

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

Minutes

of the

Ordinary Meeting of Council

held

WEDNESDAY 15th SEPTEMBER 2021

CWA Hall

189 Campbell Street, Cuballing

These minutes were confirmed at the Ordinary Meeting held on Wednesday 20th October 2021.

Signed.....
Cr , Shire President
Wednesday 20th October 2021

COUNCIL MEETING PROCEDURES

1. All Council meetings are open to the public, except for matters raised by Council under “Confidential Matters”.
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 Dawson Bradford
Cr Robert Harris

President
Deputy President

Mr Gary Sherry
Ms Bronwyn Dew
Mr Anthony Mort

Chief Executive Officer
Deputy Chief Executive Officer
Acting Manager of Works and Services

Ms Julie Christensen
Mr Adrian Kowald
Ms Helen Morton
Ms Kay Watts
Mr Pete Dowdell

Pingelly Somerset Alliance Inc (until 2.46pm)
Pingelly Somerset Alliance Inc (until 2.46pm)
(from 2.05pm)

2.1.2 Apologies

Cr Deb Hopper

2.1.3 Leave of Absence

Nil

3. **STANDING ORDERS:**

COUNCIL DECISION – 2021/094:

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 5/0

4. **PUBLIC QUESTION TIME:**

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

Nil

4.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

Nil

4.3 PUBLIC QUESTIONS FROM THE GALLERY:

4.3.1 Parking – Francis Street Popanyinning

Mr Kowald asked about the ability of the Shire of Cuballing to control parking in the Shire of Cuballing. Mr Kowald is aware of a situation that occurs in Francis Street, Popanyinning where a resident regularly parks on the footpath in front of his property. This forces pedestrians to walk on the parking lane of Francis Street to get past this property and, if other cars are parked in the parking lane beside this vehicle, these pedestrians are forced to walk on a very busy road.

The Chief Executive Officer, Mr Sherry, advised that the Shire of Cuballing has not adopted a Parking Local Law as other, larger local governments have. There are some parking matters, such as parking on the side of a road facing oncoming traffic, that are offences under the Road Traffic Code.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Wednesday 18th August 2021

COUNCIL DECISION – 2021/095:

That Minutes of the Ordinary Meeting of Council held on Wednesday 18th August 2021 be confirmed as a true record of proceedings.

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 5/0

7. PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:

7.1 Ms Helen Morton – Pingelly – Staying in Place

Ms Helen Morton explained the Pingelly Somerset Alliance Inc's (PSA) Pingelly Virtual Village concept to provide services to residents of Pingelly and surrounding districts who are older, frail or becoming dependent on care and support (even to a nursing home level of service), who have a disability, or are becoming isolated.

Mr Pete Dowdell entered the meeting at 2.05pm.

In the past residents have been leaving the district because they could not be assured of the support they may need if they want to stay at home and yet needed high levels of care and support - or nursing home care, and the state and national; government do not have the answers for this in small rural populations - which are all ageing. The Pingelly Virtual Village project is a response to this.

The Pingelly Virtual Village Project seeks to

1. Support older and disabled people to live and age well in their own home;
2. Build on existing community assets, natural networks & local business.
3. maximise access to home care, personal services, clinical care in the home as required.

The Pingelly Virtual Village Project would:

- Provide a *Concierge* service – This service would promote and support village activities, strong advocate for members, information hub, social connector using GENIE, receive alert feedback;
- accommodation options – The project would advocate for and connect to local housing, respite, dementia friendly options, palliative care and culturally appropriate accommodation in the local community;
- Village technology – The project will use of leading edge technology to wrap our community around our people, build digital literacy, utilise GENIE (social mapping tool) for new vulnerable members, SPARK (digital market place for small acts of kindness), InteliCare (smart home technology);
- Build community capability in community awareness, understanding, knowledge and skills to support older/disabled people. The project would complete asset and skills audits and support a local community workforce of contractors, volunteers, neighbours, family and friends to provide support. This would link members to funded services, service providers and local workers to provide care and support for people to stay at home until end of life; and
- be a regional demonstration model. The project has interest from other, similar rural communities and the project will publish outcomes and assist other communities.

The project is seeking federal government funding to implement the project. This funding supports the establishment of the project and fund a part time project officer for 18 months and the concierge staff.

Neighbouring Shires, including the Shire of Cuballing, were used in developing the business case to government to fund the Plan. The project is seeking input from the neighbouring Shires in the form of a community connector to join the project steering committee to implement the project in the Shire of Cuballing.

Ms Morton and Ms Watts left the meeting at 2.46pm.

8. DISCLOSURE OF FINANCIAL INTEREST:

Cr Harris declared an Impartiality Interest in 9.2.2, 9.2.4, and 9.2.5 in that he is a Fire Control Officer and member of the Shire of Cuballing Bush Fire Advisory Committee that has made recommendations to Council.

Mr Sherry, the Chief Executive Officer, declared a Financial Interest in 12.1.1 in that he is the Officer whose performance and salary is being reviewed.

9. REPORTS OF OFFICERS AND COMMITTEES:

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1 List of Payments – August 2021

File Ref. No:	NA
Disclosure of Interest:	Nil
Date:	2 nd August 2021
Author:	Nichole Gould
Attachments:	9.1.1A List of June Municipal Accounts 9.1.1B Credit Card Transactions

Summary

Council is to review payments made under delegation in August 2021.

Background – Nil

Comment

Council is provided at Attachments 9.1.1A with a list of payments made from Council's bank account during the month of August 2021.

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 – 2021/096:

That Council receives:

1. **the List of Accounts paid in August 2021 under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, including payments from Council's Municipal Fund totalling \$317,043.38 included at Attachment 9.1.1A; and**
2. **a summary of transactions completed on Credit Cards by Council Staff for the period ending 31st August 2021 included at Attachment 9.1.1B.**

Moved: Cr Bradford

Seconded: Cr Dowling

Carried 5/0

LIST OF AUGUST 2021 MUNICIPAL FUND ACCOUNTS

Chq/EFT	Name	Description	Amount
02/08/2021	Police Licensing	Police Licensing Payments	188.00
03/08/2021	Police Licensing	Police Licensing Payments	888.15
04/08/2021	Police Licensing	Police Licensing Payments	2,397.80
05/08/2021	Private Health Member Fees	Private Health Member Fees	239.00
06/08/2021	Police Licensing	Police Licensing Payments	23.80
09/08/2021	Police Licensing	Police Licensing Payments	42.40
09/08/2021	Interest on Graders	Interest on Graders	94.16
09/08/2021	Loan Repayment No. 63 Graders	Loan Repayment No. 63 Graders	3,620.12
10/08/2021	Police Licensing	Police Licensing Payments	1,857.35
11/08/2021	Police Licensing	Police Licensing Payments	1,201.20
12/08/2021	Police Licensing	Police Licensing Payments	980.55
13/08/2021	Police Licensing	Police Licensing Payments	2,537.15
16/08/2021	Police Licensing	Police Licensing Payments	100.00
17/08/2021	Police Licensing	Police Licensing Payments	2,385.00
18/08/2021	Police Licensing	Police Licensing Payments	919.00
19/08/2021	Private Health Member Fees	Private Health Member Fees	239.00
19/08/2021	ATO Clearing Account BAS	ATO Clearing Account BAS	15,047.00
20/08/2021	Police Licensing	Police Licensing Payments	6,326.15
23/08/2021	Police Licensing	Police Licensing Payments	203.40
24/08/2021	Police Licensing	Police Licensing Payments	256.00
25/08/2021	Police Licensing	Police Licensing Payments	205.20
26/08/2021	Police Licensing	Police Licensing Payments	256.60
27/08/2021	Police Licensing	Police Licensing Payments	796.80
EFT6367	Ashley Blyth Tree Lopping	Cut trees away from power lines with EWP	1,500.00
EFT6368	BMR Mechanical Pty Ltd	220,000km service	3,327.12
EFT6369	Best Office Systems	Monthly Copier Charges – July 2021	930.45
EFT6370	Bronwyn Dew	Reimbursement of internet service	55.00
EFT6371	Busselton Advanced Driver Training	Training for License upgrades	6,700.00
EFT6372	Central Country Zone of WALGA	Annual membership 2021/22	2,200.00
EFT6373	Cloud Payment Group	Debt Collection	3,544.99
EFT6374	Corsign (WA) Pty Ltd	12 x Water over road sign	660.00
EFT6375	Cuballing Building Company	Construct 70 metre long x 1100mm wide Walkway at Yornaning Dam South end.	66,079.20

Chq/EFT	Name	Description	Amount
EFT6376	Cuby Agricultural Windscreens	1 x New Windscreen, MWS Ute	735.90
EFT6377	Cuby Roadhouse	Paper, fuel, postage, other goods	474.05
EFT6378	Castledex	ADM Files	384.67
EFT6379	Cuby Tavern	Catering July & August	456.00
EFT6380	Dews Mini Excavations	Excavator hire Culvert cleaning	4,158.00
EFT6381	E Fire and Safety	Inspect and Service all fire extinguishers	1,967.90
EFT6382	Edwards Motors	84,000km Service CN 0	425.90
EFT6383	Mark Epworth	Reimbursement of Police Clearance	57.60
EFT6384	Edge Planning & Property	Town Planning Service – July 2021	246.40
EFT6385	Fairway Carriers	Monthly Freight charges	402.36
EFT6386	Farmworks Narrogin	1 x 1kg Chlorsulfuron 1x 5lt Pulse 1x 1lt Envirodye Red	374.00
EFT6387	Gerrard Hydraulics	1 x Hydraulic drive motor for Sewell B200	1,166.00
EFT6388	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery	6,198.39
EFT6389	Great Southern Waste Disposal	Rubbish Removal – Recycling Service	5,747.16
EFT6390	Kalexpress & Quality Transport	Freight Charges – Corsign	127.44
EFT6391	Landgate	Monthly Interim GRV scheduled Roll	152.50
EFT6392	Local Government Supervisors Association of WA Inc	LGWA Works Conference	2,090.00
EFT6393	Local Health Authorities Analytical Committee	Annual Health Analytical Services 2021/22	396.00
EFT6394	Makit Narrogin Hardware	Monthly Account – Clips & Joiners	29.80
EFT6395	McDougall Weldments	1 x 6.1m Patio Tube for Cuballing Oval Dam 2 x 10mm 6.5m Rod 10m x 6mm Rod	83.56
EFT6396	Narrogin Auto Electrics	Install new UHF radio CN1557	549.50
EFT6397	Narrogin South Regional TAFE	Chemical Handling Training.	686.40
EFT6398	Parrys Narrogin	Boots	183.55
EFT6399	Reinforced Concrete Pipes	4 x 750mm Class 4 Pipes	2,108.92
EFT6400	Shire of Goomalling	Registration 2021 LGIS Local Gov. Golf Tournament	820.00
EFT6401	Shire of Narrogin	Ranger Services	379.50
EFT6402	St John Ambulance Western Australia Ltd	First Aid Training	2,478.00

Chq/EFT	Name	Description	Amount
EFT6403	Sunny Industrial Brushware Pty Ltd	2 x Broom Bobbins for road broom	2,439.14
EFT6404	Toll Ipec (Courier Australia)	Freight Charges – DX Print	16.94
EFT6405	Twinkarri Tree Pruning Services	Excavator hire with mulcher head for tree mulching various roads	44,203.50
EFT6406	Tutt Bryant Equipment	Repair centre housing on Bomag roller	6,010.66
EFT6407	Winc Australia Pty Limited	Stationery	232.41
EFT6408	Crown Perth – Burswood Nominees ATF Burswood Property Trust	Accommodation Local Government Week	1,592.00
EFT6409	Best Office Systems	Monthly Copier Charges	833.56
EFT6410	Cuballing Building Company	Fix leak in CEO roof	1,523.50
EFT6411	Dews Mini Excavations	Clean out Culverts	4,158.00
EFT6412	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery	7,411.80
EFT6413	Komatsu Australia Pty Limited	2 x Dowel pins for Quick coupler WA 320 loader	41.58
EFT6414	Narrogin Quarry Operations	12 Ton Cracker Dust	174.94
EFT6415	Narrogin Senior High School	Top Student award Narrogin Senior High School 2021	140.00
EFT6416	Narrogin South Regional TAFE	Chemical Handling Training.	723.20
EFT6417	R Munns Engineering Consulting Services	Provide Revised cost estimate for five year program WSNF	3,669.60
EFT6418	South West Fire Units	CN1993 Repairs & Major Service Popanyinning 4x4	14,345.21
EFT6419	Twinkarri Tree Pruning Services	Excavator hire with mulcher head for tree mulching various roads	35,557.50
EFT6420	Wallis Computer Solutions	Postage to return MWS laptop	27.50
20091	Synergy	Electricity Charge – Council Buildings/properties	4,264.37
20092	Shire of Cuballing	Kerbside Rubbish & Recycling Charge	2,471.00
20093	Water Corporation	Water Charges – Hall, skate park, CEO house, Depot & minor standpipes	507.53
20094	Water Corporation	Water Charges – Standpipe Ridley St Cuballing	829.53
DD2722.1	Hostplus Super	Superannuation contributions	294.98
DD2722.2	Aware Super Pty Ltd	Payroll deductions	5,948.49
DD2722.3	Matrix Superannuation	Superannuation contributions	200.89
DD2722.4	Australian Super	Superannuation contributions	699.46
DD2722.5	CBUS	Superannuation contributions	490.41
DD2722.6	Your Choice Super	Superannuation contributions	53.79
DD2726.1	Hostplus Super	Superannuation contributions	294.98

Chq/EFT	Name	Description	Amount
DD2726.2	Aware Super Pty Ltd	Payroll deductions	6,088.43
DD2726.3	Matrix Superannuation	Superannuation contributions	227.42
DD2726.4	Australian Super	Superannuation contributions	699.46
DD2726.5	CBUS	Superannuation contributions	490.41
DD2726.6	Your Choice Super	Superannuation contributions	218.58
DD2730.1	Telstra	Mobile Charge – CEO Mobile	305.03
DD2731.1	linet Limited	Monthly NBN Internet Service CEO Residence	89.99
DD2735.1	Telstra	Service Charge – Shire Office	263.33
DD2738.1	National Australia Bank	July Credit Card Payment	10,824.17
			317,043.38

CREDIT CARD TRANSACTIONS

Supplier	DETAIL OF PURCHASE	TOTAL
Department of Transport	Vehicle Registrations – 12 Months	3,957.69
Department of Transport	Vehicle Registrations – 12 Months	424.51
Department of Transport	Vehicle Registrations – 6 Months	198.40
Department of Transport	Vehicle Registrations – 6 Months	10.30
Department of Transport	Vehicle Registrations – 6 Months	198.40
Department of Transport	Vehicle Registrations – 6 Months	10.30
Department of Transport	Vehicle Registrations – 3 Months	22.60
Department of Transport	Vehicle Registrations – 3 Months	10.30
Department of Transport	Vehicle Registrations – 6 Months	198.40
Department of Transport	Vehicle Registrations – 6 Months	10.30
Divine Framing	Framing of 2020 Council Photo	131.00
Coles Express	CEO Diesel	88.14
Vibe	CEO Diesel	107.67
Aussie Broadband	Monthly NBN Internet Subscription	79.00
Quest Rockingham	Training Accommodation – Outside Trainee	166.16
Repco (Covs Ngn)	Adaptors	50.00
Kingsley Tavern	Lunches x 3 – Inspection of New Steel Roller	88.90
Department of Transport	License Upgrade to HC	53.90
Malcolm Thomson Pumps	Repairs to Springhill Dam Pump	5,018.20
GRAND TOTAL		10,824.17

9.1.2 Statement of Financial Activity – August 2021

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	7 th September 2021
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 August 2021.

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

Operating Revenue key points include.

- General Purpose Funding – Rates were raised on 28th July 2021;
- Transport – MRWA Direct Grant amount received \$87,145;
- Transport – First 40% of Regional Road Group claims have been received;
- Transport – 100% of Roads to Recovery has been received;
- Financial Assistance Grants – early payment of 2021/22 grant has been received;
- FESA – ESL grant funding – early payment of 2021/22 grant has been received; and
- Youth Traineeship Grant Funding for 2021/22 has been received.

Operating Expenses – The key items of variance include:

- Employee costs are underbudget due to timing of engaging new staff;
- Repairs overbudget due to repairs to fire vehicles;
- Road maintenance overbudget due to repairs to roads damaged by rain; and
- Capital acquisitions are underbudget – due to timing of major projects.

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

Administration Allocations have been calculated to 31st August 2021.

Depreciation expense is calculated to 31st August 2021.

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 – 2021/097:

That the Statement of Financial Activity, as included at Attachment 9.1.2A for the Shire of Cuballing for period ending 31st August 2021 be received.

Moved: Cr Harris

Seconded: Cr Ballantyne

Carried 5/0

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 August 2021

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

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MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2021

INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 31 August 2021
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

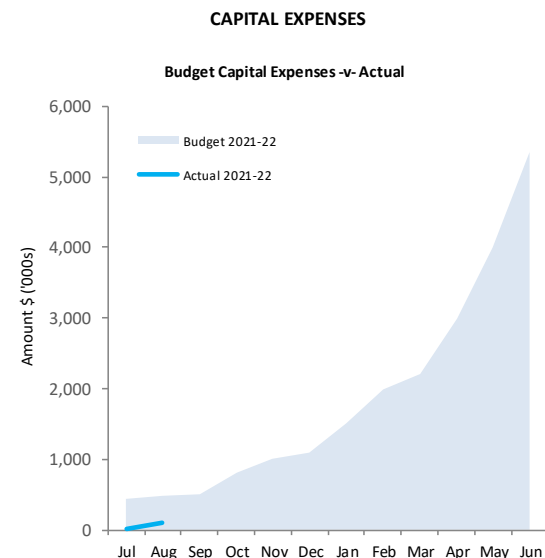
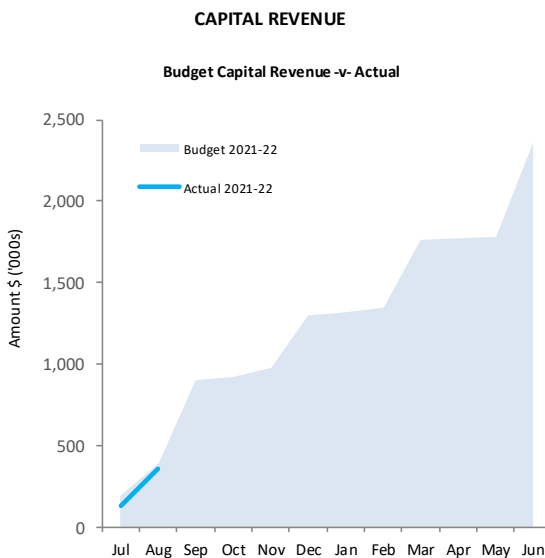
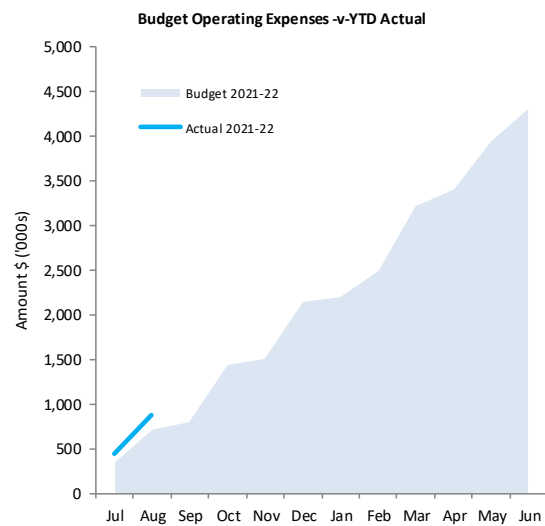
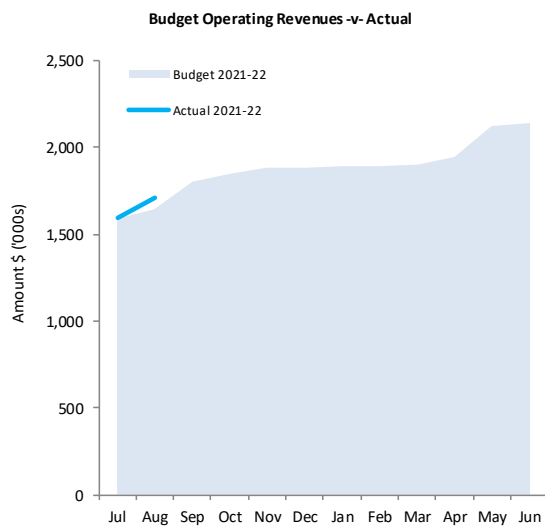
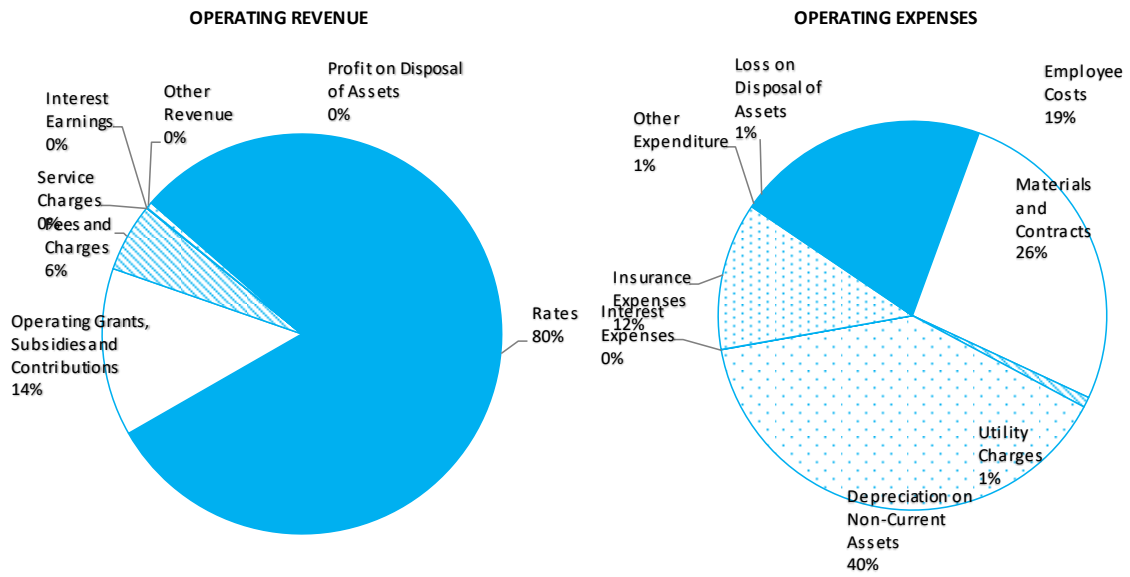
The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions 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 31 AUGUST 2021**

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 31 AUGUST 2021

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 31 AUGUST 2021**

STATUTORY REPORTING PROGRAMS

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)
		\$	\$	\$	\$	%
Opening Funding Surplus(Deficit)	1(b)	1,904,205	1,904,205	1,934,755	30,550	2%
Revenue from operating activities						
General Purpose Funding	5	1,539,977	1,428,690	1,422,007	(6,683)	(0%)
Governance		44,950	36,656	40,711	4,055	11%
Law, Order and Public Safety		133,112	622	743	121	19%
Health		800	132	236	104	79%
Education and Welfare		2,500	0	0	0	
Housing		0	0	0	0	
Community Amenities		75,516	74,432	79,700	5,268	7%
Recreation and Culture		12,773	498	718	220	44%
Transport		249,755	126,941	137,759	10,818	9%
Economic Services		38,700	2,669	1,535	(1,134)	(42%)
Other Property and Services		45,000	4,998	2,879	(2,119)	(42%)
		2,143,083	1,675,638	1,686,288		
Expenditure from operating activities						
General Purpose Funding		(88,500)	(14,748)	(11,462)	3,286	22%
Governance		(138,957)	(49,198)	(46,298)	2,900	6%
Law, Order and Public Safety		(298,263)	(42,438)	(56,935)	(14,497)	(34%) ▼
Health		(45,907)	(7,646)	(6,285)	1,361	18%
Education and Welfare		(45,708)	(6,944)	(1,946)	4,998	72%
Housing		(40,711)	(7,296)	(5,582)	1,714	23%
Community Amenities		(353,068)	(48,409)	(44,600)	3,809	8%
Recreation and Culture		(378,844)	(71,566)	(67,276)	4,290	6%
Transport		(2,715,046)	(541,158)	(571,211)	(30,053)	(6%)
Economic Services		(162,367)	(23,314)	(19,147)	4,167	18%
Other Property and Services		(34,500)	(62,598)	(64,377)	(1,779)	(3%)
		(4,301,871)	(875,315)	(895,118)		
Operating activities excluded from budget						
Add Back Depreciation		2,060,628	343,418	352,811	9,393	3%
Adjust (Profit)/Loss on Asset Disposal	6	42,073	0	12,633	12,633	▲
Adjust Provisions and Accruals		0	0	0	0	
Amount attributable to operating activities		(56,086)	1,143,742	1,156,614		
Investing Activities						
Non-operating Grants, Subsidies and Contributions	10	2,360,758	366,107	362,772	(3,335)	(1%)
Proceeds from Disposal of Assets	6	115,000	115,000	26,518	(88,482)	(77%) ▼
Land Held for Resale		0	0	0	0	
Capital Acquisitions	7	(5,353,726)	(449,478)	(99,488)	349,990	78% ▲
Amount attributable to investing activities		(2,877,968)	31,629	289,802		
Financing Activities						
Proceeds from New Debentures		850,000	850,000	0	(850,000)	(100%) ▼
Repayment of Debentures	8	(77,812)	(7,227)	(7,227)	0	0%
Transfer from Reserves	9	353,507	83,139	83,139	0	0%
Transfer to Reserves	9	(93,911)	(83,189)	(83,189)	0	0%
Amount attributable to financing activities		1,031,784	842,723	(7,277)		
Wardering Road Bridge Widening						
Closing Funding Surplus(Deficit)	1(b)	1,935	3,922,299	3,373,894		

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 2021/22 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 31 AUGUST 2021

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 CHARGES

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

SERVICE CHARGES

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

INTEREST EARNINGS

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

OTHER REVENUE / INCOME

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

NATURE OR TYPE DESCRIPTIONS

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 31 AUGUST 2021**

BY NATURE OR TYPE

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)	
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	1(b)	1,904,205	1,904,205	1,934,755	30,550	2%	
Revenue from operating activities							
Rates	5	1,241,412	1,355,936	1,354,588	(1,348)	(0%)	
Operating Grants, Subsidies and Contributions	10	702,067	232,076	229,034	(3,042)	(1%)	
Fees and Charges		143,279	78,246	93,336	15,090	19%	▲
Interest Earnings		10,575	1,758	849	(909)	(52%)	
Other Revenue		45,750	7,622	8,480	858	11%	
Profit on Disposal of Assets	6	0	0	0	0		
		2,143,083	1,675,638	1,686,288			
Expenditure from operating activities							
Employee Costs		(1,027,922)	(216,564)	(171,723)	44,841	21%	▲
Materials and Contracts		(865,829)	(186,677)	(235,829)	(49,152)	(26%)	▼
Utility Charges		(62,565)	(10,394)	(7,698)	2,696	26%	
Depreciation on Non-Current Assets		(2,060,628)	(343,418)	(352,811)	(9,393)	(3%)	
Interest Expenses		(23,708)	(3,948)	(202)	3,746	95%	
Insurance Expenses		(159,902)	(108,452)	(109,701)	(1,249)	(1%)	
Other Expenditure		(59,245)	(5,862)	(4,522)	1,340	23%	
Loss on Disposal of Assets	6	(42,073)	0	(12,633)	(12,633)		▼
		(4,301,871)	(875,315)	(895,118)			
Operating activities excluded from budget							
Add back Depreciation		2,060,628	343,418	352,811	9,393	3%	
Adjust (Profit)/Loss on Asset Disposal	6	42,073	0	12,633	12,633		▲
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(56,086)	1,143,742	1,156,614			
Investing activities							
Non-operating grants, subsidies and contributions	10	2,360,758	366,107	362,772	(3,335)	(1%)	
Proceeds from Disposal of Assets	6	115,000	115,000	26,518	(88,482)	(77%)	▼
Land held for resale		0	0	0	0		
Capital acquisitions	7	(5,353,726)	(449,478)	(99,488)	349,990	78%	▲
Amount attributable to investing activities		(2,877,968)	31,629	289,802			
Financing Activities							
Proceeds from New Debentures		850,000	850,000	0	(850,000)	(100%)	▼
Repayment of Debentures	8	(77,812)	(7,227)	(7,227)	0	0%	
Transfer from Reserves	9	353,507	83,139	83,139	0	0%	
Transfer to Reserves	9	(93,911)	(83,189)	(83,189)	0	0%	
Amount attributable to financing activities		1,031,784	842,723	(7,277)			
Closing Funding Surplus (Deficit)	1(b)	1,935	3,922,299	3,373,894			

KEY INFORMATION

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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 31 AUGUST 2021**

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 31 AUGUST 2021

OPERATING ACTIVITIES
NOTE 1(b)
ADJUSTED NET CURRENT ASSETS

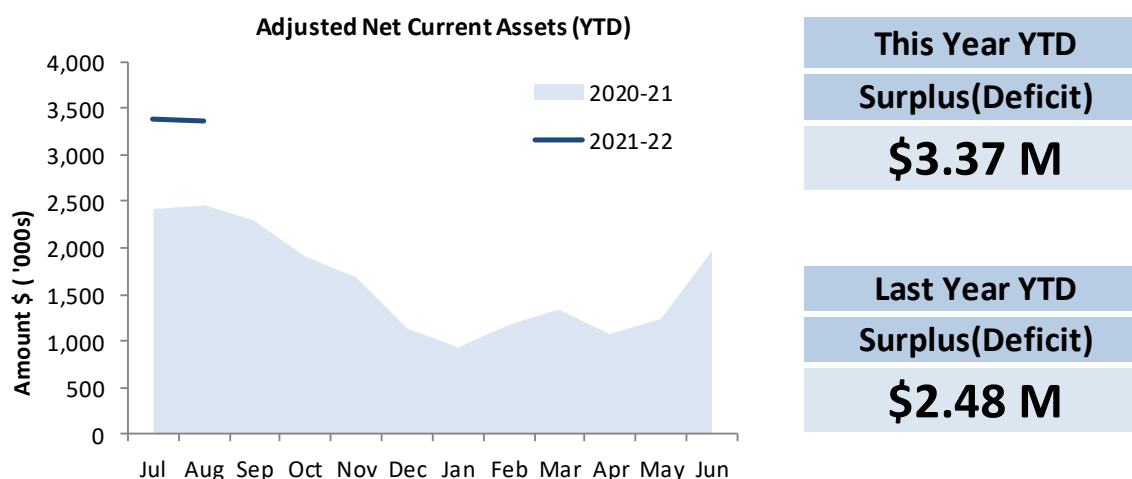
		Last Years Closing	This Time Last Year	Year to Date Actual
	Note	30 June 2021	31 Aug 2020	31 Aug 2021
		\$	\$	\$
Adjusted Net Current Assets				
Current Assets				
Cash Unrestricted	3	1,831,039	1,432,103	2,238,524
Cash Restricted	3	1,076,895	1,317,345	1,076,945
Receivables - Rates	4	122,255	1,134,063	1,185,197
Receivables - Other	4	92,407	14,843	25,536
Loans receivable		0	0	0
ATO Receivable		0	0	22,900
Inventories		5,613	6,061	5,613
		3,128,210	3,904,415	4,554,717
Less: Current Liabilities				
Payables		(116,225)	(109,101)	(74,293)
ATO Payables		0	0	(25,408)
Provisions - employee		(260,765)	(196,543)	(260,765)
Long term borrowings		(44,358)	(50,157)	(37,131)
Bonds & Deposits		(334)	(4,178)	(4,176)
		(421,682)	(355,801)	(401,773)
Unadjusted Net Current Assets		2,706,528	3,548,614	4,152,944
Adjustments and exclusions permitted by FM Reg 32				
Less: Cash reserves	3	(1,076,895)	(1,317,345)	(1,076,945)
Less: Loans receivable		0	0	0
Add: Provisions - employee		260,765	196,543	260,765
Add: Long term borrowings		44,358	50,157	37,131
Adjusted Net Current Assets		1,934,755	2,477,970	3,373,894

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 31 AUGUST 2021**

**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 2021/22 year is \$5,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Vi	Timing/ Permane	Explanation of Variance
	\$	%			
Revenue from operating activities					
Governance	4,055	11%		Permanent	Unbudgeted trainee subsidy
General Purpose Funding	(6,683)	(0%)		Permanent	Grant Commission Income less than budgeted
Law, Order and Public Safety	121	19%		Timing	Not Material
Health	104	79%		Timing	Not Material
Education and Welfare	0			Timing	Not Material
Housing	0			Timing	Not Material
Community Amenities	5,268	7%		Permanent	Cemtery Income higher than budgeted
Recreation and Culture	220	44%		Timing	Not Material
Transport	10,818	9%		Permanent	Local Road grant higher than budgeted
Economic Services	(1,134)	(42%)		Timing	Not Material
Other Property and Services	(2,119)	(42%)		Timing	Not Material
Expenditure from operating activities					
Governance	2,900	6%		Timing	Not Material
General Purpose Funding	3,286	22%		Timing	Not Material
Law, Order and Public Safety	(14,497)	(34%)	▼	Timing	Repairs to fire vehicles (recoverable cost)
Health	1,361	18%		Timing	Not Material
Education and Welfare	4,998	72%		Timing	Not Material
Housing	1,714	23%		Timing	Not Material
Community Amenities	3,809	8%		Timing	Not Material
Recreation and Culture	4,290	6%		Timing	Not Material
Transport	(30,053)	(6%)		Timing	Extra road maintenance activity
Economic Services	4,167	18%		Timing	Not Material
Other Property and Services	(1,779)	(3%)		Timing	Not Material
Investing Activities					
Non-operating Grants, Subsidies and Contributions	(3,335)	(1%)		Timing	Not Material
Proceeds from Disposal of Assets	(88,482)	(77%)	▼	Timing	Timing on Sale of Assets
Land Held for Resale	0				
Capital Acquisitions	349,990	78%	▲	Timing	Timing of Capital Works Program
Financing Activities					
Proceeds from New Debentures	(850,000)	(100%)	▼	Timing	Aged Persons Accommodation
Transfer from Reserves	0	0%		Timing	Not material
Repayment of Debentures	0	0%		Timing	Not material
Transfer to Reserves	0	0%		Timing	Not material

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

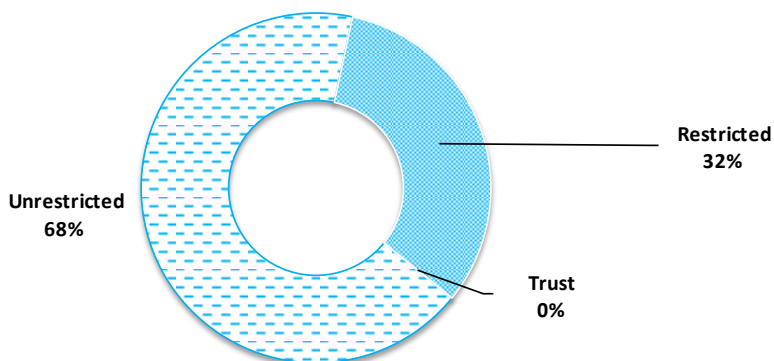
Cash and Investments	Unrestricted	Restricted	Trust	Total YTD Actual	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
Cash on Hand							
Petty Cash and Floats	700			700	NAB	0.00%	At Call
At Call Deposits							
Municipal Fund	2,237,824			2,237,824	NAB	0.00%	At Call
Term Deposits							
Reserve Funds		1,076,945		1,076,945	NAB	0.20%	08-Feb-22
Total	2,238,524	1,076,945	0	3,315,470			

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
\$3.32 M	\$2.24 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

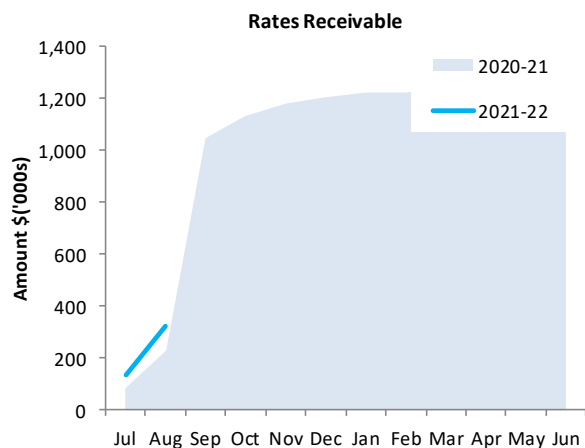
Rates Receivable	30 June 2020	31 Aug 21	Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$		\$	\$	\$	\$	\$
Opening Arrears Previous Year	84,880	122,255	Receivables - General	20,293	0	75	5,168	25,536
Levied this year	1,258,745	1,386,062	Percentage	79%	0%	0%	20%	
Less Collections to date	(1,221,370)	323,120	Balance per Trial Balance					
Equals Current Outstanding	122,255	1,185,197	Sundry debtors					25,536
			GST receivable					22,900
Net Rates Collectable	122,255	1,185,197	Total Receivables General Outstanding					48,437
% Collected	90.29%	14.49%	Amounts shown above include GST (where applicable)					

KEY INFORMATION

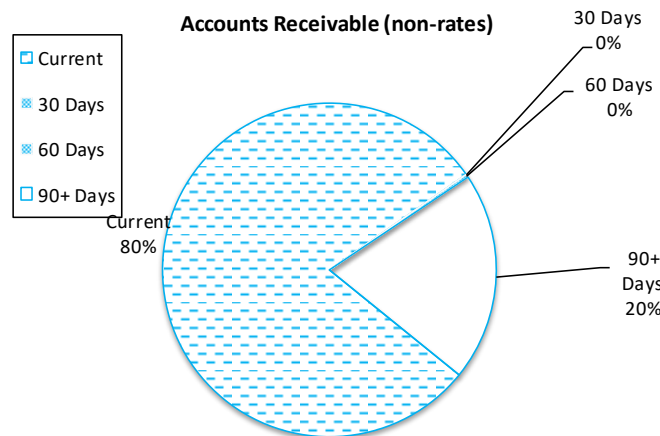
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

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.



Collected	Rates Due
14%	\$1,185,197



Debtors Due
\$48,437
Over 30 Days
21%
Over 90 Days
20%

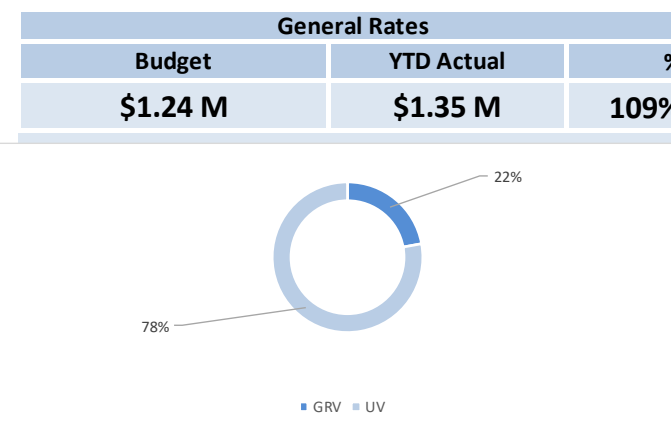
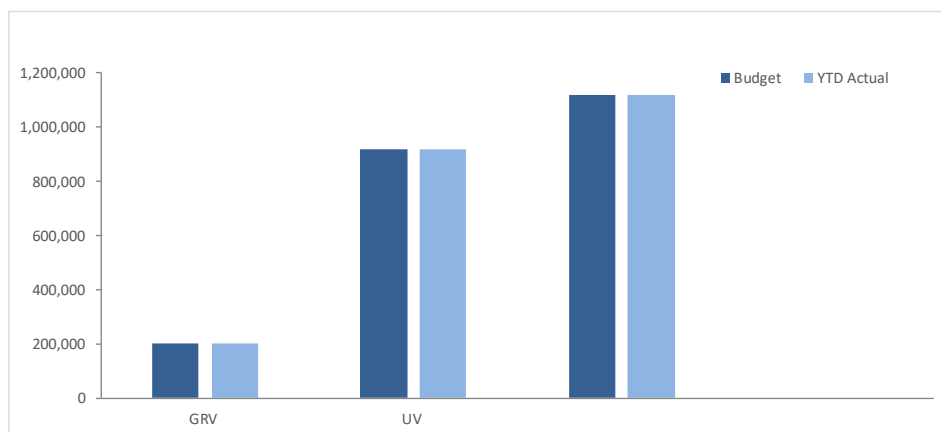
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

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	0.083965	188	2,369,718	198,973	0	0	198,973	198,973	0	0	198,973
UV	0.006846	182	134,494,000	920,746	0	0	920,746	920,746	0	0	920,746
Sub-total		370	136,863,718	1,119,719	0	0	1,119,719	1,119,719	0	0	1,119,719
Minimum \$											0
GRV	759	142		107,778	0	0	107,778	107,778	0	0	107,778
UV	1,023.00	155		158,565	0	0	158,565	158,565	0	0	158,565
		297	0	266,343	0	0	266,343	266,343	0	0	266,343
Sub-Totals		667	136,863,718	1,386,062	0	0	1,386,062	1,386,062	0	0	1,386,062
Discount							(85,000)				(31,866)
Concession / Write Offs							(58,900)				0
COVID Subsidy							(1,000)				(45)
Interim Rates							250				438
Ex-Gratia Rates							490				0
Amount from General Rates							1,241,412				1,354,588
Ex-Gratia Rates											0
Total General Rates							1,241,412				1,354,588

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.



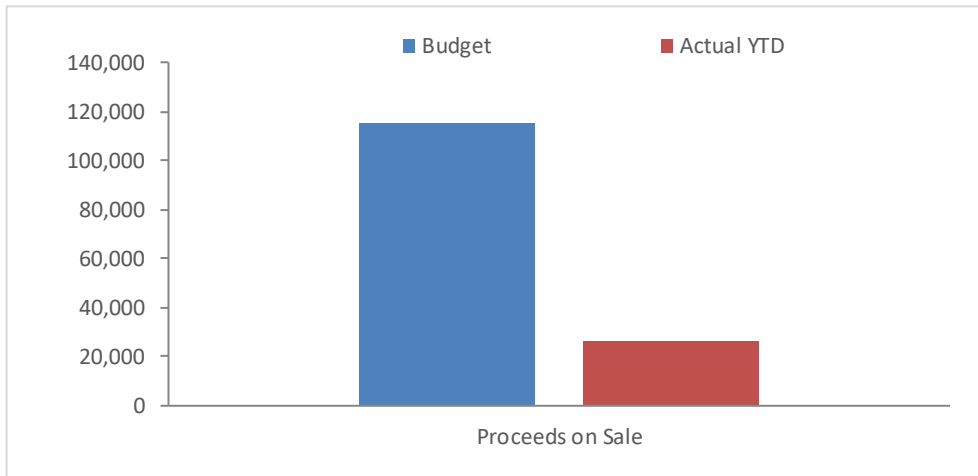
General Rates		
Budget	YTD Actual	%
\$1.24 M	\$1.35 M	109%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

Attachment 9.1.2B
OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS

Asset Ref.	Asset Description	Amended Budget				Net Book Value	YTD Actual		
		Net Book Value	Proceeds	Profit	(Loss)		Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	
10089	Isuzu Giga	60,000	35,000		(25,000)				
10051	Bomag Roller	40,000	30,000		(10,000)	39,151	26,518	(12,633)	
16	CN0 Dual Cab Utility	27,058	25,000		(2,058)				
103	CN1 Dual Cab Utility	30,015	25,000		(5,015)				
		157,073	115,000	0	(42,073)	39,151	26,518	0	
								(12,633)	

KEY INFORMATION



Proceeds on Sale		
Budget	YTD Actual	%
\$115,000	\$26,518	23%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

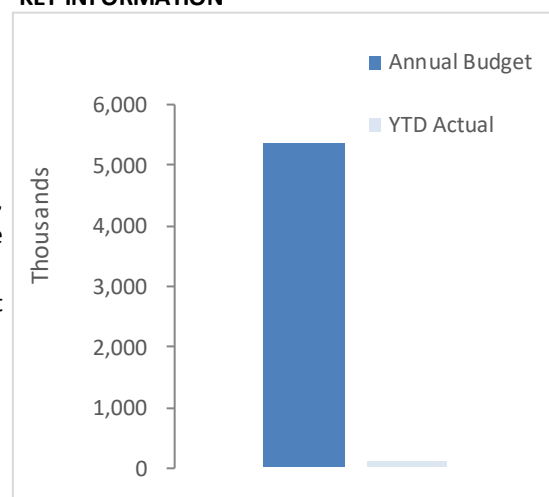
INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS

Capital Acquisitions	Amended		YTD Actual Total	YTD Budget Variance
	Annual Budget	YTD Budget		
	\$	\$	\$	\$
Land & Buildings	2,549,561	67,314	14,627	52,687
Plant & Equipment	486,000	0	0	0
Furniture & Equipment	0	0	0	0
Roads	2,190,879	365,124	24,790	340,334
Recreation	0	0	0	0
Parks, Gardens, Recreation Facilities	72,286	12,042	60,072	(48,030)
Other Infrastructure	55,000	4,998	0	4,998
Capital Expenditure Totals	5,353,726	449,478	99,488	349,990
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	2,360,758	366,107	362,772	(3,335)
Borrowings	850,000	850,000	0	(850,000)
Other (Disposals & C/Fwd)	115,000	115,000	26,518	(88,482)
Cash Backed Reserves				
Infrastructure Reserve	121,000	0	0	0
Pensioner Unit Maintenance Reserve	0	0	0	0
Plant Replacement Reserve	40,000	0	0	0
Contribution - operations	1,866,968	(881,629)	(289,802)	591,827
Capital Funding Total	5,353,726	449,478	99,488	(349,990)

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
	\$5.35 M	\$.1 M	2%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$2.36 M	\$.36 M	15%

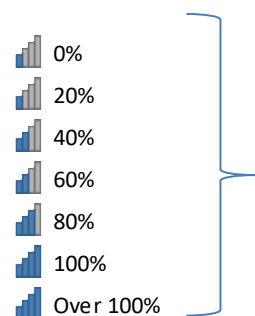
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

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.

 Level of completion indicator

	Acc / Job	Annual Budget	YTD Budget	YTD Actual	Variance
Capital Expenditure					
Land					
 Cuballing Railway Reserve Business Case	C176A	35,000	5,832	0	5,832
Buildings					
 Administration Building Disabled Access	J4114C	62,833	0	0	0
 Building Renewal - Cuballing Memorial Park	C176	85,368	14,222	0	14,222
 Cuballing Transfer Station Shed Floor	C160	9,960	1,656	0	1,656
 Administration Building Refurbishment	J4114D	73,211	12,200	0	12,200
 Popanyinning Main Street Refurbishment	C193	200,465	33,404	0	33,404
 Aged Persons Accommodation	C084	1,587,188	0	14,627	(14,627)
 LRCI Phase 3 Projects	C300	495,536	82,588	0	82,588
Total Land & Buildings		2,549,561	67,314	14,627	52,687

Plant & Equipment						
	Prime Mover	12407	200,000	0	0	0
	Bomag Roller	12426	170,000	0	0	0
	Two Way System	12411	15,000	0	0	0
	MWS Vehicle	12406	53,000	0	0	0
	WS Vehicle	12417	48,000	0	0	0
	Total Plant & Equipment		486,000	0	0	0
Furniture & Equipment						
	Nil		0	0	0	0
	Total Furniture & Equipment		0	0	0	0
Infrastructure - Roads						
	RRG - Narrogin Wandering Road	R129E	352,151	58,690	13,177	45,513
	RRG - Stratherne Road 20/21	R001C	103,604	17,266	0	17,266
	RRG - Wandering Narrogin Road	R001D	160,343	26,720	4,239	22,481
	RTR - Popanyinning East Road Gravel Sheeting	RTR004	35,113	5,848	1,483	4,366
	RTR - Popanyinning West Widening	RTR002	215,044	35,834	0	35,834
	BS - Narrogin Wandering Road Black Spot	BS129	7,000	1,166	0	1,166
	WSFN - Cuballing East Road	WSF006	1,317,624	219,600	5,892	213,709
	Total Road Infrastructure		2,190,879	365,124	24,790	126,626
Recreation						
	Nil		0	0	0	0
	Total Recreation		0	0	0	0
Parks, Ovals & Playgrounds						
	Yornaning Dam - Stage 3	C189	66,079	11,012	60,072	(49,060)
	Yornaning Dam - Mountain Bike Track	C197	6,207	1,030	0	1,030
	Total Parks, Ovals & Playgrounds		72,286	12,042	60,072	(48,030)
Other Infrastructure						
	Bridge Improvements - Capital Upgrade	11214	30,000	4,998	0	4,998
	Depot Fencing & Gates - Eastern Boundary	10744	25,000	4,166	0	4,166
	Total Other Infrastructure		55,000	4,998	0	4,998
	TOTAL CAPITAL EXPENDITURE		5,353,726	449,478	99,488	136,281

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

FINANCING ACTIVITIES
NOTE 8
BORROWINGS

Information on Borrowings	2020/21	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget
Particulars	\$	\$	\$	\$	\$	\$	\$	\$	\$
Transport									
Loan 63 - Graders	29,228	0	0	7,227	29,228	22,001	29,228	202	485
							0		
Economic Services									
Loan 64 - Lot 74 Austral St	130,702			0	15,130	130,702	130,702	0	2,755
Education and Welfare									
Loan 65 - Aged Persons Housing			850,000	0	33,454	0	850,000	0	20,468
Total	159,930	0	850,000	7,227	77,812	152,703	1,009,930	202	23,708

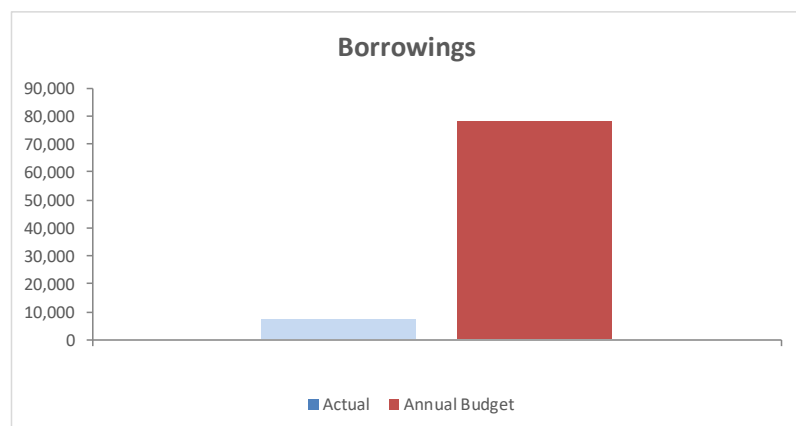
All debenture repayments were financed by general purpose revenue.

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	\$7,227
Interest Earned	\$849
Interest Expense	\$202
Reserves Bal	Loans Due
\$1.08 M	\$15 M

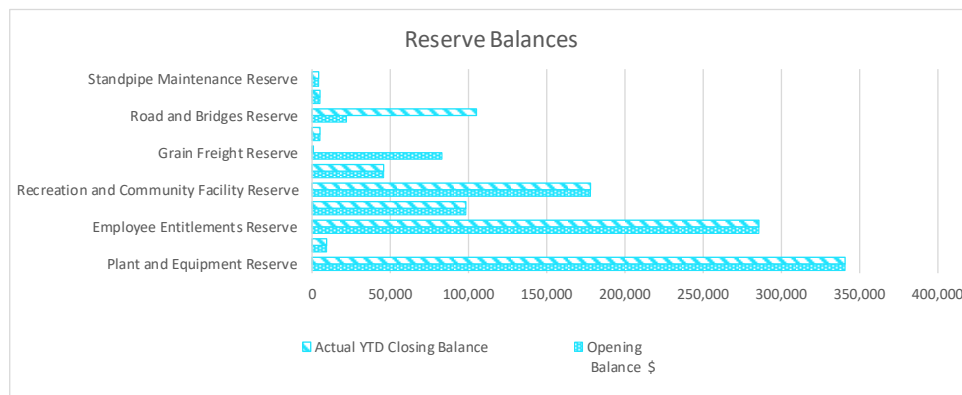
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

OPERATING ACTIVITIES
NOTE 9
CASH AND INVESTMENTS

Cash Backed Reserve

Reserve Name	Opening	Budget Interest	Actual Interest	Budget Transfers	Actual Transfers	Budget Transfers	Actual Transfers	Budget Closing	Actual YTD
	Balance	Earned	Earned	In (+)	In (+)	Out (-)	Out (-)	Balance	Closing Balance
Plant and Equipment Reserve	\$ 340,654	\$ 1,960	\$ 16	\$	\$ 16	\$ (121,000)	\$ 0	\$ 221,614	\$ 340,670
IT and Office Equipment Reserve	9,149	32	0		0	0	0	9,181	9,149
Employee Entitlements Reserve	286,072	1,067	13		13	(20,000)	0	267,139	286,085
Housing Reserve	98,208	367	5		5	(40,000)	0	58,575	98,213
Recreation and Community Facility Reserve	178,046	792	8		8	(85,368)	0	93,470	178,054
Refuse Site Reserve	45,422	205	2		2		0	45,627	45,424
Grain Freight Reserve	83,139	0	0		0	(83,139)	(83,139)	0	0
Equestrian Reserve	4,910	50	0	4,772	0	0	0	9,732	4,910
Road and Bridges Reserve	21,883	486	5	83,139	83,143		0	188,651	105,026
Community & Sporting Club Reserve	5,316	21	0	1,000	0	(4,000)	0	2,337	5,316
Standpipe Maintenance Reserve	4,096	20	0		0	0	0	4,116	4,096
	1,076,895	5,000	50	88,911	83,189	(353,507)	(83,139)	900,442	1,076,945

KEY INFORMATION



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

NOTE 10
GRANTS AND CONTRIBUTIONS

Grants and Contributions

Description	Annual Budget	YTD Budget	YTD Actual	Variance
Operating grants, subsidies and contributions				
General Purpose Funding				
Grants Commission - General Purpose	276,000	69,000	63,574	(5,426)
Governance				
Insurance & Other Reimbursements	0	0	0	0
Department Primary Industries & Regional Development	35,000	35,000	35,000	0
Law, Order & Public Safety				
DFES - Bush Fire Brigades	31,547	0	0	0
Fire Mitigation Grant	84,825	0	0	0
Fire Prevention	12,990	0	0	0
Education & Welfare				
Stay on your feet	2,500	0	0	0
Community Amenities				
Other Income - Reimbursements	0	0	0	0
Recreation & Culture				
Mountain Bike Track Income	4,000	0	0	0
Youth Week Funding	1,000	0	0	0
Transport				
Main Roads - Direct Grant	87,145	87,145	87,145	0
Grants Commission - Roads Component	152,360	38,090	43,316	5,226
Economic Services				
Community Events	4,700	1,175	0	(1,175)
Other Property & Services				
Workers Compensation	10,000	1,666	0	(1,666)
Operating grants, subsidies and contributions Total	702,067	232,076	229,034	(3,042)
Non-operating grants, subsidies and contributions				
Education & Welfare				
Recreation & Culture				
Yornaning Dam Stage 4	15,156	15,156	15,156	0
Transport				
Main Roads - RRG	361,790	140,000	136,664	(3,336)
Roads to Recovery (RTR)	210,951	210,951	210,952	1
Black Spot (BS)	0	0	0	0
Wheatbelt Secondary Freight Network	1,171,254	0	0	0
Other Infrastructure				
Community Infrastructure Grants	49,815	0	0	0
Community Infrastructure Grants Phase 2	56,256	0	0	0
Community Infrastructure Grants Phase 3	495,536	0	0	0
Non-operating grants, subsidies and contributions Total	2,360,758	366,107	362,772	(3,335)
Grand Total	3,062,825	598,183	591,806	(6,377)

KEY INFORMATION

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

9.1.3 Financial Hardship Policy

Applicant:	N/A
File Ref. No:	ADM129
Disclosure of Interest:	N/A
Date:	2 nd September 2021
Author:	Bronwyn Dew
Attachments:	9.1.3A Hardship Policy

Summary

Council is to consider updating the Financial Hardship Policy implemented by Council in July 2020.

Background

Whilst the majority of households and businesses within the Shire of Cuballing have had minimal impact from the pandemic, Council recognises there has been a negative impact to some households and businesses.

Since May 2020 Federal and State Governments have announced various response actions and stimulus packages in the face of the COVID-19 crisis which are welcomed by Council.

On 8th May 2020 the Minister for Local Government announced the Local Government (Covid-19 Response) Order 2020 which initiated a number of measures to assist electors adversely impacted by the COVID-19 pandemic. These measures included:

Instalment Option interest (s.6.45)

Local governments may charge a current maximum of 5.5% per annum interest on those taking up instalment payment options only where a Financial Hardship Policy is in place. If the local government has no policy it can only charge 3.0% per annum. Ratepayers assessed by a local government to be suffering financial hardship as a consequence of the pandemic are not to be charged Instalment Option interest.

Interest on overdue rates or service charges (s.6.51)

Local governments may charge a maximum of 8% per annum interest on overdue rates and service charges, down from the previous cap of 11% per annum. Ratepayers assessed by a local government to be suffering financial hardship as a consequence of the pandemic are not to be charged interest on overdue rates/service charges for the 2020/21 year.

On 30th April 2021 the Minister for Local Government announced that the financial hardship measures introduced in May 2020 will be extended providing assistance to WA ratepayers facing financial hardship.

In July 2021 Council adopted a budget for the 2021/22 financial year that includes a rate of interest of 5% on overdue rates and a rate of interest of 1% for instalment plans, both being a lower rate of interest than that allowable.

Comment

In July 2020 the Shire of Cuballing adopted a Hardship Policy which provides a suite of actions to support Shire of Cuballing ratepayers and residents in financial difficulty. This policy was

focused on COVID and the 2020/21 financial year but reflected the flexible approach to debt repayment traditionally undertaken by the Shire of Cuballing for many years.

As the pandemic is ongoing and continues to impact some households and businesses within the Shire the Officer has recommended a modified, more generic hardship policy that will remain in place past the 2020/21 financial year.

When ratepayers fall into arrears, staff will inform them of the availability of the Council's Hardship Policy and how to access this consideration.

The proposed hardship policy details aspects of

- Recent unemployment or under-employment;
- Sickness or recovery from sickness;
- Low income or loss of income; and
- Unanticipated circumstances such as caring for extended family.

The policy details payment arrangements, interest charges, possible deferment of rates and suspension of the debt recovery processes – and when they would apply.

Where a ratepayer

1. has not reasonably adhered to an agreed payment plan; or
 2. has a rates and service charge debt that remains outstanding after two years;
- the policy has the Shire of Cuballing commencing debt recovery procedures prescribed in the Local Government Act 1995.

Strategic Implications

ECONOMY – Our Economy, Infrastructure, Systems and Services.

Goals

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

	Strategy	Outcome
3.7	Advocate and plan for local economic development in a sustainable manner.	A growing community supported by improved job opportunities and diversity in our industries, businesses and housing.

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
4.1	Councillors provide strong and visionary leadership.	A clear direction for the future.
4.2	Maintain a clear, transparent and ethical decision making process.	Openness and transparency in Council decisions.

4.3	Ensure open and consistent communication between the Shire and the community.	The community is aware of Council decisions and activities.
4.5	Be innovative in the management of Shire operations, services, staff and resources to create a resilient and financially stable Shire.	A Shire that is progressive, sustainable, resilient and adaptive to changes.

Statutory Environment

Local Government Act 1995

Section 2.7 (2) Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies.

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

Policy Implications

Existing Policy 2.15 Financial Hardship
Existing Policy 2.3 Rates Debtor Collection

Financial Implications

The financial implications of the policy are ongoing. The Shire of Cuballing is required to provide a suite of assistance to ratepayers and residents to assist with the economic recovery following COVID-19.

The financial impact provided by this policy will be felt by the Shire of Cuballing for at least 12 months, before normal business practice is expected to resume.

The financial impact is not expected to be significant due to the minimal impact the pandemic has had on local households and businesses.

Economic Implication

The COVID-19 Pandemic and the response to COVID-19 is having a major impact on Australia's and the world's economy currently and this is expected to continue for some considerable time.

Environmental Considerations – Nil

Social Implications – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. An alternate view to the Officer's Recommendation; or
3. Not endorse the draft Financial Hardship policy

Voting Requirements – Simple Majority

COUNCIL DECISION – 2021/098:

That Council adopts the updated Financial Hardship Policy included at Attachment 9.1.3A.

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 5/0

2.15 Financial Hardship

Objective

To give effect to our commitment to support the whole community to meet the ongoing and far reaching challenges arising from the COVID-19 pandemic, the Shire of Cuballing recognises that these challenges may result in financial hardship for some of our ratepayers.

This Policy is intended to ensure that the Shire of Cuballing offers fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

Policy Scope

This policy applies to the ratepayers who have an outstanding rates and service charges debt.

It is a reasonable community expectation, as the community deals with the effects of a pandemic that those with the capacity to pay rates will continue to do so. For this reason, the Policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996 will apply.

Policy Statement

1. Payment difficulties, hardship and vulnerability

Payment difficulties, or short term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire of Cuballing recognises the likelihood that COVID-19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community.

This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

2. Anticipated Financial Hardship

The Shire of Cuballing recognises that many ratepayers may already be experiencing financial hardship. The Shire respects and anticipates the probability that additional financial difficulties will arise when their rates are received.

The Shire of Cuballing will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration.

Where possible and appropriate, the Shire will also provide contact information for a recognised financial counsellor and/or other relevant support services.

3. Financial Hardship Criteria

While evidence of hardship will be required, the Shire of Cuballing recognises that not all circumstances are alike. The Shire of Cuballing will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. Council will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying with our statutory responsibilities.

4. Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of Cuballing of any change in circumstance that jeopardises the agreed payment schedule.

In the case of severe financial hardship, the Shire of Cuballing reserves the right to consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy).

5. Interest Charges

A ratepayer that meets the Financial Hardship Criteria and enters into a payment arrangement may request a suspension or waiver of interest charges. Applications will be assessed on a case by case basis.

6. Deferment of Rates

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- Remains as a debt on the property until paid;
- Becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- May be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- Does not incur penalty interest charges.

7. Debt recovery

The Shire of Cuballing will suspend debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises the Shire and makes an

alternative plan before defaulting on the third due payment, then the Shire of Cuballing will continue to suspend debt recovery processes.

Where a ratepayer

1. has not reasonably adhered to an agreed payment plan; or
 2. has a rates and service charge debt that remains outstanding after two years;
- the Shire of Cuballing will commence debt recovery procedures prescribed in the Local Government Act 1995.

8. Review

The Shire of Cuballing will establish a mechanism for review of decisions made under this policy, and advise the applicant of their right to seek review and the procedure to be followed.

9. Communication and Confidentiality

The Shire of Cuballing will maintain confidential communications at all times and the Shire of Cuballing undertakes to communicate with a nominated support person or other third party at the debtor's request.

The Shire of Cuballing will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

The Shire of Cuballing recognise that applicants for hardship consideration are experiencing additional stressors and may have complex needs. The Shire of Cuballing will provide additional time to respond to communication and will communicate in alternative formats where appropriate. The Shire of Cuballing will ensure all communication with applicants is clear and respectful.

Resolution No:

Resolution Date:

9.1.4 Rates Debtor Write Off

Applicant: Nil
File Ref. No: A60
Disclosure of Interest: Nil
Date: 2nd September 2021
Author: Bronwyn Dew, Deputy Chief Executive Officer
Attachments: Nil

Summary

Council is to consider writing off rates raised for leased crown land, after the lease expiry date.

Background

Mr Windsor Hall held lease N430019 on Lot 348 Cuballing Road, Cuballing from 1 July 2015 for a term of 5 years.

This property is crown land with a lease between Mr Hall (the lessee) and the Department of Planning, Lands and Heritage (DPLH). Although the property is crown land, a condition of the lease is that, for the term of the lease, the lessee is required to pay rates on the property to the Shire of Cuballing.

When the lease expired on 30 June 2020 the lessee declined to renew the lease.

In September 2020 the DPLH notified the Shire of Cuballing that while the lease had ended with the Department on 30 June 2020 the lease remained on the Certificate of Crown land title meaning the property was still classified as rateable.

The Shire of Cuballing is required to raise rates on all properties that are listed as rateable. As such the Shire of Cuballing was required to raise rates on the property for the 2020/21 year being a total of \$777.39.

In March 2021 the Department advised that the documents to remove the expired lease from the property title had been lodged with Landgate and was pending registration.

As the lease was still listed on the property at the time of raising the 2021/22 rates, the Shire of Cuballing was again required to raise rates on the property. The 2021/22 rates year amounted to \$858.58.

In July 2021 the Shire received confirmation that the lease had been removed from the property title and the land was now classified as Unallocated Crown Land.

Comment

As the lease expired on 30 June 2020 the lessee is not required to pay rates on the property after that expiry date.

Now the application to remove the lease from the property title has been finalised and effectively dated at 30 June 2020, the rates raised by Council for the 2020/21 and 2021/22 years are no longer a valid charge.

The Officer's Recommendation is to write off these rates and penalty interest.

Strategic Implications – Nil

Statutory Environment

Council's Delegation Register provides limited delegated authority for the Chief Executive Officer to write off rates.

F1: Outstanding Debtors

The Chief Executive Officer is delegated the authority to write off uncollectable, economically uncollectable or erroneously created debts, in the following manner:

1. Where a Sundry Debtor invoice has:
 - a. a value of less than two hundred and fifty dollars;
 - b. has been outstanding for at least 90 days; and
 - c. in the Chief Executive Officer's opinion, will not be economically practical to pursue payment of the account through the court system;the Chief Executive Officer may approve that the invoice be written off.
2. Where a Sundry Debtor invoice, less than two hundred and fifty dollars in value, has been raised in error, the Chief Executive Officer may approve that the invoice be written off.
3. Where Rates Debtor accounts have a balance less than ten dollars and, in the Chief Executive Officer's opinion, it will not be economically practical to pursue payment of the account through the court system, the Chief Executive Officer may approve that the amount be written off.
4. Where a Rates debtor amount, less than ten dollars, was raised in error, the Chief Executive Officer may approve that the amount be written off.

Policy Implications – Nil

Financial Implications

The Officer's Recommendation suggests writing off rates debts of \$1,673.82.

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

The Council can resolve:

1. the Officer's Recommendation; or
2. an alternative resolution that reflects that Council was not able to raise rates on the property since 1 July 2020 and cannot pursue that debt from Mr Hall.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2021/097:

That, because the registration of the lease N430019 expired on 30 June 2020 and the registration of the expired lease is now complete, the rates and charges raised on Lot 348 Cuballing Road, Cuballing since 1 July 2020, being an amount of \$1,673.82, be written off.

Moved: Cr Ballantyne

Seconded: Cr Dowling

Carried 5/0

9.1.5 Sale of Property – Outstanding Rates – 39 High Street, Popanyinning

Applicant: N/A
File Ref. No: ADM132
Disclosure of Interest: Nil
Date: 9th September 2021
Author: Bronwyn Dew, Deputy Chief Executive Officer
Attachments: 9.1.5A Location Map

Summary

Council is to consider the transfer of property located at 39 High Street, Popanyinning to recover the costs for unpaid rates and recovery fees that have been outstanding for more than three years.

Background

The owner of the 39 High Street, Popanyinning property was declared bankrupt in October 2019.

The total of rates and charges outstanding as at 9th September 2021 is \$14,034.74. This amount is made up of:

Rates 2021/22	\$759.00
Rates Previous Years	\$1,603.35
ESL Current	\$88.00
ESL Arrears	\$168.00
ESL Interest Current	\$0.64
ESL Interest Arrears	\$19.82
Penalty Interest	\$1,074.87
Legal Fees	\$10,321.06

An aerial photo/map showing the location of 39 High Street, Popanyinning is included at Attachment 9.1.5A. The property is 1,416m² in size, is uncleared, has no power or water connection available and has limited road access.

Comment

The sale of any property to recover unpaid rates and service charges is not a course of action that the Shire normally wishes to pursue, however, other legal proceedings have not been successful in this case.

The Trustee has tried to sell the property for two years and has now indicated they are not in a position to clear the outstanding rates debt. The Trustee prefers that the Shire take ownership of the land either by the sale of the property to Council or for Council to seize the land and auction the property.

The Trustee has offered the land to the Shire for purchase at a cost of \$2,000 on the condition that Council wrote off all the outstanding rates.

Staff believe that it is unlikely that the sale of the property will achieve a price at auction sufficient to cover the cost of the outstanding rates.

Strategic Implications – Nil

Statutory Environment

Local Government Act 1995

Section 6.64 – Actions to be taken

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
 - (a) from time to time lease the land; or
 - (b) sell the land; or
 - (c) cause the land to be transferred to the Crown; or
 - (d) cause the land to be transferred to itself.
- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
- (3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

* Absolute majority required.

Section 6.68 – Exercise of power to sell land

- (1) Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the power of sale) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.
- (2) A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —
 - (a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land; or
 - (b) having made reasonable efforts to locate the owner of the property is unable to do so.
- (3A) A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made.
- (3) Schedule 6.3 has effect in relation to the exercise of the power of sale.

Policy Implications – Nil

Financial Implications

The successful sale of this property would settle bad debts for money owed to the Shire for outstanding Rates and recovery processes. Any costs incurred as a result of this process can be claimed back through the land sale, if applicable.

However, because the property has been on the market for some time without sale, staff believe that is unlikely that the property will sell at auction for an amount to cover the rates arrears and legal costs.

Economic Implication – Nil

Environmental Considerations – Nil

Consultation

Cloud Payment Group

Options

Council may resolve:

1. the Officer's Recommendation;
2. seize the land and lease it to recover outstanding Rates; or
3. defer this matter and seek further information.

Voting Requirements – Absolute Majority

OFFICER'S RECOMMENDATION:

That Council:

1. exercise the power of sale under section 6.64(1)(b) of the Local Government Act 1995 to proceed to a public auction for the property located at 39 High Street Popanyinning;
2. should the public auction be unsuccessful then move to sell the property via private sale;
3. in the case that the sale amount is insufficient to cover the rates arrears and legal costs, the amount of rates arrears and legal costs in excess of the auction sale be written off; and
4. delegate authority to the Chief Executive Officer to finalise this transaction.

COUNCIL DECISION – 2021/098:

That Council:

- 1. authorise the Chief Executive Officer to offer up to \$1,000 to purchase 39 High Street Popanyinning in lieu of taking the property to auction; and**
- 2. in the event that this be refused, Council:**
 - a. exercise the power of sale under section 6.64(1)(b) of the Local Government Act 1995 to proceed to a public auction for the property located at 39 High Street Popanyinning;**
 - b. should the public auction be unsuccessful then move to sell the property via private sale;**
 - c. in the case that the sale amount is insufficient to cover the rates arrears and legal costs, the amount of rates arrears and legal costs in excess of the auction sale be written off; and**
 - d. delegate authority to the Chief Executive Officer to finalise this transaction.**

Moved: Cr Bradford

Seconded: Cr Ballantyne

Carried 5/0

Council did not resolve the Officer's Recommendation because Council is seeking to reduce the costs to Council of selling this property and the offer of purchase is about the cost to Council to sell the property by way of the auction.



9.2 CHIEF EXECUTIVE OFFICER:

9.2.1 Out of Budget Expense – Yornaning Dam Upgrade Stage 4

Applicant: N/A
File Ref. No: ADM271
Disclosure of Interest: Nil
Date: 8th September 2021
Author: Gary Sherry
Attachments: 9.2.1A Yornaning Dam Upgrade Stage 4 Works Schedule

Summary

Council is to consider approval of out of Budget expenditure for project expenditure associated with grant income at Yornaning Dam.

Background

Council has undertaken a range of projects at Yornaning Dam since 2017 utilising funding from the state government's Natural Resource Management (NRM) Community Stewardship Grant funding for community groups to protect and restore their local environment.

In summary Council has completed or is completing the following:

Account	Income	Expenditure
Income – Grant – Yornaning Dam Stage 1	32,000	
Income – Grant – Yornaning Dam Stage 2	33,390	
Income – Grant – Yornaning Dam Stage 3	53,130	
Income – Grant – Yornaning Dam Stage 4	15,156	
Income – Lotterywest	57,224	
Wheatbelt Cycling Collective	4,000	
Yornaning Dam Upgrade Stage 1		66,455
Yornaning Dam Upgrade Stage 2		99,525
Yornaning Dam Upgrade Stage 3		74,146
Yornaning Dam Upgrade Stage 4		
Yornaning Dam – Playground		38,870
Yornaning Dam Playground Shade Sail		36,178
Yornaning Mountain Bike Track		6,207
	194,900	321,380

In preparing the 2021/22 draft Council Budget for consideration by Council, the works required as part of the Yornaning Dam Upgrade Stage 4 were omitted in error. Council is obligated to complete these works under the grant agreement.

The expenditure associated with Yornaning Dam Upgrade Stage 3 (\$66,079) and income associated with this Yornaning Dam Upgrade Stage 4 were included in Council's 2021/22 Council Budget. A significant amount of the Stage 3 expenditure has been completed and the Stage 4 grant funds have been received.

The details of the Yornaning Dam Upgrade Stage 4 works are included at Attachment 9.2.1A. The project includes spraying of bridal creeper, interpretive signage, signing another walk trail with bollards, installing seating on the walk trail and further plantings. The works are to be done by a range of contractors, Shire staff and volunteers. The Shire of Cuballing is responsible for expenditure of

Comment

The Officer Recommendation seeks to re-allocate Council's 2021/22 Budget to allow completion of the Yornaning Dam Upgrade Stage 4 in 2021/22.

The Yornaning Dam Upgrade Stage 4 project includes:

1. \$12,360 of identified in-kind works. This includes work valued at \$2,760 to be completed by Shire staff and work valued at \$9,600 to be completed by local volunteers; and
2. materials and contract expenditure of \$24,261 to be paid by the Shire of Cuballing. This expenditure is funded by the NRM Grant (\$15,156) and the Shire of Cuballing (\$9,105).

The possible reallocation of expenditure could include:

- Not completing the additional \$10,000 of bridal creeper spray allocated to Noxious Weeds (GL account 13100). The Yornaning Dam Upgrade Stage 4 does include \$11,500 of bridal creeper spraying at Yornaning Dam.
- Not completing the \$12,000 replacement of the air conditioner in the CEO residence (GL account 09105). As was discussed at during the 2021/22 Budget deliberations, this expenditure is not urgently required or anticipated in the very short term. Staff believe that Council could prudently reallocate this expenditure in 2021/22, but Council will need to reconsider this air-conditioning in 2022/23.
- Under expenditure of a range of accounts to fund the remaining \$2,261 of cash expenditure required for Yornaning Dam Upgrade Stage 4 project. It is anticipated that Council will be able to reallocate relatively small under expenditures on a range of other programs. One example is the expenditure on materials and contracts for the Popanyinning Bonfire (J132F of GL 13260 Community Functions) was \$1,061.91 less than budgeted.
- Allocating the required \$2,760 of staff labour and plant expenses from other tasks, including Road Maintenance at account 12205 and/or Yornaning Dam maintenance (J187 of GL 11105).

Strategic Implications – Nil

Statutory Environment

Local Government Act (1995)

6.8. Expenditure from municipal fund not included in annual budget

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

* Absolute majority required.

Policy Implications – Nil

Financial Implications

Staff have proposed a reallocation of expenditure that could allow completion of the Yornaning Dam Upgrade Stage 4 without financial impact on the Shire budget as a whole.

The proposal would reduce the amount of weed spraying completed in 2021/22 and the timing of maintenance on the CEO's residence.

Economic Implication – Nil

Social Implication

The Yornaning Dam Upgrade Stage 4 works would have further improved the amenity of Yornaning Dam for visitors and local residents.

Environmental Considerations

The Yornaning Dam Upgrade Stage 4 works would have resulted in further improvement of the environment of Yornaning Dam.

Consultation – Nil at this time

Options

Council may resolve:

1. the Officer's Recommendation;
2. to not authorise Out of Budget Expenditure. Without such expenditure no works can be completed. Staff will negotiate with funding agencies and Council will review further options in the future.

Voting Requirements – Absolute Majority

OFFICER'S RECOMMENDATION:

That Council:

1. approve out of budget expenditure of up to \$27,021 for the completion of Yornaning Dam Yornaning Dam Upgrade Stage 4 including:
 - a. \$2,760 of Shire of Cuballing in-kind staff and plant time allocations; and
 - b. \$24,261 of material and contracts expenditure;
2. acknowledge that this out of budget expenditure will funded by:
 - a. a reduction of materials and contracts expenditure of \$10,000 in GL account 13100 (Noxious Weeds);
 - b. a reduction of materials and contracts expenditure of \$12,000 in GL account 09105 (CEO Housing Maintenance); and
 - c. a reduction of expenditure of in-kind staff and plant time allocated to GL 12205 (Expenditure – Maintenance – Streets and Roads) and/or GL 11105 (Expenditure – Maintenance – Parks and Reserves) totalling \$2,760.

COUNCIL DECISION – 2021/099:

That Council:

- 1. approve out of budget expenditure of up to \$27,021 for the completion of Yornaning Dam Yornaning Dam Upgrade Stage 4 including:**
 - a. \$2,760 of Shire of Cuballing in-kind staff and plant time allocations; and**
 - b. \$24,261 of material and contracts expenditure;**
- 2. acknowledge that this out of budget expenditure will funded by:**
 - a. making \$10,000 of savings in other budgeted accounts and consideration of a transfer funds from Council’s financial reserves as part of the Council’s annual Budget Review scheduled for February 2022 if required;**
 - b. a reduction of materials and contracts expenditure of \$12,000 in GL account 09105 (CEO Housing Maintenance); and**
 - c. a reduction of expenditure of in-kind staff and plant time allocated to GL 12205 (Expenditure – Maintenance – Streets and Roads) and/or GL 11105 (Expenditure – Maintenance – Parks and Reserves) totalling \$2,760.**

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 5/0

Council did not resolve the Officer’s Recommendation because Council wishes to continue the focus on control of Bridal Creeper in the Shire of Cuballing.

Activities		Resources (inputs)	Contributions (cash and in-kind)			
No.	Activity Name Describe what you want to do. Add more rows below as required	Resource description	Who will provide the resource?	Co-contribution (In-kind)	Co-contribution (\$ ex GST)	State NRM grant request (\$ ex GST)
1	Spray invasive weed in reserve, target weed direct	Contract Sprayer - labour & chemical	State NRM grant			\$11,500
	Provide assistance	Provide assistance to spray contractor	In-kind - Shire of Cuballing	\$550		
2	Signage	Educational Signage regarding Yornaning dam and walk trail protocols	Cash-Shire of Cuballing		\$3,827	
3	Define walk trail	Define walk trail by volunteers – 20	Volunteer – In-Kind	\$5,000		
	Cracker dust placement at base of walk trail seating	Cracker dust for walk trail seating bases	In-kind - Shire of Cuballing	\$360		
	Walk Trail seating	Purchase of walk trail seating	Cash-Shire of Cuballing		\$3,000	
	Bird Boxes	Construct and install bird boxes surrounding the Yornaning dam	Volunteer – In-Kind	\$600		
4	Purchase walk trail Bollards	Purchase walk trail bollards	State NRM grant			\$2,156
	Kanga Hire & labour to dig holes for bollards	Contractor labour & Kanga Hire	Cash-Shire of Cuballing		\$900	
	Install bollards	placement of bollards into pre dug holes – labour	In-kind – Shire of Cuballing	\$1,100		
	Install Bollards	Ute use– bollards	In-kind – Shire of Cuballing	\$750		
	Concrete for bollards	Purchase bags of post crete to concrete bollards into holes 2x bags per hole	Cash-Shire of Cuballing		\$574	
	Signage for Walk trail bollards	Purchase directional signs for bollards	Cash-Shire of Cuballing		\$604	
	Material to secure signs to bollards	Purchase materials to secure signage to bollards	Cash-Shire of Cuballing		\$200	
5		Attached direction signage to bollards	Volunteer – In-Kind	\$1,000		
	Purchase of Bulrush & Shore rush	Purchase Bulrush and Shore rush plants	State NRM grant			\$1,500
	Planting of Bulrush & Shore rush	Planting rushes in the water inlet – 15 volunteers	Volunteer – In-Kind	\$3,000		
Sub-Total				\$12,360	\$9,105	\$15,156
Total						\$36,621

Cr Harris declared an Impartiality Interest in that he is a Fire Control Officer and member of the Shire of Cuballing Bush Fire Advisory Committee that has made this recommendation to Council.

9.2.2 Firebreak Order 2021/22

Applicant:	N/A
File Ref. No:	ADM213
Disclosure of Interest:	Nil
Date:	6 th September 2021
Author:	Gary Sherry
	Nil
Attachments:	9.2.2A Minutes BFAC 1 st September 2021
	9.2.2B draft Firebreak Notice 2021/22

Summary

Council is to consider the recommendations of the Bushfire Advisory Committee to adopt the draft Firebreak Order 2021/22.

Background

The Shire of Cuballing's Bush Fire Advisory Committee (BFAC) held a meeting on Wednesday 1st September 2021. Unconfirmed minutes of that meeting are included at Attachment 9.2.2A. This meeting endorsed the contents of an extended Firebreak Notice that will be considered by Council.

Comment

The Firebreak Notice 2021/22 is Council's declaration of the conditions required for compliance by landowners for this forthcoming fire season.

The draft Firebreak Notice 2020/21, included at Attachment 9.2.2B, is very similar to that from previous years.

The BFAC supported the draft Firebreak Notice 2021/22 and discussed:

- the impact of a very wet year on the ability of landowners to install fire breaks on wet ground;
- the need to publicise the ability for landowners to obtain and exemption to installing fire breaks. This could be used to reduce the impact of wet and boggy ground when installing fire breaks;
- the possibility of removing the requirement for an external fire break on agricultural property but retain the requirement to have breaks around assets/property including buildings, haystacks and cleared bush; and
- the publication of the notice through a mailout.

In agreeing to keeping dates and requirements of the draft Firebreak Notice 2021/22 similar to previous years, the BFAC felt that the publication and enforcement of the Notice by the Shire of Cuballing should reflect:

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

Upon approval by Council the draft Firebreak Notice 2021/22 will be:

1. made publicly available on Council's website; and
2. incorporated into a pamphlet with other fire prevention information. Council will provide this pamphlet:

- a. to local residents by direct mail at Cuballing and Popanyinning Post Offices;
- b. to absentee owners by addressed mail; and
- c. from the Shire Office counter.

The Firebreak Notice 2021/22 pamphlet will look very similar to the those issued in previous years.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017

SOCIAL – Our Community, Neighbourhoods, Recreation and Culture.

Goals

- A healthy and caring community which has strong support for all ages and abilities.
- A safe community where residents feel secure and comfortable at home, work and play.
- A healthy community engaging in positive and rewarding lifestyles with access to recreational and leisure opportunities.
- A vibrant community, enjoying access to a wide range of quality arts and cultural activities.

	Strategy	Outcome
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.
1.7	Create and maintain a safe environment for the community.	A feeling of safety within our neighbourhoods and a sense of being looked out for.

Statutory Environment

Bush Fires Act 1954

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

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

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

Policy Implications – Nil

Financial Implications

Council will develop the Fire Break Notice into a pamphlet with other fire prevention information. This information will be direct mailed to every resident receiving mail from a Shire of Cuballing post offices and to every ratepayer with a mailing address outside the Shire of Cuballing.

The labour cost of enforcement of the conditions included in the Shire of Cuballing's draft Firebreak Order 2021/22 will be significant for the Shire of Cuballing staff and volunteers.

Economic Implication

The risk of fire is a significant economic risk for local rural producers.

Compliance with the conditions included in the Shire of Cuballing's draft Firebreak Order 2021/22 will have a significant economic impact on local rural producers through the:

1. cost of spraying or ripping fire breaks; and
2. production lost because land is required to be used for fire breaks rather than rural production.

Social Implication

Fire is a significant community risk for local communities.

Environmental Considerations

Fire is a significant risk for the local environment.

Consultation

Council's BFAC have considered the draft Firebreak Order 2021/22.

The Shire will extensively advertise the adopted Fire Break Order 2021/22.

Options

Council may resolve:

1. the Officer's Recommendation; or
2. an amended resolution that includes amended/altered conditions included in the draft Firebreak Notice 2020/21. Council should also include reasons for differing from the Officer's and BFAC's recommendation.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2021/100:

That Council adopt the draft Firebreak Order 2021/22 as included at Attachment 9.2.2B.

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 5/0

**BUSH FIRE ADVISORY COMMITTEE MEETING
Shire of Cuballing CWA Hall
Wednesday 1st September 2021**

MINUTES

1. OPENING

The meeting commenced at 7.04pm

2. ATTENDANCE AND APOLOGIES

Attendance

Chief Bush FCO	Anthony Mort
Rob Harris	Shire of Cuballing, FCO Cuballing East
Mike Burges	FCO Cuballing East
Nelson Young	FCO Cuballing West
Brayden Potts	FCO Popanyinning West
Gary Sherry	Chief Executive Officer

Apologies

Graham Dent	Deputy Chief Bush FCO
Justin Page	FCO Popanyinning East
Daniel Christensen	FCO Cuballing Town
Wayne Bird	FCO Popanyinning Town
Fred Chapman	Captain Popanyinning Bush Fire Brigade
Mitchell Davies	Department of Biodiversity, Conservation and Attractions
Blake Halford	Department of Fire and Emergency Services – Bushfire Risk Planning Coordinator
Paul Blechynden	Department of Fire and Emergency Services
Bruce Brennan	Manager of Works & Services

3. CONFIRMATION OF MINUTES – Wednesday 7th April 2021

Moved: B Potts

Seconded: R Harris

That the minutes of the BFAC meeting held on Wednesday 7th April 2021 are a true and correct record.

Carried

4. CHIEF BUSH FIRE CONTROL OFFICER REPORT

The season up to date has been very quiet with no incidents since last meeting.

The rain has not stopped, and the Shire seems to be under water in a lot of areas, making this year's fuel loads heavier and maybe inaccessible near creeks and soaks.

Weather has been the significant factor in the delay in completing the Shires Bushfire Mitigation works. This involves heavy machinery mulching fire brakes and clearing vegetation in strategic areas around our Shire. These works will continue when things dry up.

Brigades will start meeting again in September. There are planned burns to help out Pingelly Fire Brigade in October. These are good training runs for the members to get hands on before the real deal.

Fire Appliances are being serviced over at Collie again keeping our fleet in tip top condition.

A successful application through the ESL has provided each fire shed with a 50,000 litre water tank installed for refill purposes. The Shire has also been granted a thermal imaging camera which will be presented at a September brigade meeting.

I am now chairing the ROAC (Regional Operations Advisory Committee) and from that I will be attending DFES's Bushfire Operations Committee (BOC) meetings which gives the guys in the bush a say and voice heard.

The BOC are reviewing the fire danger ratings. This may impact our Fire Danger Index (FDI) of 32 for imposing Harvest and Movement bans and also the DFES's Total Fire Ban Days.

Stay safe this bush fire season.

5. REPORTS

5.1 DEPARTMENT OF FIRE AND EMERGENCY SERVICES

Nil

5.2 DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS

Mitchell Davies
Regional Operations Manager Wheatbelt Region – Bushfire Mitigation

Parks and Wildlife Service completed four of its planned burns last Autumn. These include burns in the Brookton, Cuballing and Narrogin Shires. Early rain meant we were unable to complete as many as planned.

In the South West Bushfire zone 166,000 hectares were burnt in the last financial year.

The second rotation scrub rolling in the Dunn Rock Reserve were completed as planned.

All other mitigation works undertaken were in the Unallocated Crown Land east of the vermin proof fence. This area is the focus of our region's mitigation program for the next two years whilst the Mitigation Action Fund's are available. This is drawing funds away from the western half of the Wheatbelt but funding will end in two years.

Availability of contractors is becoming an issue. The additional post COVID funds being made available to agencies and the ongoing mining investment there is high competition for contractors.

Reporting Fires to Parks and Wildlife Service

All fires effecting or threatening Parks and Wildlife Service managed land in the Wheatbelt needs to be reported to the Duty Officer on 9881 9200. This number is available 7 days a week.

The Wheatbelt Region continues to provide bushfire resources that are available on a roster system throughout the bush fire season including weekends and public holidays.

7. GENERAL BUSINESS

7.1 REVIEW OF THE 2021/22 BUSH FIRE NOTICE

The CEO presented and explained the draft 2021/22 Bush Fire Notice.

The meeting noted that this year will be a difficult year to install fire breaks. Owners will have great difficulty in using machinery in wet paddocks. However there is likely to be a greater than normal need for fire breaks given the high fuel loads from the very good season.

The 2021/22 Bush Fire Notice does allow a request for exemption. This exemption should be publicised. The meeting believes that exemptions should be granted where ever possible.

The Shire should look to local advertise fire issues and protection techniques.

Moved: M Burges

Seconded: N Young

**That the meeting agreed with the conditions of the draft 2021/22 Bush Fire Notice.
Carried**

7.2 RESTRICTED AND PROHIBITED BURNING PERIOD DISCUSSION

The meeting discussed the Restricted and Prohibited Burning Periods being:

Restricted

1st October 2021 to 31st October 2021

2nd March 2022 to 19th April 2022

Prohibited

1st November 2021 to 1st March 2022

Should the conditions permit, the meeting noted the ability of the Shire of Cuballing to extend, by 2 weeks at any one time, the dates of the restricted and prohibited periods.

Moved: R Harris

Seconded: N Young

That the meeting agreed with the dates of the Restricted and Prohibited Burning Periods.

Carried

7.3 RADIO REPAIRS

The Chief FCO has applied for a visit to the Shire of Cuballing by the DFES radio contractor. This visit is expected to occur in September. The Chief FCO will advise FCO's of dates to allow them to schedule maintenance on fire radios.

The Chief FCO has a base and mobile fire radio sets available. In addition, the former FCO Craig Cousins has a handheld and vehicle fire radios. A base station should be provided to FCO Brayden Potts who only has a vehicle fire radio..

7.4 ADDITIONAL FCO POPANYINNING EAST

The meeting discussed the opportunity to appoint Duncan Patten as another FCO in the Popanyinning area. Duncan has previously volunteered as an FCO.

Agreed

That the meeting recommend with his agreement that Duncan Patten be appointed as a FCO Popanyinning East.

7.5 LETTER OF THANKS

Moved: M Burges**Seconded: R Harris**

That the meeting recommend that Council provide a letter of thanks to Craig Cousins for his 10 years of service as a FCO Popanyinning West.

Carried

7.6 TRAINING

The meeting discussed the anticipated impact of new Workplace Safety legislation on volunteer firefighting.

DFES will increasingly require training. Current examples include:

- Driving under lights & sirens;
- 4WD driving; and
- Basic fire fighting.

Other liability issues around

- Backburning on high fire danger days; and
- the documented accreditation and training of FCOs.

7.7 THERMAL IMAGE CAMERA

DFES are to provide a thermal imaging camera to the Shire of Cuballing's fire brigades. The camera will be presented to the brigades by DFES at a brigade event in September.

The camera will be used to locate hot spots in fires – eg trees with piping fire in blacking out operations. The camera will identify the hot spots to maximise fire fighter efforts and use of water. The single camera is expected to be located in CBFCO's vehicle.

7.8 ACCESS TO WATER IN FARM DAMS

Then meeting noted the improved access to water for fire fighting operations this year with full dams. However the approaches to some dams may be still be very soft and a bogging hazard.

8. NEXT MEETING

Wednesday 6th April 2022, commencing at 7:00 pm at Shire Council Chambers.

9. CLOSE

There being no further business, the meeting closed at 8.47pm.

SHIRE OF CUBALLING

Draft FIREBREAK ORDER 2021/22

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

This work must be carried out by 31st October 2021, or within 14 days of becoming the owner or occupier should this be after that date, and kept maintained throughout the summer months until 15th May 2022.

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

If it is considered for any reason to be impractical to clear firebreaks or remove flammable materials as required by this notice, or if natural features render firebreaks unnecessary, you may apply to the Council in writing not later than the 15th October for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted by Council, you shall comply with the requirements of this notice.

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

RURAL LANDS

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

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

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

BUILDING AND HAYSTACKS:

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

BULLDOZED BUSH:

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

STATIONARY PUMPS/MOTORS:

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

HARVESTING OPERATIONS:

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

HARVEST BANS AND OTHER BANS:

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

OPERATION OF PLANT AND MACHINERY:

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

PADDOCK BURNS:

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

1. Firebreak 2.5 metres wide, clear of all inflammable material, completely surrounding the area to be burnt; and
2. An operational fire fighting unit having a capacity of not less than 650 litres.

A Permit To Burn may also be required. Contact your Fire Control Officer for details.

TOWNSITES AND RURAL RESIDENTIAL LAND

All town lots under 2,024 m² (½acre) in area and all fuel depots within the Shire are required to be cleared of all debris and flammable material to a height not more than 50mm.

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

9.2.3 Oversize Outbuilding – 39 Smith Street, Cuballing

Applicant:	Mr BL Turner
File Ref. No:	A132
Disclosure of Interest:	Nil
Date:	9 th September 2021
Author:	Gary Sherry
Attachments:	9.2.3A Location Plan 9.2.3B Planning Application

Summary

Conditional Planning Approval is recommended for an oversized outbuilding at 39 Smith Street, Cuballing.

Background

1. The application site

The site is located on the east side of Cuballing (see Attachment 9.2.3A). The property is 8,887m² in area and is largely cleared with some significant sized remnant trees.

The property has one existing outbuilding located adjacent to the dwelling. While the lot is largely cleared, some large vegetation remains on the property.

2. The application

The application seeks approval for an additional outbuilding (152m²) is proposed to be constructed outbuilding adjacent to the eastern property boundary.

The outbuilding is proposed to be a 3 door garage, made in colourbond steel, to provide a workshop for domestic use, storage for vehicles and motorcycles and trailers and a socialising area. The outbuilding would have a wall height of 5 metres and with a gable roof a total height of 5.71 metres.

The Planning Application is included at Attachment 9.2.3B.

3. Public consultation and submissions

The Shire Administration sent letters out to 3 adjoining/nearby landowners seeking comment on the proposed outbuilding. The Shire received no submissions.

4. Planning context

The site is zoned "Rural Residential" in the *Shire of Cuballing Town Planning Scheme No. 2* (TPS2).

Council's *Local Planning Policy – Outbuildings* (LPPO) in part states planning approval may be granted where:

- (b) that for properties in the Rural Residential Zone, where the lot size is over 1,500m²;
 - (i) Zincalume construction, where the total outbuilding does not exceed 85m² in total floor area;
 - (ii) Colourbond construction, where the total outbuilding does not exceed 120m² in total floor area;

- (iii) Masonry construction and/or where the total outbuilding has walls constructed of the same materials and appearance as the house and does not exceed 170m² in total floor area.
- (c) Wall height of any outbuildings not to exceed 3 metres. In the case of gable roof construction, the maximum height is not to exceed 4 metres.
- ...
- (f) Any application for planning approval which does not comply with the above shall be referred to Council for consideration.

The proposed area for this outbuilding is 151m². Because this area exceeds the maximum area set out by LPPO for an outbuilding/s in the Rural Residential Zone, the Planning Application is being referred to Council for determination.

Comment

The key planning considerations are suggested to be:

- the application is inconsistent with Council's LPPO in relation to
 - the floor area. The proposed outbuilding will have a total area of 151m² which is over the 120m² limit as set out in the policy;
 - the building height. The proposed outbuilding will have a height of 5.71 metres which is greater than the 4 metre limit as set out in the policy;
- and
- any precedent implications relating to the floor area exceeding LPPO.

While noting that the proposed outbuilding is inconsistent with LPPO in relation to the total area of outbuildings on the property, it is recommended that the Council approve the Planning Application subject to conditions.

This follows assessment against the Shire of Cuballing TPS2, Council policy, information provided by the applicant, the submissions relating to the Planning Application and the site characteristics. Conditional approval is recommended given:

- the 151m² area of the outbuilding is greater than LPPO of 120m². Given that the lot size of 9,887m² remains very large, it suggested that this lot could accommodate a greater development area without appearing imposing on neighbouring properties;
- the 5.71 metre height of the outbuilding is greater than LPPO of 4 metres. Given that some tall remnant vegetation is retained on the lot and that the lot size remains very large, it suggested that this lot could accommodate a greater development height without appearing imposing on neighbouring properties;
- the Shire Administration wrote to 3 adjoining/nearby landowners and no enquiry was received or submission made. Accordingly, it can only be assumed that the other landowners have no objections to the Planning Application; and
- that other than the area and height of development, the Planning Application is consistent with the remainder of LPPO.

It is highlighted that should the Council approve the Planning Application it will set a precedent. While a precedent is likely to be set, the precedent is not expected to be widespread given any future applicant will need to demonstrate that their Planning Application similarly addresses relevant matters including lot size, setbacks from boundaries visibility from surrounding roads and properties and there is appropriate external cladding. As required by TPS2, each future Planning Application needs to be assessed on its merits.

The applicant is not seeking approval to operate a home occupation or home business. If the use of the outbuilding were to change to that of a home occupation or home business, rather than for storage of vehicles and property, the applicant is required to apply for Planning Approval and meet the requirements of a home occupation or home business as set by LPS2. Should such an application be received, the Shire would again invite comment from neighbours.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027

ECONOMY – Our Economy, Infrastructure, Systems and Services.

Goals

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

	Strategy	Outcome
3.6	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

Shire of Cuballing Town Planning Scheme No. 2

Policy Implications

Local Planning Policy – Outbuildings

Local Planning Policies are non-statutory documents which provide guidance to assist the Council in its decision making. Accordingly, the Council is not bound by LPPO, but is required to have regard to the policy in determining the Planning Application.

Financial Implications – Nil

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation

Adjoining/nearby landowners were invited to make comment on the Planning Application. One neighbour advised the Shire that he had “no objection to the proposed extension”.

Options

Council may resolve:

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

Voting Requirements – Simple Majority

COUNCIL DECISION – 2021/101:

That Council approve the Planning Application for an outbuilding of 152m² in area, at 39 Smith Street, Cuballing subject to the following conditions:

- 1. this approval shall expire if the development hereby approved has not been substantially commenced within a period of two years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by Council. Where the Planning Approval has lapsed, no further development is to be carried out;**
- 2. the development hereby approved must be carried out in accordance with the plans and specifications submitted with the application (addressing all conditions) or otherwise amended by the Council and shown on the approved plan and these shall not be altered and/or modified without the prior knowledge and written consent of the Council;**
- 3. the provision of details with the Building Permit as to how stormwater will be addressed for the proposed development to the satisfaction of Shire. The Shire will require that all stormwater from the outbuilding shall be collected, detained and suitably treated on site to the satisfaction of the Shire prior to occupation. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the Council; and**
- 4. the outbuilding is used for storage and personal recreation activities and is to be not used for commercial, industrial or habitable purposes or for accommodating livestock.**

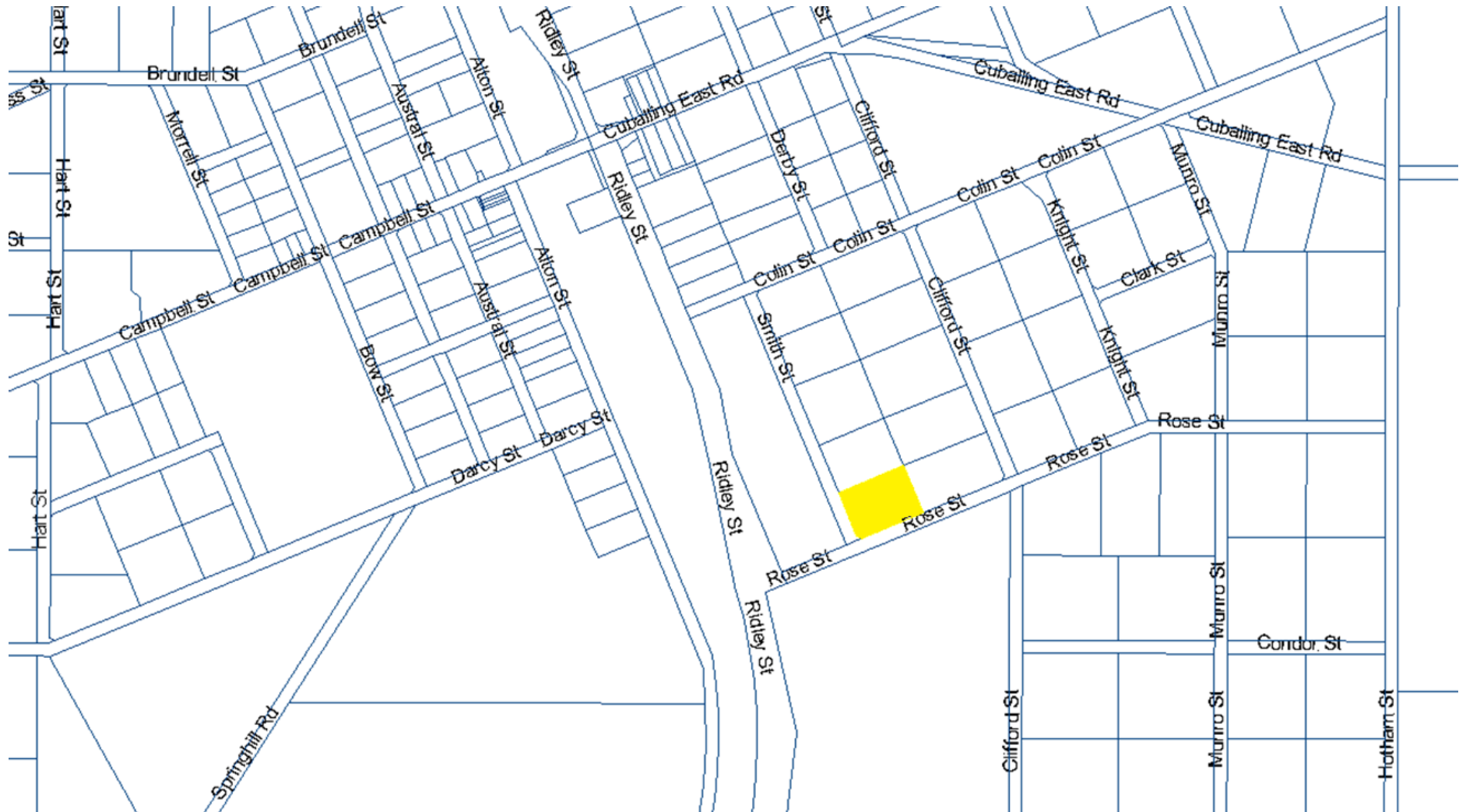
ADVICE

- A) In relation to Condition 3, stormwater from the proposed outbuilding is to be suitably detained on site (e.g. rainwater tanks, soakwells). Further, the proponent should in general, effectively manage run-off onto the adjoining properties.**
- B) The proponent is advised that this Planning Approval is not a Building Permit. A Building Permit must be formally applied for and obtained before the commencement of any site and/or development works.**
- C) Part 14 of the Planning and Development Act 2005 provides the right to apply to the State Administrative Tribunal for review of some planning decisions and you may wish to take professional advice to determine whether or not such a right exists in the present instance. The State Administrative Tribunal Rules 2004 require that any such applications for review be lodged with the Tribunal within 28 days of the date on which notice of the decision is given.**

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 5/0





A132

APPLICATION FOR DEVELOPMENT APPROVAL

23 AUG 2021

Owner Details		
Name: BENJAMIN TURNER		
ABN (if applicable):		
Address: 39 SMITH STREET CUBALLING WA Postcode: 6311		
Phone:	Fax:	Email:
Work:	ben.turner.2202.2002@icloud
Home:		
Mobile: 0400 126 309		
Contact person for correspondence: BEN TURNER		
Signature: B Turner		Date:
Signature:		Date:
The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2).		

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

Property Details		
Lot No: 404	House/Street No: 39	Location No:
Diagram or Plan No:	Certificate of Title Vol. No: 1731	Folio: 67
Title encumbrances (e.g. easements, restrictive covenants):		
Street name: SMITH STREET	Suburb: CUBALLING	
Nearest street intersection:		

Proposed Development	
Nature of development:	<input type="checkbox"/> Works <input type="checkbox"/> Use <input type="checkbox"/> Works and use
Is an exemption from development claimed for part of the development? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, is the exemption for:	<input type="checkbox"/> Works <input type="checkbox"/> Use
Description of proposed works and/or land use: SERVICE MY OWN VEHICLES, STORAGE OF VEHICLES AND MOTOR CYCLES, GENERAL STORAGE, SOCIALISING AREA	
Description of exemption claimed (if relevant):	
Nature of any existing buildings and/or land use: PRIVATE RESIDENCE	
Approximate cost of proposed development: \$31,000	
Estimated time of completion: 12 MONTHS	

Acceptance Officer's initials:	OFFICE USE ONLY
Local government reference No:	Date received:

Details of your Wide Span Sheds Building

Weight	Approximately: 4,700 kg
Span	8 metres
Length	19 metres (4 Bays: 5 metres, 5 metres, 5 metres, 4 metres)
Height	5 metres
Roof Type	Gable, 10 degree pitch
Roof	COLORBOND® steel TRIMCLAD® 0.42 BMT (0.47TCT) sheeting, BlueScope
Walls & Trims	COLORBOND® steel TRIMCLAD® 0.42 BMT (0.47TCT) sheeting, BlueScope
Roller Doors	One (1) COLORBOND® steel 4m high x 3m wide roller door supplied with a planetary gearing system (roller door is wind rated). Two (2) COLORBOND® steel 3m high x 3m wide roller doors (roller door is wind rated). Refer to the General Specification (# Access Doors) in relation to opening sizes. The Roller Doors are boxed or steel wrapped for protection during transport. Refer to the Building information for details on Industrial Door Handling.
PA Doors	One (1) 920mm wide pre-hung double skin COLORBOND® steel door with keyed lockset and lever handle on both sides;
Bracing	The building will have Knee and Apex braces. Minimum internal knee clearances are: Main Building 4.272m. Minimum internal apex clearance is: 5.133m.
Roof Purlins & Wall Girts	Z sections bolted to rafters & columns with a minimum overlap of 10% of the bay width.
Fixing to Concrete	Tru-Bolts fitted after concrete is cured.

Specific Inclusions

- Determination of the design criteria by the engineer. This includes assessment in 8 cardinal directions to determine the site design wind speed based on the building orientation.
- A comprehensive step by step Construction Kit. This kit is specific to your building and gives step by step, simple to follow instructions on how to build your building.
- Engineering certification of the steel building to the appropriate Australian Standards.
- Slab or Pier designs for soil classes A, S, M, H1 and H2.
- Materials as nominated above supplied as per the attached "General Specification".
- BlueScope - product warranties of up to 15 years apply.

Specific Exclusions

- Drawings other than detailed above.
- Consent authority including any building, development or construction certificate application(s).
- Construction of the steel building and any foundations (building is supplied as a kit).
- Insurance of the steel building once delivered to site or collected from depot.



THE BIGGEST STEEL PRICE RISE YET

See last page to SAVE

www.sheds.com.au

Site Location

Site Address	39 Smith St Cuballing WA 6311 Australia
Building Orientation	Left Side of building orientated to 246° (southwesterly direction)
Building Class	10
Importance Level	2 with a Vr of 45 m/s
Design Wind Criteria	Region A1; TC = 2.65; Mt = 1; Ms = 1.0; giving a Vdes of 38.7 m/s.
Other Design Factors	No Snow Loading allowed. No Earthquake Loading allowed.



Building Information

The design criteria nominated has been assessed by your trained sales consultant. This assessment is subject to the certifying engineers confirmation. Final assessment by the engineer may result in a change to the materials and price.

From the site location and the usage information we have at hand, it is likely that the building is subject to a Marine Influence and/or Industrial Influence. We refer you to BlueScope Technical Bulletins (in particular TB1A, TB1B, TB4, TB30 and TB35) to consider the environmental conditions and the materials that have been specified in your quotation. It is likely that the BlueScope and any other warranties will be limited for the specified materials. If you contact BlueScope on 1800 800 789, they will be able to discuss this further with you. Should you wish to consider changing any materials, your sales consultant will be able to assist.

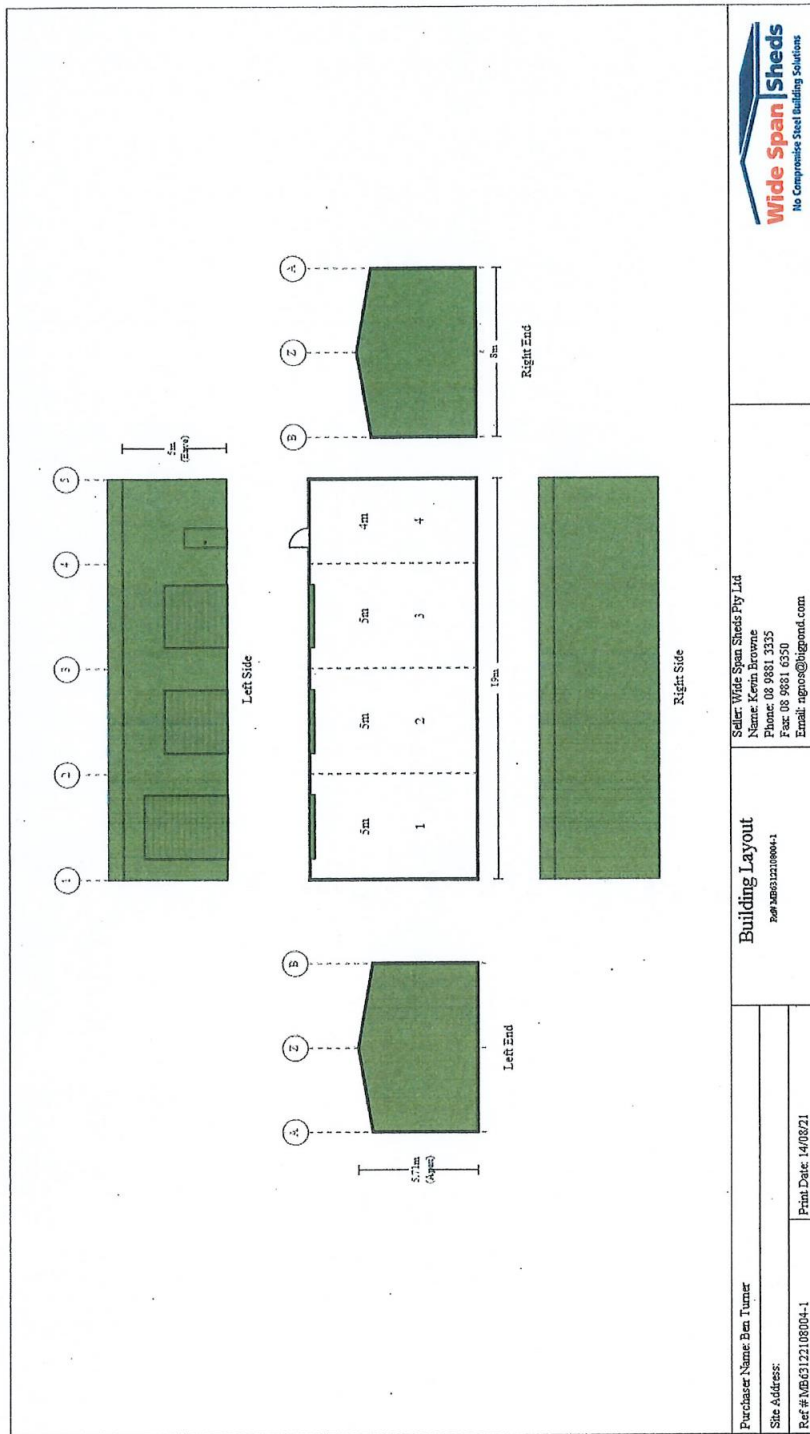





THE BIGGEST STEEL PRICE RISE YET
See last page to SAVE.

www.sheds.com.au

Building Layout



Seller: Wide Span Sheds Pty Ltd
 Name: Kerin Browne
 Phone: 08 9881 3335
 Fax: 08 9881 6550
 Email: ngrcs@bigpond.com

Building Layout
 20/03/2021/0904-1

Purchaser Name: Ben Turner
 Site Address:
 Ref #/M623122108004-1
 Print Date: 14/08/21

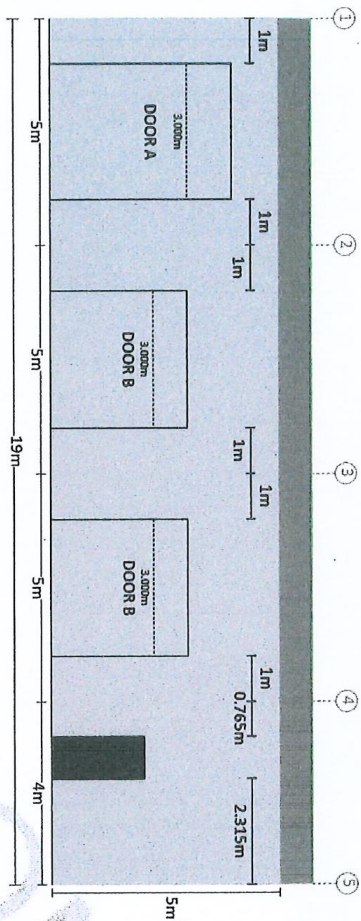


THE BIGGEST STEEL PRICE RISE YET
 See last page to SAVE.

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This section is provided as a guide only. It is the responsibility of the contractor/rector to confirm that all dimensions are correct.

Left Side



Measurements are from the outside of end girts (end bays) and/or centre of columns (mid bays) to inside of component opening size.

Purchaser Name: Ben Turner Site Address: 89 Smith St Cuballing WA 6311 Australia Drawing #: A9312210804-1		Component Position NOT FOR CONSTRUCTION Not to Scale Page 1 of 1 © Copyright Steink P/ty Ltd	
Plan Date: 14/08/21		Seller: M&S Steel Structures Pty Ltd Name: Kevin Bowles Phone: 08 9881 3335 Fax: 08 9881 6350 Email: k.bowles@spand.com	

Cr Harris declared an Impartiality Interest in that he is a Fire Control Officer and member of the Shire of Cuballing Bush Fire Advisory Committee that has made this recommendation to Council.

9.2.4 Appointment of Fire Control Officer – Popanyinning East

Applicant: N/A
 File Ref. No: ADM081
 Disclosure of Interest: Nil
 Date: 9th September 2021
 Author: Gary Sherry
 Attachments: Nil

Summary

Council is to consider an appointment of a Fire Control Officer on the recommendation of the Shire of Cuballing’s Bush Fire Advisory Committee

Background

The Shire of Cuballing considers annually the appointment of Fire Control Officers (FCO) recommended by the Shire of Cuballing’s Bush Fire Advisory Committee (BFAC). In April 2021 Council appointed as FCOs:

Chief FCO	Anthony Mort
Deputy Chief FCO	Graeme Dent
Popanyinning Town	Wayne Bird
Popanyinning East:	Graeme Dent and Justin Page
Popanyinning West:	Brayden Potts
Cuballing Town	Daniel Christensen
Cuballing East:	Mike Burges and Rob Harris
Cuballing West:	Nelson Young and
Shire of Cuballing:	Gary Sherry and Bruce Brennan.

Comment

The latest BFAC Meeting held on 1st September made a recommendation to approach Mr Duncan Patten, a resident of East Popanyinning about being appointed as an FCO for the Popanyinning East area. Mr Patten was previously a FCO until about 2012 and has recently returned to reside on his property in East Popanyinning.

The Minutes of the September 2021 BFAC Meeting are included in this Agenda at Attachment 9.2.2A.

While having sufficient numbers of FCO’s, an additional, experienced FCO would provide flexibility providing residents with fire advice and burning permit services.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027
 SOCIAL – Our Community, Neighbourhoods, Recreation and Culture.

Goals

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

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

Bush Fires Act 1954

S 38. Local government may appoint Bush Fire Control Officer

- (1) A local government thereto may determine the respective seniority of the other bush fire control officers may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject appointed by it.

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation

Council has received a recommendation on the appointment of an FCO from the Shire of Cuballing BFAC.

Options

Council may resolve:

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

Voting Requirements – Simple Majority

COUNCIL DECISION – 2021/102:

That Council, for the 2021/22 bush fire season, Duncan Patten as a Fire Control Officer for the Popanyinning East region of the Shire of Cuballing.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 5/0

Cr Harris declared an Impartiality Interest in that he is a Fire Control Officer and member of the Shire of Cuballing Bush Fire Advisory Committee that has made this recommendation to Council.

9.2.5 Appointment of Dual Fire Control Officers

Applicant: N/A
File Ref. No: ADM081
Disclosure of Interest: Nil
Date: 9th September 2021
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider the appointment of the Bush Fire Control Officers of neighbouring Shires to act as Bush Fire Control Officers in the Shire of Cuballing if required.

Background

The Shire of Cuballing considers annually the appointment of locally based Bush Fire Control Officers (FCOs) recommended by the Bush Fire Advisory Committee.

Council has also appointed as FCOs for the Shire of Cuballing persons nominated by neighbouring local governments who are FCOs in those neighbouring local governments. Such appointments allow for an efficient response to a bushfire in locations close to the boundary between local governments by a FCO endorse by both local governments.

Comment

The Shire of Cuballing has been advised of nominations by neighbouring local governments for appointment as Dual FCOs in the Shire of Cuballing.

The Shire of Wickepin has advised the Shire of Cuballing that:

- Roger Butler;
- Trever Leeson; and
- Luke Lansdell;

are the Fire Control Officers of the Shire of Wickepin who could serve as Dual FCOs in the Shire of Cuballing.

The Shire of Pingelly has advised the Shire of Cuballing that:

- Rodney Leonard Shaddick;
- Sam MacNamara;
- Brodie Cunningham;
- Simon Parsons;
- Anthony Turton; and
- Andrew Augustin Marshall;

are the Fire Control Officers of the Shire of Pingelly who could serve as Dual FCOs in the Shire of Cuballing.

The Shire of Narrogin has advised the Shire of Cuballing that:

- Richard Chadwick;
- Barry Hardie; and
- Tim Shepherd;

are the Fire Control Officers of the Shire of Narrogin who could serve as Dual FCOs in the Shire of Cuballing.

The Shire of Wandering has advised the Shire of Cuballing that:

- Peter Monk;
is the Fire Control Officer of the Shire of Wandering who could serve as a Dual FCO in the Shire of Cuballing.

In the past Council has also appointed Stuart Rintoul and Phillip Martin from the Shire of Williams as Dual FCOs.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017

SOCIAL – Our Community, Neighbourhoods, Recreation and Culture.

Goals

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

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

Statutory Environment

Bush Fires Act 1954

38. Local government may appoint Bush Fire Control Officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation

The Shires of Wickepin, Pingelly, Narrogin and Wandering have provided their nominated Dual Bush Fire Control Officers.

Options

Council may resolve:

1. the Officer's Recommendation;
2. an amended resolution with different appointments; or
3. to not appoint one or all proposed Dual Fire Control Officers.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2021/103:

That Council appoint the following persons as Fire Control Officers for the Shire of Cuballing for the 2021/22 bush fire season:

- | | | |
|-----|--------------------|---------------------------|
| 1. | Shire of Wickepin | Roger Butler; |
| 2. | Shire of Wickepin | Trevor Leeson; |
| 3. | Shire of Wickepin | Luke Lansdell; |
| 4. | Shire of Pingelly | Rodney Leonard Shaddick; |
| 5. | Shire of Pingelly | Sam MacNamara; |
| 6. | Shire of Pingelly | Brodie Cunningham |
| 7. | Shire of Pingelly | Simon Parsons; |
| 8. | Shire of Pingelly | Anthony Turton; |
| 9. | Shire of Pingelly | Andrew Augustin Marshall; |
| 10. | Shire of Narrogin | Richard Chadwick; |
| 11. | Shire of Narrogin | Barry Hardie; |
| 12. | Shire of Narrogin | Tim Shepherd; and |
| 13. | Shire of Wandering | Peter Monk. |

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 5/0

9.2.6 WALGA 2021 AGM – Member Motions

Applicant:	N/A
File Ref. No:	ADM104
Disclosure of Interest:	Nil
Date:	31 st August 2021
Author:	Gary Sherry
Attachments:	9.2.6A WALGA AGM 2021 – Members Motions Extract

Summary

Council is to consider its position in relation to motions to be presented to the 2021 WALGA Annual General Meeting.

Background

Council's voting delegates to the 2021 Annual General Meeting (AGM) of WALGA are Councillors Conley and Dowling.

Comment

As part of the WALGA AGM, members are able to raise issues for debate and resolution that can change the direction of WALGA or to provide new direction about an issue.

Summary detail of the members motions to be debated at the 2021 Annual General Meeting of WALGA to be held at Crown Perth, Grand Ballroom on Monday, 20th September 2021, are included at Attachment 9.2.6A. Staff can provide interested Councillors with a complete copy of the agenda.

Staff consideration and recommendation for a Council position for each motion is set out below.

Agenda Item	Recommended Shire Position and Staff Comment
3.1 Amendments to WALGA's Constitution	Support These amendments to the WALGA Constitution will allow remote meetings, and adjust the financial year to 30 June and election methods which better aligns with members.
3.2 Cost of Regional Development	Strongly Support Any measures to address development costs outside of the metropolitan area should be supported.
3.3 CSRFF Funding Pool and Contribution Ratios	Support Increases in state government funding for local government sporting infrastructure should be supported.
3.4 Regional Telecommunications Project	Support Increases in state government funding for rural telecommunications infrastructure should be supported.
3.5 Review of the Environmental Regulations for Mining	Support The general principle of improving state control to put mining on a similar footing to local governments in environmental issues should be supported. Similarly, the creation of local programs to address local environmental issues should also be supported.

Council can take this opportunity to provide direction to Council delegates over the position of Council over matters to be considered at the AGM.

Strategic Implications –

Shire of Cuballing Strategic Community Plan 2017-2027

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

- An independent Council that is supported by an excellent organisation.
- Governance structures that ensure accountable, transparent and ethical decision making.
- Building the organisation and managing its structure, finances and assets in a sustainable manner.
- A Council that proactively engages with all elements of its community to make decisions that reflect positively on the future of the Shire of Cuballing.

	Strategy	Outcome
4.1	Councillors provide strong and visionary leadership.	A clear direction for the future.
4.2	Maintain a clear, transparent and ethical decision making process.	Openness and transparency in Council decisions.

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

Attendance at the WALGA AGM is free.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. an alternative view to the Officer's Recommendation on part or all of the points of the Recommendation

Voting Requirements – Simple Majority

COUNCIL DECISION – 2021/104:

That Council Delegates to the Western Australian Local Government Association Annual General Meeting to be held at Crown Perth, on Monday 20th September, be instructed and authorised to vote on the following agenda items in the following direction:

Agenda Item		Recommended Shire Position and Staff Comment
3.1	Amendments to WALGA's Constitution	Support
3.2	Cost of Regional Development	Strongly Support
3.3	CSRFF Funding Pool and Contribution Ratios	Support
3.4	Regional Telecommunications Project	Support
3.5	Review of the Environmental Regulations for Mining	Support

Moved: Cr Dowling

Seconded: Cr Harris

Carried 5/0

3.1. Amendments to WALGA's Constitution

IN BRIEF

- a number of amendments are proposed to the WALGA Constitution
- The proposed amendments were endorsed by a special majority of State Council at the meeting on 7 July 2021.

MOTION – SPECIAL MAJORITY REQUIRED

Executive Member to move:

That the WALGA Constitution be amended as follows:

1. INSERT Definition – “Present” means attendance in person or by electronic means deemed suitable by the Chief Executive Officer.
2. Clause 5 (10) – DELETE “and Associate Members”.
3. Clause 5 (11) – DELETE “Ordinary Member or”, REPLACE “State Council” with “Chief Executive Officer” in the first sentence, INSERT “or its delegate” after State Council in the second sentence.
4. Clause 6 (3) – REPLACE “31 May” with “30 June”.
5. Clause 7 (2) – REPLACE “30 June” with “31 July”.
6. Clause 11 (1) – after Chief Executive Officer, INSERT “in accordance with the Corporate Governance Charter”.
7. Clause 11 (2) – after Chief Executive Officer INSERT “by providing notice to State Councillors of the date, time, place and purpose of the meeting”
8. DELETE Clause 11 (3)
9. Clause 12 (1) – DELETE “as, being entitled to do so, vote in person”
10. DELETE Clause 12 (2)
11. Clause 12 (3) – DELETE “as, being entitled to do so, vote in person”
12. Clause 12 (4) – DELETE “as, being entitled to do so, vote in person”
13. Clause 16 (1) & (2) – After Any election INSERT “other than to elect the President or Deputy President”, REPLACE “generally in accordance with the provisions of the Local Government Act 1995 as amended (2) For the purposes of the election referred to in sub- section (1)” with “as follows”.
14. Clause 16 (2) (f) – REPLACE two instances of “2” with “1”.
15. INSERT Clause 16A – Election Procedure – President and Deputy President
 - (1) An election to elect the President or Deputy President shall be conducted as follows:
 - (a) the Chief Executive Officer or his/her delegate shall act as returning officer;
 - (b) representatives are to vote on the matter by secret ballot;
 - (c) votes are to be counted on the basis of “first-past-the-post”;
 - (d) the candidate who receives the greatest number of votes is elected;
 - (e) if there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued, and the meeting adjourned for not more than 30 minutes;
 - (f) any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes;
 - (g) when the meeting resumes, an election will be held in accordance with sub-sections 1(a), 1(b), 1(c) and 1 (d);
 - (h) if two or more candidates receive the same number of votes so that sub- section 1(d) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.
16. Clause 21 (4) – REPLACE “Chairman” with “Chair”.

17. Clause 22 (1) – REPLACE “in August or September of” with “prior to 31 October”.
18. Clause 22 (3) – DELETE “in person”
19. DELETE Clause 22 (4) (b).
20. Clause 23 (3) – DELETE “in person”
21. Clause 24 (2) – DELETE “and of which vote is to be exercised in person”
22. Clause 24 (4) – DELETE “as, being entitled to do so, vote in person”
23. Clause 28 (1) – DELETE “The common seal shall be held in the custody of the Chief Executive Officer at all times.”
24. Clause 29 (1) – DELETE “as, being entitled to do so, vote in person”
25. Clause 29 (2) – DELETE “as, being entitled to do so, vote in person”
26. Clause 31 (4) (c) – DELETE “and Regional Development”.

EXECUTIVE SUMMARY

- A number of amendments are proposed to the WALGA Constitution;
- Amendments are necessary:
 - o To remove requirements for delegates to attend annual and special general meetings in person; and,
 - o As a result of WALGA’s change of financial year end to 30 June, from the previous 31 May year end.
- Other amendments are proposed to:
 - o Allow a second vote to be conducted if two candidates tie in an election for President or Deputy President;
 - o Clarify the application process for Ordinary and Associate Members;
 - o Simplify the process for providing notice of State Council meetings;
 - o Allow motions at Special State Council meetings to be passed with a simple, as opposed to absolute, majority, except as required elsewhere in the Constitution, such as the absolute majority requirement to adopt the budget; and,
 - o Tidy up outdated wording.
- The proposed amendments to the Constitution were passed at the 7 July 2021 State Council meeting by a Special Majority.
- Consequently, these Constitutional Amendments are now being put to the 20 September 2021 Annual General Meeting.

ATTACHMENT

- WALGA Constitution – Proposed Amendments Mark-Up

BACKGROUND

Amendments to the Constitution are required to allow delegates to attend and vote virtually through a videoconference, webinar or other platform at Annual or Special General Meetings of the Association if required.

In addition, WALGA has this year changed its financial year end from 31 May to 30 June. The 30 June year end means that WALGA’s financial year now aligns with Local Governments’ year end. Amendments to clauses relating to the budget, termination of membership and the timeframe for holding the AGM are required as a result of this change.

The requirement to amend the Constitution has provided an opportunity to amend the election procedure for WALGA President and Deputy President. The proposed change would enable a second ballot to be held if two or more candidates are tied for the position. This aligns with the procedure in the Local Government Act 1995 for the election by Council of Mayors, Presidents, Deputy Mayors and Deputy Presidents.

Other minor changes to remove outdated and tidy up wording are proposed, as per the mark-up version of the Constitution attached.

COMMENT

Amendments to the Constitution require endorsement by a special (75 percent) majority at State Council, as well as a 75 percent majority at an Annual General Meeting or Special General Meeting.

As the proposed amendments were endorsed by State Council at the 7 July meeting, they are now being put to the 20 September 2021 WALGA Annual General Meeting

3.2. Cost of Regional Development

IN BRIEF

- The shortage of long-term and short-term accommodation for workers in regional areas, combined with the high cost of developing land, has become an urgent issue.
- Government intervention is needed.

MOTION

Shire of Gnowangerup Delegate to move:

That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many towns in the Wheatbelt and Great Southern regions.

MEMBER COMMENT

At the most recent Great Southern Zone meeting, a number of Shires raised the urgent issue of a shortage of long-term and short-term accommodation for workers and the high cost of developing land. DevelopmentWA has been approached for a solution and has provided the following response:

“The costs associated with the development of land across regional Western Australia are dramatically inflated by the servicing standards (including statutory charges) that are imposed upon the developer by the servicing agencies. There is no latent capacity in the Western Power electrical distribution network across the Wheatbelt and Great Southern, allowing Western Power to impose any upgrading costs upon a land developer under its “user pay” principles.

It is our experience that the development costs to create a conventional residential allotment on the edge of a town ranges from \$100,000 to \$160,000 per lot and it is not uncommon for us to be confronted with development costs between \$200,000 and \$400,000 per lot for industrial sites. As you would appreciate, if lots are created and then released into the market, regional based buyers would not entertain paying a price which will allow the developer to recover those costs, let alone make a profit.

This situation produces a failure in the market and DevelopmentWA receives a modest annual subsidy from the State Government to undertake land developments on behalf of Local Governments where a demand for new land exists and the private sector is not responding.”

There is considerable pressure on the Regional Development Assistance Program, and the high cost of headworks particularly for water and electricity are a major disincentive to development by the private sector and Local Government. Urgent government intervention is needed to ensure that housing for workers for vacancies in industry in rural areas is delivered at a reasonable cost.

SECRETARIAT COMMENT

Market failure in the provision of residential and industrial land occurs across most of regional Western Australia. State Government intervention was previously provided through the Regional Headworks Program, funded by Royalties for Regions, and through commitments from the utility providers to spread the costs of upgrading and extending infrastructure to

service additional land across their customer base, rather than pass these costs to the developer. These arrangements no longer exist.

Strong growth in the demand for housing in regional WA has again highlighted this market failure and the consequent impacts on employment and economic development. The Regional Development Assistance Program delivered by DevelopmentWA is the only State Government support for industrial and residential land development in regional towns. The experience of Local Governments in accessing the Regional Development Assistance Program and the demand on the modest budget allocation will be important information to underpin advocacy for an achievable path to housing growth in regional towns.

3.3. CSRFF Funding Pool and Contribution Ratios

IN BRIEF

- Clubs are not able to contribute their one third required contribution towards facilities and major projects as required under CSRFF framework;
- This results in Local Governments having to fund two thirds of new infrastructure at significant cost to ratepayers;
- Support is sought for WALGA to lobby State Government to increase funding towards this program and to allow a 50:50 split between State and the local communities.

MOTION

Shire of Dardanup Delegate to move:

That WALGA lobby the State Government to increase the CSRFF funding pool to \$25 million per annum and revert the contribution ratio to 50% split to enable more community programs and infrastructure to be delivered.

MEMBER COMMENT

There is currently \$12.5 million available in the 2021 Community Sporting and Recreation Facilities Fund (CSRFF). \$1 million of this funding per year, for the next four years, has been specifically set aside for projects that increase female participation in sport and recreation, such as unisex changerooms. An additional \$2.5 million per annum for the next four years is also available in a new sub program called the Club Night Lights Program (CNLP). Therefore the total amount of funding available under the CSRFF program is \$15 million per annum for the next 4 years.

The current CSRFF funding model requires 1/3 contribution from local governments, 1/3 contribution from the clubs and 1/3 could be funded through CSRFF. Some CSRFF applications are eligible for up to one half of the project cost. The eligibility is measured against key development principles with applicants proving eligibility through completion of additional forms and process.

Over the last four CSRFF funding rounds, the WA State Government has contributed an average grant amount of \$424,270 to 91 projects. To put that figure into the terms of a sporting club's contribution, it would take 424 Bunnings sausage sizzles to raise enough money to fund 1/3 of the average State assisted project. Even if a club contributes a portion of this through volunteer labour and in-kind donations, the staggering figure is simply unattainable - which leaves local government to pick up the tab on over 66% of the bill.

Other Australian states use different structures to fund sporting infrastructure, for example, in Queensland the Active Community Infrastructure program allows \$40 million over three years. Unobstructed by percentage contribution rules, the Queensland State Government will invest up to \$1 million per project. Each EOI submission is evaluated on a case by case basis. In round one, the Queensland Government will deliver \$16 million in funding for sport and recreation infrastructure projects to 21 organisations. The average size of these grants is \$741,826, a figure that is almost double that of Western Australia's average contribution and close to 50% of the average cost of building a small pavilion with change rooms.

It is recommended that WALGA lobby the State Government to increase the funding available to

\$25 million per annum and to increase the ratio to 50%. In this way, the total number of projects could still be maintained and the impost on local clubs and Local Government ratepayers could be reduced.

SECRETARIAT COMMENT

WALGA has advocated for funding for the Community Sporting and Recreation Facilities Fund (CSRFF) to be increased to \$25 million per annum for a number of years, most recently as part the Association's 2020 State Election campaign and WALGA's 2020-21 State Budget Submission.

Funding for the CSRFF will increase from \$12 million in 2021-22 to \$12.5 million in 2022-23. \$10 million over four years has also been allocated for sports floodlighting infrastructure under the Club Night Lights Program.

WALGA's Advocacy Position 3.7.1 Community Infrastructure states:

"The Association supports Local Government initiatives and infrastructure that contribute to the health and wellbeing of the community."

3.4. Regional Telecommunications Project

IN BRIEF

- State funding has decreased to only \$5 million for the entire state and the installation of towers have dried up significantly.
- The Federal Government has allocated its largest allocation of funding in Round 6 of \$80 million.
- Matching funds from the State is critical to securing funds from the Federal Mobile Black Spot Program which is in threat of being secured by other States with matching funding.

MOTION

Shire of Esperance Delegate to move:

That WALGA strongly advocates to the State Government to increase funding for the Regional Telecommunications Project to leverage the Federal Mobile Black Spot Program and provide adequate mobile phone coverage to regional areas that currently have limited or no access to the service.

MEMBER COMMENT

The regions are the powerhouse of the Western Australian economy and the sustainability of their futures relies on enhanced connectivity. Co-investment by state and federal governments along with Telcos is critical to increase coverage in areas that would otherwise be difficult to justify on economic grounds as it is an expensive and complex exercise.

Under the Barnett Government, there was \$60 million in the bucket of funding for regional telecommunications and partnering with the Commonwealth, there were 89 towers delivered within the federal electorate of O'Connor alone.

After the Labor Government took office, this bucket of State funding has decreased to only \$5 million for the entire state and the installation of towers has dried up significantly. On the contrary, the Federal Government has allocated its largest allocation of funding in Round 6 of \$80 million since the initial Round 1. Matching funds from the State is critical to securing funds from the Federal Mobile Black Spot Program which is in threat of being secured by other States with matching funding.

The State Government's forward estimates show no commitments to the program, demonstrating a lack of long term commitments by the State Government to the Regional Telecommunications Project. Service providers such as Telstra are reluctant to install regional mobile telecommunications infrastructure without third party funding.

Solving the coverage and capacity gaps in regional WA is critical for the success of our regions and a matter of equity for country constituents.

SECRETARIAT COMMENT

As identified, the Commonwealth Government committed \$380 million over six rounds to the Mobile Black Spot Program (the Program). In April 2020 the Round 5 results were announced, with a further 182 base stations to be funded in regional and remote Australia.

The Commonwealth Government has committed \$80 million for Round 6 of the Program and is expected to commence after the Round 5A process is complete.

Since 2012, State Governments have committed to improving mobile connectivity in regional Western Australia, currently through its Regional Telecommunications Project (RTP) and previously via the Regional Mobile Communications Project (RMCP).

The RTP initial allocation was \$45 million from 2014-15 with a further \$20 million allocated from 2016-17.

The total RTP allocation under the last Coalition Government was \$65 million, which was mainly used for State co-contributions under the Commonwealth Mobile Black Spot Program Rounds 1 and 2. Information on the various MBSP Rounds is here: <https://www.communications.gov.au/what-we-do/phone/mobile-services-and-coverage/mobile-black-spot-program>.

The Mobile Black Spot Program Round 4 announced on 22 March 2019 stated “The Federal and State governments will contribute \$4.3 million each to the Mobile Black Spot Round 4 program in WA, with a further \$6 million from telecommunications companies”.

The Regional Telecommunications Project Continuation (RTPC) Funding (announced 21 May 2019) provided a further \$20 million allocation from 2019-20 by the Labor Government, bringing total RTP funding to \$85 million.¹

On 21 April 2020 a joint Commonwealth/State media statement announcing the Mobile Black Spot Program Round 5 outlined “under Round 5, \$29.7 million will be invested in mobile infrastructure in Western Australia. This includes \$12.8 million funding from the Commonwealth and \$5.5 million from the Western Australian Government”.

The outcomes of Round 1 of the Regional Connectivity Program were announced on 28 April 2021 advising that “the McGowan Government will contribute \$5.88 million to projects under the Commonwealth's Regional Connectivity Program to help bring mobile and broadband infrastructure to some of Western Australia's most under-served areas” and “the State's investment has attracted co-funding of \$17.1 million from the Commonwealth and additional funding from project applicants and third party contributors”.²

Along with the Digital Farm Grants Program Round 3 announced in January 2021 of a “\$6.3 million investment by the State delivering high-speed broadband to 600 farmers and residents across WA's grain growing regions under Round 3 of the Digital Farm program” there continues to be considerable investment in Telecommunications in WA.³

Notwithstanding, the need is still significant, with the Shire of Esperance motion to increase State funding by way of co-contribution to leverage Federal programs to regional areas that have limited or no access is supported.

3.5. Review of the Environmental Regulations for Mining

IN BRIEF

The Australian and State Governments has several initiatives and studies completed regarding mining environmental regulating and the Mining Rehabilitation Fund.

Our plan is focused on existing information and plans:

- Industry Australia has done extensive studies in this field: Mine Rehabilitation (industry.gov.au).
- There is already an established fund for this possible initiative: Mining Rehabilitation Fund Yearly Report 2018-19 (dmp.wa.gov.au).

We hope to get support for this initiative to get Local Governments across Western Australia involved by receiving some of these funds to actively participate in these rehabilitation works with mining partnerships and Local Government. This opportunity will fund diversification and implement a plan for after mine life, reducing the impacts of the mining boom bust cycle. (WA currently has approx. \$182 million in the mining rehab fund, generating around \$1 million in interest and of which approx. \$312,000 was used in rehab projects).

MOTION

Shire of Dundas Delegate to move:

Regarding a review of the Mining Act 1978.

1. **To call on Minister Bill Johnston, Minister for Minister for Mines and Petroleum; Energy; Corrective Services to instigate a review of the 43-year-old Mining Act to require mining companies to abide by environmental regulations, and to support research and development into sustainable mining practices that would allow mining without detriment to diversification and community sustainability through other industries and development.**
2. **That abandoned mines in regional Western Australia receive a priority action plan with programmes developed to work with remote resource communities to assist in the rehabilitation of these mines as a job creation programme, with funding allocated for diversification projects for support beyond mine life across Western Australia.**

MEMBER COMMENT

The mining industry currently enjoys concessions in relation to both environmental and planning legislation that are not available to other industries, nor to Local Governments. For example, a mining company can lodge a mine plan which includes a facility to 'bury' tyres. No other industry or Local Government is permitted to put tyres in landfill or otherwise bury or cover up tyres. There is a cost involved with the disposal of old tyres, which under current legislation, the mining industry is exempt from as they are permitted to bury their old tyres. This flies in the face of all the environmental legislation in relation to the disposal of tyres.

In the planning space, a mining company can object to any development on land over which they hold a current mining tenement, whether that ground is currently being actively mined or the ground has been 'tied up' in a project group of tenements and no work has ever been commenced or completed on the subject ground. This can have very detrimental effects on Local Government planning for the future as the mining company can call to a halt any attempt to develop land for any project. For example, in the Shire of Dundas, we have a very real

need to have land released for industrial zoning, however, the one area readily available has an existing mining tenement over it and the mining company has lodged an objection to the Shire being able to purchase that land as a freehold title. The mining tenement has been in existence since 1983 and has never been worked. Similarly, the existence of a mining tenement can hamper any proposed land release for development by a Local Government because it 'may' be explored at some future time. The mining sector appears to enjoy these concessions on the fact that it employs a large number of people and, more importantly, generates royalty revenue for the State Government. Figures from 2019 indicate that the Mining industry in Australia employs approx. 245,000 people while agricultural industries (including forestry and fishing) employ approx. 333,000.

There is a massive, world-wide push to encourage more sustainable and environmentally friendly practices in all industry. Climate change is the hottest topic around the world and reducing greenhouse gases and implementing the best environmental practices is high on everyone's agenda.

There appears to be a large disconnect between the acceptable practices of the mining industry and the rest of industry and Local Government. Mining, by its very nature, is a finite industry but, current mining techniques cause wholesale destruction on an often-massive scale, most of which can never be recovered to its former state. The agricultural sector, on the other hand, is a sustainable industry whose entire focus is the production of food to keep us alive. Despite this, whilst it is considered appropriate for hundreds of hectares of land to be cleared to accommodate a mine site and all its attendant infrastructure, with scant regard for habitat and/or fauna and flora, a farmer can be fined thousands of dollars and/or face a term of imprisonment for clearing even a tiny portion of native vegetation on his freehold land.

In the planning arena, Section 120 of the Mining Act 1978 makes provision that whilst any planning scheme made under the Planning & Development Act 2005, will be 'taken into account', it will not prohibit or affect the grant of a mining tenement.

It appears to be illogical that every other sector is to be bound by legislation that does not apply to the mining industry. The Mining Act is 43 years old and, given the current review of the 26-year-old Local Government Act, is well and truly due for some review itself.

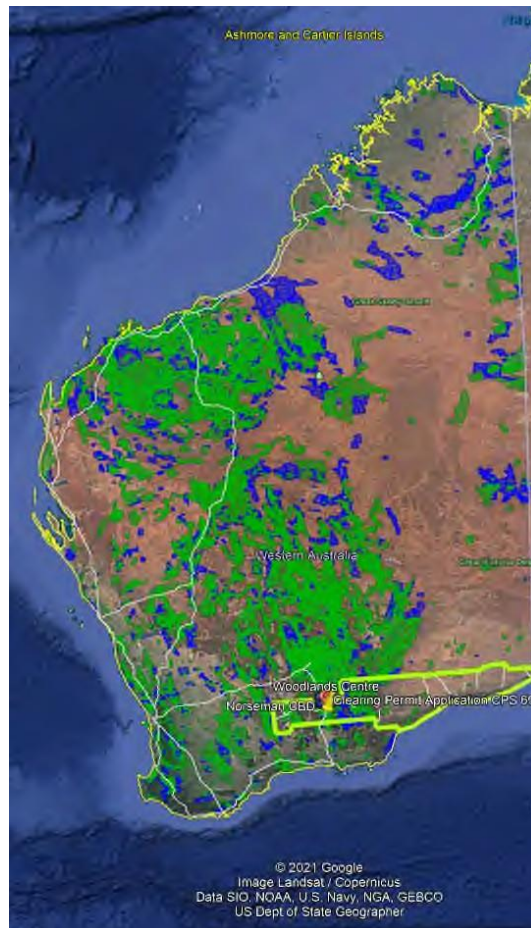
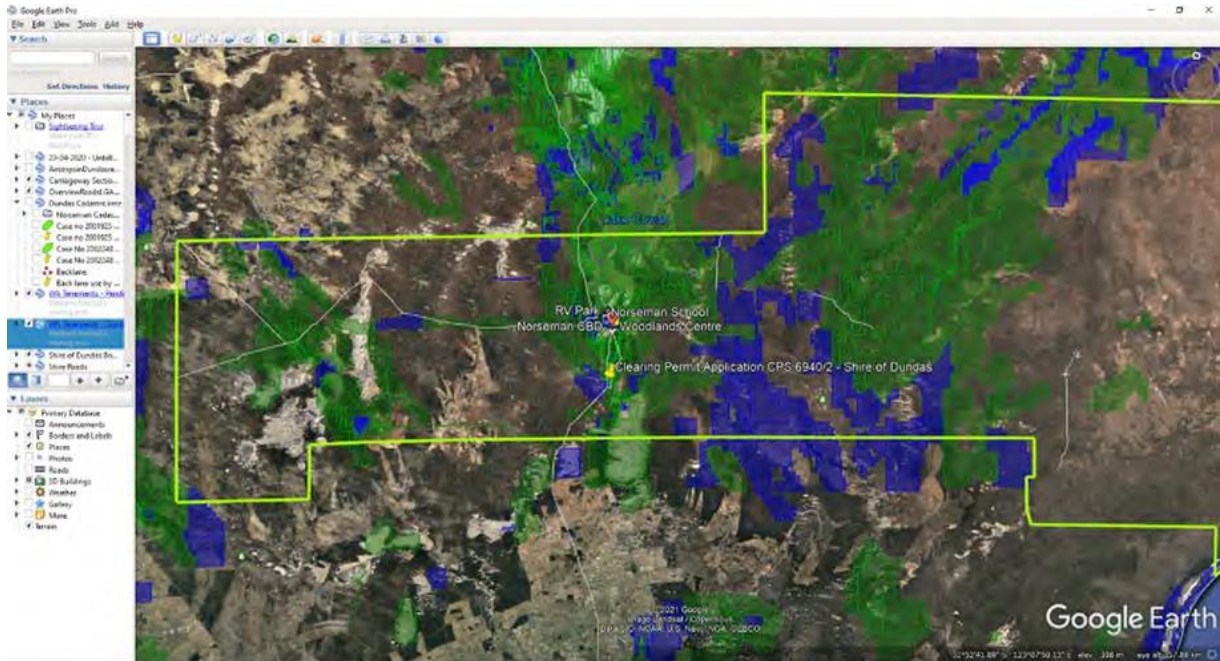
We are not opposed to the mining industry, in fact, our whole Shire was born out of the mining industry. However, the current provisions of the Mining Act 1978 doom us to be forever beholden to the 'boom and bust' nature of mining as it is nearly impossible to create a diverse and sustainable community when the Mining Act overrides other legislation. For example, any areas that we may earmark as having huge tourism potential can be wiped out in an instant by the application for a mining tenement over that ground. The loss of tourism potential is not something that can be recovered under a rehabilitation scheme. Rehabilitation should be a route of last resort not the accepted norm. Mining companies need to acknowledge that things such as proper disposal of tyres is a normal cost of conducting their business and act accordingly. There must be some mechanism for preserving unique landscapes that cannot be returned to their former state no matter how good the rehabilitation plan is. The mining industry employs some clever and innovative people and rather than tie up money in rehabilitation schemes (WA currently has approx. \$182 million in the mining rehabilitation fund, generating around \$1 million in interest and of which approx. \$312,000 was used in rehab projects), money should be directed into research and development of alternate and less destructive mining methods that leave our stunning natural environment and fauna more intact and available when mining ceases.

There are many papers available relating to mining impacts and legislation that mining is seemingly exempt from abiding by, some of which are referenced below:

- EPA report 1699, 1 February 2021 EPA Report 1699 – Lake Way Sulphate of Potash Project.pdf
- Regulations affecting landfill management for local governments. Major relevant legislation is contained within:
 - The Waste Avoidance and Resource Recovery Act 2007
 - The Waste Avoidance and Resource Recovery Levy Act 2007
 - The Waste Avoidance and Resource Recovery Regulations 2008
 - The Waste Avoidance and Resource Recovery Levy Regulations 2008
- Guide to drafting waste local laws – the Guide to drafting waste local laws is intended to provide general guidance to local government. It is for use by local governments and the Western Australian Local Government Association.
- Factsheet: Assessing whether material is waste – this Factsheet provides information to industry on matters relevant to determining whether material is waste under the Environmental Protection
- Act 1986 and the Waste Avoidance Resource Recovery Act 2007 and their associated regulations.
- Factsheet: amendments to the Environmental Protection Regulations 1987 - clean fill and uncontaminated fill – this Factsheet provides information on clean fill and uncontaminated fill in accordance with the amended Environmental Protection Regulations 1987 and the revised Landfill Waste Classification and Waste Definitions 1996 (amended 2019).
- NBN News | WHITEHAVEN COAL APPROVED TO BURY HUNDREDS OF TYRES
- Tyre Product Stewardship Scheme | Department of Agriculture, Water and the Environment
- Mining report finds 60,000 abandoned sites, lack of rehabilitation and unreliable data - ABC News

Mines closed, rehabilitated, and relinquished	
Queensland	0
Western Australia	Unknown
New South Wales	1
South Australia	18
Northern Territory	0
Victoria	1
Tasmania	1

Status in 2018



Green area is approved mining leases blue is pending leases

The Mining Rehabilitation Fund has a substantial amount of funds available and these funds could be put to much better use by funding research into more sustainable practices in the mining industry. Every other industry is required to count legislative compliance as a normal cost of conducting their business. The mining industry must be compelled to do the same.

Mine rehabilitation is all very well and good but, tackles the issue after the 'horse has bolted'. We could achieve far better outcomes if mining companies worked to adopt sustainable, environmentally friendly, mining techniques that do not need these rehabilitation projects. The burying of tyres is only one part of the problem, and it contributes to the wholesale destruction that goes with mining to the detriment of everything else. There is no tourism value in a rehabilitated mine site. You cannot replace unique granite outcrops and the stunning woodlands once they have been decimated by mining practices. Climate change is happening, and we are currently content to let it be accelerated by actively encouraging poor practice by mining companies.

ATTACHMENTS

- Photographs
- Department of Mines, Industry Regulation and Safety – Mining Rehabilitation Fund Yearly Report 2019-20

SECRETARIAT COMMENT

With respect to the Part 1 of the Motion:

Mining companies are required to comply with relevant environmental regulations and conditions of approval, which includes developing and implementing rehabilitation plans.

The Department of Mines, Industry Regulation and Safety (DMIRS) assesses environmental proposals for prospecting, mining exploration and development activities in accordance with the Mining Act 1978. Native vegetation clearing permits are assessed under delegation in accordance with the provisions of the Environmental Protection Act 1986 and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. Unconditional Performance Bonds (UPB) may be imposed as mining securities for compliance with environmental conditions imposed under the Mining Act in some cases.

Mining, petroleum and geothermal activity proposals that may have a significant impact on the environment are assessed by the Environmental Protection Authority (EPA). In addition, proposals likely to have significant impact to matters of national environmental significance require approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

In relation to tyre disposal, the Association acknowledges the significant challenge this poses for Local Governments, particularly those in the non-metropolitan area in regard to end of life tyre management. The Shire of Dundas is to be commended for its commitment to ensuring that tyres generated in the Shire are recycled; this is a significant achievement.

It is a significant barrier that there is not an effective Product Stewardship Scheme for tyres, which covers the full costs, including transport, of recycling tyres. The current situation means that frequently organisations choose the cheapest option for disposal or material, rather than the best environmental and social outcome.

As part of the funding to address the Export Bans for recyclable materials, including tyres, the State and Federal Government is investing over \$18 million in tyre recycling infrastructure for WA. WALGA is investigating how this funding will assist Local Governments across WA to develop sustainable tyre recycling solutions, which focus on resource recovery and minimise landfilling of these products.

In relation to Part 2 of the Motion:

The Mining Rehabilitation Fund Act 2012 and the Mining Rehabilitation Fund Regulations 2013 provide the legislative framework for declaring abandoned mine sites and enables the Mining Rehabilitation Fund (MRF) to receive levy contributions made by WA mining operators for the purpose of rehabilitation of abandoned mines and other land affected by mining operations carried out, in, on or under those sites.

Income for the MRF comes from a levy on existing mines based on the size of the operating mine and the expenditure comes from the interest earned by the fund. The MRF is aimed at addressing legacy mines pits that were not subject to the current legislative process and requirements, and where no company or individual can be identified and made responsible for the rehabilitation of the mine.

The Mining Rehabilitation Advisory Panel is an independent body that provides advice to the Director General of the DMIRS on matters related to the MRF, including which abandoned mines should receive funds for remedial action.

The Abandoned Mines Policy provides guidance on how the priorities for the use of the funds and which abandoned mines will be managed. The key principle used in decision making is the level of risk an abandoned mine represents. The policy encourages the use of partnerships with Local Governments, community groups and business in the management and rehabilitation of the selected abandoned mine sites.

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

12. CONFIDENTIAL MATTERS:

The Chief Executive Officer, Mr Sherry, declared a Financial Interest in 12.1.1 in that he is the Officer whose performance and salary is being reviewed and left the meeting at 3.41pm.

The Deputy CEO, Ms Dew, Acting Manager Works & Services, Mr Mort, Ms Christensen, Mr Kowald and Mr Dowdell left the meeting at 3.41pm.

12.1.1 Chief Executive Officer – 2020/21 Performance and Salary Review

Applicant:	N/A
File Ref. No:	Personnel
Disclosure of Interest:	Direct Financial Interest in that the Author is the Officer whose performance and salary are being reviewed.
Date:	8 th September 2021
Author:	Gary Sherry
Attachments:	12.1.1A 2020 Draft Performance Review Report 12.1.1B CEO Remuneration Information

COUNCIL DECISION – 2021/105:

That Council:

- 1. completes the Chief Executive Officer performance review process by accepting the findings of the collated Chief Executive Officer Review document as presented in Attachment 12.1.1A;**
- 2. accepts the annual review of the Chief Executive Officer's remuneration contained Attachment 12.1.1B as amended; and**
- 3. thank the Chief Executive Officer for his performance over the past 12 months.**

Moved: Cr Harris

Seconded: Cr Dowling

Carried 5/0

13. NEXT MEETING:

Ordinary Council Meeting, 2.00pm, Wednesday 20th October 2021 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

14. CLOSURE OF MEETING:

There being no further business, the Shire President, Cr Conley, closed the meeting at 4.04pm.