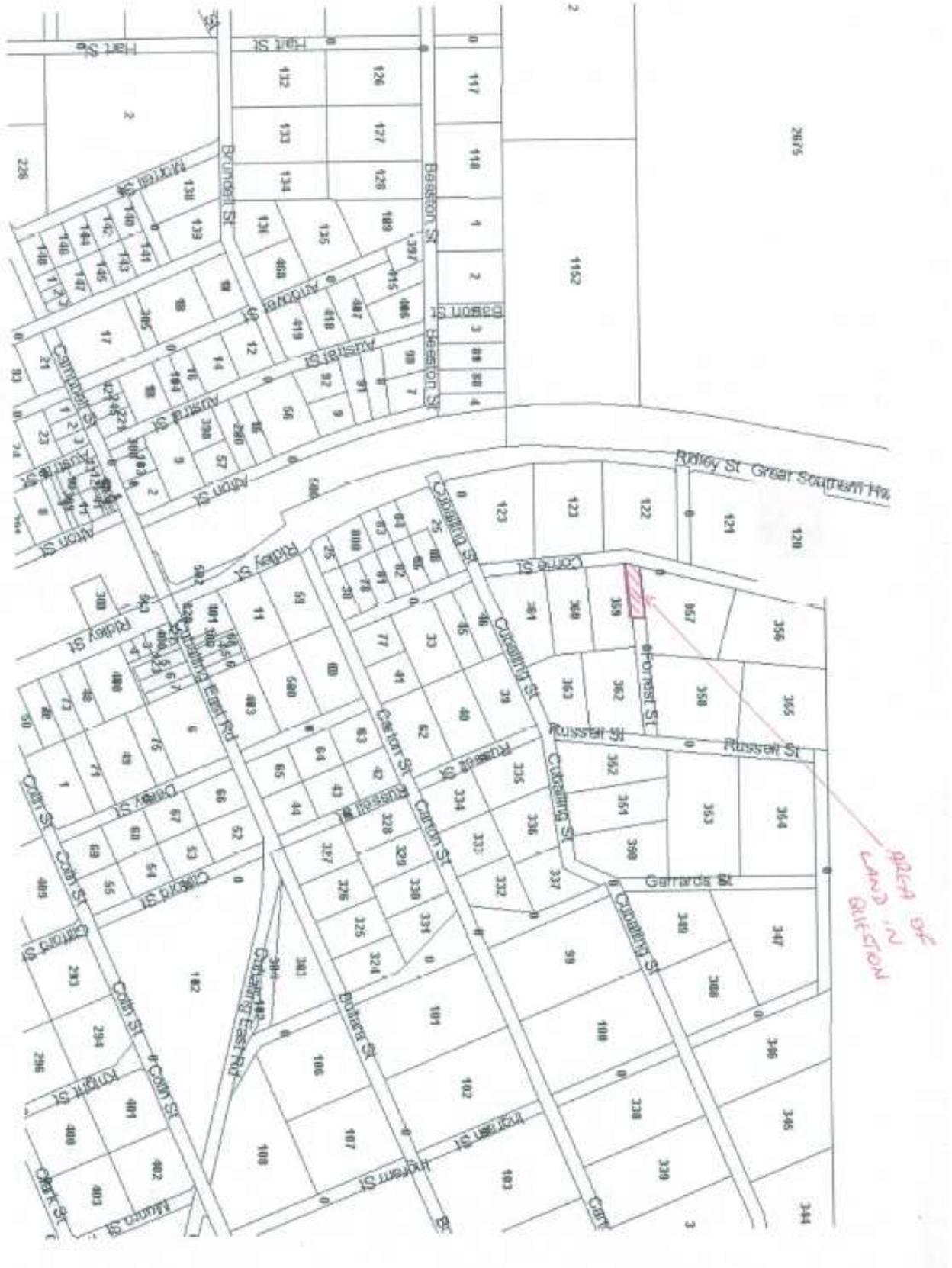
Is it at all possible for our request to be discussed at a council meeting in the future?

I look forward to hearing from you concerning this.

Kind regards,



Deb Grooby





Piece of land in question

A123
10 AUG 2018

Nicole Gould

From: Tracey Palmer <purple27683@hotmail.com>
Sent: Friday, 10 August 2018 8:04 AM
To: Shire of Cuballing Enquiries
Subject: Attention CEO

Gary Sherry,

This email is in response to your letter for planning application at Lot 120 Ridley street in Cuballing.

I am not opposed to the application for a shop/storage to be built on the lot, however I am opposed to the trucks that would be using Corrie street to gain entrance to the property.

We brought our property in this location as Corrie street was a quiet road where I felt my kids would be safe if they ventured outside the main gate of our property. I feel that the trucks entering to delivery supplies would increase over time as the business grew. This would mean increased traffic along Corrie street meaning that it would no longer be the quiet street we once knew it to be. I also would like to know how would be responsible for covering the cost of maintaining the gravel road as increased traffic would mean more wear and tear to the gravel therefore needing more work to be done.

I would much prefer that there was an entrance to this property from the main road. I have read the letter that states main roads have declined the application for this.

My only concern is the safety of my kids should traffic on Corrie street increase.

Regards

Tracey Palmer
37 Corrie street
Cuballing

Sent from my iPhone

Paul Lewis
28 Beeston Street
CUBALLING. 6311
Ph. 9883 6284
Mobile. 0429 412 402
Email: paullewis2@aapt.net.au
5th August 2018

17125
POSTAL ADDRESS
P.O. Box 12
CUBALLING. 6311

Gary Sherry C.E.O.
Cuballing Shire

Dear Gary,

Re: Planning Application Lot 120 (No 1) Ridley St.

After looking at the plan for this site I'm not pleased with the site of the way the yard is set up as it will be the first thing you will see entering the town of Cuballing and could be an eye sour coming into town or the last thing you see leaving town.

If the plan was flipped 180 degrees so the house block section was on the Ridley St. end and the yard at the Corrie St. end then it would not look as bad. The winds mainly blow from the North and if the sand, gravel and blue metal are at the western side and we have strong wind it could blow sand and dust over the highway causing a hazard for vehicles and people. Winds from the North have an open paddock so there is no protection from the elements to slow the winds down.

With the sand etc. being at the eastern end it will not be seen as easily and make the site look better from the highway. So if the business doesn't work then we won't have an eye sore when coming and going from town.

With the house I notice that it is facing the east and west but if at any stage they are looking at putting solar panels on the roof then they would be better off having the house face north then they will get the best results for max power.

If the site is to remain the same as planed then there should be at least a 6ft fence surrounding the storage area like the shire and other business do to stop illegal entry onto the site as this will be an industrial site where if it is turned around and the yard be at Corrie St end it will be out of sight more and could have just the normal ring lock fencing as access to there will be harder as any illegal movement will be noticed more by the other residents.

There is another site that could save a lot of money and that is in Narrogin on Fairway St. that is the old soils yard that was there it has an office building plus enclosed shed with roller door and two entry points from Fairway St. and has high fences around the perimeter so would cut cost and have a bigger population around it.

My concern is that I'd like to have a clean entry coming into and out of town not a pile of wood, sand and blue metal being the first thing you see. The signage would not be a problem but again might be best in a V shape so you can see it as you are approaching it and not when you are directly opposite it which will also improve safety.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Paul Lewis', written in a cursive style.

Paul Lewis.



mainroads
WESTERN AUSTRALIA

A123
8 AUG 2018

Enquiries: Janet Hartley-West
Our Ref: 04/9767-09
Your Ref: A123
08 August 2018

Chief Executive Officer
Shire of Cuballing
PO Box 13
CUBALLING WA 6311

Dear Gary,

Planning Application – Storage/Shop Use – Lot 120 (No 1) Ridley Street, Cuballing

Further to your correspondence and attachments of 23 July 2018, Main Roads provides the following comments.

Lot 120 has road frontage to both Northam Cranbrook (M031), known locally as Ridley Street and Corrie Street. As stated in the application Main Roads will not support access on to M031 when access can be obtained from local road Corrie Street. This is consistent with Western Australian Planning Commission (WAPC) Planning Policy No. DC 5.1 Clause 3.3.2 states *"Where alternative access is or could be made available from side or rear streets or rights of way, no access shall be permitted to the regional road."*

Therefore Main Roads has no objections to the planning application as submitted with access being from Corrie Street.

Please contact me direct if you require any further information.

Yours sincerely

Janet Hartley-West
Network Manager Wheatbelt Region

Nicole Gould

A123

From: petesinc@treko.net.au
Sent: Wednesday, 15 August 2018 10:35 AM
To: Shire of Cuballing Enquiries
Subject: Planning Application -Storage/Shop Use-Lot 120 Ridley Street Cuballing.

Attention Chief Executive Officer:

Thank you for your letter regarding the abovementioned Planning Application.

Based on the information contained in the application, I have no objections to this application.

Regards

Peter and Norma Sinclair

57 Cuballing Street, Cuballing.

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 Deemed provisions for local planning schemes Part 9 Procedure for dealing with applications for development approval

67. Matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (d) any environmental protection policy approved under the *Environmental Protection Act 1986* section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;

- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
 - (i) public transport services;
 - (ii) public utility services;
 - (iii) storage, management and collection of waste;
- (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (v) access by older people and people with disability;
- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.

9.2.3 Cuballing Mens' Shed Redevelopment

Applicant:	N/A
File Ref. No:	ADM236
Disclosure of Interest:	Nil
Date:	10 th September 2018
Author:	Gary Sherry
Attachments:	9.2.3A Design of Cuballing Mens' Shed Refurbishment

Summary

Council is to consider plans by the Cuballing Mens Shed to redevelop their facility in the Shire Depot at 97 Alton Street, Cuballing.

Background

The Cuballing Mens' Shed has been established since 2010 and follows the principles of the Australian Mens' Shed Association, which are as follows:

The Australian Men's Sheds Association recognizes a Men's Shed as any community-based, non-profit, non-commercial organization that is accessible to all men and whose primary activity is the provision of a safe, friendly and healing environment where men are able to work on meaningful projects at their own pace in their own time in the company of other men. A major objective is to advance the well-being and health of their male members and to encourage social inclusion.

The Cuballing Mens' Shed endeavours to be as self supporting as possible and fundraises by collecting scrap metal and aluminium cans. The Cuballing Mens' Shed contributes to the wellbeing of menfolk in the community by providing a means of social inclusion and activity.

In 2014 Council and the Cuballing Mens' Shed entered into a lease for the Mens' Shed located on the Shire Depot Site at 97 Alton Street, Cuballing.

Council provides Oxygen, Acetylene and Argon gases and the cylinder rental for those gases, together with a petty cash float of \$500 which has been in existence since the establishment of the Mens' Shed.

Council provides utilities of electricity and water from the Shire Depot supply. In the past Council has provided Oxygen, Acetylene and Argon gases and the cylinder rental for those gases, however the Cuballing Mens' Shed now purchase their own supply at a cheaper rate.

The Cuballing Mens' Shed are looking to improve and expand the use of their building. Women's events, a school holiday program for children, sculpture workshops for the wider community and activities for local aged people have all been proposed.

However to offer hold these type of programs from this building, the facility needs to include a toilet, small kitchen and a small meeting room facility.

The Cuballing Mens' Shed have considered and discussed various options to improve their facility. One plan was to purchase a portable facility that would have expanded the footprint of the site. This option would have had impacts on neighbours but was unable to attract sufficient funding to purchase a quality building.

The Cuballing Mens' Shed have submitted a plan to alter the internal footprint of the Mens' Shed. In part the Cuballing Mens' Shed write:

Please find enclosed a sketch of the proposed changes to the Men's Shed shed as discussed on 7/08/2018, where you gave a provisional verbal approval of these changes.

The engineering part will be facilitated by Gordon McDougall of McDougall Weldments of Cuballing and built by Shed members.

Electricity and plumbing will be done by licensed trades persons. .

We propose that the connection to the septic system of the site office will be a combined, in kind, effort by the Shed members and the Shire; please indicate what the Shire's contribution would be.

It would be appreciated if you comment on the above and indicate whether or not these changes are acceptable to the Shire.

A number of Councillors inspected the Cuballing Mens' Shed and the proposed changes on Wednesday 8th August 2018.

A drawing of the proposed works is at Attachment 9.2.3A

Comment

The proposed changes are the best solution to an expansion of the Cuballing Mens' Shed to allow the Mens' Shed to host a wider range of events. For example:

- The Cuballing Mens' Shed are a proactive community group who have the ability to design, plan and complete the activities to complete any construction. The Mens Shed are looking to widen their activities to include days where women work in the Shed and a school holiday program for children.
- Shire staff have sought grant funding for community activities similar to the sculpture workshop hosted from the Kondinin Mens' Shed. The Cuballing Mens' Shed is the only suitable community facility in the Shire for this type of activity.

While the Cuballing Mens' Shed have limited funds and would complete a significant amount of work themselves, the sewage disposal facilities of the Shire Depot will probably need upgrading in the very near future.

One limiting factor may be sewage disposal facilities. Currently the Cuballing CWA Hall, Cuballing Agricultural Hall, Shire of Cuballing Depot and Cuballing Mens' Shed use the one facility and this may not be sufficient. The current facility was installed some considerable time ago and may not meet current regulatory requirements. A new facility would cost an estimated \$12,000.

As part of the 2018/19 Budget, Council has not allocated any funding to this project. Direct Council funding for this project may need to occur in 2017/18. Shire staff have been and will continue assisting the Cuballing Mens' Shed to attract grant funding. Shire staff can also provide inkind assistance.

Strategic Implications

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.
1.4	Facilitate improved access to health and welfare programs and education opportunities.	The community has access to a broad range of improving health and welfare programs and education opportunities.
1.5	Provide and promote sport, recreation and leisure facilities and programs.	A variety of accessible sport and recreation opportunities and activities.
1.6	Support local arts and cultural activities.	A variety of arts and cultural activities can be pursued by locals
1.7	Create and maintain a safe environment for the community.	A feeling of safety within our neighbourhoods and a sense of being looked out for.
1.8	Manage environmental health risks in the Shire.	A Shire which seeks to mitigate environmental health risks to ensure a healthy and safe community.

ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

- Community infrastructure and services delivered in a timely manner, are well utilised, effective and meet the expectations of the community.
- Managing community assets in a whole of life and economically sustainable manner.

	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.
3.4	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.

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

Council can commit limited funds at this time, but can support the project

Economic Implication – Nil

Social Implication

The Cuballing Mens' Shed is vibrant community organisation whose older male members meets weekly. The group provide volunteer assistance to a range of good community causes.

Environmental Considerations – Nil

Consultation

Cuballing Mens' Shed Inc.

Options

Council may resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation that also includes a commitment to to make a financial contribution in 2018/19;
3. to not support he Cuballing Mens' Shed Inc plans, included at Attachment 9.2.3A to upgrade the Mens' Shed at 97 Alton Street, Cuballing

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/89:

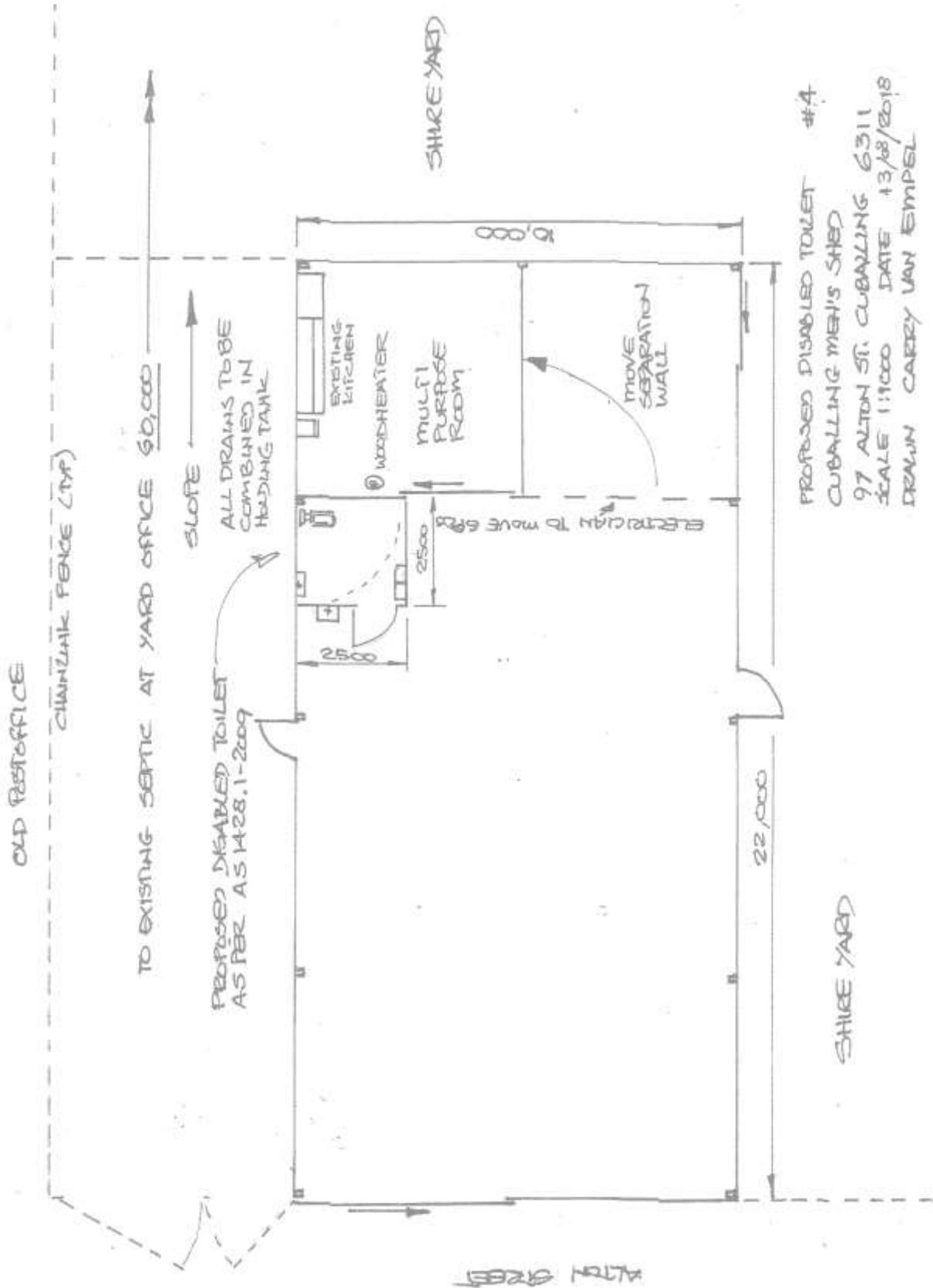
That Council:

- 1. support the Cuballing Mens' Shed plans, included at Attachment 9.2.3A to upgrade the Mens' Shed at 97 Alton Street, Cuballing;**
- 2. agree to consider financial support in the 2019/20 financial year to implement the Cuballing Mens' Shed plans;**
- 3. continue to provide inkind assistance the Cuballing Mens' Shed Inc to develop funding options for implementing their plans; and**
- 4. request staff to review existing sewage waste disposal facilities at the Cuballing CWA Hall, Cuballing Agricultural Hall, Shire of Cuballing Depot and Cuballing Mens' Shed and develop any option required to improve these facilities.**

Moved: Cr Ballantyne

Seconded: Cr Newman

Carried 6/0



9.1.2 Statement of Financial Activity

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	20 th August 2018
Author:	Rick Pares, Deputy Chief Executive Officer
Attachments:	9.1.2A Statement of Financial Activity

Summary

Council is to consider the Statement of Financial Activity for July 2018.

Background

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

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

Comment

Revenue from Operating Activities exceeded our Annual Budget in a positive manner for the following reasons:

- General Purpose Funding - Essentially the budgeted timing for the issuance of rates was for the month of August not July (timing). Adoption of Budget considerations.
- Governance - Unbudgeted return of membership fees from the Great Southern Regional Business Association (\$3,373).
- Recreation & Culture - Yornanning Dam Grant proceeds received in July rather than the September month as scheduled in budget (timing).
- Community Amenities – Significant variance in Rubbish Collection Service – (same as Rate Issuance) – budgeted for August occurred in July (timing).

Operating Expenses – Key Items of Variances are as follows;

- Overall the month is “atypical,” as the audit for the close off for 30 June 18, and at the time of preparation of July financials - has an effect in the calculation of depreciation and the allocation of admin labour overheads – these adjustments are cleared and aligned for the month of August.
- Governance variation is due to the admin allocation not being applied across to the other programs. (Negative dollar variance).
- Law, Order & Public Safety positive variance is due to the budgeted allocation of depreciation not being calculated /allocated and the maintenance on building costs being lower than budgeted.
- Health has a positive variance due to the lack of admin allocation of overhead.

- Education & Welfare positive difference is for the same reason as Health.
- The positive difference in Housing as there has been little activity in the maintenance of the CEO house.
- The positive difference in Transport costs is largely due to the depreciation expense not calculated and applied.

The timing of the Regional Road Group grant is different (later) than last year. There have been significant changes to the Shire of Cuballing's Grant funding as follows;

Our Federal Assistance Grants (FAGS) has two parts being a General Grant and a Road Grant.

Grant Type	Budgeted Amount	New Amount	Difference	Cumulativve
General Grant	289,730	278,162	-11,568	-11,568
Road Grant	179,727	153,444	-26,283	-37,851
Regional Road Group Direct Grant	57,535	98,183	40,648	2,797

Net Grant Movement favourable across these grants \$2,797.

Capital Expenditure has been limited in July, with more activity in line with the plant replacement program occurring in August given allowance for adoption of budgeted.

There have been no transfers either to or from reserves to date.

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

Administration Allocations have not been in July 2018 due to finalisation of audit adjustments.

Depreciation expense is not calculated in July 2018 due to finalisation of audit adjustments.

Strategic Implications – Nil

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

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

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/90:

That the Statement of Financial Activity, as included at Attachment 9.1.2A, for the Shire of Cuballing for period ending 31st July 2018 be received.

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 6/0

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 July 2018

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

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**Shire of Cuballing
Information Summary
For the Period Ended 31 July 2018**

Key Information

Report Purpose

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

Overview

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

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 31 July 2018 of \$1,702,740.

Items of Significance

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

Capital Expenditure

Land and Buildings	-\$	441	Not material Please see Note
Infrastructure - Roads	▲ \$	132,480	Timing of grant LY 17-18 was
Plant and Equipment	▲ \$	818	WEARN Radios (fire)

Capital Revenue

Grants, Subsidies and Contributions	▼	(\$165,006)	Please refer to Council forum
Proceeds from Disposal of Assets		\$0 0	

	Collected / Complete	Annual Budget	YTD Budget	YTD Actual
Significant Projects				
RRG - Stratherne Road 18-19	0%	\$ 135,506	\$ 45,169	\$ 300
RRG - Wandering Narrogin Road	0%	\$ 165,198	\$ -	\$ -
RRG - Wandering Narrogin Road 18-19	1%	\$ 274,131	\$ 91,377	\$ 3,584
Grants, Subsidies and Contributions				
Operating Grants, Subsidies and Contributions	0%	\$ 558,509	\$ 6,629	\$ -
Non-operating Grants, Subsidies and Contribution:	3%	\$ 534,005	\$ 165,006	\$ 14,642
	1%	\$ 1,092,514	\$ 171,635	\$ 14,642
Rates Levied	107%	\$ 1,118,673	\$ -	\$ 1,198,081

% Compares current ytd actuals to annual budget

Financial Position		Prior Year	Current Year
Adjusted Net Current Assets	81%	\$ 2,103,782	\$ 1,702,740
Cash and Equivalent - Unrestricted	60%	\$ 557,752	\$ 333,697
Cash and Equivalent - Restricted	119%	\$ 1,293,651	\$ 1,542,303
Receivables - Rates	102%	\$ 1,317,361	\$ 1,348,850
Receivables - Other	16%	\$ 284,001	\$ 44,064
Payables	1224%	\$ 3,858	\$ 47,208

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

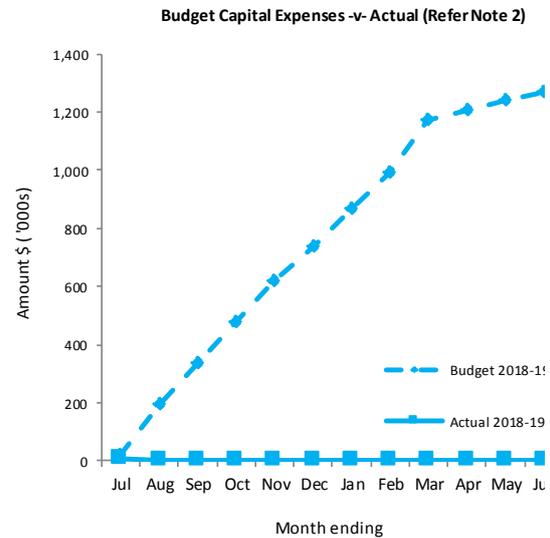
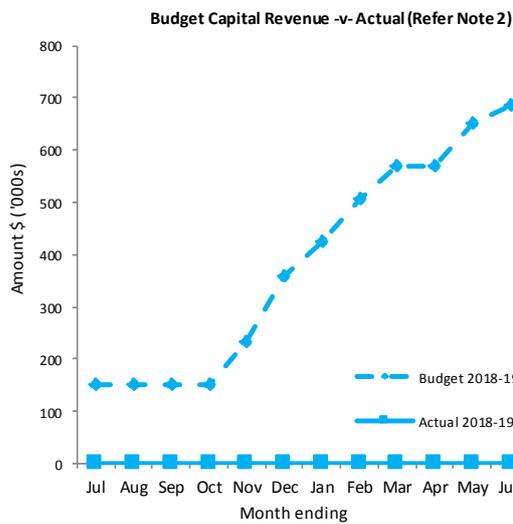
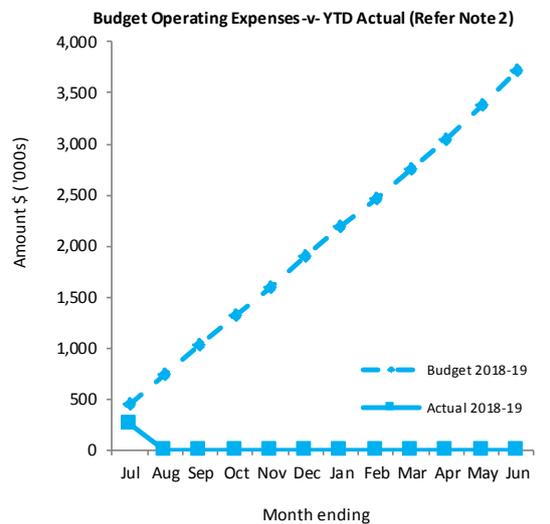
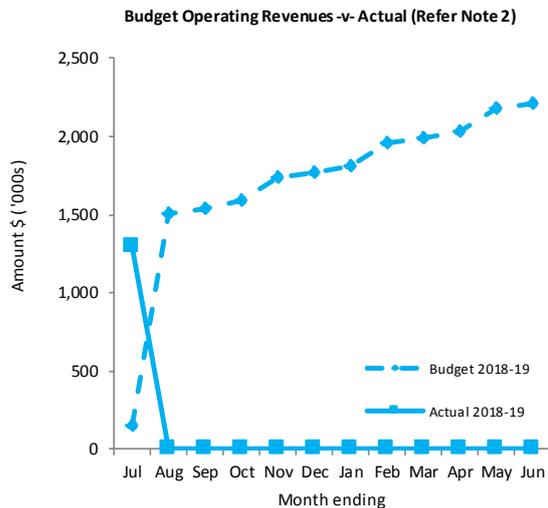
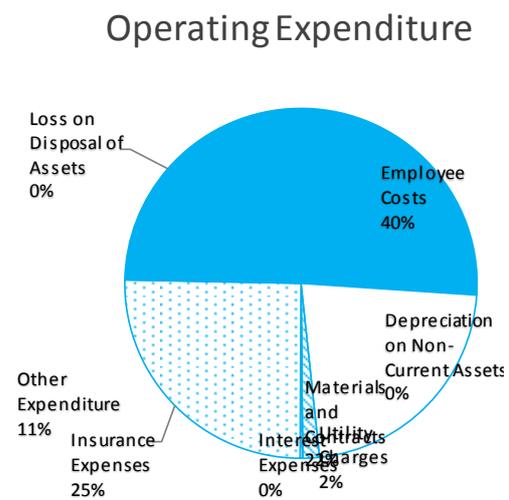
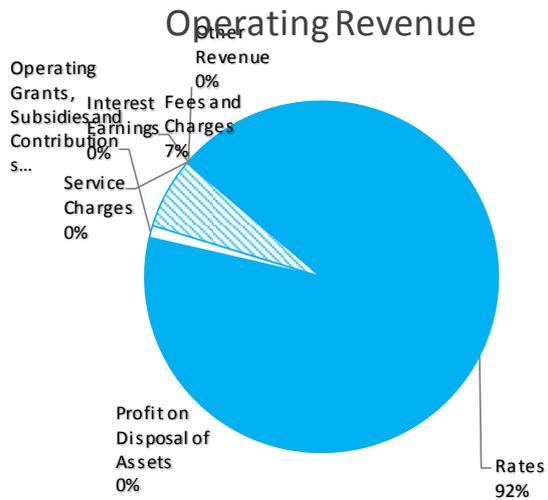
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of

Preparation

Prepared by: Richard Pares, DCEO

Reviewed by: Gary Sherry, CEO

Shire of Cuballing
Information Summary
For the Period Ended 31 July 2018



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

SHIRE OF CUBALLING
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 July 2018

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	3	660,435	656,228	656,228	0	0%	
Revenue from operating activities							
Governance		3,000	31	3,373	3,343	10842%	
General Purpose Funding	9	1,447,827	2,833	1,199,380	1,196,546	42231%	
Law, Order and Public Safety		33,767	6,629	433	(6,197)	(93%)	▼
Health		700	0	0	0		
Education and Welfare		1,000	0	0	0		
Housing		4,680	390	360	(30)	(8%)	
Community Amenities		60,700	0	60,289	60,289		▲
Recreation and Culture		8,545	3,000	11,109	8,109	270%	▲
Transport		247,262	667	476	(191)	(29%)	
Economic Services		83,812	4,584	1,902	(2,682)	(59%)	
Other Property and Services		317,500	26,458	21,849	(4,610)	(17%)	
		2,208,794	44,593	1,299,170			
Expenditure from operating activities							
Governance		(152,395)	(45,655)	(90,001)	(44,346)	(97%)	▼
General Purpose Funding		(74,310)	(4,901)	0	4,901	100%	▲
Law, Order and Public Safety		(178,486)	(21,193)	(10,608)	10,586	50%	▲
Health		(44,733)	(3,686)	(1,382)	2,304	63%	▲
Education and Welfare		(54,551)	(4,488)	0	4,488	100%	▲
Housing		(72,294)	(5,946)	(4,299)	1,647	28%	▲
Community Amenities		(343,728)	(23,439)	(10,353)	13,086	56%	▲
Recreation and Culture		(258,139)	(33,260)	(17,122)	16,138	49%	▲
Transport		(2,129,780)	(177,509)	(90,953)	86,556	49%	▲
Economic Services		(194,289)	(16,029)	(3,720)	12,309	77%	▲
Other Property and Services		(277,053)	(19,444)	(16,554)	2,889	15%	▲
		(3,779,759)	(355,548)	(244,991)			
Operating activities excluded from budget							
Add back Depreciation		1,491,780	124,315	0	(124,315)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	12,742	0	0	0		
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(66,443)	(186,640)	1,054,179			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	11	534,005	165,006	0	(165,006)	(100%)	▼
Proceeds from Disposal of Assets	8	36,256	0	0	0		
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(391,240)	0	(441)	(441)		
Infrastructure Assets	13	(812,286)	(136,546)	(4,066)	132,480	97%	▲
Plant and Equipment	13	(176,221)	(818)	0	818	100%	▲
Furniture and Equipment	13	(1,800)	0	0	0		
Amount attributable to investing activities		(811,286)	27,642	(4,507)			
Financing Activities							
Proceeds from New Debentures		160,000	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	7	245,996	245,996	0	(245,996)	(100%)	▼
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(45,566)	(1,361)	(3,161)	(1,800)	(132%)	
Transfer to Reserves	7	(143,128)	(143,128)	0	143,128	100%	▲
Amount attributable to financing activities		217,302	101,507	(3,161)			
Closing Funding Surplus(Deficit)	3	(0)	598,737	1,702,740			

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

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

Balance to Net Current Funding Surplus (Note 3)

0

-0

Budget opening surplus adjusted to reflect budget - EOFY changes for Actuals

SHIRE OF CUBALLING
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 July 2018

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	3	660,435	656,228	656,228	0	0%	
Revenue from operating activities							
Rates	9	1,118,673	0	1,198,081	1,198,081		▲
Operating Grants, Subsidies and Contributions	11	626,369	9,540	14,642	5,102	53%	▲
Fees and Charges		400,253	29,969	84,872	54,903	183%	▲
Service Charges		0	0	0	0		
Interest Earnings		35,000	2,833	1,099	(1,735)	(61%)	
Other Revenue		28,500	2,250	476	(1,774)	(79%)	
Profit on Disposal of Assets	8	0	0	0	0		
		2,208,795	44,593	1,299,170			
Expenditure from operating activities							
Employee Costs		(923,363)	(66,406)	(97,219)	(30,813)	(46%)	▼
Materials and Contracts		(1,086,896)	(106,685)	(54,502)	52,182	49%	▲
Utility Charges		(42,170)	(4,111)	(3,758)	352	9%	
Depreciation on Non-Current Assets		(1,491,780)	(124,315)	0	124,315	100%	▲
Interest Expenses		(8,403)	(700)	(554)	147	21%	▲
Insurance Expenses		(130,445)	(28,752)	(61,820)	(33,068)	(115%)	▼
Other Expenditure		(83,958)	(24,580)	(27,138)	(2,558)	(10%)	
Loss on Disposal of Assets	8	(12,742)	0	0	0		
		(3,779,758)	(355,548)	(244,991)			
Operating activities excluded from budget							
Add back Depreciation		1,491,780	124,315	0	(124,315)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	12,742	0	0	0		
Adjust Provisions and Accruals			0	0	0		
Amount attributable to operating activities		(66,441)	(186,640)	1,054,179			
Investing activities							
Grants, Subsidies and Contributions	11	534,005	165,006	0	(165,006)	(100%)	▼
Proceeds from Disposal of Assets	8	36,256		0	0		
Land Held for Resale	13	0	0	0	0		
Land and Buildings	13	(391,240)	0	(441)	(441)		
Infrastructure Assets	13	(812,285)	(136,546)	(4,066)	132,480	97%	▲
Plant and Equipment	13	(176,221)	(818)	0	818	100%	▲
Furniture and Equipment	13	(1,800)	0	0	0		
Amount attributable to investing activities		(811,285)	27,642	(4,507)			
Financing Activities							
Proceeds from New Debentures		160,000	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	7	245,996	245,996	0	(245,996)	(100%)	▼
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(45,566)	(1,361)	(3,161)	(1,800)	(132%)	
Transfer to Reserves	7	(143,128)	(143,128)	0	143,128	100%	▲
Amount attributable to financing activities		217,302	101,507	(3,161)			
Closing Funding Surplus (Deficit)	3	(0)	598,737	1,702,740	1,104,002	184%	▲

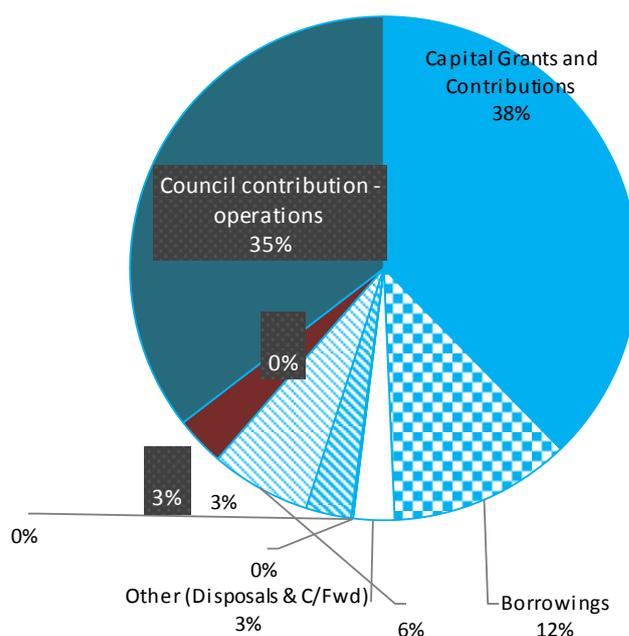
Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

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

SHIRE OF CUBALLING
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 July 2018

Capital Acquisitions

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Budget (d)	Annual Budget	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	0	0	0	391,240	441	441
Furniture & IT Equipment	13	0	0	0	1,800	0	
Infrastructure Assets	13	0	0	136,546	812,285	4,066	(132,480)
Plant and Equipment	13	0	0	818	176,221	0	(818)
Capital Expenditure Totals		0	0	137,364	1,381,546	4,507	(132,857)
Capital acquisitions funded by:							
Capital Grants and Contributions				165,006	521,282	14,642	
Borrowings				0	160,000	0	
Other (Disposals & C/Fwd)				0	36,256	0	
Council contribution - Cash Backed Reserves				0	173,866	0	
Plant and Equipment Reserve				0	0	0	
Administration Building and Office Equipment Reserve				0	1,800	0	
Housing Reserve				0	40,000	0	
Recreation and Community Facility Reserve				0	88,360	0	
Refuse Site Reserve				0	43,706	0	
Grain Freight Reserve				0	0	0	
Equestrian Reserve				0	0	0	
Council contribution - operations				(27,642)	490,142	(10,135)	
Capital Funding Total				137,364	1,381,546	4,507	

Budgeted Capital Acquisitions Funding

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 June 2018

Note 1: Significant Accounting Policies

(a) Basis of Accounting

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

Critical Accounting Estimates

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

(b) The Local Government Reporting Entity

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

(c) Rounding Off Figures

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

(d) Rates, Grants, Donations and Other Contributions

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

(e) Goods and Services Tax

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

(f) Cash and Cash Equivalents

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

(g) Trade and Other Receivables

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

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

(h) Inventories

General

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

Land Held for Resale

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

(i) Fixed Assets

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

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets. Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

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

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments

in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

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

- (i) *Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)*
The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees' services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.
- (ii) *Annual Leave and Long Service Leave (Long-term Benefits)*
The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings. Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

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

(n) Provisions

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

(o) Current and Non-Current Classification

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

(p) Nature or Type Classifications

Rates

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

Operating Grants, Subsidies and Contributions

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

Non-Operating Grants, Subsidies and Contributions

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

Profit on Asset Disposal

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

Fees and Charges

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

Service Charges

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

Interest Earnings

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

Other Revenue / Income

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

Employee Costs

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

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may

wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

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

Insurance

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

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

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

Other expenditure

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

(r) Program Classifications (Function/Activity)

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

GOVERNANCE

Objective:

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

Activities:

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

GENERAL PURPOSE FUNDING

Objective:

To collect revenue to allow for the provision of services.

Activities:

Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY

Objective:

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

Activities:

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

HEALTH

Objective:

To provide an operational framework for environmental and community health.

Activities:

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

EDUCATION AND WELFARE

Objective:

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

Activities:

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

HOUSING

Objective:

To provide and maintain elderly residents housing.

Activities:

Provision and maintenance of elderly residents housing.

COMMUNITY AMENITIES

Objective:

To provide services required by the community.

Activities:

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

RECREATION AND CULTURE

Objective:

To establish and effectively manage infrastructure and resource which will help the social wellbeing of the community.

Activities:

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

TRANSPORT

Objective:

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

Activities:

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

ECONOMIC SERVICES

Objective:

To help promote the shire and its economic wellbeing.

Activities:

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

OTHER PROPERTY AND SERVICES

Objective:

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

Activities:

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

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 2: Explanation of Material Variances

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

The material variance adopted by Council for the 2018/19 year is \$5,000 or 10% whichever is the greater.

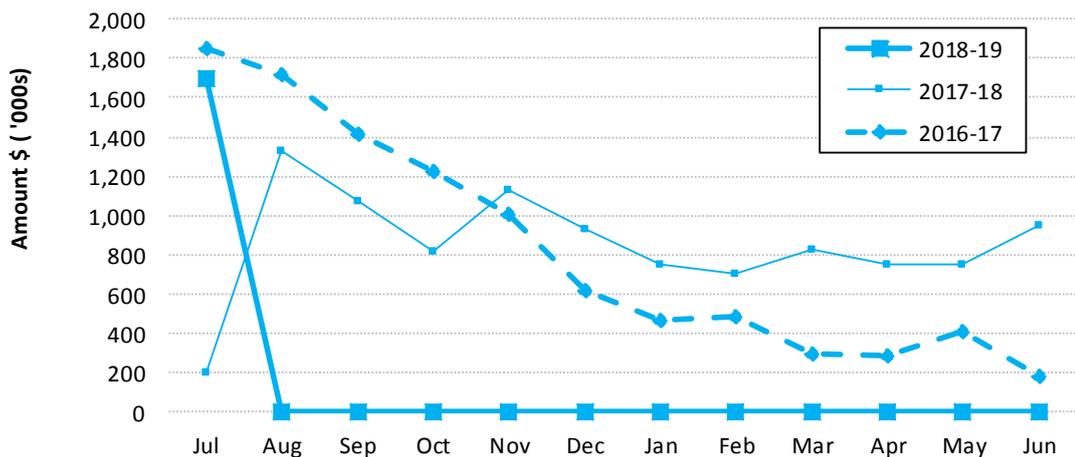
Reporting Program	Var. \$	Var. %	V	Timing/ Permane	Explanation of Variance
Operating Revenues	\$	%			
General Purpose Funding	1,196,546	42231%		Timing	Budgeted for August Raising not July - Perfect in Aug
Governance	3,343	10842%		Permanent	Unbudgeted return of contribution to GRT Southern Regional Bus Assoc. which has been closed.
Law, Order and Public Safety	(6,197)	(93%)		Timing	Advance payment made in late June instead of Jul
Health	0		▼		Nil
Housing	(30)	(8%)			Not material
Community Amenities	60,289		▲	Timing	Budgeted for August Raising not July - Perfect in Aug
Recreation and Culture	8,109	270%	▲	Timing	Yorning Dam grant budgeted for Sept (early payment)
Transport	(191)	(29%)		Timing	See forum topic regarding grants
Economic Services	(2,682)	(59%)		Timing	No standpipe revenue for the month, local building activity lower than anticipated.
Other Property and Services	(4,610)	(17%)		Timing	Private works slightly lower than budget.
Operating Expense					
General Purpose Funding	4,901	100%	▲	Timing	Timing between data upload - agrees in August
Governance	(44,346)	(97%)	▲	Timing	Timing of Admin recovery - agrees in August
Law, Order and Public Safety	10,586	50%	▲	Timing	No Depreciation (until auditor signoff) - Maint Build costs saving
Health	2,304	63%	▲		No admin alloc
Education & Welfare	4,488	100%	▲		No admin alloc
Housing	1,647	28%	▲	Timing	CEO house maint lower than budgeted
Community Amenities	13,086	56%	▲	Timing	Tip Maint and public conveniences costs are lower
Recreation and Culture	16,138	49%	▲	Timing	Both the rec centre and oval maint costs lower than budget
Transport	86,556	49%	▲	Timing	Depreciation not calculated - until after auditor
Economic Services	12,309	77%	▲	Timing	Both the rec centre and oval maint costs lower than budget
Other Property and Services	2,889	15%	▲	Timing	Both private works and building surveyor costs lower than budgeted
Capital Revenues					
Grants, Subsidies and Contributions	(165,006)	(100%)	▼	Timing	Please refer to Council forum
Proceeds from Disposal of Assets	0				
Capital Expenses					
Land and Buildings	(441)			Timing	Not material Please see Note 13
Infrastructure - Roads	132,480	97%	▲	Timing	Timing of grant LY 17-18 was July. Agrees in Augustt
Plant and Equipment	818	100%	▲	Timing	WEARN Radios (fire) awaiting radio frequency access
Furniture and Equipment	0				No material variance
Financing					
Loan Principal	(1,800)	(132%)			Up load timing - Agrees in August

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 3: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	This Time Last Year	Current
	Note	30/06/2018	30 Jul 2017	31 Jul 2018
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	509,330	557,752	333,700
Cash Restricted	11	0	0	0
Cash Reserves	4	1,542,312	1,293,651	1,542,303
Receivables - Rates	6	51,735	1,317,361	1,348,850
Receivables - Other	6	90,631	284,001	44,064
Interest / ATO Receivable/Trust		0	15,549	14,943
Inventories		8,391	7,262	8,391
		2,202,399	3,475,576	3,292,250
Less: Current Liabilities				
Payables and Provisions		(3,858)	(78,143)	(47,208)
		(3,858)	(78,143)	(47,208)
Less: Cash Reserves	7	(1,542,312)	(1,293,651)	(1,542,303)
Net Current Funding Position		656,228	2,103,782	1,702,740

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

FAGS Allocation in 16/17 is paid in quarterly installments, in 15/16 there was an advance.
 FAGS Allocation in 16/17 there was a 50% Advance of 17/18 payments in June 2017

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	204,494			204,494	CBA	0.00%	At Call
Investment Account	128,503			128,503	CBA	1.25%	At Call
Trust Bank Account			21,591	21,591	CBA	0.00%	At Call
Cash On Hand	700			700	N/A	Nil	On Hand
Reserves Account		0		0	CBA	0.00%	At Call
(b) Term Deposits							
Reserves Term Deposit 1		437,563		437,563	CBA	1.90%	05-Mar-18
Reserves Term Deposit 2		552,370		552,370	CBA	1.90%	03-Apr-18
Reserves Term Deposit 3		552,370		552,370	CBA	1.90%	03-Apr-18
Total	333,697	1,542,303	21,591	1,897,591			

Comments/Notes - Investments

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

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 5: Budget Amendments

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

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

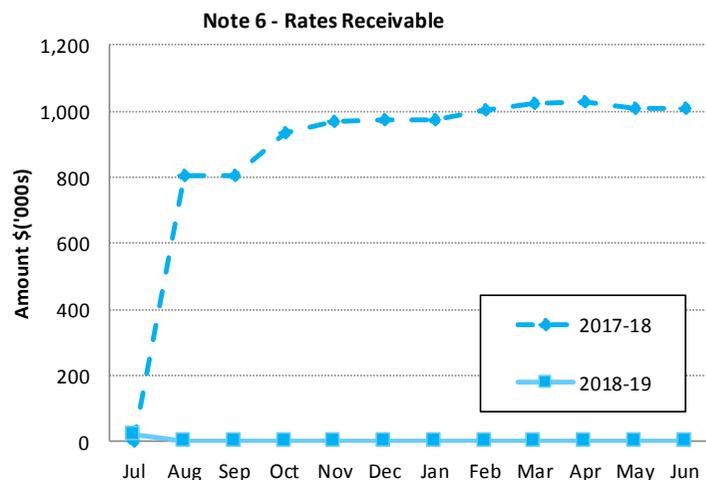
SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 6: Receivables

Receivables - Rates Receivable	31 Jul 2018	30 June 2018
	\$	\$
Opening Arrears Previous Years	57,439	70,590
Levied this year	1,199,252	1,066,065
Less Collections to date	(20,501)	(1,079,216)
Equals Current Outstanding	1,236,190	57,439
Net Rates Collectable	1,236,190	57,439
% Collected	1.63%	94.95%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	34,582	6,016	2,592	874	44,064
Balance per Trial Balance					
Sundry Debtors					44,064
Receivables - Other					14,943
Total Receivables General Outstanding					59,007

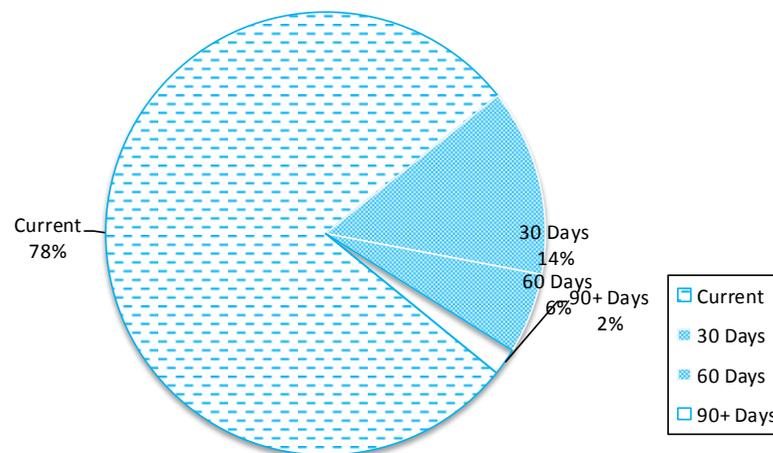
Amounts shown above include GST (where applicable)



Comments/Notes - Receivables Rates

Rates Issue Date - 4 August 2016
 Discount Period Ends - 25 August 2016
 Rates Due - 8 September 2016

Note 6 - Accounts Receivable (non-rates)

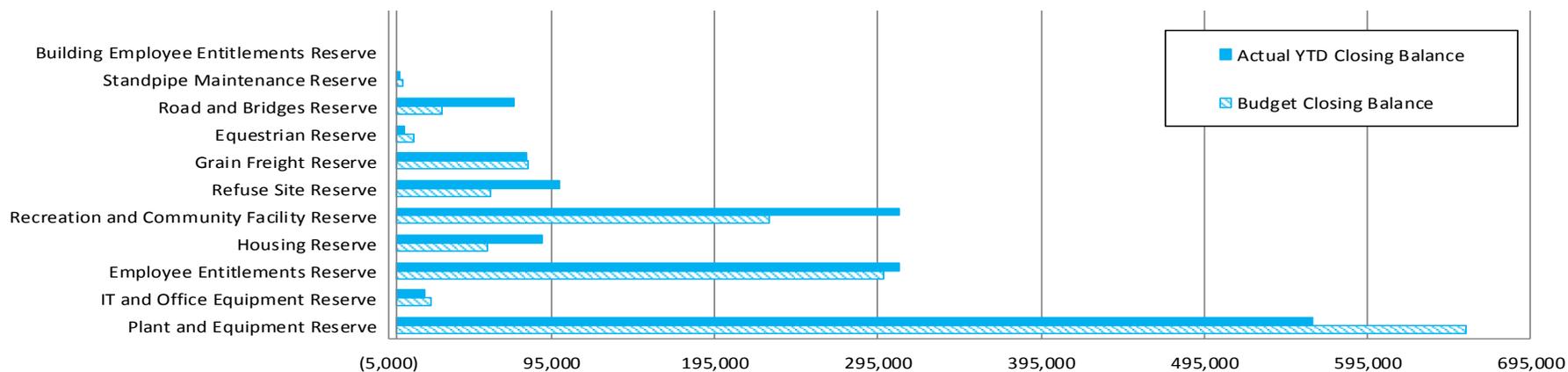


SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 7: Cash Backed Reserve

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant and Equipment Reserve	560,993	6,547	0	88,362	0	0	0	655,902	560,993
IT and Office Equipment Reserve	17,398	203	0	5,000	0	(1,800)	0	20,801	17,398
Employee Entitlements Reserve	308,227	3,597	0	14,766	0	(27,730)	0	298,860	308,227
Housing Reserve	89,441	1,045	0	5,000	0	(40,000)	0	55,486	89,441
Recreation and Community Facility Reserve	308,070	3,595	0	5,000	0	(88,360)	0	228,305	308,070
Refuse Site Reserve	99,795	1,165	0	0	0	(43,706)	0	57,254	99,795
Grain Freight Reserve	79,788	931	0	0	0	0	0	80,719	79,788
Equestrian Reserve	5,034	59	0	5,000	0	0	0	10,093	5,034
Road and Bridges Reserve	71,566	835	0	0	0	(44,400)	0	28,001	71,566
Standpipe Maintenance Reserve	2,000	23	0	2,000	0	0	0	4,023	2,000
Building Employee Entitlements Reserve	0	0	0	0	0	0	0	0	0
	1,542,312	18,000	0	125,128	0	(245,996)	0	1,439,444	1,542,312

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



SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 8: Disposal of Assets

Asset Number	Asset Description	YTD Actual				Amended Budget			
		Net Book Value	Proceeds	Profit (Loss)	(Loss)	Net Book Value	Proceeds	Profit (Loss)	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and Equipment								
P105	CN1 2014 Holden Colorado Dcab Utility	0	0			18,102	17,166		(936)
P152	CN2 Isuzu NPR 300 Truck	0	0			22,448	12,727		(9,721)
P107	CN1557 Mazda Traytop Utility	0	0			8,448	6,363		(2,085)
		0	0	0	0	48,998	36,256	0	(12,742)

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 9: Rating Information

RATE TYPE	Rate in	Number of Properties	Rateable Value	YTD Actual			Adopted Budget				
				Rate Revenue	Interim Rates	Back Rates	Total Revenue	Rate Revenue	Interim Rate	Back Rate	Total Revenue
	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV	7.0920	167	2,149,860	152,468	0	0	152,468	152,468	0	0	152,468
UV	0.7209	186	109,263,940	787,684	380	0	788,064	787,684	0	0	787,684
Sub-Totals		353	111,413,800	940,152	380	0	940,532	940,152	0	0	940,152
Minimum Payment	Minimum										
	\$										
GRV	690.00	162	810,568	111,780	0	0	111,780	111,780	0	0	111,780
UV	930.00	158	14,017,700	146,940	0	0	146,940	146,940	0	0	146,940
Sub-Totals		320	14,828,268	258,720	0	0	258,720	258,720	0	0	258,720
		673	126,242,068	1,198,872	380	0	1,199,252	1,198,872	0	0	1,198,872
Discount							(1,171)				(73,500)
Amount from General Rates							1,198,081				1,125,372
Ex-Gratia Rates							0				0
Write Off							0				(6,700)
Specified Area Rates							0				0
Totals							1,198,081				1,118,672

Comments - Rating Information

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

The general rates detailed above for the 2017/18 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

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

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 10: Information on Borrowings

(a) Debenture Repayments

Particulars	Loan Date	Years	Principal at 1/07/2018	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
					Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
					\$	\$	\$	\$	\$	\$
Transport										
Loan 64 - Cornish Land	31/08/2018	10	0	160,000		6,862	0	(6,862)	-	2,536
Loan 63 - Graders	7/02/2014	8	150,655		3,161	38,704	147,494	111,951	554	7,534
			150,655	160,000	3,161	45,566	147,494	105,089	554	10,070

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 11: Grants and Contributions

	Grant Provider	Type	Opening	Budget		YTD	Annual	Post	Program	Expected	YTD Actual
			Balance	Operating	Capital	Budget	Budget	Variations			
			(a)				(d)	(e)		(d)+(e)	Revenue
				\$	\$	\$					\$
General Purpose Funding											
	Grants Commission - General	WALGGC	Operating	0	289,730	0	0	289,730	3	289,730	0
	Grants Commission - Roads	WALGGC	Operating	0	179,727	0	0	179,727	12	179,727	0
	Grants Youth Development Grant	Youth Development	Operating	0	0	0	0	0	3	0	0
Law, Order and Public Safety											
	DFES Grant -	Dept. of Fire & Emergency Serv.	Non-operating	0		0			5	0	0
	DFES Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Operating	0	30,517	0	6,629	30,517	5	30,517	0
Recreation and Culture											
	Grants - Kidsport	Dept. of Communities	Operating	0	0	0	0	0	11	0	0
	DREC	R4R, Lotterywest, Contributions	Non-operating	0	0	0	0	0	11	0	0
	Yornaning Dam Upgrades	National Resource Mangement	Operating	0	0	12,723	0	12,723	11	12,723	10,909
Transport											
	Direct Grant - Main Roads	Main Roads WA	Operating	0	57,535	0	0	57,535	12	57,535	0
	Grant - MRWA Project	Main Roads WA	Operating						12	0	0
	Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	191,270	165,006	191,270	12	191,270	0
	RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	330,012	0	330,012	12	330,012	0
Economic Services											
	Youth Day Grant	Dept. of Communities	Operating	0	1,000	0	0	1,000	13	1,000	0
	Volunteer Day Grant	Dept. of Communities	Operating	0	1,000	0	0	1,000	13	1,000	0
	Kid's Day Go for 2&5	Healthways	Operating	0	0	0	0	0	13	0	0
	Seniors Day Grant	Dept. of Communities	Operating	0	0	0	0	0	13	0	0
	Other										3,733
TOTALS				0	559,509	534,005	171,635	1,093,514	0	1,093,514	14,642
SUMMARY											
	Operating	Operating Grants, Subsidies and Contributions		0	558,509	12,723	6,629	572,232	0	559,509	
		other									0
	Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	0	0	0	0	0	0	0
	Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	521,282	165,006	521,282	0	521,282	14,642
TOTALS				0	558,509	534,005	171,635	1,093,514	0	1,080,791	14,642

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 12: Trust Fund

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

Description	Opening Balance 01 Jul 2018	Amount Received	Amount Paid	Closing Balance 31 Jul 2018
	\$	\$	\$	\$
Bonds - Building	6,889	0	0	6,889
Bonds - Hall Hire	1,150	0	0	1,150
Badmington Club	20	0	0	20
Commodine Tennis Club	2,990	0	0	2,990
Cuballing Country Festival	1,099	0	0	1,099
Cuballing Cricket Club	200	0	0	200
Yornaning Dam	0	0	0	0
Cuballing Football Association	566	0	0	566
Environment and Townscape Trust Fund	6,362		0	6,362
Police Licensing	1,573	33,536	(34,720)	389
Swipe Cards	1,605			1,605
Reimbursements	320	0	0	320
	22,774	33,536	(34,720)	21,590

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2018

Note 13: Capital Acquisitions

excludes office equipment

Assets	Account	YTD Actual			Budget			Strategic Reference / Comment
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
<i>Level of completion indicator, please see table at the end of this note for further detail.</i>								
Furniture & IT Equipment								
	Councillor iPads	04265	(1,800)	0	(1,800)	0	0	Councillor iPads x 2
Furniture & IT Equipment - Governance Total			(1,800)	0	(1,800)	0	0	
Law order & Public Safety								
	VHF Radio WEARN - Hand Held (x2)	05170	(818)	0	(818)	0	0	Fire Hand Held Radio's
Furniture & IT Equipment - Governance Total			(818)	0	(818)	0	0	
Land & Buildings								
Land & Buildings Infrastructure								
Cornish land								
0.00	Cornish Land & Improvements	12126	(23,185)	0	(183,185)	0	0	C196A
Recreation And Culture -Law Order & Public Safety								
	Lions Park Shelter	11320		(6,625)	0	(6,625)	0	C192A
	Building Renewal - Cuballing CWA Hall	11320		(55,443)	0	(55,443)	0	C195A
	Building Renewal - Cuballing Memorial Park	11230		(49,530)	0	(49,530)	0	C176
	Building Renewal - Cuballing Recreation Centre	11230		(4,140)	0	(4,140)	0	C165
	Building Renewal - Yornaning Dam	11230	(12,115)		(441)	(12,115)	0	(441) C187
Recreation And Culture - Governance Total			(35,300)	(115,738)	(441)	(311,038)	0	(441)
Community Amenities								
	Cuballing Transfer Station - Sealing	10742	(40,916)	0	(40,916)	0	0	J601A - Sealing
	Popanyinning Tip Shed Floor - Concrete	10742	(3,960)	0	(3,960)	0	0	J601B - Concrete
	Popnyinning Tip Shed Gates	10742	(3,838)	0	(3,838)	0	0	J601C - Gates
	Cuballing Transfer Station - Waste Oil Relocation	10742	(31,488)	0	(31,488)	0	0	J601E - Relocation Waste Oil
Community Amenities Total			(80,202)	0	(80,202)	0	0	
	Land & Buildings Total		(115,502)	(115,738)	(441)	(391,240)	0	(441)
Other Infrastructure								
Economic Services								
	Popanyinning Gravel Pit - Fencing	13605	(6,450)	0	(6,450)	0	0	C198
Economic Services Total			(6,450)	0	(6,450)	0	0	
	Other Infrastructure Total		(6,450)	0	(6,450)	0	0	

Plant , Equip. & Vehicles

Transport

	Isuzu Hino 3.5T Truck	12405	(63,900)	0	(63,900)	0	0	Budget - Purchase September
	ESO Dual Cab 4x4 Utility	12405	(43,073)	0	(43,073)	0	0	Budget - Purchase August
	Kevrek 550s Crane	12405	(7,300)	0	(7,300)	0	0	Budget - Purchase August
	Solar Powered Variable Message Board	12405	(23,130)	0	(23,130)	0	0	Budget - Purchase November
	Directional Signage	12405	(8,000)	0	(8,000)	0	0	Budget - Purchase October
	4x2 Tipping Utility - with Kevrek Crane	12405	(30,000)	0	(30,000)	0	0	Budget - Purchase August
Transport Total		(31,130)	(144,273)	0	(175,403)	0	0	

	Plant , Equip. & Vehicles Total	(31,130)	(144,273)	0	(175,403)	0	0	
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Roads

Transport

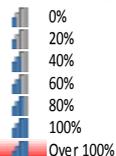
	RRG - Wandering Narrogin Road	12115	(165,198)	0	(165,198)	0	0	R129
	RRG - Wandering Narrogin Road 18-19	12115	(274,131)	(3,584)	(274,131)	(91,377)	87,793	R129A
	RRG - Stratherne Road 18-19	12115	(135,506)	(300)	(135,506)	(45,169)	44,869	R001A
	Wandering Road bridge Widening Contribution	12115	(40,000)	0	(40,000)	0	0	R002
	R2R - Popanyinning East - Cement Stabilising	12120	(10,080)	0	(10,080)	0	0	R004C
	R2R - Popanyinning East - Gravel Sheetting	12120	(172,836)	(182)	(172,836)	0	(182)	R004D
	R2R - Cuballing East Road Reseals	12120	(8,084)	0	(8,084)	0	0	R004F

	Transport Total	(614,835)	(191,000)	(4,066)	(805,835)	(136,546)	132,480	
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	Roads Total	(614,835)	(191,000)	(4,066)	(805,835)	(136,546)	132,480	
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	Capital Expenditure Total	(770,535)	(451,011)	(4,507)	(1,381,546)	(136,546)	132,039	
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Level of Completion Indicators



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

9.2 CHIEF EXECUTIVE OFFICER:

9.2.1 Firebreak Order 2018/19

Applicant:	N/A
File Ref. No:	ADM213
Disclosure of Interest:	Nil
Date:	6 th September 2018
Author:	Gary Sherry
Attachments:	9.2.1A Bush Fire Advisory Committee Minutes 9.2.1B draft Firebreak Notice 2018/19

Summary

That Council consider the recommendations of the Bushfire Advisory Committee to adopt the draft Firebreak Order 2018/19.

Background

The Shire of Cuballing's Bush Fire Advisory Committee held a meeting on Wednesday 5th September 2018. Unconfirmed minutes of that meeting are included at Attachment 9.2.1A. This meeting endorsed the contents of an extended Firebreak notice that will be made publicly available.

Comment

The Firebreak Notice 2018/19 is Council's declaration of the conditions required for compliance by landowners for this forthcoming fire season.

The draft Firebreak Notice 201/19, included at Attachment 9.2.1B, is very similar to that from previous years.

The Bush Fire Advisory Committee supported the draft Firebreak Notice 2018/19 and discussed:

- width of fire breaks. 2.5 metres is able to be sprayed by most bike mounted sprayers.
- the requirement to be within 20 metres of the boundary for rural land. There is the possibility of exemptions.
- conditions on plantations and the requirements of various plantations.
- the publication of the notice through a mailout.

In agreeing to keeping dates and requirements of the draft 2018/19 Bush Fire Notice similar to previous years, the Bush Fire Advisory Committee felt that the publication and enforcement of the Notice by the Shire of Cuballing should reflect:

- the general desire for property owners to consider their fire risks;
- the ability to gain exemptions where the need could be reasonably justified;
- conducting fire break inspections at a time that allows property owners the opportunity to install suitable fire breaks.

Upon approval by Council the draft Firebreak Notice 2018/19 will be:

1. made publicly available on Council's website;
2. incorporated into a pamphlet with other fire prevention information. Council will provide this pamphlet:
 - a. to local residents by direct mail at Cuballing and Popanyinning Post Offices;
 - b. to absentee owners by addressed mail; and
 - c. from the Shire Office counter.

The 2018/19 pamphlet will look very similar to the those issued in previous years.

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
1.3	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

Bush Fires Act 1954

33. Local government may require occupier of land to plough or clear fire break

- (1) Subject to subsection (2) a local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the Government Gazette and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the notice to do or to commence to do at a time so specified all or any of the following things —
- (a) to plough, cultivate, scarify, burn or otherwise clear upon the land fire breaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the fire breaks clear of inflammable matter;
- (b) to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire,
- and the notice may require the owner or occupier to do so —
- (c) as a separate operation, or in co ordination with any other person, carrying out a similar operation on adjoining or neighbouring land; and
- (d) in any event, to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice.

- (2) A notice in writing under subsection (1) may be given to an owner or occupier of land by posting it to him at his last postal address known to the local government and may be given to an owner of land by posting it to him at the address shown in the rate record kept by the local government pursuant to the Local Government Act 1995, as his address for the service of rate notices.
- (2a) The provisions of subsection (2) are in addition to and not in derogation of those of sections 75 and 76 of the Interpretation Act 1984.
- (3) The owner or occupier of land to whom a notice has been given under subsection (1) and who fails or neglects in any respect duly to comply with the requisitions of the notice is guilty of an offence.
Penalty: \$5 000.
- (4) Where an owner or occupier of land who has received notice under subsection (1) fails or neglects to comply with the requisitions of the notice within the time specified in the notice —
- (a) the local government may direct its bush fire control officer, or any other officer of the local government, to enter upon the land of the owner or occupier and to carry out the requisitions of the notice which have not been complied with; and
 - (b) the bush fire control officer or other officer may, in pursuance of the direction, enter upon the land of the owner or occupier with such servants, workmen, or contractors, and with such vehicles, machinery, and appliances as he deems fit, and may do such acts, matters and things as may be necessary to carry out the requisitions of the notice.
- (5) The amount of any costs and expenses incurred by the bush fire control officer or other officer in doing the acts, matters, or things provided for in subsection (4) —
- (a) shall be ascertained and fixed by the local government and a certificate signed by the mayor or president of the local government shall be prima facie evidence of the amount; and
 - (b) may be recovered by the local government in any court of competent jurisdiction as a debt due from the owner or occupier of land to the local government.
- (5a) A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 —
- (a) requiring owners and occupiers of land in its district to clear fire breaks in such manner, at such places, at such times, of such dimensions and to such number, and whether in parallel or otherwise, as are specified in the local laws and to maintain the fire breaks clear of inflammable matter;
 - (b) providing that things required by the local laws to be done shall be done to the satisfaction of the local government or its duly authorised officer.
- (5b) Where an owner or occupier of land fails or neglects in any respect to comply with the requirements of local laws made under subsection (5a) the provisions of subsections (3), (4) and (5) apply mutatis mutandis as if those requirements were the requisitions of a notice given under subsection (1).
- (5c) Nothing in subsection (5a) affects the power of a local government to give notice under subsection (1) nor its duty to do so if so required by the Minister.
- (5d) Where the provisions of local laws made under subsection (5a) are inconsistent with those of a notice given under subsection (1) or under section 34 or 35, the provisions of that notice shall, to the extent of the inconsistency, prevail.

- (6) A local government may, at the request of the owner or occupier of land within its district, carry out on the land, at the expense of the owner or occupier, any works for the removal or abatement of a fire danger, and the amount of the expense, if not paid on demand, may be recovered from the owner or occupier by the local government in a court of competent jurisdiction as a debt due from the owner or occupier to the local government.
- (7) Nothing in this section authorises a local government —
- (a) to set fire to the bush, or to require an owner or occupier of land to set fire to the bush, contrary to the provisions of section 17; or
 - (b) to make local laws authorising or requiring bush to be set on fire contrary to the provisions of section 17.
- (8) Any amount recoverable by a local government under this section as a debt due from the owner or occupier of land is, until paid in full —
- (a) a debt due from each subsequent owner in succession; and
 - (b) a charge against the land with the same consequences as if it were a charge under the Local Government Act 1995 for unpaid rates; and
 - (c) recoverable by the local government in the same manner as rates imposed in respect of the land are recoverable under that Act.
- (9) In this section —
owner or occupier of land includes a prescribed department of the Public Service that occupies land or a prescribed State agency or instrumentality that owns or occupies land.

Financial Implications

Council will print the Fire Break Notice into a pamphlet with other fire prevention information able to be distributed.

Policy Implications – Nil

Economic Implications – Nil

Environmental Considerations – Nil

Social Implications

Fire is a significant community risk for local communities.

Consultation

Shire of Cuballing Bush Fire Advisory Committee

Options

The Council can resolve:

1. the Officer's Recommendation;
2. an amended resolution with amended/altered conditions included in the draft Firebreak Notice 2018/19.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/91:

That Council adopt the draft Firebreak Order 2018/19 as included at Attachment 9.2.1B.

Moved: Cr Newman

Seconded: Cr Bradford

Carried 6/0

MINUTES

Bush Fire Advisory Committee Meeting Shire of Cuballing Council Chambers Wednesday 5th September 2018

1. OPENING

The meeting commenced at 7:34pm

2. ATTENDANCE AND APOLOGIES

2.1 Attendance

Anthony Mort	CHIEF BUSH FCO
Cr Tim Haslam	Shire of Cuballing
Daniel Christensen	FCO Cuballing Town
Rob Harris	FCO Cuballing East
Mike Burges	FCO Cuballing East
Nelson Young	FCO Cuballing West
Brayden Potts	FCO Cuballing West
Gary Sherry	Chief Executive Officer

2.2 Apologies

Graham Dent	DEPUTY CHIEF BUSH FCO
Fred Chapman	FCO Popanyinning Town
Justin Page	FCO Popanyinning East
Craig Cousins	FCO Popanyinning West
Richard Pares	Deputy Chief Executive Officer
Bruce Brennan	Manager of Works & Services
Paul Blechynden	Department of Fire and Emergency Services
Chris Stewart	Department of Biodiversity, Conservation and Attractions

3. CONFIRMATION OF MINUTES – 4th April 2018

Moved: Daniel Christensen

Seconded: Mike Burges

That the minutes of the BFAC meeting held on Wednesday 4th April 2018 are a true and correct record.

Carried

4. REPORTS

4.1 Chief Bush Fire Control Officer

Very Quiet so far

There have been 2 training days. FCO course Daniel Christensen and Brayden Potts attended.

The other course was the Ground controllers. Nelson Young, Anthony Mort, Mike Burges, Craig Cousins, Daniel Christensen, Brayden Potts, Mathew Dent, Jeremy Wiles attended.

Cuballing and Popanyinning Brigades are starting to gear up for summer months, getting uniforms and PPE organised.

In House Training and burn offs will be on meeting nights.

All Fire vehicles have been serviced and maintained.

Still awaiting confirmation of hand held two ways.

Stay safe this summer.

4.2 Deputy Chief Bush Fire Control Officer

Nil

4.3 Fire Control Officers

Daniel Christensen FCO Cuballing Town

Nothing to report – Very quiet.

Rob Harris FCO Cuballing East

Permits worked well this year, even with windy days staggered over period.

Mike Burges FCO Cuballing East

Incident at Mike Burgess' 25/5/2018- Strong winds; stubble burn escaped; wind fanned embers of burning stump. Well attended, bare paddocks down wind. Same day as Albany fire

Incident in roadside tree 25/4/2018- couldn't extinguish, shut road, tree burnt down.

Incident with farm workers not understanding conditions of burning permit.

Nelson Young FCO Cuballing West

Nothing to report
Firebreaks sprayed

Brayden Potts FCO Cuballing West

Incident – car fire on Narrogin-Wandering Road, fully engulfed; Narrogin FRS attended.

4.4 Department of Fire and Emergency Services

Nil

4.5 Department of Biodiversity, Conservation and Attractions

Nil

5. GENERAL BUSINESS

5.1 Review of the 2018/19 Bush Fire Notice

The CEO presented and explained the draft 2018/19 Bush Fire Notice.

Officers discussed the difficulties for installing fire breaks on Rural Land this year including:

- width of fire breaks. 2.5 metres is able to be sprayed by most bike mounted sprayers.
- The requirement to be within 20 metres of the boundary for rural land. There is the possibility of exemptions.
- conditions on plantations and the requirements of various plantations.
- the publication of the notice through a mailout.

The meeting agreed with the conditions of the draft 2018/19 Bush Fire Notice.

5.2 Restricted and Prohibited Burning Period Discussion

The meeting discussed the Restricted and Prohibited Burning Periods being:

Restricted

1st October 2018 to 31st October 2018

2nd March 2019 to 19th April 2019

Prohibited

1st November 20178 to 1st March 2019

5.3 VHF Radio Repairs

DFES recommend annual maintenance check on radios. This cost is met by the Shire through the DFES provided grant to Shire of Cuballing funded by the ESL.

Radio checks will be scheduled for September each year and CBFCO to organise

5.4 Review of FCO Training

Water bomber training was worthwhile and increasingly more likely. Bombers are a tool to be used by not guaranteed. Working with Bombers to be discussed in Popanyinning/Cuballing Brigades

No more training planned

5.5 ID Cards

The Shire of Cuballing is preparing FCO ID cards. It is too difficult to have the DFES volunteer ID cards also have FCO on the card.

5.6 Vehicle ID Stickers

The CBFCO provided volunteer stickers for access through road blocks at an emergency. Other brigade members are to be provided these stickers.

6. NEXT MEETING

The next meeting of the Shire of Cuballing Bush Fire Advisory Committee is to be held Wednesday 3rd April 2019, commencing at 7:30 pm at Shire Council Chambers

7. CLOSE

There being no further business, the meeting closed at 9:00 pm.

**SHIRE OF CUBALLING
Draft FIREBREAK ORDER 2018/19**

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954 you are required to carry out fire prevention work on land owned or occupied by you in accordance with the provisions of this Notice, to the satisfaction of Council or its duly authorised officers.

This work must be carried out by 31st October 2018 or within 14 days of becoming the owner or occupier, should this be after that date, and kept maintained throughout the summer months until 15th May 2019.

Persons who fail to comply with the requirements of this notice may be issued with an infringement notice or prosecuted. Where the owner fails to comply with the requisitions of the notice, council or its duly authorised officers will carry out the required work at the cost of the owner or occupier.

If it is considered for any reason to be impractical to clear firebreaks or remove flammable materials as required by this notice, or if natural features render firebreaks unnecessary, you may apply to the Council in writing not later than the 17th October for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted by Council, you shall comply with the requirements of this notice.

A FIREBREAK is a strip of land that has been cleared of all trees, bushes and grasses and any other object or thing or flammable material leaving clear earth. This includes the trimming back of all overhanging trees, bushes, shrubs and any other object or thing over the fire break area to the satisfaction of the Fire Control Officer.

RURAL LANDS

Firebreak not less than 2.5 metres wide must be established along, inside and within 20 metres of the external boundary of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road.

In the interest of protection from soil erosion, firebreaks may be established on the land contours but only with prior approval of the Council or its duly authorised officer

An area 4 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas.

BUILDING AND HAYSTACKS:

A firebreak of at least 4 metres wide and not more than 40 metres from the perimeter of all buildings (including temporary dwellings e.g. caravans) and/or haystacks or groups of buildings and/or haystacks so as to completely surround the buildings, haystacks and/or fuel dumps. Any fodder being stored within 100 metres of a building must have a 20 metre break around.

BULLDOZED BUSH:

A firebreak 20 metres wide shall be maintained immediately inside the external boundaries of all land which has been bulldozed, chained or prepared in any similar manner for clearing by burning (whether it is intended to burn the bush or not).

STATIONARY PUMPS/MOTORS:

A firebreak 4 metres wide shall be cleared and maintained around all stationery pumps and motors.

HARVESTING OPERATIONS:

During the period when harvesting operations are being conducted, there shall be provided in the same paddock, or within 400 metres of that paddock, an operational independent mobile fire fighting unit having a water capacity of not less than 650 litres. The tank of the unit shall be kept full of water at all times during the harvest operations. The responsibility to supply the unit being that of the land owner.

HARVEST BANS AND OTHER BANS:

Permitted activity: Loading and offloading of grain and fertiliser is only permitted on sites which have been cleared of all inflammable material save live standing trees to a radius of at least 50 metres with a laneway access similarly cleared to a minimum of 4 metres. A mobile fire fighting unit should be in attendance at all times where possible.

OPERATION OF PLANT AND MACHINERY:

During the restricted and prohibited burning times, all harvesters and trucks carting grain shall not be operated on rural land unless fitted with a fire extinguisher.

PADDOCK BURNS:

At any time throughout the year, where a landowner intends to burn paddocks, the following must be provided to prevent the escape of fire:

1. Firebreak 2.5 metres wide, clear of all inflammable material, completely surrounding the area to be burnt;
2. An operational fire fighting unit having a capacity of not less than 650 litres; and
3. Permits to burn may be required. Contact your Fire Control Officer for details.

TOWNSITES AND RURAL RESIDENTIAL LAND

All town lots under 2,024 square metres (½ acre) in area and all fuel depots within the Shire are required to be cleared of all debris and flammable material to a height not more than 50mm.

All lots or combination of lots that comprise of one holding and having an area of 2,024m² (½ acre) or greater shall be either clear of all inflammable material or have a firebreak 2.5 metres wide free of all inflammable material provided inside and along all external boundaries.

GENERAL INFORMATION

Variations to Requirements: If it is considered impracticable or undesirable to provide firebreaks as required by this order, the approval of the Council must be obtained for any variation. Approval will only be granted up to or before the 17th day of October in any year, and will not be obtained unless the prior consent of the appropriate Fire Control Officer has been obtained.

Penalty for failure to comply: The penalty for failing to comply with this notice is a fine of up to \$1,000. If the owner or occupier fails to carry out the works required by this Firebreak Order the Shire of Cuballing may enter the land and prepare the firebreaks at the cost of the owner or occupier.

Prohibited and restricted burning times:

- | | |
|----------------------|---|
| Restricted Burning – | 1 st October 2018 to 31 st October 2018 |
| Prohibited Burning – | 1 st November 2018 to 1 st March 2019 |
| Restricted Burning – | 2 nd March 2019 to 19 th April 2019 |

9.2.5	Application for Development Approval: Manufacturing Shed – Lot 22 Francis Street, Popanyinning
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Applicant:	Mr Wayne Bird - Bird's Silos & Shelters
File Ref. No:	A177
Disclosure of Interest:	Nil
Date:	12 th September 2018
Author:	Gary Sherry
	9.2.5A Information from applicant
	9.2.5B Location plan
	9.2.5C Submission
Attachments:	9.2.5D Development Table – General (from Town Planning Scheme No. 2)
	9.2.5E Planning and Development (Local Planning Schemes) Regulations 2015 extract

Summary

Conditional Development Approval is recommended for a manufacturing shed at Lot 22 Francis Street, Popanyinning.

Background

1. The application

The applicant seeks development approval for a manufacturing shed to construct larger silos.

Attachment 9.2.5A sets out plans and details provided by the applicant. The proposed zincalume manufacturing shed has a length of 12 metres, a width of 10 metres and a height of 13 metres. The floor area is 120m². The shed is setback 19 metres from the site's Francis Street boundary and 3 metres from the northern lot boundary.

2. The application site

Attachment 9.2.5B shows the site along with the overall land owned by Bird's Silos & Shelters. Lot 22 has an area of 1,416m² and it contains a large shed in the western section, along with a portion of two sheds that extend over the property boundary with Lot 21 Francis Street. Including Lot 22, Bird's Silos & Shelters own 14 adjoining/nearby titles totalling 24,894m² in area.

Bird's Silos & Shelters have an established general industry (metal fabrication) business operating in the Popanyinning town site. There is an existing 9 metre high manufacturing shed, however this is no longer tall enough to continue the production of larger silos. In addition to the fabrication workshop, there are a number of buildings and other similar structures on nearby lots.

3. Public consultation

The Shire administration sent letters to 15 adjoining/nearby landowners seeking comment on the application for 17 days. Additionally, the Shire invited comments through a notice in *The Cuby News* and details on local notice boards.

The Shire received one submission which is outlined in Attachment 9.2.5C. This submission opposes the Development Application. Further details are outlined under "Comment".

4. Planning framework

The site is zoned “Rural Townsite” in the *Shire of Cuballing Town Planning Scheme No. 2* (TPS2). A wide range of uses can be considered in the Rural Townsite Zone including commercial, industrial and storage activities.

The manufacturing shed is best defined in TPS2 as “industry – general” which “means an industry other than a cottage, extractive, light, mining, rural or service industry”. Industry-general is an “A” use in the Rural Townsite Zone. This means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice (seeking comment) in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Clause 4.2 of TPS2 sets out the following objectives for the Rural Townsite Zone:

- To provide for a range of compatible uses within the town sites for a range of services, residential types, community and recreational facilities that may be found in a small country town;
- To encourage land uses which may positively affect the living and visual amenity on local amenities;
- To provide for the protection of the natural environment;
- To protect or enhance any local reserves;
- To encourage the modification/restoration of existing buildings in a manner which is compatible with the existing streetscape;
- To support commercial and industrial use in areas where the predominant established use is for residential purposes provided residential areas can be adequately buffered from any impacts.

The above objectives set out what the Council is seeking to achieve and the types of development which may or may not be suitable in the Rural Townsite Zone.

Attachment 9.2.5D shows the Development Table – General from TPS2. This sets standards relating to general industry setbacks, landscaping and other matters. Clause 5.6 of TPS2 enables the Council to vary development standards and requirements only where it is satisfied that:

- approval of the proposed development would be appropriate having regard to the criteria set out in clause 67 of the deemed provisions; and
- the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

Attachment 9.2.5E sets out an extract from the *Planning and Development (Local Planning Schemes) Regulations 2015* relating to matters to be considered by the local government in determining Development Application and options in determining applications. The Regulations include deemed provisions for local planning schemes which replace relevant clauses in local planning schemes in Western Australia including TPS2.

The *Shire of Cuballing Local Planning Strategy* (page 16) includes the aim “To provide employment opportunities for local residents” and a strategy “To encourage the consolidation of existing industrial uses and ensure the provision of Town Planning Scheme provide protection to the residential area”.

The draft *Shire of Cuballing Local Planning Strategy* sets various objectives including “assist with growing the district’s economic and employment base by encouraging greater

diversification and promoting a resilient and increasingly robust economy” and “create sustainable communities which ...attract and retain people and businesses”.

Better planning practice requires a suitable buffer between industrial and “sensitive” uses e.g. dwellings. The Environmental Protection Authority’s *Guidance Statement No. 3 Separation Distances between Industrial and Sensitive Land Uses* set a generic buffer distance of 500 – 1000 metres for “metal fabrication” with the buffer determined by size of the business operation.

The application site and most of the Popanyinning townsite are classified as a Bush Fire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>.

Comment

A) Overview

It is recommended that Council approve the Development Application subject to conditions. This follows assessment against TPS2, the Local Planning Strategy, draft Local Planning Strategy, relevant Planning Policies, information provided by the applicant, considering the views of the submitter and site characteristics. Conditional approval is recommended for reasons including:

- it is consistent with long-established development on the Bird’s Silos & Shelters site, it supports a local business to grow and it promotes employment opportunities;
- expected off-site impacts are considered to be manageable;
- it is suggested there will be no loss of amenity to the area given the established nature of the fabrication business;
- it is suggested there will be limited additional noise from the fabrication in the new shed compared to existing operations. Instead it will be the same activity in a larger shed. The proposed shed is in part buffered by existing buildings. Potential noise emissions associated with the manufacturing shed, at times, may be insignificant compared to the noise generated by traffic on Francis Street;
- development conditions can assist to minimise impacts and enhance amenity;
- the planning framework is supportive of a range of uses in the townsites and a resilient and increasingly robust economy;
- only one objection was received from adjoining/nearby landowners on this Development Application. It can only be assumed that other landowners have no objections; and
- there is wide-spread community acceptance of Bird’s Silos & Shelters operation in Popanyinning. Based on Shire records, there have been no written complaints dating back to 2010.

B) *Issues raised by neighbour opposing the application*

As outlined in Attachment 9.2.5C, a submission was received from a neighbour strongly opposing the Development Application. The reasons relate to amenity considerations (visual impacts of a 13 metre high shed), devaluing property values and an understanding that the area is residential and not industrial.

C) *Key issues*

The key issues with the application are summarised below:

- height of the building – the proposed 13 metre high manufacturing shed is a significant structure located near a “gateway” to the Popanyinning townsite. As set out in Attachment 9.2.5E, the Council needs to have due regard to the proposed building height, bulk, scale, orientation and appearance and its compatibility with its setting including adjoining/nearby

land. On balance, the proposed shed is considered appropriate given there is already an adjacent 9 metre high building on Lot 21 Francis Street, a 40 metre high Telstra tower on 23 Francis Street along with other existing buildings on the Bird's Silos & Shelters site. The bulk of the proposed manufacturing shed is off-set by existing buildings and structures;

- setbacks - the proposed shed is generally consistent with TPS2 setbacks, with the only variation being the front setback is 19 metres rather than the TPS2 standard of 20 metres. This is a minor variation given there are already buildings closer to the front boundary (Francis Street);
- buffers - there are expected to be manageable off-site impacts given there be similar levels of fabrication as has occurred for years. There is however a need for the operator to ensure that noise and as relevant dust impacts are appropriately managed on an on-going basis;
- fire management – the operators are encouraged to prepare and implement a Bushfire Emergency Evacuation Plan;
- drainage/stormwater management - there is a need to ensure that drainage/run-off is appropriately designed and controlled. A development condition is recommended to address stormwater management along with wash-down of the manufacturing area;
- property values – not a valid planning consideration (see Attachment 9.2.5E); and
- landscaping – there is currently no landscaping on Lot 22 Francis Street. To improve the area's amenity, on a key "gateway" into Popanyinning, it is suggested that the applicant either plant and maintain appropriate existing trees/shrubs adjoining Lot 22 Francis Street in the road reserve or continue the colourbond screen fence across the front of Lot 22 Francis Street.

D) *Amalgamating titles and possible laneway closure*

Bird's Silos & Shelters have operated from their Popanyinning site for decades, with their business now extending over a number of smaller lots. During this time, various buildings have been built over property boundaries. Better practice is that buildings are fully contained within lots as this reduces future issues including if there is a change of ownership.

It is suggested that Bird's Silos & Shelters and the Council continue consideration of matters including:

- the possible amalgamation of existing lots to be amalgamated to address buildings extending over property boundaries and to provide greater flexibility in locating future development;
- the preparation of a concept plan or development guide plan to set out anticipated future development for the Bird Silos & Shelters site. This could provide greater certainty for Bird Silos & Shelters, the community, other stakeholders and the Shire regarding the nature of development and how it will be a "good neighbour"; and
- whether the Rural Townsite Zone provides the appropriate balance of flexibility and certainty for all stakeholders.

Strategic Implications

There are a number of industries within the Shire of Cuballing which are all strongly based around the agricultural industry. The main employers in the Shire of Cuballing are Birds Silos & Shelters, McDougall Weldments, as well as the more intensive agricultural enterprises, cattle feedlots and piggeries.

Statutory Environment

Planning and Development Act 2005, TPS2 and Planning and Development (Local Planning Schemes) Regulations 2015.

Policy Implications – Nil

Financial Implications

All costs associated with the development will be borne by the applicant/operator. Should the applicant be aggrieved by Council's decision, the applicant may seek a review of that decision or conditions through the State Administrative Tribunal.

Economic Implication

The development, if approved and implemented, will assist to increase monies spent locally and assist with job creation.

Social Implication

One submission was received from an adjoining/nearby landowner objecting to the application. Provided the business effectively manages noise and dust, the development should have manageable off-site impacts.

Environmental Considerations

It is suggested there are limited environmental issues given the shed is located in a cleared area. Provided the operator effectively manages noise and dust, on an on-going basis, the development should have manageable off-site impacts.

Consultation

Adjoining/nearby landowners were invited to make comment on the Development Application.

Options

The Council can resolve:

1. the Officer's Recommendation;
2. to approve the Development Application with amended conditions (providing reasons);
3. to approve the Development Application with no conditions (providing reasons);
4. to refuse the Development Application (providing reasons); or
5. defer and seek additional information.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/92:

That Council approve the Development Application for a manufacturing shed at Lot 22 on Plan 223056 (No. 92) Francis Street, Popanyinning subject to the following conditions:

- 1. this approval shall expire if the development hereby approved has not been substantially commenced within a period of two years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed, no further development is to be carried out;**
- 2. the development hereby approved must be carried out in accordance with the plans and specifications submitted with the application (addressing all conditions) or otherwise amended by the local government and shown on the approved plan and these shall not be altered and/or modified without the prior knowledge and written consent of the local government;**
- 3. all run-off resulting from wash-down of the manufacturing area is to be directed to a leach drain or greywater system approved by the local government. Details to be provided with the Building Permit to the satisfaction of the local government. The approved design and system are to be implemented to the satisfaction of the local government prior to occupation;**
- 4. the provision of details with the Building Permit as to how stormwater will be addressed for the proposed development to the satisfaction of the local government. The local government will require that all stormwater from the manufacturing shed and impervious areas are collected, detained and suitably treated on site to the satisfaction of the local government prior to occupation. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government;**
- 5. the applicant/operator is to ensure that noise levels are considerate of adjoining and nearby properties at all times which comply with the Environmental Protection (Noise) Regulations 1997 (and any associated amendments);**
- 6. the applicant/operator is to implement dust control measures to the satisfaction of local government on an on-going basis;**
- 7. the applicant is required to submit a Landscape and Planting Plan to the satisfaction of local government prior to the commencement of site works, which is implemented prior to occupation;**
- 8. any landscaped and planted area shall be maintained by the operator to the satisfaction of the local government at all times; and**
- 9. the vehicular crossover onto Francis Street is to be designed, constructed, sealed and drained to the satisfaction of the local government and Main Roads Western Australia prior to 31 December 2019.**

ADVICE

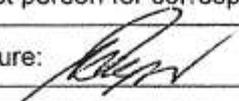
- A) The applicant is advised that this Development Approval is not a Building Permit. A Building *Permit must be formally applied for and obtained before the commencement of any site and/or development works.*
- B) The applicant is advised that the approved development must comply with all relevant provisions of the National Construction Code (Building Code of Australia).
- C) In relation to Condition 4, stormwater is to be suitably detained on site (e.g. rainwater tanks, soakwells). The local government will support stormwater runoff being connected to a Shire stormwater legal point of discharge provided it is appropriately designed via a soakwell/silt pit to the satisfaction of the local government.
- A) In relation to Condition 7, this could include:
- the planting a row of trees and/or bushes, adjoining the Lot 22 Francis Street frontage, prior to occupation to the satisfaction of the local government; or
 - the continuation of the colourbond screen fence across the front of Lot 22 Francis Street.
- D) The property is classified as a Bush Fire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>. The applicant/operator is encouraged to develop and regularly review a Bushfire Emergency Evacuation Plan for the property.
- E) The applicant/operator is reminded of their general environmental duty to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- F) The local government encourages the applicant/operator to consider matters including the location of property boundaries, and the preparation of a concept plan/development guide plan and future zoning.
- G) If the applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

Moved: Cr Newman

Seconded: Cr Dowling

Carried 6/0

APPLICATION FOR DEVELOPMENT APPROVAL

Owner Details		
Name: CONDOOR RURAL ENTERPRISES PTY LTD T/AS BIRDS SILOS & SHELTERS		
ABN (if applicable): 73 101 859 634		
Address: 21 FRANCIS STREET POPANYINNING Postcode: 6309		
Phone: Work: 98875055 Home: Mobile:	Fax: 98875077	Email: birdssilos@westnet.com.au
Contact person for correspondence: WAYNE BIRD		
Signature: 		Date: 14-8-18
Signature:		Date:
The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2).		

Applicant Details (if different from owner)		
Name:		
Address: Postcode:		
Phone: Work: Home: Mobile:	Fax:	Email:
Contact person for correspondence:		
The information and plans provided with this application may be made available by the local government for public viewing in connection with the application. <input type="checkbox"/> Yes <input type="checkbox"/> No		
Signature:		Date:

Property Details		
Lot No: 22	House/Street No:	Location No:
Diagram or Plan No:	Certificate of Title Vol. No:	Folio:
Title encumbrances (e.g. easements, restrictive covenants):		
Street name: FRANCIS STREET	Suburb: POPANYINING.	
Nearest street intersection: FRANCIS STREET & HOWARD STREET.		
Proposed Development		
Nature of development:	<input type="checkbox"/> Works <input type="checkbox"/> Use <input type="checkbox"/> Works and use	
Is an exemption from development claimed for part of the development? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, is the exemption for: <input type="checkbox"/> Works <input type="checkbox"/> Use		
Description of proposed works and/or land use: NEW SILO FACTORY SHED 10M L x 12M W x 13M H.		
Description of exemption claimed (if relevant):		
Nature of any existing buildings and/or land use: SILO + SHELTER MANUFACTURING SHEDS.		
Approximate cost of proposed development: \$87,637 + GST		
Estimated time of completion: ASAP		
Acceptance Officer's initials: Local government reference No:		OFFICE USE ONLY Date received:

AUSPAN GROUP

PROPOSAL FORM 2/07/2018 2:27 PM

**AUSPAN GROUP**

15 Corbett Street, Gnowangerup, WA 6335

P 1300 271 220 F 1300 271 330

ABN 87 601 610 376

sa@auspangroup.com.au

www.auspangroup.com.au

Date: 2/07/2018

Proposal is valid for 30 days from this date.

Proposal No: **3223(4)****CLIENT DETAILS:**

Client name: **Birds Silos & Shelters**
 Contact name: **Wayne Bird**
 Address: **21 Francis St.
 Popanyinning, WA, 6309**

Phone: **9887 5055** Mobile: **0427 622 991** Fax:
 Email: **birdssilos@westnet.com.au**
 Site address: **21 Francis St.
 Popanyinning, WA, 6309.**

DESCRIPTION OF PRODUCTS:

Description	Shed Shed - 10 x 12 x 13m				
Length	10.00 m	Width	12.00 m	Eave height	13.00 m
Building Type	Industrial to suit Wind Region A = 45m/s			Roof type	7.5 ° Gable
Roofs	Sides: 1	Ends:	1	Internal	0
Roof cladding	.42 BMT Zinc - Trimdek			Clear sheet roof	-
Wall cladding	.42 BMT Zinc - Trimdek			Clear sheet wall	-
Finishing Product	Zinc	Bridge	Zinc	Corner	Zinc
Galvan	Standard Industrial	Colour	Zinc	Downpipes to G/L	PVC Included
Roofing type	Hot dip Galv. 410UB			Truss type	Galv. Open Web Joist
Roof girts	Galv. Z150	Gable wall girts	Galv. Z150	End wall girts	Galv. Z150
Span	2 bays at 5.00 m			Roof insulation	-
				Wall insulation	-
				Concret + substation & fees	By Client
				Engineered Plans	Included
				Delivered to site	Included
				Unloading	By Client
				Door Strip Finishing	-
				Finishing hold-down bolts	Included
				Finishing Concrete	By Client
				Extras included	1). Mono rail beam

2) Concept Drawings attached

PROJECT INVESTMENT:PROJECT VALUE \$ **87,637** ex GST**Proposal is based on:**

- a clear site within 100mm of level and able to drive a concrete truck and Elevated Work Platform(EWP) on 3m clear slip on all sides to allow access
- supply and install payment terms: = 20% plans and steel procurement on order, 60% prior to delivery and 20% on completion
- kit only payment terms: = 20% plans and steel procurement on order, 80% prior to delivery
- normal subsoil and footing excavation conditions - 240V power at site
- suitable access to the site for long vehicles, concrete trucks and cranes
- extended details supplied in document titled

AUSPAN SCOPE OF WORKS Ref No. 3223(4)

Extra charges may apply if any of these conditions are not met. Any additional earthworks required will be charged at \$120 per manhour + machinery & GST
 Proposal is subject to DEES approval and Auspan Group standard Terms & Conditions available at www.auspangroup.com.au/portal.

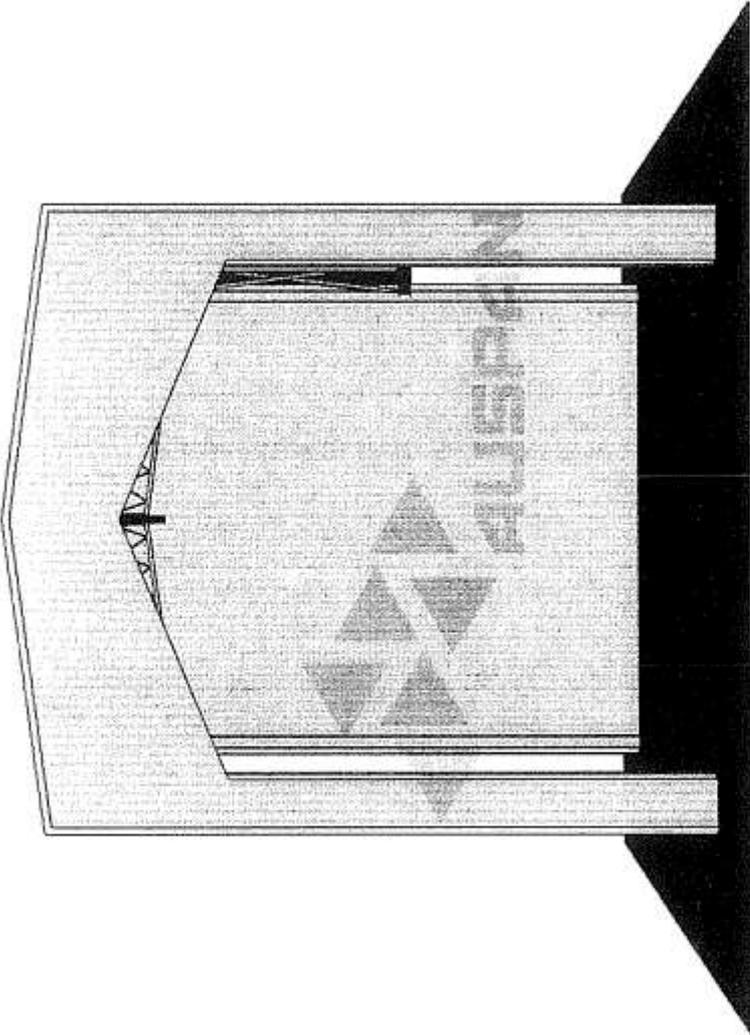
PROPOSAL ACCEPTANCE:To order please sign below and return via Email: sales@auspangroup.com.au Fax: 1300 271 1300 Postal: A/c care address above

Please print full name: _____ Date: _____ Signature: _____

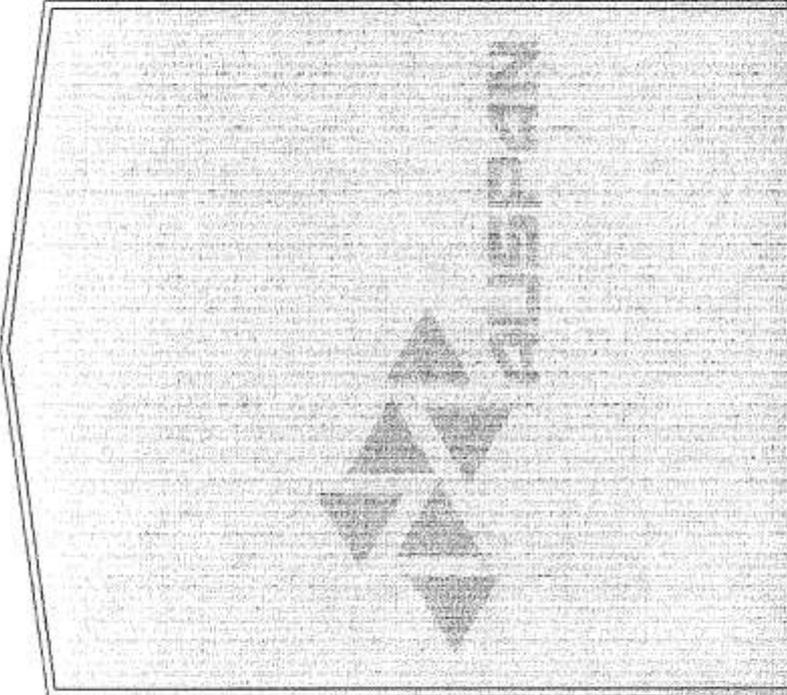
ABN: _____ Corresponding Entity Name: _____

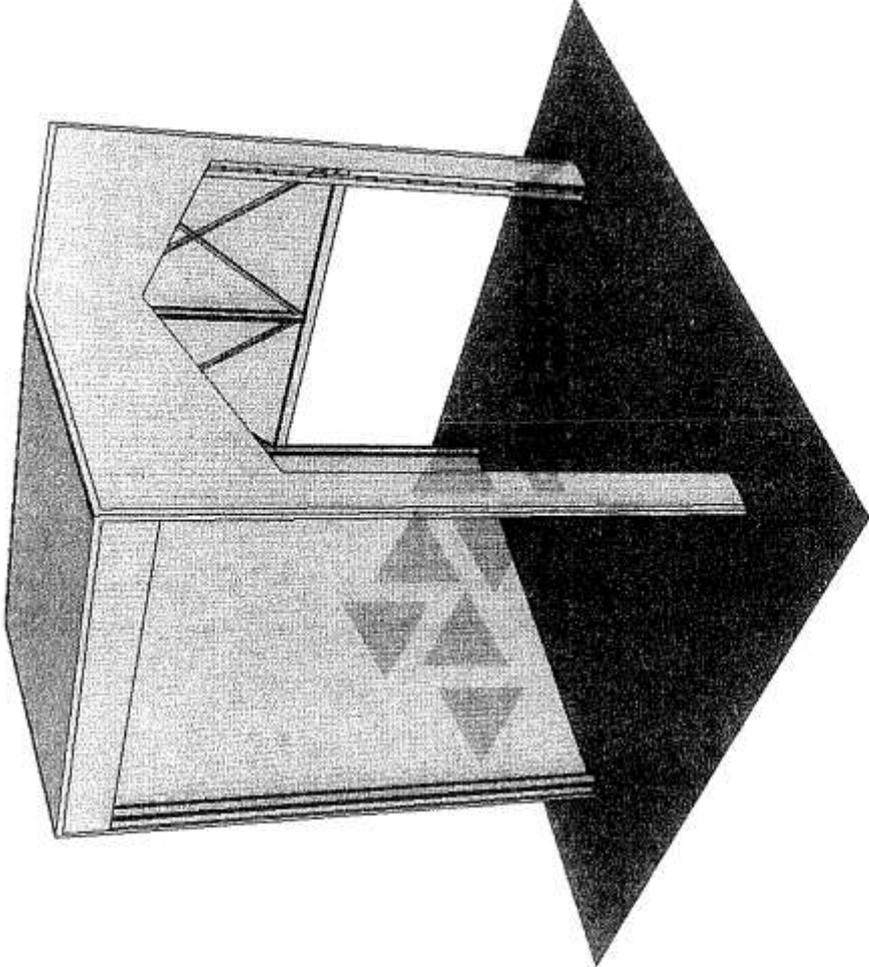
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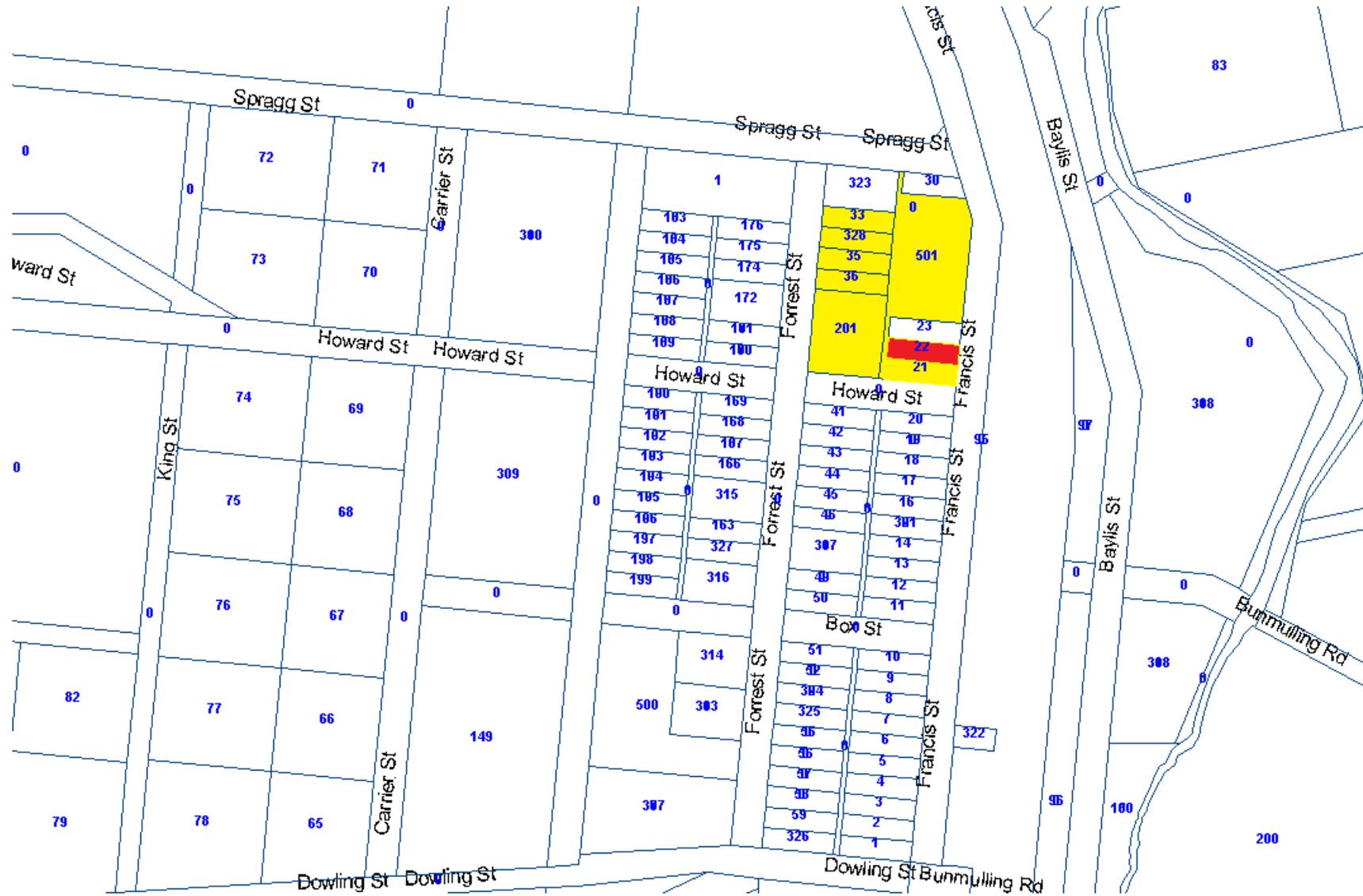
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	<p>PROJECT NAME: WORKSHOP SHED DATE: 2/07/2018 NUMBER: 3223(3) AREA: POPANYINNING, WA, 6309</p> <p>DRAWING NAME: ELEVATION 2</p>	<p>AUSPAN GROUP P: 1300 271 220 F: 1300 271 330 W: WWW.AUSPANGROUP.COM.AU A: P.O. BOX 21 / 23 CORBETT ST GNOWANGERUP, W.A. 6335</p>
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Annette R Smith
PO Box 9
POPANYINNING WA 6309

Shire of Cuballing
PO Box 13
CUBALLING WA 6311

Attention Chief Executive Officer

Your Ref : A177

Regarding the letter for 'Application for Planning Approval' of Lot 22 Francis Street Popanyinning by Condor Rural Enterprises PTY LTD T/as Birds Silos and Shelters.

I wish to strongly oppose this application.

I do not wish to look out my front door at a 13 metre high shed as well as all the large silos which are frequently stored on the residential lots on Forrest street. If application is approved the number of these silos will increase resulting in a permanent wall of silos as my only view.

The industrial appearance will increase and as this happens the valuation of my property will decrease.

It seems as the business grows more buildings and shelters are being built on these residential lots on Forrest street.

On purchase of my land when all the lots opened up in Forrest street there was a condition of purchase by DOLA which was: that a residential dwelling/home be completed to plate height within 2 years of purchase date leading me to believe that this would remain for residential homes not industrial use.

Yours Faithfully



Annette R Smith

6th September 2018

DEVELOPMENT TABLE - GENERAL

Zone	Use	Min Lot Area (m ²)	Min Effect Frontage (m)	Min Boundary Setbacks (m)			Min Car Parking Spaces	Min Landscaping % of Site	Other Requirements
				Front	Rear	Side			
1. Rural Townsite	Residential	See Residential Design Codes as listed in this Schedule or as Determined by Council							
	Commercial	-	-	15	7.5	Nil or 2m if abutting a Residential property	1 per 20m ² of gross leasable floor area		
	Shop	-	-	15	7.5	Nil or 2m if abutting a Residential property	1 per 10m ² of gross leaseable floor area		
	Office	-	-	15	7.5	Nil or 2m if abutting a residential property	1 per 20m ² of gross leasable floor area		
	Eating House			15	7.5	2m	1 per 5m ² of Public area		
	Hotel	1 ha	80	20	15	10	1 per bedroom and 1 per 5m ² of public area	25	
	Tavern	4000	40	20	15	10	1 per 5m ² of Public area	25	
	Motel	4000	80	20	15	10	1.5 per accommodation Unit	20	
	Educational Establishment	To be determined by Council	30m	20	10	5m	As determined by Council	As determined by Council	As determined by Council
	Service Station	1500 (Roadhouse 2000)	25	20	7.5	5	20	As determined by Council	Boundary setbacks apply to Pumps, Canopy, Buildings
	Place of Public Worship	2000	20	15	7.5	2	1 per 5 seats	50	
	General Industry	2000	25	20	7.5	5m on one side	As determined by Council	As determined by Council	
Light/Service Industry	1000	25	11	7.5	5m on one side	As determined by Council	As determined by Council		
All other Permitted Uses	As listed in this Schedule or as determined by Council								
2. Rural Residential	All other Permitted Uses	As listed in this Schedule or as determined by Council							
3. General Agricultural	Abattoir		As determined by Council	50	20	20	As determined by Council	As determined by Council	As determined by Council
	Rural Pursuit	1 ha	50m	15	15	5	As determined by Council	As determined by Council	As determined by Council
	All other Permitted Uses	As listed in this Schedule or as determined by Council							

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 Deemed provisions for local planning schemes
Part 9 Procedure for dealing with applications for development approval

67. Matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (d) any environmental protection policy approved under the *Environmental Protection Act 1986* section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;

- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
 - (i) public transport services;
 - (ii) public utility services;
 - (iii) storage, management and collection of waste;
- (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (v) access by older people and people with disability;
- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.

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:

11.1.1	Urgent Business – Purchase of Diesel – Commitment to Supply Agreement
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Applicant:	N/A
File Ref. No:	ADM52
Disclosure of Interest:	Nil
Date:	18 th September 2018
Author:	Gary Sherry
Attachments:	Nil

Summary

Council is to consider reviewing urgent confidential business relating to the purchase of diesel.

Comment

Staff are attempting to have the Agenda prepared at least a week before each Council Meeting. In completing this schedule, business of an urgent nature will arise from time to time in particular where commercial activities within the district would be delayed by Council not considering the item.

Statutory Environment

Shire of Cuballing – Standing Orders Local Law 1999 – Section 3.10:
3.10 Urgent Business Approved By the Person Presiding or by Decision

In cases of extreme urgency or other special circumstance, matters may, with the consent of the person presiding, or by decision of the members present, be raised without notice and decided by the meeting.

Strategic Implications – Nil

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. to not consider the urgent business.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/93:

That Council consider the urgent confidential business relating to the purchase of diesel.

Moved: Cr Ballantyne

Seconded: Cr Newman

Carried 6/0

Cr Bradford declared a Direct Financial Interest in 11.1.2 in that he has an ongoing contractual arrangement with Great Southern Fuel Supplies and left the Council Chamber at 3.46pm.

11.1.2 Purchase of Diesel - Commitment to Supply Agreement

Applicant: N/A
File Ref. No: ADM52
Disclosure of Interest: Nil
Date: 18th September 2018
Author: Gary Sherry
Confidential Attachment: 11.1.2A Draft Commitment to Supply Agreement

Summary

Council is to consider a 5 year agreement to purchase diesel from Great Southern Fuel Supplies based in Narrogin that includes a pricing arrangement and the provision of a 6,000 litre self bunded, above ground diesel tank to be installed at the Works Depot site at 97 Alton Street, Cuballing.

Background

The Shire of Cuballing has been seeking to improve the process of purchasing and storing diesel for use by plant.

Currently the Shire of Cuballing has:

1. a 4,000 litre inground storage tank fitted with and electric bowser and fuel recording system. This system has been in place for some time and this bowser is used for the majority of diesel use. The digital recording system uses a unique token for each vehicle to access the bowser and ensures correct allocation of the cost of the fuel.
2. an 4,000 litre overhead tank with a gravity pump system. The overhead tank is locked and a paper based recording system utilised for allocation of the cost of the fuel. Accessing the overhead tank provided OHS issues for both Shire staff and fuel delivery staff.
3. two mobile tanks, one 1,000 litre tank mounted on a trailer to be taken daily to road construction sites to provide fuel for multiple construction equipment, and a smaller 250 litre tank mounted on a service truck that is used to fuel graders. Again a paper based recording system utilised for allocation of the cost of the fuel, Fuel is normally decanted into these smaller tanks from the larger tanks although they can be directly filled by the fuel distributor.

Given the age of the equipment, the Shire staff have continuous maintenance issues with both larger tanks. The Shire has recently decommissioned the overhead tank and received a costing of \$30,000 to purchase a new, compliant, suitable fuel tank to replace the underground tank. This price did not include a pump or installation.

The Shire purchases diesel from the two regional fuel distributors on a monthly basis. Given that the price of diesel changes daily, Shire staff obtain telephone quotations from both distributors on the morning of the day of supply and issue a purchase order to the cheapest supplier.

Since 1st July 2017 Council has purchased 13 bulk supplies of diesel from Great Southern Fuel Supplies worth \$124,150 and 4 bulk supplies of diesel from Fuel Distributors of WA worth \$33,374.

In considering improvements to diesel supply and management the Shire of Cuballing became aware of supply deals available from fuel distributors to private customers where for a commitment to purchase from a supplier at a set price, the supplier will provide fuel storage equipment for the use of the customer. The price of diesel in such agreement is set based on the components of cost of the diesel to the fuel distributor and the cost of delivery.

The diesel cost to the local distributors is the Terminal Gate Price (TGP). The TGP is the price at which the fuel company sells full tanker loads of fuel to wholesale customers from their seaboard terminals on a spot basis. The minimum amount that can be purchased is 35,000 litres. TGPs don't include added services such as business support, freight, branding or wages for staff employed by the fuel distributor. TGPs are determined by:

- the amount the terminal has paid to buy the fuel from a refinery. This is based on the price of the refined product as set on the international market. It varies according to supply and demand in the Asian region;
- the margin needed to cover the costs and profit requirements of the terminal operator; and
- taxes, including: federal excise and the 10 per cent GST.

The BP TGP from Kwinana is publicly available on the BP Australia website at www.bp.com/en_au/australia/products-services/pricing/terminal-gate-pricing.html one day in advance of purchase.

In purchasing goods the Shire of Cuballing is required to meet the requirements of the Local Government (Functions and General) Regulations 1996 relating to the requirements for purchasing by tender. Tenders are normally required to be publicly invited before Council enters into a contract a purchase if the consideration is or is expected to be, more than \$150,000. The Shire of Cuballing would normally be required to tender for the ongoing purchase of diesel, however Regulation 11(2)(g) specifically does not require a tender for the purchase of petrol, oil or any other liquid or gas used for internal combustion engines.

Comment

In early 2018 Shire staff approached both regional fuel distributors about an agreement for the Shire of Cuballing.

Great Southern Fuel Supplies have subsequently offered a Commitment to Supply Agreement, included at Attachment 11.1.2A to the Shire of Cuballing that includes terms including:

- The Shire will purchase diesel from Great Southern Fuel Supplies at a price of TGP with a premium of 2.75 cents per litre (GST Inclusive). The daily pricing can be accessed on the following link – www.bp.com/en_au/australia/products-services/pricing/terminal-gate-pricing.html;
- Great Southern Fuel will loan the Shire of Cuballing a 6,000 litre, self bunded fuel tank for the Shire of Cuballing to use. The tank remains the property of Great Southern Fuel Supplies.
- The agreement will operate for five years;
- Great Southern Fuel will install the tank at the Shire of Cuballing's Works Depot; and
- Great Southern Fuel will complete maintenance on the Shire of Cuballing's existing Gilbarco fuel pump and install this pump with the fuel tank. The pump will remain the property of the Shire of Cuballing;

Great Southern Fuel Supplies will provide diesel upon request but also smaller amounts when suitable to Great Southern Fuel Supplies. There is no minimum requirement for the Shire of Cuballing to purchase.

The Officer has recommended entering into this agreement because:

- the cost of purchasing diesel will be very similar, if not cheaper, than previously. Linking the purchase price to the publicly available TGP will provide a historical record and justification of the fuel distributor's price. The cost of diesel to the Council may fluctuate more with the linking to the TGP that is dependent on international factors.
- The Shire will receive the loan of a fully compliant, self bunded diesel tank that is installed at no cost to Council. This will significantly increase the compliance of Council in this area; and
- Being a committed customer of Great Southern Fuel Supplies will ensure a regular supply of diesel.

Strategic Implications – Nil

Statutory Environment

Local Government (Functions and General) Regulations 1996

11. When tenders have to be publicly invited
- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.
 - (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
 - (g) the goods to be supplied under the contract are —
 - (i) petrol or oil; or
 - (ii) any other liquid, or any gas, used for internal combustion engines;

Policy Implications

Council has adopted a purchasing policy

2.2 Purchasing Policy

Policy Statement:

Purchase Threshold	Policy
Up to \$3,000	Goods and services may be purchased with a single verbal quotation. Quotations will be documented.
\$3,001 - \$20,000	Obtain 3 verbal or written quotations from 3 alternative suppliers. If the officer is unable to obtain 3 quotes this should be documented and purchase approved by a superior officer or the CEO. All quotations will be documented.
\$20,001- \$150,000	Obtain 3 written quotations from alternative suppliers, with the following conditions applying:

	<ul style="list-style-type: none"> • Staff will allow a minimum of 10 working days for a quote to be provided. If more than 10 working days is provided, all suppliers will be allowed the same time to respond. Shorter periods will only be permitted with CEO approval should circumstances require. • The request for quotation should include as a minimum the following: <ul style="list-style-type: none"> ○ Written specification ○ Price schedule ○ Conditions of responding ○ Validity period of offer. • Offer to all prospective suppliers at the same time any new information that is likely to change the requirements. • Respondents should be advised by writing as soon as possible after the final determination is made approved. • If officer unable to obtain 3 written quotes this should be documented and the purchase approved by the CEO. • Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$150,000 threshold.
<p style="text-align: center;">\$150,001 and above</p>	<p>Conduct a public tender process in accordance with the provisions for the Local Government (Functions and General) Regulations 1996.</p> <p>Council will also enforce the following additional requirements:</p> <ul style="list-style-type: none"> • Acceptance of a tender for construction projects will be subject to the execution of a contract based on the standard contract supplied by the Master Builders' Association; and • Any decision not to call tenders for goods and services valued at more than \$100,000 because of one of the exceptions listed in Regulation 11(2) shall be by Council resolution.

Staff engaged in procurement should ensure that they obtain value for money and be accountable for their actions. If staff have any doubt about whether value for money is being obtained, additional quotes should be sought.

Where it is considered beneficial to the Shire of Cuballing, the following may occur:

- tenders may be called in lieu of seeking quotations for purchases under the \$150,000 threshold;
- written quotations may be called in lieu of seeking verbal quotations for purchases under the \$20,000 threshold; or
- more than one quotation or written quotation may be sought in lieu of seeking a single verbal quotation.

Financial Implications

The Shire of Cuballing expended \$139,100 on fuel and oil in 2017/18 and has budgeted to purchase \$136,900 in 2018/19. The majority of these purchases are bulk diesel used in Council's road plant.

The acceptance of this Commitment to Supply Agreement is unlikely to substantially alter direct expenditure on fuel and oil, but will substantially reduce ongoing maintenance expenditure on diesel storage infrastructure over the life of the agreement.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations

The provision of the compliant, self bunded, above ground diesel tank will increase the compliance of the Shire of Cuballing in relation to the storage of diesel.

Consultation

Great Southern Fuel Supplies
Fuel Distributors of WA

Options

Council may resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation. Amendments to the draft agreement will need the approval of Great Southern Fuel Supplies;
3. to defer and seek further information or clarification; or
4. refuse and continue current purchasing practices.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/94:

That Council enter into the Commitment to Supply Agreement included at Confidential Attachment 11.1.2A for a five year agreement for Great Southern Fuel Supplies to supply diesel to the Shire of Cuballing.

Moved: Cr Dowling

Seconded: Cr Newman

Carried 5/0

Cr Bradford returned to the meeting at 3.52pm.

12. CONFIDENTIAL MATTERS:

Mr Sherry declared a Direct Financial Interest in 12.1.1 in that he is the Officer being reviewed and left the Council Chamber at 3.54 pm.

Mr Pares and Mr Brennan left the meeting at 3.54pm.

12.1.1	Chief Executive Officer – Performance and Salary Review
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COUNCIL DECISION – 2018/95:

That Council:

- 1. note the Chief Executive Officer performance review process including the findings of the collated Chief Executive Officer Review document as presented in Attachment 12.1.1A;**
- 2. will develop Key Performance Indicators (KPIs), based on those detailed in the review document as presented in Attachment 12.1.1A, that will form the basis for performance measurement at the Chief Executive Officers 2018/19 Review; and**
- 3. these KPI's will be considered by Council at the October 2018 Ordinary Council meeting.**

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

13. NEXT MEETING

Ordinary Council Meeting, 2.00pm, Wednesday 17th October 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 4.45pm.