



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

MINUTES

for the

Ordinary Meeting of Council

to be held

WEDNESDAY 16th OCTOBER 2019

Shire of Cuballing
Council Chambers
Campbell Street, Cuballing

COUNCIL MEETING PROCEDURES

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting at “Public Question Time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the Presiding Member announces Public Question Time.
4. All other arrangements are in accordance with the Council’s standing orders, policies and decisions of the town.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Cuballing for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Cuballing disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person’s or legal entity’s own risk.

In particular, and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Cuballing during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Cuballing. The Shire of Cuballing warns that anyone who has an application lodged with the Shire of Cuballing must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of that application and any conditions attaching to the decision made by the Shire of Cuballing in respect of the application.

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1. DECLARATION OF OPENING:

The Shire President, Cr Conley, declared the meeting open at 2.00pm.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1 Attendance

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

President
Deputy President

Mr Gary Sherry
Ms Bronwyn Dew

Chief Executive Officer
Deputy Chief Executive Officer

Mr Paul Lewis
Mr John Robertson
Ms Deb Hopper
Mr Rob Harris

2.1.2 Apologies

Nil

2.1.3 Leave of Absence

Nil

3. STANDING ORDERS:

COUNCIL DECISION – 2019/108:

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

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

4. PUBLIC QUESTION TIME:

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:

Nil

4.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

Nil

4.3 PUBLIC QUESTIONS FROM THE GALLERY:

4.3.1 3rd Bin Waste Systems

Mr Paul Lewis asked about recent publicity regarding 3rd bin waste systems and the possibility the Shire of Cuballing would introduce a costly system for waste management. Mr Lewis believed that local ratepayers do not want such a costly system.

The Shire President, Cr Conley, noted that the 3rd bin waste system was being trialled in many large metropolitan local governments as a way of reducing waste going to land fill. In such system residents would use their current recycle bin for hard materials such as glass and metal recycling, their existing waste bin for other rubbish and a new, third food and garden organics bin for food and green waste. While the glass and metal would be recycled and the waste landfilled, the food and garden organics can be recycled into high quality compost or at least disposed of outside of landfills.

The Chief Executive Officer, Mr Sherry, noted that the Shire of Wagin were also trialling a modified 3rd bin system this year. Currently the Shire of Wagin believe that the 3rd bin system will reduce the Shire of Wagin's land fill and waste collection costs. Although the Shire of Wagin is larger than the Shire of Cuballing, Mr Sherry believes that local residents would use such a system if the Shire of Cuballing could reduce waste management costs.

4.3.2 Manager Works and Services – Employment Contract Renewal

Mr John Robertson raised concern over Council's consideration at this meeting to consider a contract renewal of the Manager Works & Services. Mr Robertson outlined that with the large amount of engineering completed by the Shire of Cuballing, Mr Robertson believes that the Shire of Cuballing should employ a qualified engineer. Mr Robertson advised that the Council should not consider the contract renewal of the Manager Works & Services but rather after the upcoming election have the new Council complete a review of the structure of the Works Department that could include employing an engineer.

In noting that this matter was to be reviewed by Council, the Shire President, Cr Conley, advised that it was not his intention to defer Council's consideration of the contract renewal of the Manager Works & Services.

4.3.3 Retiring Councillors

Mr John Robertson noted that Cr Newman and Cr Haslam were retiring at this election and thanked them for their years of service.

The Shire President, Cr Conley, noted this comment.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Wednesday 18th September 2019

COUNCIL DECISION – 2019/109:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 18th September 2019 be confirmed as a true record of proceedings.

Moved: Cr Ballantyne

Seconded: Cr Dowling

Carried 6/0

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

Nil

8. DISCLOSURE OF FINANCIAL INTEREST:

Cr Dowling declared a Financial Interest in 9.2.1 in that she is the Councillor being considered for nomination to the Peel Harvey Catchment Council.

9. REPORTS OF OFFICERS AND COMMITTEES:

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1 List of Payments – September 2019

File Ref. No:	NA
Disclosure of Interest:	Nil
Date:	7 th October 2019
Author:	Nichole Gould
Attachments:	9.1.1A List of September 2019 Trust Accounts 9.1.1B List of September 2019 Municipal Accounts

Summary

Council is to review payments made under delegation in September 2019.

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 September 2019.

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 – 2019/110:

That Council receives the List of Accounts paid in September 2019 under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, including payments from Council's:

- 1. Trust Fund totalling \$19,491.55 included at Attachment 9.1.1A; and**
- 2. Municipal Fund totalling \$177,229.86 included at Attachment 9.1.1B.**

Moved: Cr Newman

Seconded: Cr Dowling

Carried 6/0

LIST OF SEPTEMBER 2019 TRUST FUND ACCOUNTS

Chq/EFT	Description	Amount
20190902	Police Licensing Payments	330.05
20190904	Police Licensing Payments	1,491.80
20190905	Police Licensing Payments	335.60
20190909	Police Licensing Payments	599.85
20190910	Police Licensing Payments	149.50
20190911	Police Licensing Payments	320.10
EFT4633	Return of Bond	200.00
20190912	Police Licensing Payments	149.50
20190913	Police Licensing Payments	423.75
20190916	Police Licensing Payments	715.50
20190918	Police Licensing Payments	406.60
20190919	Police Licensing Payments	884.50
2149	Transfer to Municipal as Per Council Decision No. 2019/95	1,150.00
20190920	Police Licensing Payments	4,425.25
20190923	Police Licensing Payments	1,718.20
20190924	Police Licensing Payments	787.55
20190925	Police Licensing Payments	762.25
20190927	Police Licensing Payments	4,641.55
		19,491.55

LIST OF SEPTEMBER 2019 MUNICIPAL FUND ACCOUNTS

Chq/EFT	Description	Amount
20190904	Rent for Grader Driver House	360.00
20190909	Interest on Graders	387.06
20190909	Loan Repayment No. 63 Graders	3,327.22
20190918	Rent for Grader Driver House	360.00
20190920	ATO Clearing Account BAS	20,288.00
EFT4613	1 tonne Asphalt in a bag	1,718.75
EFT4614	August 2019 Building Forms	440.65
EFT4615	BCITF Forms August 2019	475.98
EFT4616	50% Reimbursement of Internet as per contract	55.00
EFT4617	Postage / Freight	662.36
EFT4618	Council Meeting Catering	110.00
EFT4619	Service of Fire Extinguishers	1,202.30
EFT4620	60 x 20kg bags Postcrete	462.00
EFT4621	Monthly Fuel Delivery to Above Ground Tank	14,795.38
EFT4622	1 x Rear window for grader and all rubbers	87.63
EFT4623	Carriers Liability Insurance 19-20	921.69
EFT4624	Install network to depot	3,054.02
EFT4625	Road Closure - Advertising Narrogin Observer	290.33
EFT4626	196m3 sand for leach drains Cuballing hall @ \$3.00m3	646.80
EFT4627	Connect Network from Depot to Office Server	198.00
EFT4628	Purchase of 900 native trees	1,370.00
EFT4629	12 x 20l Roundup Powermax 2 x 15kg Simagranz 1 x 20l Boom Clean 6 x 1kg Metsulfuron	2,950.86
EFT4630	Popanyinning Bonfire Contribution	1,450.00
EFT4631	Monthly Charges for Photocopies	1,369.71
EFT4632	Freight Charges - DX Print Belmont	21.46
EFT4634	Rates Overpayment Refund	1,736.72
EFT4635	Inspect coolant leak between timing cover and engine block for parts, quote	261.43
EFT4636	Excavator Hire for Turton Grave	481.25
EFT4637	50% Reimbursement Synergy - B Brennan	163.00
EFT4638	50% Reimbursement for Synergy as per contract	343.85
EFT4639	Sanitary Bin Service - 26/10/19 to 25/04/20	1,375.00

Chq/EFT	Description	Amount
EFT4640	Mowing in progress and symbolic worker sign	583.00
EFT4641	Cold Gal Paint x 3 cans	47.85
EFT4642	2019/20 ESL Levy	56,532.00
EFT4643	105,000km Service CN 0	614.45
EFT4644	Town Planning - General	844.80
EFT4645	Rubbish Removal - Household Service x 258 @ \$1.71 each	5,056.20
EFT4646	100 white posts	2,178.00
EFT4647	Monthly purchase order for August - Eye Ring Anchor, Snap Hooks, Bolts & Washers	70.90
EFT4648	1x Roll Mig Wire	97.31
EFT4649	Upgrade Septics at Cuballing Hall as per Quote 339	19,548.98
EFT4650	16 lock pins for 3 point linkage	37.58
EFT4651	Council Meeting Catering	95.92
EFT4652	Toilet Paper x 2.5 Boxes	233.50
EFT4653	Supply and install exterior lights and push button timers to outside of Cuby town hall	1,342.00
EFT4654	Review and adjust tender docs for Cement Stabilising	1,752.17
EFT4655	Ranger Services - Labour 8/08/19 1.5hrs	244.50
EFT4656	Quarterly Monitoring Account for Security System	110.00
EFT4657	Staff Uniform	96.00
EFT4658	Cuballing Kids Day 2019 2/10/2019	1,573.00
EFT4659	LG Week Conference	80.00
14768	Building Services August 2019 -	4,794.95
14769	Mobile Enhanced SMS Message Harvest Ban Service	1.10
14770	Water Charges - Standpipe Francis Street	1,010.25
14771	Groceries	160.25
14772	Groceries	286.70
14773	Water Charge - Standpipe Stratherne Rd	227.43
14774	Monthly Electricity Charge Street Lightning x 42 Lights	1,023.98
14775	Mobile Charge - New Mobile Handset DCEO	1,569.62
14776	Vehicle Registration 2months	77.95
DD2036.1	Superannuation contributions	231.08
DD2036.2	Payroll deductions	5,563.58
DD2036.3	Superannuation contributions	450.28

Chq/EFT	Description	Amount
DD2036.4	Superannuation contributions	185.51
DD2036.5	Superannuation contributions	450.28
DD2036.6	Superannuation contributions	230.87
DD2036.7	Superannuation contributions	198.96
DD2041.1	Monthly Internet Wireless Limitless Inc Calls	89.99
DD2056.1	Superannuation contributions	231.08
DD2056.2	Payroll deductions	5,657.12
DD2056.3	Superannuation contributions	450.28
DD2056.4	Superannuation contributions	184.80
DD2056.5	Superannuation contributions	450.28
DD2056.6	Superannuation contributions	261.71
DD2056.7	Superannuation contributions	198.96
DD2067.1	MWS Credit Card - Depart. of Transport - Vehicle Registration 2019 Holden Colorado Ute	738.24
		177,229.86

9.1.2 Statement of Financial Activity

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	7 th October 2019
Author:	Bronwyn Dew, Deputy Chief Executive Officer
Attachments:	9.1.2A Statement of Financial Activity

Summary

Council is to consider the Statement of Financial Activity for September 2019.

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 year to date budget estimates to 30th June 2020 in a positive manner. Some key points include;

- General Purpose Funding – Rates have been raised on 31st July 2019;
- Transport – MRWA Direct Grant amount received \$115 490;
- Transport – first 40% of Regional Road Group & Blackspot funding has been claimed;
- Recreation and Culture – Yornaning Dam grant funding has been received

Operating Expenses – The key items of variance include:

- Overall the month expenditure is below the YTD budget.

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

Administration Allocations have been calculated to 30th September 2019.

Depreciation expense is calculated to 30 June 2019.

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 – 2019/111:

That the Statement of Financial Activity, as included at Attachment 9.1.2A for the Shire of Cuballing for period ending 30th September 2019 be received.

Moved: Cr Bradford

Seconded: Cr Ballantyne

Carried 6/0

SHIRE OF CUBALLING
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 September 2019

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

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MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2019

INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 31 March 2019
Prepared by: Bronwyn Dew, Deputy Chief Executive Officer
Reviewed by: Gary Sherry, Chief Executive Officer

BASIS OF PREPARATION

REPORT PURPOSE

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

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.

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.

SIGNIFICANT ACCOUNTING POLICES

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.

CRITICAL ACCOUNTING ESTIMATES

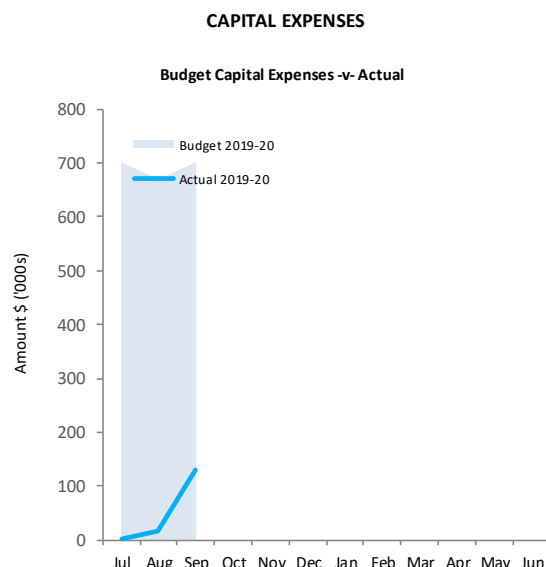
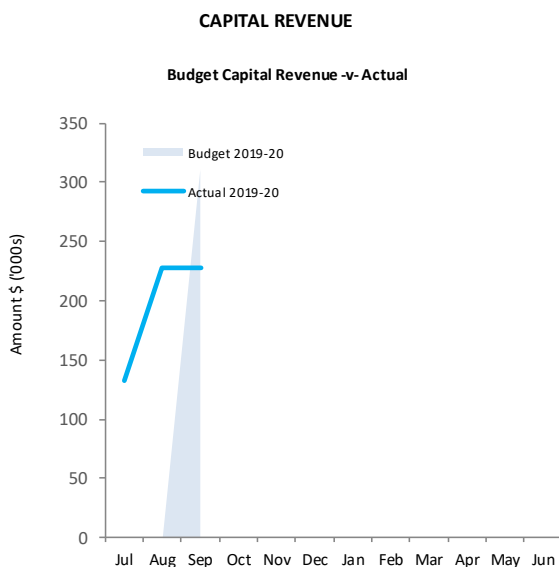
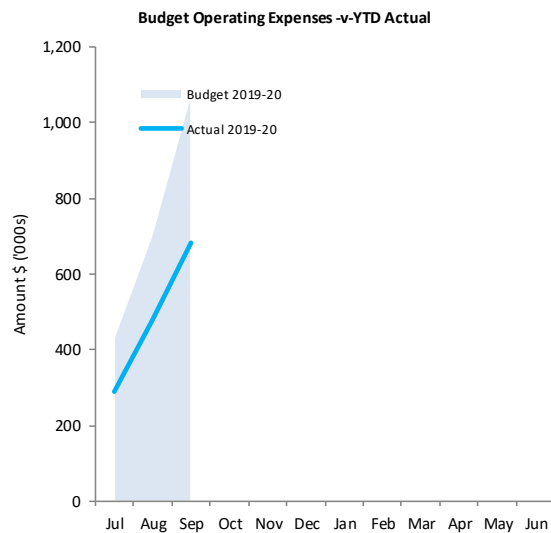
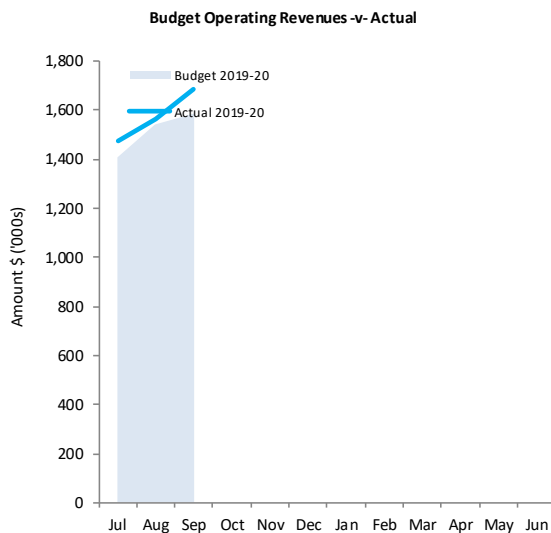
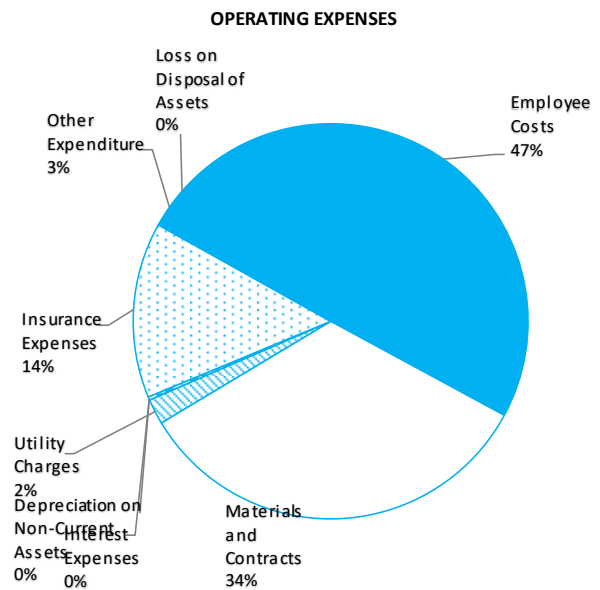
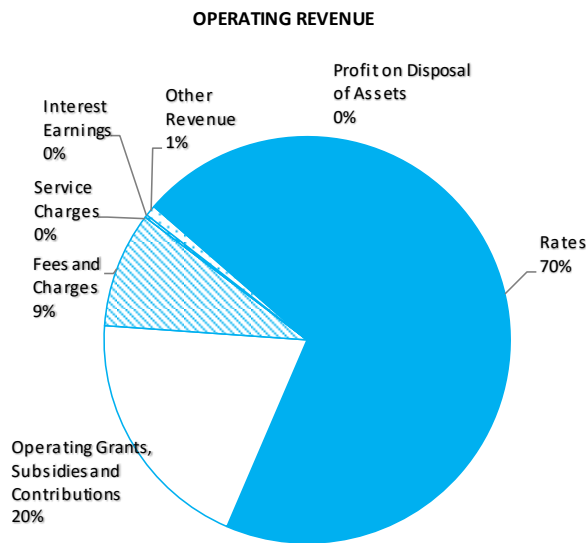
The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions 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.

ROUNDING OFF FIGURES

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

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

SUMMARY GRAPHS



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

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 30 SEPTEMBER 2019 **STATUTORY REPORTING PROGRAMS**

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

PROGRAM NAME	OBJECTIVE	ACTIVITIES
GOVERNANCE	Administration and operation of facilities and services to members of council, other costs that relate to tasks of elected members and ratepayers on matters which do not concern specific council activities	Complete Council meetings, Complete all Administration activities, Lobby other levels of government to support the aims of the Shire of Cuballing
GENERAL PURPOSE FUNDING	Rates, general purpose government grants and interest revenue	Manage Rates and collection. Maintain Property Data
LAW, ORDER, PUBLIC SAFETY	Supervision of various local laws, fire prevention, emergency services and animal control.	Provide ranger service, bush fire and emergency management
HEALTH	Inspections of septic and food control	Inspect food premises.
EDUCATION AND WELFARE	Support school activities	Provide activities of support of local schools
HOUSING	Provision and maintenance of staff housing	Provide staff & other housing
COMMUNITY AMENITIES	Operation of refuse sites, noise control and administration of Town Planning Scheme	Provision of waste & recycling services including the operation of the Cuballing & Popanyinning transfer stations. Also includes the provision of town planning services.
RECREATION AND CULTURE	Maintenance of halls, recreation centre and various reserves. Support library services in Narrogin.	Maintain halls & Civic buildings, parks and gardens and recreational facilities including managing the Dryandra Equestrian Centre lease.
TRANSPORT	Construction and maintenance of streets, roads, bridges, footpaths, drainage works, traffic signs, bus shelters and depot maintenance.	Maintain and protect local environmentally significant areas including the maintenance of Council roads and footpaths. Also includes the provision of vehicle licensing services.
ECONOMIC SERVICES	The regulation and provision of tourism, area promotion, building control, noxious weeds, vermin control and standpipes.	Control of noxious weeds on council property, DrumMuster and provision of building registration services. Includes tourism and promotion and supporting the Dryandra Country Visitors Centre.
OTHER PROPERTY AND SERVICES	Private works operation, plant repairs and operation costs.	Includes private works, overhead and plant allocations and the provision of building surveying services.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

STATUTORY REPORTING PROGRAMS

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)	
Opening Funding Surplus(Deficit)	1(b)	\$ 687,002	\$ 687,002	\$ 643,815	\$ (43,187)	(6%)	
Revenue from operating activities							
General Purpose Funding	5	1,497,676	1,260,891	1,253,618	(7,273)	(1%)	
Governance		1,295	318	16,472	16,154	5,080%	▲
Law, Order and Public Safety		28,019	7,002	2,384	(4,619)	(66%)	
Health		800	198	472	274	138%	
Education and Welfare		2,500	0	0	0		
Housing		4,680	1,170	1,080	(90)	(8%)	
Community Amenities		77,382	66,914	70,810	3,896	6%	
Recreation and Culture		84,877	6,165	88,179	82,014	1,330%	▲
Transport		310,631	164,271	160,093	(4,178)	(3%)	
Economic Services		38,250	9,546	6,424	(3,122)	(33%)	
Other Property and Services		284,380	71,088	89,228	18,140	26%	▲
		2,330,490	1,587,563	1,688,760			
Expenditure from operating activities							
General Purpose Funding		(75,915)	(18,975)	(15,115)	3,860	20%	
Governance		(149,640)	(89,138)	(55,976)	33,162	37%	▲
Law, Order and Public Safety		(186,043)	(46,467)	(35,271)	11,196	24%	▲
Health		(41,600)	(10,395)	(10,363)	32	0%	
Education and Welfare		(1,237,800)	(3,570)	(3,387)	183	5%	
Housing		(43,610)	(10,890)	(6,126)	4,764	44%	
Community Amenities		(343,128)	(85,710)	(76,473)	9,237	11%	▲
Recreation and Culture		(376,688)	(93,987)	(55,747)	38,240	41%	▲
Transport		(2,210,019)	(551,877)	(358,262)	193,615	35%	▲
Economic Services		(180,605)	(41,523)	(39,168)	2,355	6%	
Other Property and Services		(239,064)	(109,409)	(27,903)	81,506	74%	▲
		(5,084,111)	(1,061,940)	(683,790)			
Operating activities excluded from budget							
Add Back Depreciation		1,500,557	375,117	0	(375,117)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	6	24,437	6,108	0	(6,108)	(100%)	▼
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(1,228,627)	906,848	1,004,969			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	10	1,650,739	311,496	228,195	(83,301)	(27%)	▼
Proceeds from Disposal of Assets	6	96,334	96,334	38,850	(57,484)	(60%)	▼
Land Held for Resale		0	0	0	0		
Capital Acquisitions	7	(1,937,316)	(701,680)	(131,802)	569,878	81%	▲
Amount attributable to investing activities		(190,243)	(293,850)	135,243			
Financing Activities							
Proceeds from New Debentures		310,000	310,000	0	(310,000)	(100%)	▼
Repayment of Debentures	8	(69,160)	(9,945)	(9,945)	0	0%	
Transfer from Reserves	9	563,826	0	0	0		
Transfer to Reserves	9	(19,545)	0	0	0		
Amount attributable to financing activities		785,121	300,055	(9,945)			
Closing Funding Surplus(Deficit)	1(b)	53,253	1,600,055	1,774,082			

KEY INFORMATION

▲▼ 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.

The material variance adopted by Council for the 2019/20 year is \$5,000 or 10% whichever is the greater.

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

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 30 SEPTEMBER 2019

NATURE OR TYPE DESCRIPTIONS

REVENUE

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 CHARGEES

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

EXPENSES

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.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

BY NATURE OR TYPE

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)	
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	1(b)	687,002	687,002	643,815	(43,187)	(6%)	
Revenue from operating activities							
Rates	5	1,175,270	1,180,296	1,183,318	3,022	0%	
Operating Grants, Subsidies and Contributions	10	733,442	250,887	332,038	81,151	32%	▲
Fees and Charges		347,392	137,792	155,365	17,573	13%	▲
Interest Earnings		32,887	8,217	3,641	(4,576)	(56%)	
Other Revenue		41,500	10,371	14,397	4,026	39%	
Profit on Disposal of Assets	6	0	0	0	0		
		2,330,490	1,587,563	1,688,760			
Expenditure from operating activities							
Employee Costs		(1,140,325)	(290,513)	(318,001)	(27,488)	(9%)	
Materials and Contracts		(2,120,175)	(249,473)	(229,137)	20,336	8%	
Utility Charges		(64,076)	(15,381)	(14,214)	1,167	8%	
Depreciation on Non-Current Assets		(1,500,557)	(375,117)	0	375,117	100%	▲
Interest Expenses		(7,520)	(1,875)	(1,787)	88	5%	
Insurance Expenses		(143,652)	(80,537)	(98,279)	(17,742)	(22%)	▼
Other Expenditure		(83,370)	(42,936)	(22,373)	20,563	48%	▲
Loss on Disposal of Assets	6	(24,437)	(6,108)	0	6,108		
		(5,084,111)	(1,061,940)	(683,790)			
Operating activities excluded from budget							
Add back Depreciation		1,500,557	375,117	0	(375,117)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	6	24,437	6,108	0	(6,108)	(100%)	▼
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(1,228,627)	906,848	1,004,969			
Investing activities							
Non-operating grants, subsidies and contributions	10	1,650,739	311,496	228,195	(83,301)	(27%)	▼
Proceeds from Disposal of Assets	6	96,334	96,334	38,850	(57,484)	(60%)	▼
Land held for resale		0	0	0	0		
Capital acquisitions	7	(1,937,316)	(701,680)	(131,802)	569,878	81%	▲
Amount attributable to investing activities		(190,243)	(293,850)	135,243			
Financing Activities							
Proceeds from New Debentures		310,000	310,000	0	(310,000)	(100%)	▼
Repayment of Debentures	8	(69,160)	(9,945)	(9,945)	0	0%	
Transfer from Reserves	9	563,826	0	0	0		
Transfer to Reserves	9	(19,545)	0	0	0		
Amount attributable to financing activities		785,121	300,055	(9,945)			
Closing Funding Surplus (Deficit)	1(b)	53,253	1,600,055	1,774,082			

KEY INFORMATION

▲ ▼ 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 reason: Wandering Road Bridge Widening
This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**NOTE 1(a)
NET CURRENT ASSETS**

SIGNIFICANT ACCOUNTING POLICIES

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.

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 City 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 City 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 City does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

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.

INVENTORIES

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.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019

OPERATING ACTIVITIES
NOTE 1(b)
ADJUSTED NET CURRENT ASSETS

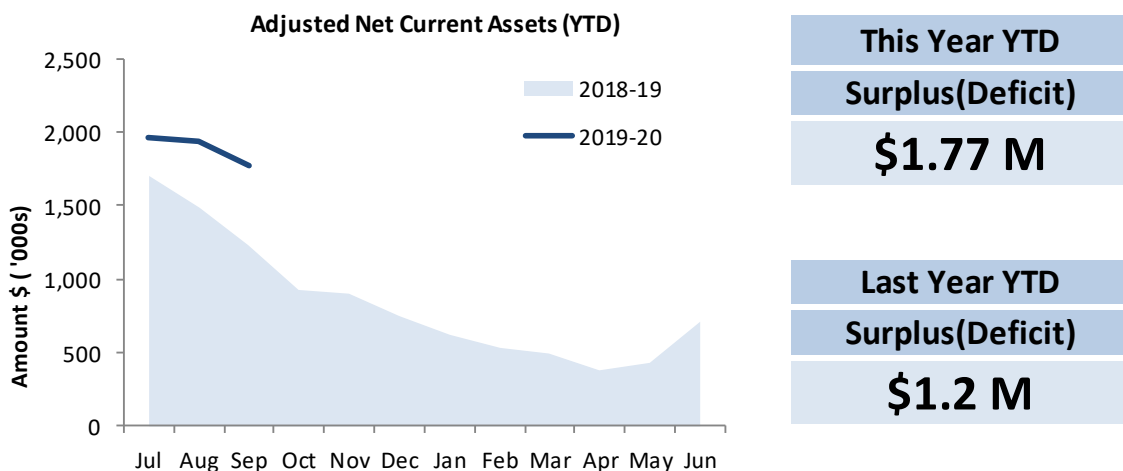
		Last Years Closing	This Time Last Year	Year to Date Actual
	Note	30 June 2019	30 Sep 2018	30 Sep 2019
		\$	\$	\$
Adjusted Net Current Assets				
Current Assets				
Cash Unrestricted	3	669,181	969,062	1,622,603
Cash Restricted	3	1,574,152	1,545,124	1,574,152
Receivables - Rates	4	63,701	218,465	239,189
Receivables - Other	4	32,263	28,082	68,515
Loans receivable		0	0	0
ATO Receivable		0	13	17,148
Inventories		8,986	8,391	8,986
Land held for resale - current		0	0	0
		2,348,282	2,769,137	3,530,592
Less: Current Liabilities				
Payables		(130,316)	(22,611)	(151,506)
ATO Payables		0	0	(30,853)
Provisions - employee		(209,084)	(246,020)	(209,084)
Long term borrowings		(54,937)	(29,198)	(44,992)
		(394,337)	(297,829)	(436,435)
Unadjusted Net Current Assets		1,953,945	2,471,308	3,094,157
Adjustments and exclusions permitted by FM Reg 32				
Less: Cash reserves	3	(1,574,152)	(1,545,124)	(1,574,152)
Less: Land held for resale		0	0	0
Less: Loans receivable		0	0	0
Add: Provisions - employee		209,084	246,020	209,084
Add: Long term borrowings		54,937	29,198	44,992
Adjusted Net Current Assets		643,815	1,201,402	1,774,082

SIGNIFICANT ACCOUNTING POLICIES

Please see Note 1(a) for information on significant accounting policies relating to Net Current Assets.

KEY INFORMATION

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is a negative) as presented on the Rate Setting Statement.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**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 2019/20 year is \$5,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Variance	Timing/ Permane	Explanation of Variance
	\$	%			
Revenue from operating activities					
Governance	16,154	5,080%	▲	Permanent	LSL Reimbursement Narrogin Shire
General Purpose Funding	(7,273)	(1%)		Timing	
Law, Order and Public Safety	(4,619)	(66%)		Timing	Not Material
Health	274	138%		Timing	Not Material
Education and Welfare	0			Timing	Not Material
Housing	(90)	(8%)		Timing	Not Material
Community Amenities	3,896	6%		Timing	Not Material
Recreation and Culture	82,014	1,330%	▲	Timing	Yornaning Dam Grant
Transport	(4,178)	(3%)		Timing	Not Material
Economic Services	(3,122)	(33%)		Timing	Not Material
Other Property and Services	18,140	26%	▲	Timing	Private Works
Expenditure from operating activities					
Governance	33,162	37%	▲	Timing	
General Purpose Funding	3,860	20%		Timing	Under Budget - Timing
Law, Order and Public Safety	11,196	24%	▲	Timing	Under Budget - Timing
Health	32	0%		Timing	Not Material
Education and Welfare	183	5%		Timing	Not Material
Housing	4,764	44%		Timing	Under Budget - Timing
Community Amenities	9,237	11%	▲	Timing	Under Budget - Timing
Recreation and Culture	38,240	41%	▲	Timing	Under Budget - Timing
Transport	193,615	35%	▲	Timing	Under Budget - Timing/Budget Profiling
Economic Services	2,355	6%		Timing	Under Budget - Timing
Other Property and Services	81,506	74%	▲	Timing	Under Budget - Timing/Budget Profiling
Investing Activities					
Non-operating Grants, Subsidies and Contributions	(83,301)	(27%)	▼	Timing	Claimed RRG & BS initial 40% - Budget profiling
Proceeds from Disposal of Assets	(57,484)	(60%)	▼	Timing	Relates to truck changeover - Budget Profiling
Land Held for Resale	0				Not Applicable
Capital Acquisitions	569,878	81%	▲	Timing	Budget Profiling - Tenders process
Financing Activities					
Proceeds from New Debentures	(310,000)	(100%)	▼	Timing	Aged Persons Accommodation - will be later in financial year
Transfer from Reserves	0			Timing	Not material
Repayment of Debentures	0	0%		Timing	Not material
Transfer to Reserves	0			Timing	Not material

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019

OPERATING ACTIVITIES
NOTE 3
CASH AND INVESTMENTS

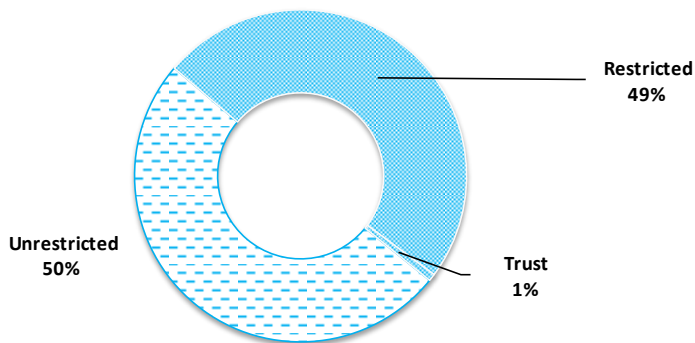
Cash and Investments	Unrestricted	Restricted	Trust	Total	Institution	Interest Rate	Maturity Date
				YTD Actual			
	\$	\$	\$	\$			
Cash on Hand							
Petty Cash and Floats	700			700	CBA	1.50%	At Call
At Call Deposits							
Municipal Fund	1,621,903			1,621,903	CBA	1.90%	At Call
Trust Fund			22,267	22,267	CBA	0.00%	At Call
Term Deposits							
Reserve Funds		1,574,152		1,574,152	CBA	2.39%	24-Oct-19
Total	1,622,603	1,574,152	22,267	3,219,022			

SIGNIFICANT ACCOUNTING POLICIES

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.

KEY INFORMATION

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.



Total Cash	Unrestricted
\$3.22 M	\$1.62 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

Rates Receivable	30 June 2019	30 Sep 19
Opening Arrears Previous Year	\$ 51,735	\$ 63,701
Levied this year	1,199,303	1,258,745
Less Collections to date	(1,187,337)	1,083,257
Equals Current Outstanding	63,701	239,189
Net Rates Collectable	63,701	239,189
% Collected	94.69%	81.00%
	(0)	

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
Receivables - General	\$ 53,460	\$ 13,594	\$ 210	\$ 1,197	\$ 68,461
Percentage	78%	20%	0%	2%	
Balance per Trial Balance					
Sundry debtors					68,515
GST receivable					17,148
Total Receivables General Outstanding					85,663

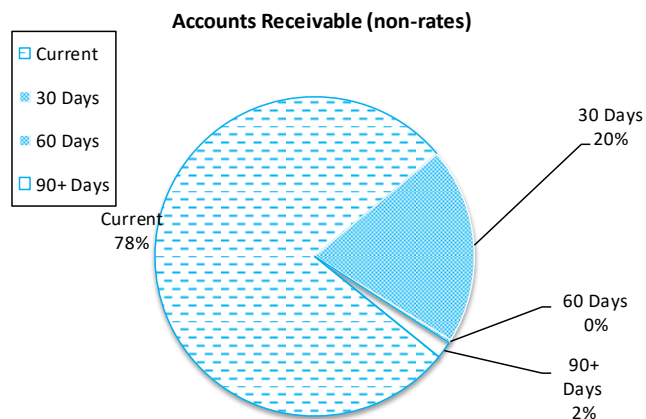
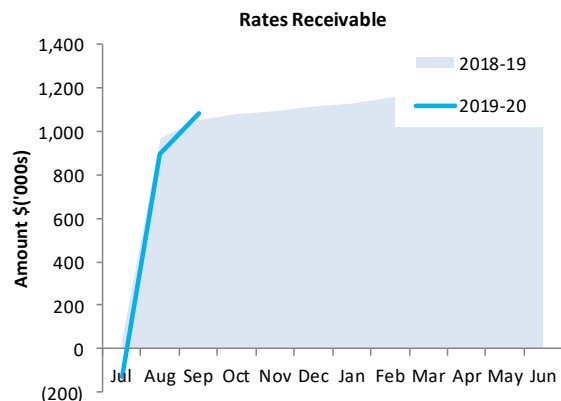
Amounts shown above include GST (where applicable)

KEY INFORMATION

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.

SIGNIFICANT ACCOUNTING POLICIES

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.



Debtors Due
\$85,663
Over 30 Days
22%
Over 90 Days
2%

Collected	Rates Due
81%	\$239,189

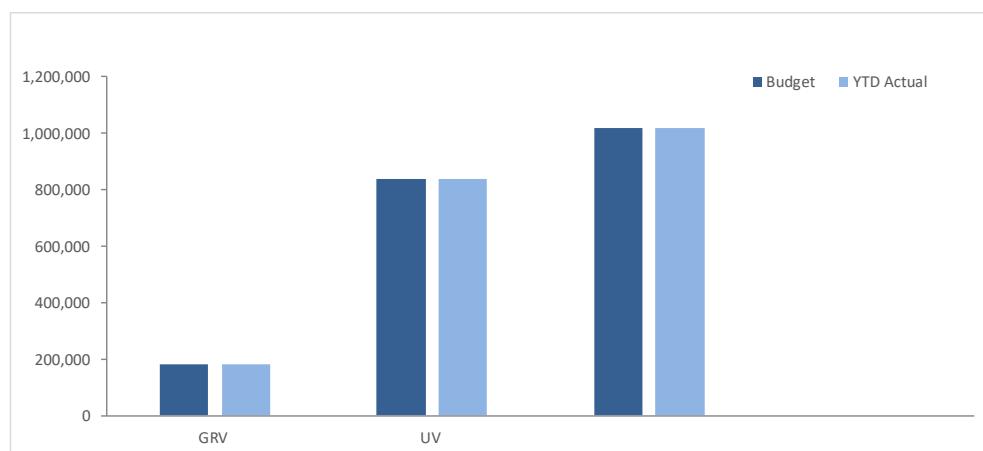
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019

OPERATING ACTIVITIES
NOTE 5
RATE REVENUE

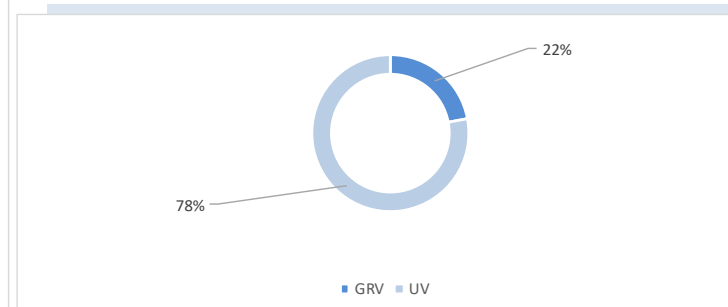
General Rate Revenue	Annual Budget							YTD Actual			
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE	\$			\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV	0.0770	187	2,350,114	180,881	0	0	180,881	180,881	0	0	180,881
UV	0.0073	188	115,229,000	839,904	0	0	839,904	839,904	0	0	839,904
Sub-total		375	117,579,114	1,020,785	0	0	1,020,785	1,020,785	0	0	1,020,785
Minimum	\$										0
GRV	690	140	622,278	96,600	0	0	96,600	96,600	0	0	96,600
UV	930	152	13,308,900	141,360	0	0	141,360	141,360	0	0	141,360
		292	13,931,178	237,960	0	0	237,960	237,960	0	0	237,960
Sub-Totals		667	131,510,292	1,258,745	0	0	1,258,745	1,258,745	0	0	1,258,745
Discount							(76,775)				(75,410)
Concession / Write Offs							(6,700)				(18)
Amount from General Rates							1,175,270				1,183,317
Ex-Gratia Rates							0				0
Total General Rates							1,175,270				1,183,317

SIGNIFICANT ACCOUNTING POLICIES

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.



General Rates		
Budget	YTD Actual	%
\$1.18 M	\$1.18 M	101%

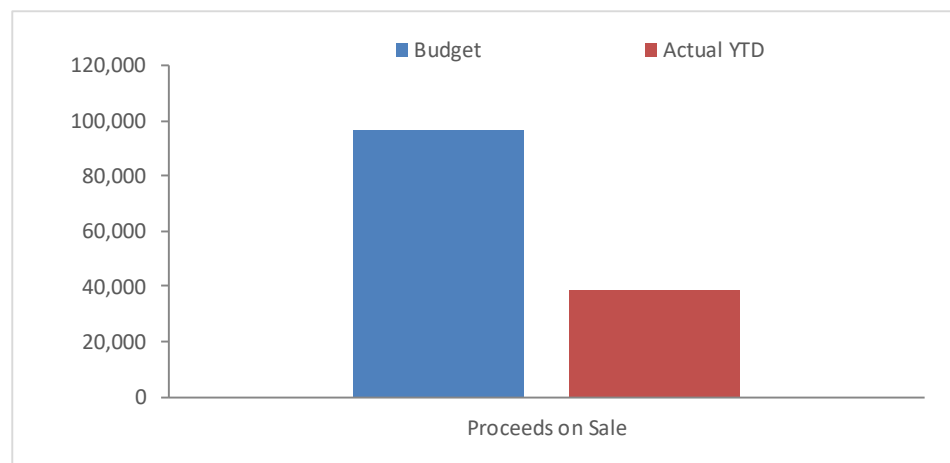


**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS**

Asset Ref.	Asset Description	Amended Budget				YTD Actual		
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit
		\$	\$	\$	\$	\$	\$	\$
10074	CN047 UD Nissan GW 400	77,905	50,000		(27,905)			0
10096	CN027 Holden Colorado Crew Cab 2016	16,587	19,227		2,640	15,958	13,988	
10101	CN0 Holden Colorado Ute 4X4	26,279	27,107		828	26,279	24,862	
		120,771	96,334	0	(24,437)	42,237	38,850	0

KEY INFORMATION



Proceeds on Sale		
Budget	YTD Actual	%
\$96,334	\$38,850	40%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019

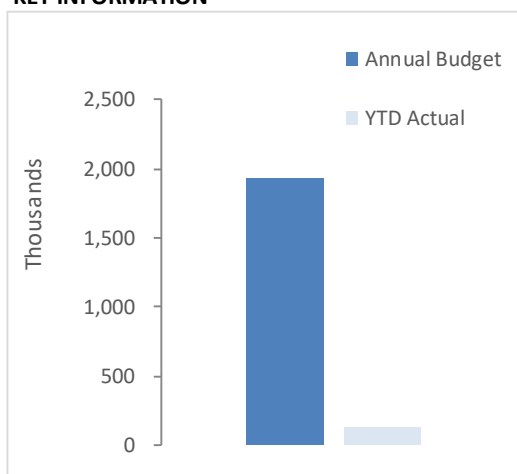
INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS

Capital Acquisitions	Amended		YTD Actual Total	YTD Budget Variance
	Annual Budget	YTD Budget		
	\$	\$	\$	\$
Land & Buildings	344,078	83,382	44,558	38,824
Plant & Equipment	590,332	590,332	82,114	508,218
Furniture & Equipment	9,075	0	0	0
Roads	993,831	27,966	5,130	22,836
Recreation	0	0	0	0
Parks, Gardens, Recreation Facilities	0	0	0	0
Other Infrastructure	0	0	0	0
Capital Expenditure Totals	1,937,316	701,680	131,802	569,878
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	1,650,739	311,496	228,195	(83,301)
Borrowings	310,000	310,000	0	(310,000)
Other (Disposals & C/Fwd)	96,334	96,334	38,850	(57,484)
Cash Backed Reserves				
Infrastructure Reserve	244,000	0	0	0
Pensioner Unit Maintenance Reserve	15,675	0	0	0
Plant Replacement Reserve	43,000	0	0	0
Contribution - operations	(422,432)	(16,150)	(135,243)	(119,093)
Capital Funding Total	1,937,316	701,680	131,802	(569,878)

SIGNIFICANT ACCOUNTING POLICIES

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.

KEY INFORMATION

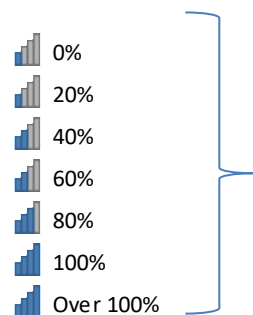


Acquisitions	Annual Budget	YTD Actual	% Spent
	\$1.94 M	\$0.13 M	7%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$1.65 M	\$0.23 M	14%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019

Attachment 9.1.2A
INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS (CONTINUED)

Capital Expenditure Total
Level of Completion Indicators



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

% of Completion Level of completion indicator

	Acc / Job	Annual Budget	YTD Budget	YTD Actual	Variance
Capital Expenditure					
Land					
0.03	Lot 74 Austral Street	12126	10,500	0	268
	Cuballing Railway Reserve Design	C176A	0	0	(268)
Buildings					
0.00	Popanyinning Hall Front Entrance	J163A	26,046	6,510	0
0.00	Building Renewal - Cuballing Memorial Park	C176	153,209	38,301	0
0.05	Building Renewal - Yornaning Dam	C188	140,323	35,073	6,936
0.00	Administration Building - Solar Panels	J4114B	14,000	3,498	0
	Cuballing Transfer Station Surface Water Treatment	C159	0	0	14,125
	Cuballing Town Hall - Septics Upgrade	C162	0	0	23,230
	Total Land & Buildings		344,078	83,382	44,558

Plant & Equipment							
1.90		Dual Cab Utility with Canopy (Building)	12405	43,226	43,226	82,114	(38,888)
0.00		Dual Cab Utility (MWS)	12406	47,106	47,106	0	47,106
0.00		Prime Mover	12407	300,000	300,000	0	300,000
0.00		Side Tipper - Tri Axle Trailer	12408	100,000	100,000	0	100,000
0.00		Water Tanker - Tri Axle Trailer	12409	100,000	100,000	0	100,000
		Total Plant & Equipment		590,332	590,332	82,114	508,218
Furniture & Equipment							
0.00		Photocopier	04265	9,075	0	0	0
		Total Furniture & Equipment		9,075	0	0	0
Infrastructure - Roads							
0.01		RRG_ Narrogin Wandering Road	R129B	351,729	0	1,773	(1,773)
0.01		RRG - Stratherne Road 19/20	R001B	136,392	23,328	1,045	22,283
0.01		RTR - Wandering Narrogin Road	R129C	81,045	1,140	897	243
0.00		RTR - Popanyinning West Reseal	R004E	14,000	3,498	0	3,498
0.00		BS - Narrogin Wandering Road Black Spot	BS129	410,666	0	1,414	(1,414)
		Total Road Infrastructure		993,831	27,966	5,130	22,836
Recreation							
1.00		Nil					
		Total Recreation		0	0	0	0
Parks, Ovals & Playgrounds							
1.00		Nil					
		Total Parks, Ovals & Playgrounds		0	0	0	0
Other Infrastructure							
		Total Other Infrastructure		0	0	0	0
0.07		TOTAL CAPITAL EXPENDITURE		1,937,316	701,680	131,802	607,232

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

FINANCING ACTIVITIES

NOTE 8

BORROWINGS

Information on Borrowings	2018/19	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget
Transport	\$	\$	\$	\$	\$	\$	\$	\$	\$
Loan 63 - Graders	111,951	0	0	9,945	40,446	111,951	71,505 0	1,787	4,126
Economic Services									
Loan 64 - Lot 74 Austral St	160,000			0	14,491	160,000	138,145	0	3,394
Education and Welfare									
Loan 65 - Aged Persons Housing		310,000	310,000		14,223		295,777		2,775
Total	271,951	0	310,000	9,945	69,160	271,951	505,427	1,787	10,295

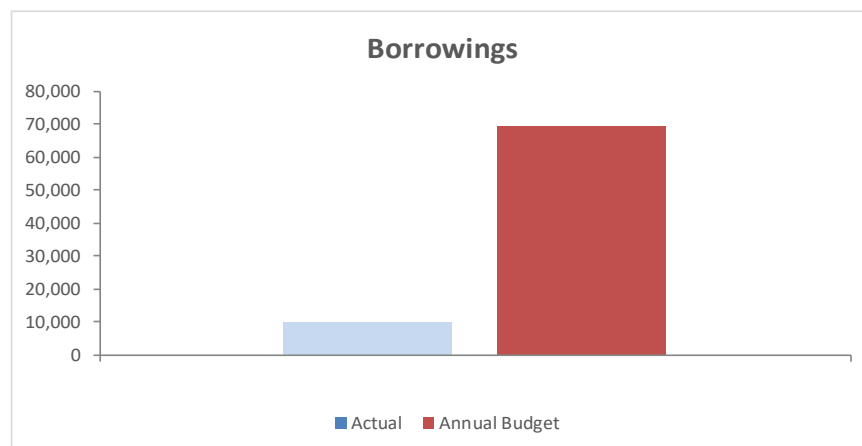
All debenture repayments were financed by general purpose revenue.

SIGNIFICANT ACCOUNTING POLICIES

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.

KEY INFORMATION

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.



Principal Repayments	\$9,945
Interest Earned	\$3,641
Reserves Bal	\$1.57 M
Interest Expense	\$1,787
Loans Due	\$.27 M

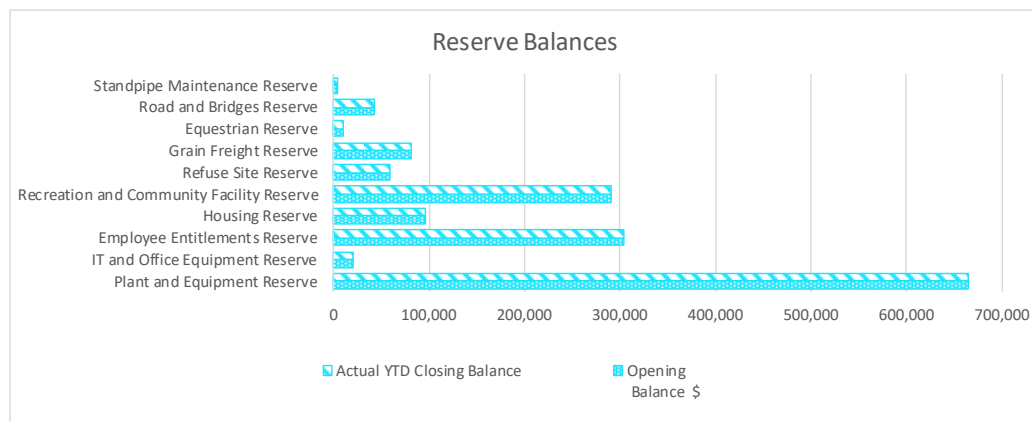
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019

OPERATING ACTIVITIES
NOTE 9
CASH AND INVESTMENTS

Cash Backed Reserve

Reserve Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant and Equipment Reserve	664,195	5,456	0		0	(244,000)		425,651	664,195
IT and Office Equipment Reserve	21,068	169	0		0	(15,675)		5,562	21,068
Employee Entitlements Reserve	303,437	2,998	0		0	0		306,435	303,437
Housing Reserve	96,817	870	0		0	(43,000)		54,687	96,817
Recreation and Community Facility Reserve	291,199	2,996	0		0	(261,151)		33,044	291,199
Refuse Site Reserve	58,763	971	0		0	0		59,734	58,763
Grain Freight Reserve	81,912	776	0		0	0		82,688	81,912
Equestrian Reserve	10,166	49	0	4,545	0	0		14,760	10,166
Road and Bridges Reserve	42,542	696	0		0	0		43,238	42,542
Standpipe Maintenance Reserve	4,052	19	0		0	0		4,071	4,052
	1,574,151	15,000	0	4,545	0	(563,826)	0	1,029,870	1,574,151

KEY INFORMATION



Grants and Contributions

Description	Annual Budget	YTD Budget	YTD Actual	Variance
Operating grants, subsidies and contributions				
General Purpose Funding				
Grants Commission - General Purpose	285,073	71,268	63,880	(7,388)
Governance				
Great Southern Business Development Group	0	0	0	0
Insurance & Other Reimbursements	595	147	13,996	13,849
Department Primary Industries & Regional Development	0	0	0	0
Law, Order & Public Safety				
DFES - Bush Fire Brigades	24,769	6,192	1,396	(4,796)
Education & Welfare				
Good Things Foundation	2,500	0	0	0
Housing				
Rental Income	4,680	1,170	1,080	(90)
Community Amenities				
Cemetery	6,362	1,590	0	(1,590)
Recreation & Culture				
Yornaning Dam Stage 2	73,832	0	80,924	80,924
Sport & Recreation	3,500	873	0	(873)
Transport				
Main Roads - RRG	0	0	0	0
Main Roads - Direct Grant	115,490	115,490	115,490	0
Grants Commission - Roads Component	185,141	46,285	41,487	(4,798)
Economic Services				
Youth Day	4,000	998	0	(998)
Volunteers Day	1,000	250	0	(250)
Digital Literacy Workshops	1,500	375	0	(375)
Other Property & Services				
Workers Compensation	25,000	6,249	13,784	7,535
Operating grants, subsidies and contributions Total	733,442	250,887	332,038	81,151
Non-operating grants, subsidies and contributions				
Education & Welfare				
Aged Person Accommodation Funding	872,000	0	0	0
Recreation & Culture				
Wardering Road Bridge Widening	0	0	0	0
Transport				
Main Roads - RRG	334,630	133,852	133,851	(1)
Roads to Recovery (RTR)	211,000	84,400	1,100	(83,300)
Black Spot (BS)	233,109	93,244	93,244	0
Law, Order & Public Safety				
DFES - Bush Fire Brigades	0	0	0	0
Non-operating grants, subsidies and contributions Total	1,650,739	311,496	228,195	(83,301)
Grand Total	2,384,181	562,383	560,233	(2,150)

KEY INFORMATION

Some reclassification between Operating & Capital grants, contributions & reimbursements is required

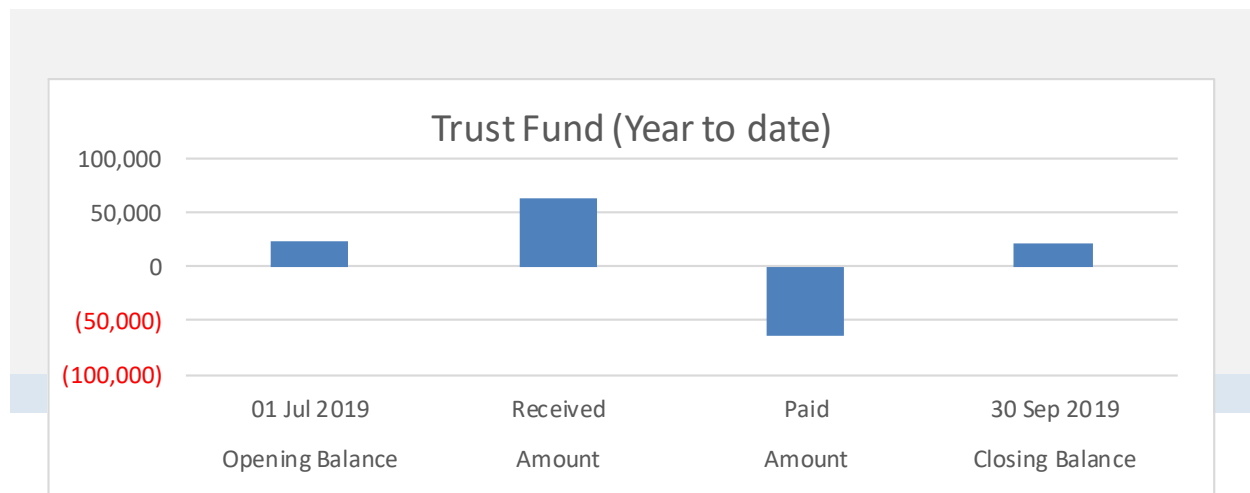
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**NOTE 11
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	Amount	Amount	Closing
	Balance			Balance
	01 Jul 2019	Received	Paid	30 Sep 2019
	\$	\$	\$	\$
Bonds - Building	6,889	0	0	6,889
Bonds - Hall Hire	1,150	400	(1,450)	100
Badminton Club		0	0	0
Commodine Tennis Club	2,990	0	0	2,990
Cuballing Progress Association	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	250	0	6,612
Police Licensing	2,470	61,453	(62,242)	1,681
Swipe Cards	1,570	0	0	1,570
Reimbursements	0	560	0	560
	23,296	62,663	(63,692)	22,267

KEY INFORMATION



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**NOTE 12
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		Opening Surplus				0
	Permanent Changes						
	Nil						0
	Nil						0
	Nil						0
	Nil						0
				0	0	0	

ADDITIONAL INFORMATION

Note 12 to be completed as part of budget review process and/or as per Council Resolutions during the financial year

9.2 CHIEF EXECUTIVE OFFICER:

Cr Dowling declared a Financial Interest in 9.2.1 in that she is the Councillor being considered for nomination to the Peel Harvey Catchment Council and left the Council Chamber at 2:14pm.

9.2.1	Nomination for Local Government Representation (Inland) – Peel Harvey Catchment Council
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Applicant:	NA
File Ref. No:	ADM066
Disclosure of Interest:	Nil
Date:	10 th October 2019
Author:	Gary Sherry
Attachments:	Nil

Summary

Council is to consider endorsement of Cr Dowling's nomination to the Peel Harvey Catchment Council.

Background

The Peel Harvey Catchment Council (PHCC) is an incorporated, not-for-profit, community based Natural Resource Management organisation that promotes an integrated approach to catchment management and the way we protect and restore the environment within the Peel Harvey catchment.

With a strong emphasis on partnerships, the PHCC works with landholders, community groups, industry, the Australian Government, Government of Western Australia and local governments to affect change 'on-ground' and in the way we manage our environment.

The PHCC completes activities that address sustainable natural resource management (NRM) including climate change, river and wetland restoration, biodiversity protection, sustainable agriculture and building community capacity. The past ecological collapse of the Peel Harvey Estuarine System demands a continued emphasis on water quality issues.

The PHCC board membership is comprised of 10 community members, 2 local government representatives and representatives of the Departments of Agriculture and Food, Environment and Conservation, Water and the Peel Development Commission. The PHCC board is skills based, with members selected by an independent panel based on their experience and understanding of Natural Resource Management.

The objectives of the PHCC, as defined in their constitution, are to:

- Inform, inspire and involve people in sustainable natural resource management (NRM) within the catchment.
- Provide strategic direction for NRM within the catchment by facilitating an integrated, iterative NRM planning process.
- Provide leadership on NRM matters within the catchment and facilitate partnerships with the State and Australian Governments to promote the sharing of responsibility for NRM with all levels of government.
- Actively seek and promote support for the integrated NRM planning process and the integrated NRM Plan at all levels of government, community and industry.

- Identify and seek resource opportunities for environmental improvement of the catchment and for organisations who undertake this role.
- Coordinate the efficient allocation of resources for NRM across the catchment and assist agencies to target their actions to be compatible with catchment priorities.
- Encourage institutional reform to achieve sustainable outcomes.
- Support communication and information sharing to improve the coordination of NRM activities within the catchment.
- Actively assist with implementation of any relevant regional NRM strategy.

The board of the PHCC currently includes:

Name	Affiliation/location	Membership Expiry
Cr Caroline Knight	City of Mandurah	December 2019
Jan Star AM – Deputy Chairman	Community Member	October 2021
Marilyn Gray – Treasurer	Community Member	October 2021
Paddi Creevey OAM – Secretary	Community Member	October 2019
Bob Pond	Department of Water and Environmental Regulation	Nominated by agency
Andy Gulliver	Community Member	October 2021
Darralyn Ebsary	Community Member	October 2019
Howard Mitchell	Community Member	October 2019
Sue Fyfe	Community Member	October 2019
Amanda Willmott	Community Member	October 2021
Cr Eliza Dowling	Shire of Cuballing	December 2019
Dr Rob Summers	Department of Agriculture and Food	Nominated by agency
Mark Cugley	Department of Biodiversity, Conservation & Attractions	Nominated by agency
Suzanne Brown	Water Corporation	Nominated by agency,
Andrew Ward	Peel Development Commission	Nominated by agency,
Chris Ryan	Department of Environment Regulation	Nominated by agency
Scott Haine	Department of Planning, Lands and Heritage	Nominated by agency

After the completion of the October Local Government elections, the PHCC has invited regional local governments to nominate and Elected Member to be a Member or Deputy Member of the PHCC. The successful applicant will become the Local Government Member (or Deputy), representing all inland local governments within the Peel Harvey Catchment.

The PHCC hold formal meetings a minimum of six times a year with travel costs for these meetings being reimbursed by the PHCC. Members are expected to be active ambassadors and contribute beyond general meeting attendance, on behalf of all inland Councils. The successful applicant will be provided clarity as to these expectations via an induction process and mentoring.

The selection will be made via a recommendation from an independent panel to the December 2019 meeting of the PHCC.

Applications are requested in writing, with endorsement from Council, outlining the applicant's reasons for nominating and the knowledge and experience in relation to natural resource

management, local government, board governance, strategic planning and/or any other relevant skills that they can bring to the PHCC.

Comment

As an existing board member, Cr Dowling has indicated an interest in re-nominating for the PHCC and has requested Council’s endorsement.

Cr Dowling has extensive experience in NRM in the Wheatbelt area of the Peel Harvey Catchment. In addition Cr Dowling would bring to the role employment experience of with the Department of Agriculture and personal experience of farming in the region.

Strategic Implications – Nil

Shire of Cuballing Strategic Community Plan

ENVIRONMENT - Our Environment, Resource Management and Services

Goals

- Valuing our unique environment and ensuring the natural resources within the Shire are recognised as an important asset and managed in a sustainable manner.
- Recognising the environmental and recreational value of Council reserves, and managing them in a way that will preserve them for future generations to enjoy.
- Aiming for the equitable and sustainable development of land within the Shire of Cuballing that provides a genuinely desirable lifestyle.
- Managing waste and recycling in a manner that is environmentally sustainable and meets the expectations of the community.

	Strategy	Outcome
2.1	Protect, restore and enhance the Shire’s natural assets.	An environment which is effectively managed for future generations and for the intrinsic value of its biodiversity.
2.3	Provide equitable access for all users to our environment while balancing the protection of natural assets.	A range of parks, reserves and trails which the broadest community can access.
2.5	Plan for and adapt to changes in our climate and the impacts of increased water and energy vulnerability.	A Shire which address the challenges and opportunities presented by climate change and water and energy vulnerability.

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Social Implication

The PHCC provides financial and technical assistance to community environmental groups through the Peel Harvey Catchment.

Environmental Considerations

The PHCC provides technical assistance to Council and community environmental groups through the Peel Harvey Catchment to improve environmental outcomes.

Consultation

Cr Dowling
Peel Harvey Catchment Council

Options

The Council can resolve:

1. the Officer's Recommendation; or
2. to not endorse Cr Dowling's nomination to the PHCC.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2019/112:

That Council endorse the application of Cr Dowling to the Peel Harvey Catchment Council

Moved: Cr Haslam

Seconded: Cr Ballantyne

Carried 5/0

Cr Dowling entered the Council Chamber at 2:18pm.

9.2.2	Draft Shire Of Cuballing Bush Fire Brigades Local Law 2020
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Applicant: N/A
File Ref. No: ADM321
Disclosure of Interest: Nil
Date: 9th October 2019
Author: Gary Sherry
Attachments: 9.2.2A Legislative Process for Adoption of a Local Law
9.2.2B Draft Proposed Shire of Cuballing Bush Fire Brigades Local Law 2020

Summary

Council is to consider allowing the Presiding Person to give notice to the meeting of the purpose and effect to the proposed Shire of Cuballing Bushfire Brigades Local Law, to adopt the proposed Local Law and to allow for advertising of the proposed local law for public comment.

Background

Council has never adopted a Bush Fire Brigades Local Law to provide control over the Council's Bush Fire Brigades. Currently the only legal framework to control all of Council's bush fire matters is the Bush Fires Act 1954 and Bush Fire Regulations. Most other local governments, particularly those with a larger number of brigades or very active brigades have a version of this Local Law.

A diagram of the legislative process for adoption of local laws is included at Attachment 9.2.2A.

Comment

A draft Shire of Cuballing Bush Fire Brigades Local Law 2020 is included at Attachment 9.2.2B.

This proposed draft local law is based upon a local law of a similar wheatbelt local government. The proposed purpose and effect of the proposed draft local law is to:

- Purpose: To make provisions for establishment, management and administration of Bush Fire Brigades.
- Effect: To align the requirements for Bush Fire Brigades with legislation and local practice.

The draft Shire of Cuballing Bush Fire Brigades Local Law 2020 includes the following:

- Clause 1.4 includes the following definitions:
 - bush fire brigade member** means a volunteer fire fighter having current membership of a bush fire brigade;
 - bush fire brigade officer** means a person holding a position referred to in clause 3.3(1);
 - bush fire control officer** means a person appointed by the local government to exercise the powers of a bush fire control officer or bush fire officer in accordance with the Act and this local law;
 - Captain** means the person holding or acting in that position in a bush fire brigade;
 - Lieutenant** means the person holding that position in a bush fire brigade;
 - normal brigade activities** has the meaning given to it in section 35A of the Act;
 - volunteer fire fighter** has the meaning given to it in section 35A of the Act.

- At Section 2 allows the local government to establish, name and dissolve fire brigades as the local government requires;
- The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained
- The local government may appoint bush fire control officers in their absolute discretion, and apply conditions as considered appropriate;
- Where more than one person is appointed as a bush fire control officer, the local government shall determine seniority as CBFCO, Deputy CBFCO, and further seniority as is considered appropriate
- The local government shall appoint the following bush fire brigade officers in their absolute discretion –
 - a bush fire control officer from the bush fire brigade area to be Captain;
 - where there are two or more bush fire control officer in a bush fire brigade area, a bush fire control officer from the bush fire brigade area as first lieutenant;
 - where there is not more than one bush fire control officer in a bush fire brigade area, an appropriate person from the bush fire brigade area as first lieutenant, and
 - an appropriate person as second lieutenant
- Subject to any directions by the local government, the CBFCO
 - has primary managerial responsibility for the organisation and maintenance of bush fire brigades;
 - is to support Captains and bush fire brigade officers in their roles; and
 - where a vacancy in the position of Captain appointed under clause 3.3(1)(a), or in order of seniority, other appointed bush fire brigade officer willing to act in that position, the CBFCO is to act as Captain until an appointment is made by the local government to the position.
- Establishes the duties of the Captain of each bush fire brigade;
- Bush fire control officers are required to complete a Bush Fire Control Officers course conducted by an organisation approved by the CEO, within 12 months of appointment, unless a course has been completed within the 4 years prior to appointment as a bush fire control officer.
- Bush fire control officers are required to complete a Bush Fire Control Officers course at least once every 5 years
- The decision on admission of a bush fire brigade member, with or without conditions or restrictions, may be made by –
 - either the Captain or CBFCO; jointly with
 - either the CEO or President.
- A decision to terminate membership can be made by –
 - either the Captain or CBFCO; jointly with
 - either the CEO or President
- Where a decision to terminate membership is unable to be agreed, the matter is to be referred to the local government. The decision of the local government shall be final.
- Any disagreement between bush fire brigade members regarding normal brigade activities
 - may be referred to the Captain;
 - the Captain may refer the disagreement to the CBFCO or to the local government;
 - where a disagreement is referred to the CBFCO, the CBFCO may –
 - determine the disagreement; or
 - refer the matter to the local government.

- The local government is the final authority on matters affecting the bush fire brigade and may resolve any disagreement referred to it
- All administrative matters of a bush fire brigade are to be managed by the local government, other than bush fire brigade specific internal arrangements.
- All financial matters of a bush fire brigade are to be managed by the local government, other than bush fire brigade specific internal arrangements.
- All equipment purchased by the local government is the property of, and shall be insured by, the local government.
- In addition to funding made available through emergency services grants, the local government may provide further funding depending upon the assessment of budget priorities for the year in question.'

Strategic Implications

Implementation of clear governance around the use of local government property will enhance the security of the community and encourage the access and use of Council recreational and leisure opportunities within the Shire of Cuballing.

Statutory Environment

Local Government Act 1995

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
 - (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
 - (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
 - (3) The local government is to —
 - (a) give Statewide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
 and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
 - (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
 - (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.
- * Absolute majority required.
- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

- (6) After the local law has been published in the Gazette the local government is to give local public notice —
 - (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

A diagram that summarises the process for formal adoption of the draft local law is included at Attachment 9.2.3A.

It is worth noting that the final stage is approval by the State Parliament's Joint Committee on Delegated Legislation. Should this committee not approve the local law, the entire process will need to be repeated.

Policy Implications – Nil

Financial Implications

The cost of establishing the Shire of Cuballing Bush Fire Brigades Local Law 2020 is estimated to be \$1,800 that can be met through Council's existing allocations to advertising and printing.

Economic Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation; or
3. defer this matter and request that staff provide further information to allow Council to consider this matter.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2019/113:

That Council:

- 1. adopt the proposed Shire of Cuballing Bush Fire Brigades Local Law 2020 included at Attachment 9.2.3B for the purpose of advertising; and**
- 2. pursuant to s.3.12 of the Local Government Act 1995, give local and state-wide public notice of its intention to make the Shire of Cuballing Bush Fire Brigades Local Law 2020 and within that notice advise of the following purpose and effect:**

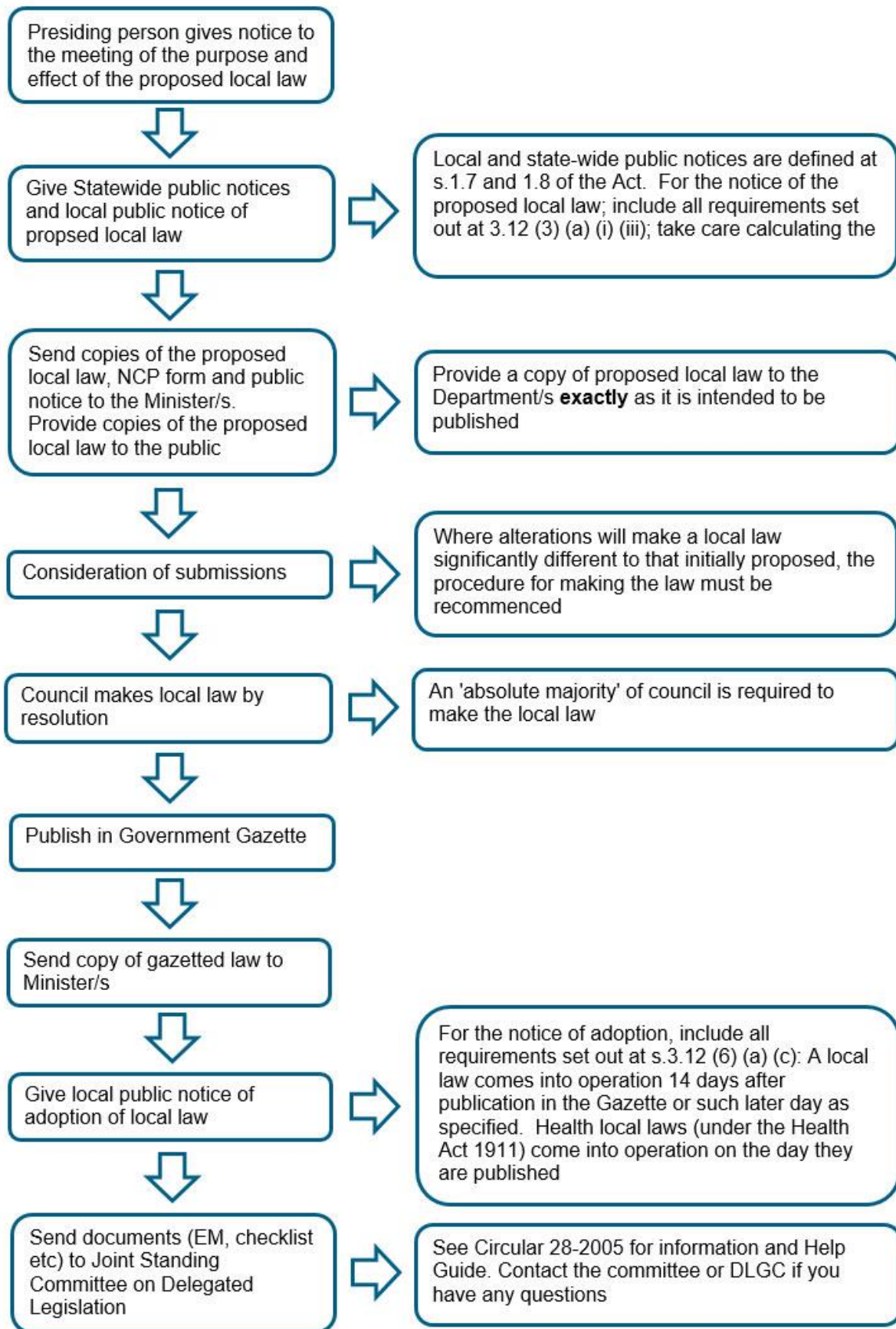
Purpose: To make provisions for establishment, management and administration of Bush Fire Brigades.

Effect: To align the requirements for Bush Fire Brigades with legislation and local practice.

Moved: Cr Haslam

Seconded: Cr Ballantyne

Carried 6/0



BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995

SHIRE OF CUBALLING BUSH FIRE BRIGADES LOCAL LAW 2020

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Under the powers conferred by the *Bush Fires Act 1954*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Cuballing resolved on _____ to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Cuballing Bush Fire Brigades Local Law 2020*.

1.2 Commencement

This local law will come into operation 14 days after its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Definitions

In this local law unless the context otherwise requires –

Act means the *Bush Fires Act 1954*;

bush fire brigade has the meaning given to it in section 7 of the Act;

bush fire brigade area has the meaning given to it in clause 2.2(b);

bush fire brigade member means a volunteer fire fighter having current membership of a bush fire brigade;

bush fire brigade officer means a person holding a position referred to in clause 3.3(1);

bush fire control officer means a person appointed by the local government to exercise the powers of a bush fire control officer or bush fire officer in accordance with the Act and this local law;

Bush Fire Operating Procedures means the Bush Fire Operating Procedures as may be adopted by the local government and amended from time to time;

Captain means the person holding or acting in that position in a bush fire brigade;

CBFCO means the Chief Bush Fire Control Officer;

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

district means the district of the local government;

Lieutenant means the person holding that position in a bush fire brigade;

local government means the Shire of Cuballing;

normal brigade activities has the meaning given to it in section 35A of the Act;

President means President of the Council;

Regulations means Regulations made under the Act; and

volunteer fire fighter has the meaning given to it in section 35A of the Act.

PART 2 - ESTABLISHMENT OF BUSH FIRE BRIGADES

2.1 Establishment of a bush fire brigade

- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government's decision under subclause (1).

2.2 Name and area of bush fire brigade

On establishing a bush fire brigade under clause 2.1(1) the local government is to –

- (1) give a name to the bush fire brigade; and
- (2) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities.

2.3 Objects of bush fire brigades

The objects of the bush fire brigade are to carry out –

- (1) the normal brigade activities; and
- (2) the functions of the bush fire brigade which are specified in the Act, the Regulations and this local law.

2.4 Chain of command during normal brigade activities

- (1) Subject to the Act, the chain of command to apply during normal brigade activities is –
 - (a) bush fire control officers in order of seniority;
 - (b) bush fire brigade officers in order of seniority; and
 - (c) all other volunteer fire fighters.
- (2) The person in command has full control over other persons fighting the fire, and is to issue instructions as to the methods to be adopted by the fire fighters, and may exercise all the powers and duties provided for by the Act.

2.5 Existing bush fire brigades

A bush fire brigade established prior to the day on which this local law comes into operation –

- (1) is to be taken to be a bush fire brigade established under and in accordance with this local law;

- (2) the provisions of this local law apply to the bush fire brigade save for clause 2.1; and
- (3) any rules governing the operation of the bush fire brigade are repealed and substituted with the provisions of this local law.

2.6 Dissolution of bush fire brigade

In accordance with section 41(3) of the Act, the local government may cancel the registration of a bush fire brigade if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, or is not achieving the objectives for which it was established.

2.7 New arrangement after dissolution

If a local government cancels the registration of a bush fire brigade, alternative fire control arrangements are to be made in respect of the brigade area.

PART 3 - ORGANISATION OF BUSH FIRE BRIGADES

3.1 Local government responsible for structure

The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.

3.2 Appointment of bush fire control officers

- (1) The local government may appoint bush fire control officers in their absolute discretion, and apply conditions as considered appropriate.
- (2) Where only one person is appointed as a bush fire control officer, that person is the CBFCO for the purposes of this local law.
- (3) Where more than one person is appointed as a bush fire control officer, the local government shall determine seniority as CBFCO, Deputy CBFCO, and further seniority as is considered appropriate.
- (4) When considering the appointment of a person as a bush fire control officer, the local government is to have regard to the qualifications, training and experience which may be advisable to fill the position.

3.3 Appointment of bush fire brigade officers

- (1) The local government shall appoint the following bush fire brigade officers in their absolute discretion –
 - (a) a bush fire control officer from the bush fire brigade area to be Captain;
 - (b) where there are two or more bush fire control officer in a bush fire brigade area, a bush fire control officer from the bush fire brigade area as first lieutenant;
 - (c) where there is not more than one bush fire control officer in a bush fire brigade area, an appropriate person from the bush fire brigade area as first lieutenant, and
 - (d) an appropriate person as second lieutenant.
- (2) When considering the appointment of persons to the positions in subclause (1), the local

government and bush fire brigade are to have regard to the qualifications, training and experience which may be advisable to fill each position.

- (3) The local government may remove any appointed person from any position.

3.4 Managerial role of CBFCO

Subject to any directions by the local government, the CBFCO –

- (1) has primary managerial responsibility for the organisation and maintenance of bush fire brigades;
- (2) is to support Captains and bush fire brigade officers in their roles; and
- (3) where a vacancy in the position of Captain appointed under clause 3.3(1)(a), or in order of seniority, other appointed bush fire brigade officer willing to act in that position, the CBFCO is to act as Captain until an appointment is made by the local government to the position.

3.5 Duties of Captain and bush fire brigade officers

- (1) The duties of the Captain include –
- (a) to provide leadership to bush fire brigades;
- (b) to monitor bush fire brigades' resourcing, equipment and training levels;
- (c) to liaise with the local government concerning –
- (i) fire prevention or fire suppression matters generally;
- (ii) directions to be issued by the local government to bush fire control officers (including those who issue permits to burn);
- (iii) bush fire brigades; or
- (iv) bush fire brigade officers;
- (d) to ensure that lists of bush fire brigade members are maintained in accordance with clause 4.3(1);
- (e) to report annually to the local government the office bearers of the bush fire brigade in the form of Form 12 of the Regulations;
- (f) to report to the local government not later than 30 April each year, for consideration and appropriate provision being made in the next local government budget, the status of a bush fire brigade's –
- (i) training and readiness;
- (ii) protective clothing;
- (iii) equipment; and
- (iv) vehicles and appliances;

- (g) to consider the nomination of persons to the local government for appointment as bush fire control officers by the local government;
 - (h) to arrange for normal brigade activities as authorised by the Act or by the local government;
 - (i) where a vacancy occurs in a position appointed under clause 3.3(1)(b) or (c), to –
 - (i) advise the CEO of the vacancy as soon as practicable; and,
 - (ii) make alternate suitable arrangements for that position until an appointment is made by the local government; and
 - (j) to make recommendations to the local government for endorsement prior to implementation.
- (2) The duties of other bush fire brigade officers are to support the CBFCO and Captain in their roles.

3.6 Training of bush fire control officers

- (1) The local government is to supply each bush fire control officer and Captain with a copy of the Act, the Regulations, any Bush Fire Operating Procedures adopted, this local law and any other written laws which may be relevant to the performance of the bush fire brigade officers' functions, and any amendments made from time to time.
- (2) Bush fire control officers are required to complete a Bush Fire Control Officers course conducted by an organisation approved by the CEO, within 12 months of appointment, unless a course has been completed within the 4 years prior to appointment as a bush fire control officer.
- (3) Bush fire control officers are required to complete a bush fire control officers course at least once every 5 years.

PART 4 - MEMBERSHIP

4.1 Types of membership of bush fire brigades

- (1) The membership of a bush fire brigade consists of volunteer fire fighters.
- (2) Registration as a volunteer fire fighter does not commit the person to participating in all normal brigade activities.

4.2 Membership applications

The decision on admission of a bush fire brigade member, with or without conditions or restrictions, may be made by –

- (1) either the Captain or CBFCO; jointly with
- (2) either the CEO or President.

4.3 Membership – review, refusal, suspension or termination

- (1) No later than 30 August in each year, the Captain is to review the membership and

report to the CEO and CBFCO the name and contact details of each bush fire brigade member.

- (2) If circumstances warrant, membership of the bush fire brigade may be refused or suspended at any time for a period considered appropriate in the opinion of –
 - (a) either the Captain or CBFCO; jointly with
 - (b) either the CEO or President.
- (3) Membership of the bush fire brigade terminates if the member –
 - (a) dies;
 - (b) gives written notice of resignation to the Captain or CEO;
 - (c) is permanently incapacitated by mental or physical ill-health; or
 - (d) is no longer a resident or a landowner or occupier in the district, or for other sufficient reason.
- (4) A decision to terminate membership under subclause (3)(c) or (d) is to be made by –
 - (a) either the Captain or CBFCO; jointly with
 - (b) either the CEO or President.
- (5) Where a decision under subclause (2), (3)(c) or (3)(d) is unable to be agreed, the matter is to be referred to the local government.
- (6) The decision of the local government shall be final.
- (7) Members are eligible to reapply where membership has ceased for any reason.

4.4 Right to object to or review of decision

- (1) If an application for membership is refused under clause 4.2, the CEO is to notify the applicant in writing as soon as practicable after the decision is made, of –
 - (a) the reasons for the refusal; and
 - (b) the right to object to the local government within 14 days of the date of notice.
- (2) If it is proposed that a bush fire brigade member is to be suspended under clause 4.3(2) or terminated under clause 4.3(3)(c) or (d), the CEO is to notify the bush fire brigade member in writing as soon as practicable after the decision is made, of –
 - (a) the reasons for the intention to suspend or terminate the bush fire brigade member;
 - (b) the opportunity to respond and answer any matters which might give grounds for suspension or dismissal –
 - (i) in person or in writing to the CEO; or
 - (ii) to meet with a minimum of any three of the Captain, CBFCO, CEO; or President; and

- (c) the right to object to the local government within 14 days of the date of notice, or such other time as may be agreed.
- (3) The decisions of any meeting in accordance with subclause (2)(b)(ii) of a bush fire brigade member with a minimum of any three of the Captain, CBFCO, CEO; or President –
- (a) are to be made by simple majority; and
 - (b) may revoke, vary or confirm the original decision to suspend or terminate the bush fire brigade member.
- (4) The bush fire brigade member is to be notified in writing as soon as practical after a decision under subclause (3) is made, of –
- (a) the decision and the reasons for the decision; and
 - (b) the right to object to the local government within 14 days of the date of notice.
- (5) The local government may dispose of an objection by –
- (a) dismissing the objection;
 - (b) varying the decision objected to; or
 - (c) revoking the decision objected to, with or without –
 - (i) substituting for it another decision; or
 - (ii) referring the matter, with or without directions, for another decision by a minimum of any three of the Captain, CBFCO, CEO; or President.
- (6) If a person makes an objection under subclause (4)(b) the local government shall give written advice of any decision made under subclause (5) to the person.

4.5 Existing liabilities to continue

The resignation, suspension or termination of a member under clause 4.3 does not affect any liability of the bush fire brigade member arising prior to the date of resignation, suspension or termination of membership.

4.6 Disagreements

- (1) Any disagreement between bush fire brigade members regarding normal brigade activities may be referred to the Captain.
- (2) Where a disagreement in subclause (1) is considered by the Captain to be of importance to the interests of the bush fire brigade, then the Captain may refer the disagreement to the CBFCO or to the local government.
- (3) Where a disagreement is referred to the CBFCO, the CBFCO may –
 - (a) determine the disagreement; or
 - (b) refer the matter to the local government.

- (4) The local government is the final authority on matters affecting the bush fire brigade and may resolve any disagreement referred to it.

PART 5 - GENERAL

5.1 Administration

All administrative matters of a bush fire brigade are to be managed by the local government, other than bush fire brigade specific internal arrangements.

5.2 Finances

All financial matters of a bush fire brigade are to be managed by the local government, other than bush fire brigade specific internal arrangements.

5.3 Equipment

All equipment purchased by the local government is the property of, and shall be insured by, the local government.

5.4 Consideration in the local government budget

In addition to funding made available through emergency services grants, the local government may provide further funding depending upon the assessment of budget priorities for the year in question.

Dated _____ 20____

The Common Seal of the Shire of Cuballing)
was affixed by authority of a resolution)
of the Council in the presence of -)

President

Chief Executive Officer

9.2.3 Cemeteries Advisory Committee

Applicant:	N/A
File Ref. No:	ADM090/ADM091
Disclosure of Interest:	Nil
Date:	10 th October 2019
Author:	Gary Sherry
Attachments:	9.2.3A Draft Cemeteries Advisory Committee Charter

Summary

Council is to consider creating a Cuballing Cemeteries Advisory Committee

Background

The Shire of Cuballing has two operating cemeteries Cuballing and Popanyinning.

Traditionally the Shire of Cuballing has managed these cemeteries in an adhoc way, without any strategic direction and without any continuing community involvement. Examples of decisions made previously include:

Comment

It is proposed that a more strategic approach be implemented to manage cemeteries, including setting up a Committee of Council to advise Council on matters relating to the Popanyinning Cemetery, the Cuballing Cemetery, lonely and heritage graves, niche facilities, the Shire of Cuballing Cemeteries Local Law 1998 generally, including but not limited to;

- Fees and charges;
- Maintenance quality, practices and procedures;
- Infrastructure requirements;
- Design elements;
- Relevant and required Policies;
- Availability of supply and;
- Trends in cemetery management and community expectations and needs.

The Committee would promote and identify opportunities for development and enhancement of cemeteries, remembrance gardens and niche facilities.

A draft charter for the Cemeteries Advisory Committee is included at Attachment 9.9.3A. This draft charter includes the following:

- Membership of the Committee will comprise of a total of 7 members consisting of 1 Councillor appointed by Council from time to time and 6 Community Representatives;
- Community representation is valid for two years until the person resigns, the Committee is disbanded or at the next ordinary Election Day, whichever happens first.
- Nothing prevents an existing members from re-nominating.
- Vacancies for Community representatives will be advertised in The Cuby News and other appropriate publication methods, with selection and appointment being made by Council.
- Meetings shall be held as determined by the Committee but it is expected that these would be held approximately every 4 to 6 months.
- The quorum for any meeting of the Cemeteries Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.

- all members of the Committee would be entitled and required to vote (subject to financial and proximity interest provisions of the LGA). Officers of Council servicing the Committee are not entitled to vote.
- The Cemeteries Advisory Committee would vote for their own Chairperson and Deputy Chairperson;
- Meetings shall be generally open to the public pursuant to the Local Government Act, Section 5.23. There would not be a requirement to hold public question time, unless the Committee was delegated authority by Council.
- Members of the Committee are bound by the:
 - provisions of Section 5.65 of the Local Government Act 1995;
 - Shire of Cuballing Standing Orders Local Law 2003;
 - Shire of Cuballing Code of Conduct (amended from time to time);
 - Rules of Conduct Legislation; and
 - Clause 34C of the Local Government (Administration Regulations) 1996;
 with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member. Community members are not bound to declare impartiality interests nor are they bound by the Rules of Conduct Legislation.
- The Chief Executive Officer or that Officer's nominee will fulfil the role of non-voting secretary who will also be responsible for preparation and distribution of Agendas and Minutes.
- There are no Meeting Attendance Fees and it is not proposed that the Cemeteries Advisory Committee would have any delegate authority.

With Council approval to establish a Cemeteries Advisory Committee, advertising for nominees would commence late in November or December 2019.

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.
1.2	Create a vibrant built environment that is accessible and inclusive and reflects the Shire's identity and local heritage.	Active, attractive and affordable towns which the community are proud of and engaged in.
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.

1.6	Support local arts and cultural activities.	A variety of arts and cultural activities can be pursued by locals
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ENVIRONMENT - Our Environment, Resource Management and Services

Goals

- Valuing our unique environment and ensuring the natural resources within the Shire are recognised as an important asset and managed in a sustainable manner.
- Recognising the environmental and recreational value of Council reserves, and managing them in a way that will preserve them for future generations to enjoy.
- Aiming for the equitable and sustainable development of land within the Shire of Cuballing that provides a genuinely desirable lifestyle.

	Strategy	Outcome
2.1	Protect, restore and enhance the Shire's natural assets.	An environment which is effectively managed for future generations and for the intrinsic value of its biodiversity.
2.3	Provide equitable access for all users to our environment while balancing the protection of natural assets.	A range of parks, reserves and trails which the broadest community can access.
2.4	Sustainably manage our waste, water, energy use and facilities and investigate opportunities to reduce their impacts on our environment.	A sustainable and progressive approach to managing the impacts of waste, water and energy use on the environment.

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.
3.5	Maintain a robust asset management practices and maintenance programs.	Assets which meet the expectations of the community.
3.6	Facilitate and guide high quality and efficient building and development across the Shire.	A community with high quality and efficient buildings and development.

Statutory Environment

5.8. Establishment of committees

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

* Absolute majority required.

5.9. Committees, types of

- (1) In this section —
other person means a person who is not a council member or an employee.
- (2) A committee is to comprise —
 - (a) council members only; or
 - (b) council members and employees; or
 - (c) council members, employees and other persons; or
 - (d) council members and other persons; or
 - (e) employees and other persons; or
 - (f) other persons only.

5.10. Committee members, appointment of

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

* Absolute majority required.

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

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11A. Deputy committee members

- (1) The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.

* Absolute majority required.

- (2) A person who is appointed as a deputy of a member of a committee is to be —
 - (a) if the member of the committee is a council member — a council member; or
 - (b) if the member of the committee is an employee — an employee; or
 - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
 - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.

- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

[Section 5.11A inserted by No. 17 of 2009 s. 20.]

5.11. Committee membership, tenure of

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

Policy Implications

It would be anticipated that the Cemeteries Advisory Committee would advise Council in establishing appropriate policies of Council.

Financial Implications

It would be anticipated that the Cemeteries Advisory Committee would advise Council on budget priorities for Council's cemeteries.

Economic Implication – Nil

Social Implication

Cemeteries are community facilities highly valued by local communities and are closely linked to local heritage and community.

Environmental Considerations – Nil

Consultation – Nil

Options

Council can resolve:

1. the Officer's Recommendation;
2. an amended officer's Recommendation where terms and conditions of the Cemeteries Advisory Committee Charter are adjusted by Council; or
3. to defer to allow additional information prior to a future consideration by Council; or
4. to not establish a Cemeteries Advisory Committee.

Voting Requirements – Absolute Majority

COUNCIL DECISION – 2019/114:

That Council

- 1. establish a Cemeteries Advisory Committee pursuant to Section 5.8 of the Local Government Act 1995; and**
- 2. define the membership, authority, purpose, operational guidelines, responsibilities and resources of the Shire of Cuballing Cemeteries Advisory Committee as those included in the Cemeteries Advisory Committee Charter included at Attachment 9.2.3A.**

Moved: Cr Haslam

Seconded: Cr Newman

Carried 6/0

Shire of Cuballing
CEMETERIES ADVISORY COMMITTEE
Charter

This charter document defines the membership, authority, purpose, operational guidelines, responsibilities and resources of the Shire of Cuballing Cemeteries Advisory Committee, established by Council pursuant to Section 5.8 of the Local Government Act 1995.

1.0 NAME

The name of the Committee shall be the Shire of Cuballing Cemeteries Advisory Committee, hereinafter referred to in its abbreviated form as the Committee.

2.0 ESTABLISHMENT

The Committee is established pursuant to Section 5.8 of the Local Government Act 1995.

3.0 DISTRICT

The Committee shall operate within the local government boundaries of the Shire of Cuballing.

4.0 GUIDING PRINCIPLES

This Committee is established with the guiding principles in accordance with the Local Government Act 1995, sections 5.8 through to 5.25.

5.0 VISION

Our vision is for the Shire of Cuballing to have well planned, respectful, maintained and cared for cemeteries, remembrance gardens and niche facilities for the internment of loved ones ashes and remains.

6.0 TERMS OF REFERENCE

6.1 To advise Council on matters relating to cemeteries, lonely graves, niche facilities and the Shire of Cuballing Cemeteries Local Law 1998 generally, including but not limited to;

- Fees and charges;
- Maintenance quality, practices and procedures;
- Infrastructure requirements;
- Design elements;
- Relevant and required Policies;
- Availability of supply and;
- Trends in cemetery management and community expectations and needs.

6.2 To promote and identify opportunities for development and enhancement of cemeteries, remembrance gardens and niche facilities.

7.0 MEMBERSHIP

Membership of the Committee will comprise of a total of 7 members consisting of;

- 1 Councillor appointed by Council from time to time;
- 6 x Community Representatives

Community representation is valid for two years, until the person resigns, the Committee is disbanded or at the next ordinary Election Day, whichever happens first. Nothing prevents an existing members from re-nominating.

Vacancies for Community representatives will be advertised in The Cuby New and other appropriate publication methods, with selection and appointment being made by Council.

8.0 MEETINGS

8.1 Annual General Meeting:

Nil

8.2 Committee Meetings:

Meetings shall be held as determined by the Committee (approximately every 4/6 months).

8.3 Quorum:

The quorum for any meeting of the Cemeteries Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.

8.4 Voting:

Shall be in accordance with the Local Government Act, Section 5.21 with all members of the Committee entitled and required to vote (subject to financial and proximity interest provisions of the LGA). Officers of Council servicing the Committee are not entitled to vote unless specifically approved under the charter.

8.5 Minutes:

Shall be in accordance with the Local Government Act, Section 5.22.

8.6 Who acts if no presiding member?

Shall be in accordance with the Local Government Act, Section 5.14.

8.7 Meetings

Meetings shall be generally open to the public pursuant to the Local Government Act, Section 5.23.

8.8 Public Question Time

The Committee, if empowered with any delegated powers, will allow for Public Question Time at the start of its Meetings in accordance with the Local Government Act, Section 5.24.

8.9 Members Conduct

Members of the Committee are bound by the:

- provisions of Section 5.65 of the Local Government Act 1995;
- Shire of Cuballing Standing Orders Local Law 1998;
- Shire of Cuballing Code of Conduct as amended from time to time;

- Rules of Conduct Legislation; and
 - Clause 34C of the Local Government (Administration Regulations) 1996;
- with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation).

8.10 Secretary

The Chief Executive Officer or that Officer's nominee will fulfil the role of non-voting secretary who will also be responsible for preparation and distribution of Agendas and Minutes.

8.11 Chairperson

The members will appoint the Chairperson and if required Deputy of the Committee pursuant to the Local Government Act 1995, Section 5.12.

8.12 Meeting Attendance Fees

Nil.

9.0 DELEGATED AUTHORITY OF THE COMMITTEE

Nil.

9.2.4 Trade of Tip Truck

Applicant: N/A
File Ref. No: ADM052
Disclosure of Interest: Nil
Date: 10th October 2019
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider a proposed sale of the UD GW400 tip truck, registration CN047, to South West Isuzu as part of a purchase of a prime mover.

Background

Council has included the purchase of a prime mover and semi-trailers as a replacement for one of Council's two UD six wheel tip trucks in Council's 10 Year Plant Replacement Program for some years and in Council's 2019/20 Budget.

Staff are currently completing the review of the purchase of a prime mover through WALGA's purchasing service. This service allows for Council to purchase using quotations rather than conduct a full tender.

While it is possible to sell the existing Council tip truck by auction or tender, the method of sale undertaken by staff was to offer the truck as a trade on the purchase of the new prime mover. While the purchase of the new prime mover is an exempt purchase under the Local Government Act 1995, the trade of the existing truck is not and Council must comply with Section 3.58(3) of the Act.

Council had the UD GW400 tip truck, registration CN047, independently valued by licenced valuers as at 30th June 2019. The value of the six wheel UD GW400 tip truck, registration CN047, was assessed at \$80,000 by Griffin Valuation Advisory.

Council has received the following offers for the trade UD GW400 tip truck, registration CN047,

Name	Purchase \$	Sale \$	Trade \$
South West Isuzu	162,040.00	57,272.00	105,176.00
Truck Centre WA Max Winkless	227,302.98	38,000.00	189,032.72
UD Truck Sales Truck Centre	196,537.00	38,000.00	158,537.00
WA Hino	191,460.00	35,600.00	155,860.00
Fuso	184,370.00	43,630.00	140,740.00
Budget	300,000.00	50,000.00	250,000.00

All prices are GST Exclusive

Comment

To comply with the Local Government Act 1995 for the private sale of a Council asset greater than \$20,000, Council is required to:

1. Resolve to propose to sell the asset;
2. Advertise locally the proposed sale of the asset include the proposed purchaser, details of the asset to be sold, the market value of the asset and the proposed sale price;
3. Invite submission for at least 2 weeks; and
4. Consider any submissions before finalising or not to the proposed sale.

Council resolved to proposed to sell the truck at their September 2019 Ordinary Meeting with the following decision:

COUNCIL DECISION – 2019/106:

That Council

1. propose to sell Council's UD GW400 tip truck, registration CN047, to South West Isuzu for \$57,272.00;
2. give local public notice of the proposed the sale of Council's UD GW400 tip truck, registration CN047, stating:
 - a. the proposed purchaser;
 - b. the proposed sale price;
 - c. the independent market valuation; and
 - d. invite public submissions on the proposed sale; and
3. consider the proposed sale of the Council's UD GW400 tip truck, registration CN047, at the October 2019 Ordinary Meeting of Council. .

Moved: Cr Haslam

Seconded: Cr Ballantyne

Carried 5/0

The proposed sale was then advertised in the Narrogin Observer on Thursday 26th September and in the October edition of The Cuby News inviting written submissions until 14th October 2019.

No written submissions were received.

The Officer's Recommendation is to sell Council's UD GW400 tip truck, registration CN047, to South West Isuzu for \$57,272.00.

Strategic Implications

ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

- Community infrastructure and services delivered in a timely manner, are well utilised, effective and meet the expectations of the community.
- Transport systems that are functional, efficient, economical and safe, coupled with continuous improvement to meet the safety and amenity needs of the community.
- Managing community assets in a whole of life and economically sustainable manner.

	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.

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

Goals

- An independent Council that is supported by an excellent organisation.
- Governance structures that ensure accountable, transparent and ethical decision making.
- Building the organisation and managing its structure, finances and assets in a sustainable manner.

- A Council that proactively engages with all elements of its community to make decisions that reflect positively on the future of the Shire of Cuballing.

	Strategy	Outcome
4.2	Maintain a clear, transparent and ethical decision making process.	Openness and transparency in Council decisions.
4.3	Ensure open and consistent communication between the Shire and the community.	The community is aware of Council decisions and activities.
4.4	Actively engage with the community to inform decision making and improve conversations within the community.	The community have a variety of opportunities to be involved and are able to make meaningful contributions to decision making.
4.5	Be innovative in the management of Shire operations, services, staff and resources to create a resilient and financially stable Shire.	A Shire that is progressive, sustainable, resilient and adaptive to changes.
4.6	Employees actively contribute to improved operational service delivery and ensure excellent customer service.	Employees continually improve the operational service delivery and the community receives excellent customer service.

Statutory Environment

3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
- the highest bidder at public auction; or
 - the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- it gives local public notice of the proposed disposition —
 - describing the property concerned; and
 - giving details of the proposed disposition; and
 - inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
 and
 - it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- the names of all other parties concerned; and
 - the consideration to be received by the local government for the disposition; and
 - the market value of the disposition —
 - as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition

that the local government believes to be a true indication of the value at the time of the proposed disposition.

- (5) This section does not apply to —
- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

Local Government (Functions and General) Regulations 1996

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
- (a) the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —
 - (i) its market value is less than \$5 000; and
 - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
 - or
 - (b) the land is disposed of to a body, whether incorporated or not —
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;
 - or
 - (c) the land is disposed of to —
 - (i) the Crown in right of the State or the Commonwealth; or
 - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
 - (iii) another local government or a regional local government;
 - or
 - (d) it is the leasing of land to an employee of the local government for use as the employee's residence; or
 - (e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or
 - (f) it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or
 - (g) it is the leasing of residential property to a person.
- (2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —
- (a) put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or
 - (b) the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or
 - (c) the subject of Statewide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —
 - (i) the names of all other parties concerned; and

- (ii) the consideration to be received by the local government for the disposition; and
 - (iii) the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.
- (2b) Details (see section 3.58(4) of the Act) of a disposition of property under subregulation (2a) must be made available for public inspection for at least 12 months from the initial auction or tender, as the case requires.
- (3) A disposition of property other than land is an exempt disposition if —
 - (a) its market value is less than \$20 000; or
 - (b) the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.

Policy Implications – Nil

Financial Implications

The proposed sale of the tip truck is within Council's budgeted estimates.

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Consultation

Council has sought quotations from 4 trucks for the purchase of a new prime mover and trade of the exiting tip truck.

Options

Council may resolve:

1. the Officer's Recommendation; or
2. not proceed with the current process to purchase of a new prime mover and trade of the exiting tip truck.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2019/115:

That Council sell Council's UD GW400 tip truck, registration CN047, to South West Isuzu for \$57,272.

Moved: Cr Newman

Seconded: Cr Ballantyne

Carried 6/0

9.2.5 Supply Of Tri-Axle Side Tipping Trailer – Request For Tender 2/2019

Applicant: N/A
File Ref. No: ADM318
Disclosure of Interest: Nil
Date: 11th October 2019
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider selection of a successful tenderer in respect of “RFT 2/2019 Supply Of Tri-Axle Side Tipping Trailer”.

Background

Council is purchasing two semi-trailers in 2019/20 being a tri-axle side tipping trailer and a tri-axle water tanker. Both trailers have been budgeted to cost \$100,000 each. If Council chooses to purchase both trailers from the same manufacturer, the combined cost of the two purchases will exceed the \$150,000 purchase limit included in Regulation 11 of the Local Government (Functions and General) Regulations 1996 that requires local governments to conduct tender processes for purchases.

Council staff obtained assistance from other local governments who have recently completed tenders for a similar supply of a tri-axle side tipping trailer in preparing a comprehensive specification for this tender.

Comment

Council advertised the tender state wide on Wednesday 25th September 2019 inviting tenders to be received by no later than 10am on Monday 7th October 2019.

Council completed an opening of the tenders received on Monday 7th October 2019

Prior to completing any formal assessment of the tenders received staff became aware that the Council tender process had only allowed 12 days between advertising the tender on Wednesday 25th September 2019 and closing the tenders on Monday 7th October 2019. This error in selecting the closing date for the tender is clearly in breach of the Regulation 15.

It may have been open for staff to extend the closing date for tenders after the advertising was completed, but this was not possible after the closing date was completed and tenders that had been received were opened.

The Officer’s Recommendation is that Council:

- formally not accept any tenders associated with RFT 2/2019;
- direct staff to not continue any assessment of the tenders received;
- complete a new tender process for the supply of a tri-axle side tipping trailer; and
- advise the companies that submitted tenders, invite them to participate in the future purchasing process and apologise for the error.

The staff error that resulted in the closing date for the RFT 2/2019 occurred because the Shire of Cuballing does not regularly complete tenders and staff lack experience. The events of the

Strategic Implications – Nil

Statutory Environment

Local Government Act, Section 3.57

Local Government (Functions and General) Regulations 1996
Part 4 Division 2 - Tenders for Providing Goods or Services

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.
14. Publicly inviting tenders, requirements for
- (1) When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, Statewide public notice of the invitation is to be given.
 - ...
 - (3) The notice, whether under subregulation (1) or (2), is required to include —
 - (a) a brief description of the goods or services required; and
 - (b) particulars identifying a person from whom more detailed information as to tendering may be obtained; and
 - (c) information as to where and how tenders may be submitted; and
 - (d) the date and time after which tenders cannot be submitted.
15. Minimum time to be allowed for submitting tenders
- (1) If a notice under regulation 14(1) is given, the date and time referred to in regulation 14(3)(d) has to be at least 14 days after the notice is first published in the newspaper circulating generally throughout the State.
 - (2) If a notice under regulation 14(2) is given to a person listed as an acceptable tenderer, the date and time referred to in regulation 14(3)(d) has to be at least 14 days after the notice is given.

Policy Implications – Nil

Financial Implications

The Officer's Recommendation is for Council to complete a new tender purchasing process. This process will cost Council an additional state-wide advertising of the tender, estimated at \$350.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council can resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation, giving reasons; or
3. to not accept any tender and conduct an alternative course of action, giving reasons.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2019/116:

That Council:

- 1. formally not accept any tenders associated with RFT 2/2019 Supply Of Tri-Axle Side Tipping Trailer;**
- 2. direct staff to not continue any assessment of the tenders received;**
- 3. complete a new tender process for the supply of a tri-axle side tipping trailer; and**
- 4. advise the companies that submitted tenders, invite them to participate in the future purchasing process and apologise for the error.**

Moved: Cr Bradford

Seconded: Cr Ballantyne

Carried 6/0

9.3 MANAGER OF WORKS AND SERVICES:

Nil

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

Nil

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

Nil

Ms Hopper, Mr Robertson, Mr Harris and Mr Lewis left the meeting at 2.42pm.

12. CONFIDENTIAL MATTERS:

12.1.1 Manager Works and Services – Employment Contract Renewal

Applicant: N/A
File Ref. No: Personnel
Disclosure of Interest: Nil
Date: 8th October 2019
Author: Gary Sherry
Attachments: 12.1.1A draft MWS's Employment Contract
12.1.1B MWS Remuneration Information

COUNCIL DECISION – 2019/117:

That Council:

- 1. renew the appointment of Mr Bruce Brennan as Manager Works and Services of the Shire of Cuballing under the terms and conditions included in the employment contract included at Attachment 12.1.1A Draft MWS's Employment Contract; and**
- 2. authorise the signing and sealing of the employment contract included at Attachment 12.1.1A Draft MWS's Employment Contract.**

Moved: Cr Bradford

Seconded: Cr Newman

Carried 6/0

12.1.2 Supply of Cement Stabilisation and Wet Mixing Services – Request For Tender 1/2019

Applicant: N/A
File Ref. No: ADM315
Disclosure of Interest: Nil
Date: 10th October 2019
Author: Gary Sherry
Attachments: 12.1.2A CONFIDENTIAL Tender Evaluation Report
12.1.2B CONFIDENTIAL Prices of preferred tenderers

COUNCIL DECISION – 2019/118:

That Council:

1. **accepts the tender of Western Stabilisers Pty Ltd for Request For Tender 1 RFT 1/2019 Supply of Cement Stabilisation and Wet Mixing Services for:**

ROAD NAME	AREA (m2)	COST (\$/m²)
Wandering – Narrogin Rd 1	9,984	3.71
Wandering – Narrogin Rd 2	2,016	8.52
Wandering – Narrogin Rd 2	1,680	5.08
Stratherne Rd	4,800	3.85

MOBILISATIONS/DEMOBILISATIONS	COST (\$)
of stabilisation machine, water truck and crew	3,690
of Spreader Truck and operator	-

2. **delegates to the Chief Executive Officer the authority to make minor amendments to the Scope of Works as required and any consequential changes to the Minor Works Contract; and**
3. **authorises the Chief Executive Officer to execute a Minor Works Contract with Western Stabilisers that incorporates the matters included in 1 and 2.**

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 6/0

13. NEXT MEETING

Special Council Meeting, 5.30pm, Monday 21st October 2019 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

Ordinary Council Meeting, 2.00pm, Wednesday 20th November 2019 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

14. CLOSURE OF MEETING:

The Shire President, Cr Conley, recognised that this meeting was the last Council meeting for Councillor Roger Newman and Councillor Tim Haslam. Cr Conley noted that that:

- Cr Newman had served as a Councillor for 21 years, including 10 years as Deputy Shire President; and
- Cr Haslam had served as a Councillor for 12 years.

Cr Conley believed that both Cr Newman and Cr Haslam had contributed strongly to Council and the loss of their experience and wise counsel would be significant. Cr Conley sincerely thanked Cr Newman and Cr Haslam for their service to their communities and the Shire of Cuballing.

COUNCIL DECISION – 2019/119:

That Council thank Councillor Roger Newman and Councillor Tim Haslam for their service as Councillors of the Shire of Cuballing.

Moved: Cr Bradford

Seconded: Cr Dowling

Carried 6/0

There being no further business, the Shire President, Cr Conley, closed the meeting at 2.59pm.