



*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 JUNE 2022

Shire of Cuballing
Council Chambers
Campbell Street, Cuballing

COUNCIL MEETING PROCEDURES

1. All Council meetings are open to the public, except for matters raised by Council under “Confidential 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 Dowling, declared the meeting open at 2.00pm

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

2.1.1 Attendance

Cr Eliza Dowling	President
Cr Robert Harris	Deputy President
Cr Dawson Bradford	
Cr Julie Christensen	
Cr Adrian Kowald	
Cr Pete Dowdell	
Mr Stan Scott	Chief Executive Officer
Mr Fred Steer	Deputy Chief Executive Officer
Mr Bruce Brennan	Manager of Works and Services

2.1.2 Apologies

Nil

2.1.3 Leave of Absence

Cr Julie Christensen

3. **STANDING ORDERS:**

COUNCIL DECISION 2022/51:

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

Moved: Cr Bradford Seconded: Cr Dowdell

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:

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Dowdell requested Leave of Absence for 22 June 2022 SCM.

COUNCIL DECISION – 2022/52:

That Council grant Cr Dowdell a Leave of Absence for 22 June 2022 SCM

Moved: Cr Kowald

Seconded: Cr Harris

Carried 5/0

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Wednesday 18th May 2022

COUNCIL DECISION 2022/53:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 18th May 2022 be confirmed as a true record of proceedings.

Moved: Cr Kowald

Seconded: Cr Bradford

Carried 5/0

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

Nil

8. DISCLOSURE OF FINANCIAL INTEREST:

Cr Harris declared an interest affecting Impartiality in item 11.1.1 Peel Harvey Catchment Council MOU.

9. REPORTS OF OFFICERS AND COMMITTEES:

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1 List of Payments – May 2022

File Ref. No: NA
Disclosure of Interest: Nil
Date: 8th June 2022
Author: Nichole Gould
Attachments: 9.1.1A List of May Municipal Accounts
9.1.1B Credit Card Transactions

Summary

Council is to review payments made under delegation in May 2022.

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 May 2022.

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 2022/54:

That Council receives:

1. the List of Accounts paid in May 2022 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 \$230,909.53 included at Attachment 9.1.1A; and
2. a summary of transactions completed on Credit Cards by Council Staff for the period ending 4th May 2022 included at Attachment 9.1.1B.

Moved: Cr Kowald

Seconded: Cr Bradford

Carried 5/0

LIST OF MAY 2022 MUNICIPAL FUND ACCOUNTS

Chq/EFT	Name	Description	Amount
02052022	Police Licensing	Police Licensing Payments	45.90
04052022	Police Licensing	Police Licensing Payments	289.90
05052022	Police Licensing	Police Licensing Payments	851.55
0905/2022	Police Licensing	Police Licensing Payments	591.25
10/052022	Police Licensing	Police Licensing Payments	152.50
11052022	Police Licensing	Police Licensing Payments	522.65
12052022	Police Licensing	Police Licensing Payments	1,337.85
13052022	Loan Repayment No. 64 Land	Loan Repayment No. 64 Land	7,606.05
13052022	Interest On Loan No. 64 Land	Interest On Loan No. 64 Land	1,336.47
13052022	Police Licensing	Police Licensing Payments	30.50
16052022	Police Licensing	Police Licensing Payments	44.05
17052022	Police Licensing	Police Licensing Payments	1,090.05
18052022	Police Licensing	Police Licensing Payments	111.30
19052022	Police Licensing	Police Licensing Payments	842.85
20052022	Police Licensing	Police Licensing Payments	539.50
23052022	Police Licensing	Police Licensing Payments	57.35
24052022	ATO Clearing Account BAS	ATO Clearing Account BAS	-12,591.00
25052022	Police Licensing	Police Licensing Payments	479.60
26052022	Police Licensing	Police Licensing Payments	23.00
27052022	Police Licensing	Police Licensing Payments	1,819.10
30052022	Police Licensing	Police Licensing Payments	928.55
31052022	Police Licensing	Police Licensing Payments	867.30
EFT7010	DX Print Group Pty Ltd	Business Cards	308.00
EFT7011	Kalexpress & Quality Transport	Monthly Freight Charges - Westrac Parts	33.87
EFT7012	Komatsu Australia Pty Limited	Repair fault with ride control Komatsu Loader	1,473.85
EFT7013	Linemarking WA Pty Ltd	Spotting 1.31km for white line marking and black out of existing spots	3,520.00
EFT7014	Makit Narrogin Hardware	G.P Cement	48.00
EFT7015	Marketforce	Cat Local Laws - Narrogin Observer	227.48
EFT7016	McPest Pest Control	Treat White Ants on Hotham Street Reserve	220.00
EFT7017	Narrogin Hire Service and Reticulation	Black Rectangle Tablecloths	100.00
EFT7018	Rural Traffic Services Pty Ltd	Supply of Traffic Management Wandering-Narrogin Road for Culvert renew	3,133.79

Attachment 9.1.1A

Chq/EFT	Name	Description	Amount
EFT7019	Winc Australia Pty Limited	Stationery	328.98
EFT7020	Truck Centre (WA) Pty Ltd	1 x add Blue cap	85.64
EFT7043	AC & EJ Fulford & Co	Dozer hire to rehab Shaddicks gravel pit	1,980.00
EFT7044	Ace Bookkeeping Solutions	Administration support for DCEO	2,816.00
EFT7045	Anthony Mort	Reimbursement for Purchase of Webcam	129.00
EFT7046	Bill & Bens Hot Bread Shop	Catering – Youth Day Event	99.50
EFT7047	Cloud Payment Group	Debt Collection	2,057.70
EFT7048	Dews Mini Excavations	culvert installs Popanyinning West Road	6,193.00
EFT7049	Edge Planning & Property	Town Planning Service	809.60
EFT7050	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery	12,101.75
EFT7051	Great Southern Waste Disposal	Rubbish Removal - Recycling Service	6,925.52
EFT7052	Hancocks Home Hardware	Monthly account for six months - Cord Sash Multi Purpose 8mmx150m	741.80
EFT7053	Harwood Contracting Services	1 x m ³ of soil conditioner	110.00
EFT7054	ITR Pacific Pty Ltd	20 x HT Grader Blades	2,244.00
EFT7055	Kalexpress & Quality Transport	Freight Charges - Lawn Doctor	1,577.29
EFT7056	Kim Harris	Design drawings for the new disabled access to the back entrance of the office building	3,600.00
EFT7057	McDougall Weldments	Repair hydraulic hose for 3 point linkage	32.51
EFT7058	Moore Stephens (WA) Pty Ltd	2022 Annual Budget workshop documentation and template	825.00
EFT7059	Narrogin Toyota & Mazda	40,00km service 0 CN Prado	915.27
EFT7060	Narrogin Embroidery	3 x Embroidery for Staff Uniforms	30.00
EFT7061	Parrys Narrogin	Safety Boots	250.60
EFT7062	StampStore	1x Stamp	50.50
EFT7063	Wilson's Sign Solutions	Supply name plates, plate holder and postage	171.60
EFT7064	Zircodate Pty Ltd	Monthly Archive Storage fees	16.55
EFT7065	Ipec Pty Ltd (Toll)	Freight Charges - Herseys Safety	185.84
EFT7066	McPest Pest Control	Spider spraying of Cuballing Hall	330.00
EFT7067	Melchiorre Plumbing and Gas	Install New Instant Gas water heater at Popanyinning Hall	2,069.10

Attachment 9.1.1A

Chq/EFT	Name	Description	Amount
EFT7068	Narrogin Toyota & Mazda	60.000km service on Toyota single cab utility	549.36
EFT7069	Narrogin Pumps Solar and Spraying	Various parts for renewing IBC pod for patching . Hose Cam locks and new tap	245.39
EFT7070	Narrogin Stihl	Service of two Stihl chainsaws	129.43
EFT7071	Westrac	Service kit and turbo gasket-- 1x grease line and parts for Cat Loader	253.84
EFT7072	Winc Australia Pty Limited	Stationery	243.50
EFT7073	Allan's Bobcat & Truck Hire	Supply and install concrete path to flag poles	1,870.00
EFT7074	Bill & Bens Hot Bread Shop	Catering - Cancer Biggest Morning Tea	78.30
EFT7075	Corsign (WA) Pty Ltd	9 x Children signs and hardware to fit, 37 x gal posts 3.2m 4 x Cameras in use signs	3,639.35
EFT7076	Dews Mini Excavations	Excavator Hire Culvert Cleaning - Reeds Road	2,926.00
EFT7077	Dryandra Country Visitor Centre	Financial Support Dryandra Country Visitor Centre 2022 Annual Contribution	7,000.00
EFT7078	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery	9,791.82
EFT7079	IT Vision	Interim Rating WA Training	4,400.00
EFT7080	Kalexpress & Quality Transport	Freight Charges - ITR Western Australia	473.48
EFT7081	McPest Pest Control	White ant inspections on all council buildings	3,355.00
EFT7082	Melchiorre Plumbing and Gas	Repair leaking toilet at Popanyinning	1,743.61
EFT7083	Narrogin Bearing Services	1 x Mig gas bottle/size e 52	140.00
EFT7084	Narrogin Country Fresh Meats	Catering	155.00
EFT7085	Shire of Narrogin	Hire of Jet patcher and product for Wandering Narrogin Road	2,455.05
EFT7086	St John Ambulance Western Australia Ltd	Annual First Aid kit refill	779.16
EFT7087	Stallion Homes	April Progress Claim for Works Complete at The Cuballing Independent Living Units	49,186.76
EFT7088	The Workwear Group Pty Ltd	Staff Uniform	20.22
EFT7089	WA Local Government Association (WALGA)	Rates in Local Government - Clerical WALGA Training	990.00

Attachment 9.1.1A

Chq/EFT	Name	Description	Amount
EFT7090	Westrac	Service kit and turbo gasket-- 1x grease line and parts for Cat Loader	70.90
EFT7091	Whitford Fertilisers Narrogin	Weighbridge - Waste Management	49.50
EFT7092	Range Ford	Supply 1x New Ranger Dual cab Ute	51,907.26
20137	Synergy	Electricity Charges Street Lights	683.09
20138	Water Corporation	Water Charges Standpipe at Francis St	1,890.14
20139	WA Traffic Planning	Traffic management plan for culvert works on the Wandering-Narrogin Road.	825.00
20140	Synergy	Electricity Charges – Shire buildings	2,015.87
20141	Water Corporation	Repair to Damaged Water Meter Great Southern Highway	295.35
DD3022.1	inet Limited	Monthly NBN Internet Service CEO Residence	89.99
DD3024.1	Telstra	SMS Message Harvest Ban Service	60.80
DD3033.1	Hostplus Super	Payroll deductions	761.83
DD3033.2	Aware Super Pty Ltd	Payroll deductions	4,458.88
DD3033.3	Matrix Superannuation	Superannuation contributions	181.93
DD3033.4	Australian Super	Payroll deductions	1,670.08
DD3033.5	CBUS	Superannuation contributions	490.41
DD3033.6	Colonial First State	Superannuation contributions	535.89
DD3038.1	Telstra	Mobile Charges	305.72
DD3052.1	Telstra	Phone Charges - Admin Office Landlines	270.35
DD3059.1	Hostplus Super	Payroll deductions	757.56
DD3059.2	Aware Super Pty Ltd	Payroll deductions	4,393.26
DD3059.3	Matrix Superannuation	Superannuation contributions	181.93
DD3059.4	Australian Super	Payroll deductions	1,511.77
DD3059.5	CBUS	Superannuation contributions	490.41
DD3059.6	Colonial First State	Superannuation contributions	535.89
DD3041.1	National Australia Bank	Credit Card Transactions	3,332.44
			230,909.53

CREDIT CARD TRANSACTIONS

SUPPLIER	DETAIL OF PURCHASE	TOTAL
National Australia Bank	DCEO Credit Card - Bank Fees	60.00
Shire of Cuballing	Vehicle Licence Renewal - Cn027	49.05
L2 Master Pty Ltd	Stationery	20.00
Harvey Norman	Dash Cam & SD Card	280.00
Data Signs Australia	Traffic Light PTL Repair	924.63
Coates	Water filled Barriers	672.97
Reece	War Memorial Drainage supplies	1265.79
National Australia Bank	Bank Fees	60.00
	TOTAL	3332.44

9.1.2 Statement of Financial Activity

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	4 th May 2022
Author:	Fred Steer
Attachments:	9.1.2A Statement of Financial Activity

Summary

Council is to consider the Statement of Financial Activity for May 2022.

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 – Regional Road Group claims up to date;
- Transport – 100% of Roads to Recovery funding for 2021/22 has been received;
- Financial Assistance Grants – early payment of 2022/23 funding has been received;
- FESA – ESL grant funding – final quarterly payment has been received;
- CBH Grass Roots grant funding received;
- DVA grant funding for war memorial received;
- Standpipe income less than budgeted, possibly due to wet winter;
- Fire Mitigation – 2nd claim has been received; and
- Youth Traineeship Grant Funding for 2021/22 has been refunded.
- Received early payment of FAGS grant for 2022/2023;

Operating Expenses – The key items of variance include:

- Plant repairs overbudget due to repairs to fire vehicles annual service;
- Fire Mitigation expenses less than budgeted, offset by less grant income claimed;
- Both Refuse sites expenses running under budget;
- Loss on disposal on assets under budget due to higher return on sale of assets than anticipated; and
- Capital acquisitions are underbudget – due to timing of major projects & plant purchases.

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

Administration Allocations have been calculated to 31st May 2022.

Depreciation expense is calculated to 31st May 2022.

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 2022/55:

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

Moved: Cr Kowald

Seconded: Cr Harris

Carried 5/0

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 May 2022

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

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MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED 31 MAY 2022

INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 30 April 2022
Prepared by: Fred Steer, Deputy 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

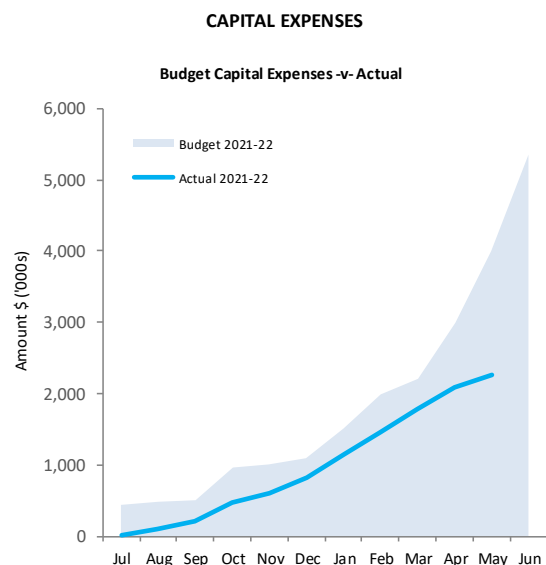
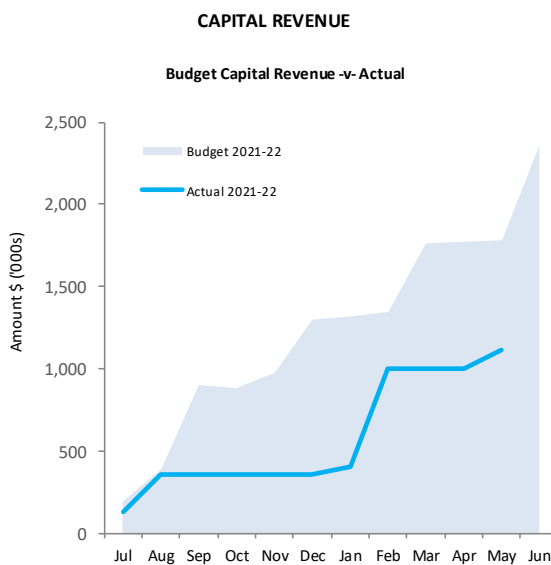
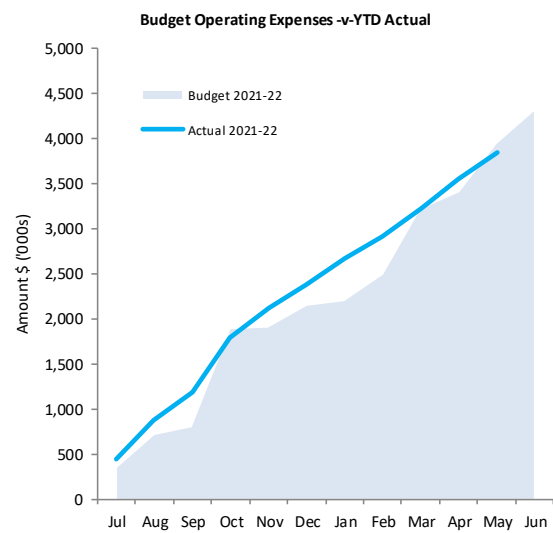
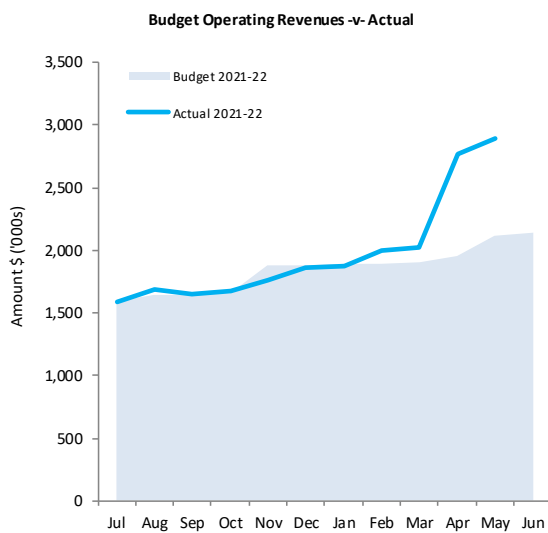
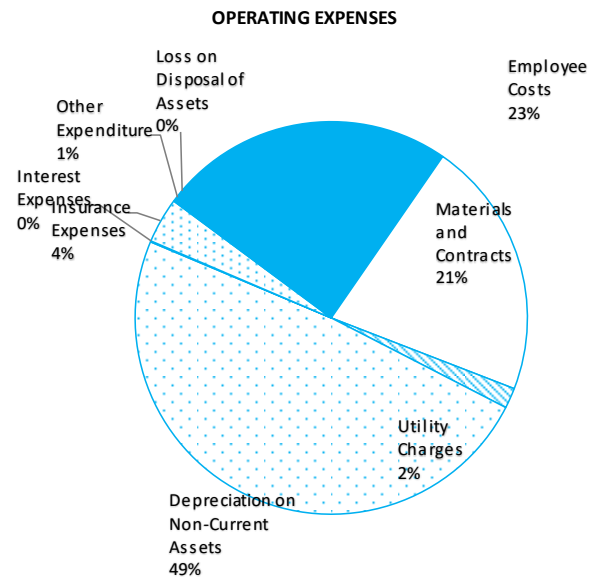
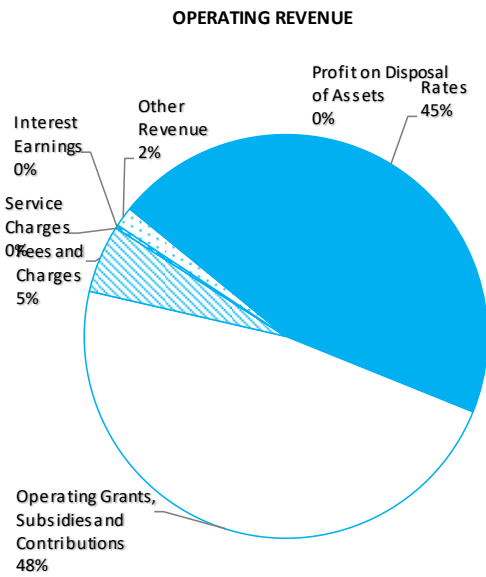
The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions 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 MAY 2022**

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 MAY 2022

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 MAY 2022**

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	1,934,871	30,666	2%	
Revenue from operating activities							
General Purpose Funding	5	1,540,427	1,563,416	1,981,474	418,057	27%	▲
Governance		44,950	44,108	30,484	(13,624)	(31%)	▼
Law, Order and Public Safety		133,112	132,783	108,308	(24,475)	(18%)	▼
Health		800	726	967	241	33%	
Education and Welfare		2,500	2,500	0	(2,500)	(100%)	
Housing		0	0	0	0		
Community Amenities		75,516	75,404	80,990	5,586	7%	
Recreation and Culture		12,773	12,724	13,311	588	5%	
Transport		249,755	248,888	585,691	336,803	135%	▲
Economic Services		38,700	31,667	29,441	(2,226)	(7%)	
Other Property and Services		45,000	39,576	64,369	24,793	63%	▲
		2,143,533	2,151,792	2,895,035			
Expenditure from operating activities							
General Purpose Funding		(88,500)	(81,114)	(68,097)	13,017	16%	▲
Governance		(138,957)	(163,889)	(174,522)	(10,633)	(6%)	
Law, Order and Public Safety		(298,263)	(282,811)	(290,849)	(8,038)	(3%)	
Health		(45,907)	(42,053)	(39,260)	2,793	7%	
Education and Welfare		(45,708)	(41,192)	(16,188)	25,004	61%	▲
Housing		(40,711)	(37,398)	(39,684)	(2,286)	(6%)	
Community Amenities		(353,068)	(324,048)	(313,691)	10,357	3%	
Recreation and Culture		(378,844)	(350,114)	(339,720)	10,394	3%	
Transport		(2,715,046)	(2,457,299)	(2,383,602)	73,697	3%	
Economic Services		(162,367)	(150,043)	(139,240)	10,803	7%	
Other Property and Services		(34,500)	(41,685)	(42,237)	(552)	(1%)	
		(4,301,871)	(3,971,645)	(3,847,090)			
Operating activities excluded from budget							
Add Back Depreciation		2,060,628	1,868,799	1,877,099	8,300	0%	
Adjust (Profit)/Loss on Asset Disposal	6	42,073	42,073	(1,639)	(43,712)	(104%)	▼
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(55,636)	91,019	923,405			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	10	2,360,758	2,360,757	1,112,554	(1,248,203)	(53%)	▼
Proceeds from Disposal of Assets	6	115,000	115,000	119,303	4,303	4%	
Land Held for Resale		0	0	0	0		
Capital Acquisitions	7	(5,353,726)	(3,954,665)	(2,258,769)	1,695,896	43%	▲
Amount attributable to investing activities		(2,877,968)	(1,478,908)	(1,026,911)			
Financing Activities							
Proceeds from New Debentures		850,000	850,000	0	(850,000)	(100%)	▼
Repayment of Debentures	8	(77,812)	(44,359)	(44,359)	0	0%	
Transfer from Reserves	9	353,507	83,139	83,139	0	0%	
Transfer to Reserves	9	(93,911)	(84,051)	(84,051)	0	0%	
Amount attributable to financing activities		1,031,784	804,729	(45,271)			
Closing Funding Surplus(Deficit)	1(b)	2,385	1,321,045	1,786,093			

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 MAY 2022

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

PROFIT ON ASSET DISPOSAL

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

FEES AND 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.

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 MAY 2022**

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	1,934,871	30,666	2%	
Revenue from operating activities							
Rates	5	1,241,862	1,266,644	1,294,520	27,876	2%	
Operating Grants, Subsidies and Contributions	10	702,067	702,067	1,374,966	672,899	96%	▲
Fees and Charges		143,279	131,366	157,349	25,983	20%	▲
Interest Earnings		10,575	9,669	7,728	(1,941)	(20%)	
Other Revenue		45,750	42,046	46,200	4,154	10%	
Profit on Disposal of Assets	6	0	0	14,272	14,272		▲
		2,143,533	2,151,792	2,895,035			
Expenditure from operating activities							
Employee Costs		(1,027,922)	(922,602)	(893,849)	28,753	3%	
Materials and Contracts		(865,829)	(847,643)	(817,288)	30,355	4%	
Utility Charges		(62,565)	(57,167)	(64,532)	(7,365)	(13%)	▼
Depreciation on Non-Current Assets		(2,060,628)	(1,868,799)	(1,877,099)	(8,300)	(0%)	
Interest Expenses		(23,708)	(21,714)	(3,240)	18,474	85%	▲
Insurance Expenses		(159,902)	(159,874)	(143,575)	16,299	10%	▲
Other Expenditure		(59,245)	(51,774)	(34,876)	16,898	33%	▲
Loss on Disposal of Assets	6	(42,073)	(42,073)	(12,633)	29,440		
		(4,301,871)	(3,971,645)	(3,847,090)			
Operating activities excluded from budget							
Add back Depreciation		2,060,628	1,868,799	1,877,099	8,300	0%	
Adjust (Profit)/Loss on Asset Disposal	6	42,073	42,073	(1,639)	(43,712)	(104%)	▼
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(55,636)	91,019	923,405			
Investing activities							
Non-operating grants, subsidies and contributions	10	2,360,758	2,360,757	1,112,554	(1,248,203)	(53%)	▼
Proceeds from Disposal of Assets	6	115,000	115,000	119,303	4,303	4%	
Land held for resale		0	0	0	0		
Capital acquisitions	7	(5,353,726)	(3,954,665)	(2,258,769)	1,695,896	43%	▲
Amount attributable to investing activities		(2,877,968)	(1,478,908)	(1,026,911)			
Financing Activities							
Proceeds from New Debentures		850,000	850,000	0	(850,000)	(100%)	▼
Repayment of Debentures	8	(77,812)	(44,359)	(44,359)	0	0%	
Transfer from Reserves	9	353,507	83,139	83,139	0	0%	
Transfer to Reserves	9	(93,911)	(84,051)	(84,051)	0	0%	
Amount attributable to financing activities		1,031,784	804,729	(45,271)			
Closing Funding Surplus (Deficit)	1(b)	2,385	1,321,045	1,786,093			

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.

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 MAY 2022**

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 MAY 2022

OPERATING ACTIVITIES
NOTE 1(b)
ADJUSTED NET CURRENT ASSETS

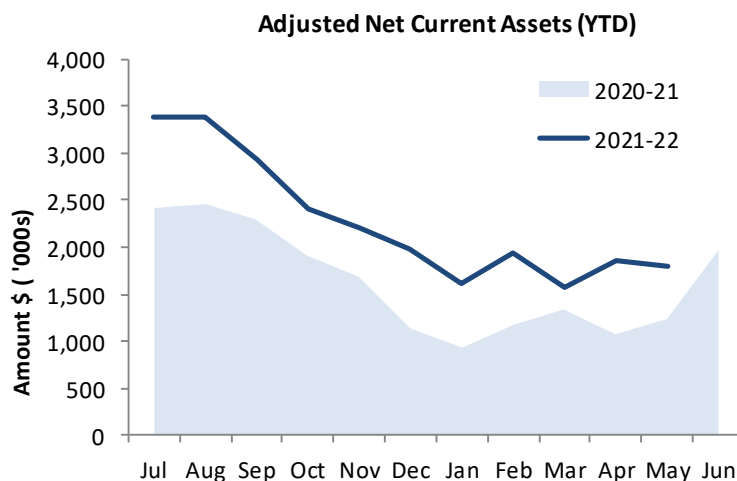
	Re Note	Last Years Closing 30 June 2021	This Time Last Year 31 May 2021	Year to Date Actual 31 May 2022
		\$	\$	\$
Adjusted Net Current Assets				
Current Assets				
Cash Unrestricted	3	1,831,039	934,482	1,565,955
Cash Restricted	3	1,076,895	1,321,544	1,077,807
Receivables - Rates	4	122,255	114,934	138,400
Receivables - Other	4	92,407	282,358	124,041
Loans receivable		0	0	0
ATO Receivable		0	0	18,123
Inventories		5,613	6,061	5,613
		3,128,210	2,659,380	2,929,939
Less: Current Liabilities				
Payables		(116,110)	(104,396)	(20,128)
ATO Payables		0	0	(30,407)
Provisions - employee		(260,765)	(196,543)	(260,765)
Long term borrowings		(44,358)	(3,593)	1
Bonds & Deposits		(334)	(678)	(15,503)
		(421,566)	(304,533)	(326,802)
Unadjusted Net Current Assets		2,706,643	2,354,847	2,603,137
Adjustments and exclusions permitted by FM Reg 32				
Less: Cash reserves	3	(1,076,895)	(1,321,544)	(1,077,807)
Less: Loans receivable		0	0	0
Add: Provisions - employee		260,765	196,543	260,765
Add: Long term borrowings		44,358	3,593	(1)
Adjusted Net Current Assets		1,934,871	1,233,439	1,786,093

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.

**This Year YTD****Surplus(Deficit)****\$1.79 M****Last Year YTD****Surplus(Deficit)****\$1.23 M**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2022**

**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. %	Variance	Timing/ Permane	Explanation of Variance
	\$	%			
Revenue from operating activities					
Governance	(13,624)	(31%)	▼	Permanent	Profit on disposal of assets
General Purpose Funding	418,057	27%	▲	Permanent	Early payment of 22/23 FAGS grant
Law, Order and Public Safety	(24,475)	(18%)	▼	Permanent	Fire Mitigation Grant income lower than budgeted
Health	241	33%		Timing	Not Material
Education and Welfare	(2,500)	(100%)		Timing	Grant funding not received (Seniors)
Housing	0			Timing	Not Material
Community Amenities	5,586	7%		Permanent	Cemetery income & waste income higher than budgeted
Recreation and Culture	588	5%		Timing	Not Material
Transport	336,803	135%	▲	Permanent	Early payment of 2022/23 Local road grant
Economic Services	(2,226)	(7%)		Timing	Standpipe charges lower than budgeted
Other Property and Services	24,793	63%	▲	Permanent	Workers Compensation Claims higher than budgeted
Expenditure from operating activities					
Governance	(10,633)	(6%)		Timing	
General Purpose Funding	13,017	16%	▲	Timing	Revaluation for GRV did not occur
Law, Order and Public Safety	(8,038)	(3%)		Permanent	Repairs to fire vehicles & maintenance of fire sheds (claimable)
Health	2,793	7%		Timing	Training for EHO not undertaken yet
Education and Welfare	25,004	61%	▲	Permanent	Aged persons accommodation loan not drawn down so no repayments made for 2021/22.
Housing	(2,286)	(6%)		Timing	CEO housing maintenance
Community Amenities	10,357	3%		Timing	Refuse site maintenance expenses below budget
Recreation and Culture	10,394	3%		Timing	Halls maintenance under budget, oval maintenance over budget
Transport	73,697	3%		Timing	Loss on disposal of assets less than expected & street maintenance under budget
Economic Services	10,803	7%		Timing	Noxious weeds control & Area Promotion
Other Property and Services	(552)	(1%)		Timing	Not Material
Investing Activities					
Non-operating Grants, Subsidies and Contributions	(1,248,203)	(53%)	▼	Timing	Timing of project progress - unable to claim grants as per Note 10
Proceeds from Disposal of Assets	4,303	4%		Timing	Not Material
Land Held for Resale	0				
Capital Acquisitions	1,695,896	43%	▲	Timing	Timing of capital works program. Mostly Aged Persons Accommodation & Cuballing East Road
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 MAY 2022

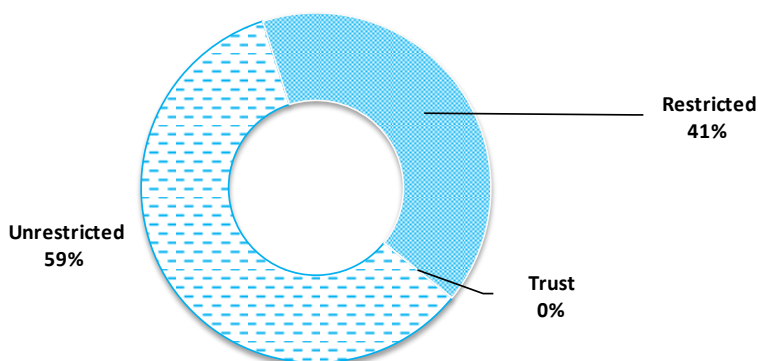
Cash and Investments	Unrestricted	Restricted	Trust	Total	Institution	Interest Rate	Maturity Date
				YTD Actual			
	\$	\$	\$	\$			
Cash on Hand							
Petty Cash and Floats	700			700	NAB	0.00%	At Call
At Call Deposits							
Municipal Fund	1,565,255			1,565,255	NAB	0.00%	At Call
Term Deposits							
Reserve Funds		1,077,807		1,077,807	NAB	0.20%	08-Feb-22
Total	1,565,955	1,077,807	0	2,643,762			

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
\$2.64 M	\$1.57 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2022

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

Rates Receivable	30 June 2020	31 May 22
Opening Arrears Previous Year	\$ 84,880	\$ 122,255
Levied this year	1,258,745	1,386,062
Less Collections to date	(1,221,370)	1,369,917
Equals Current Outstanding	122,255	138,400
Net Rates Collectable	122,255	138,400
% Collected	90.29%	90.01%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
Receivables - General	\$ 119,901	\$ 10	\$ 740	\$ 3,390	\$ 124,041
Percentage	97%	0%	1%	3%	
Balance per Trial Balance					
Sundry debtors					124,041
GST receivable					18,123
Total Receivables General Outstanding					142,164

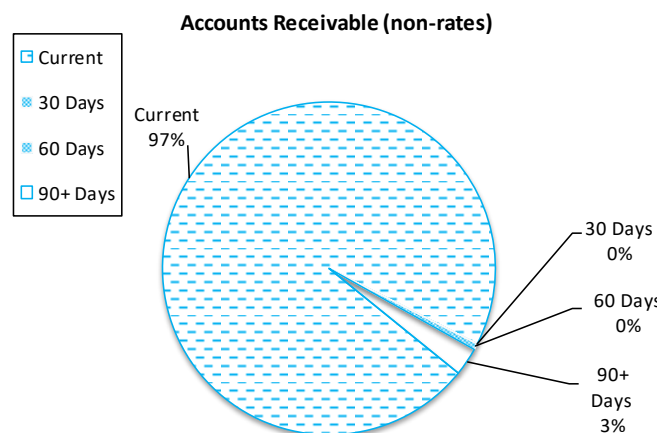
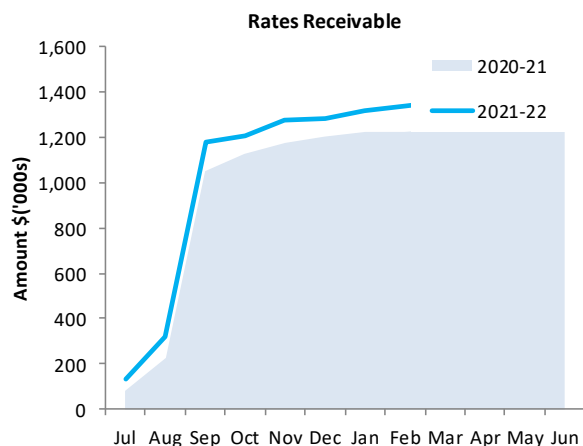
Amounts shown above include GST (where applicable)

KEY INFORMATION

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

SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Debtors Due
\$142,164
Over 30 Days
3%
Over 90 Days
3%

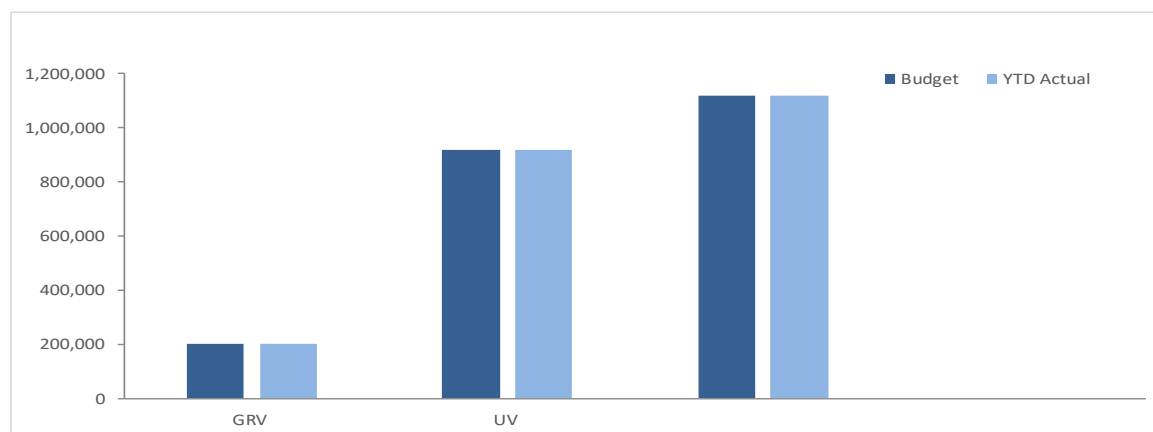
Collected	Rates Due
90%	\$138,400

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2022

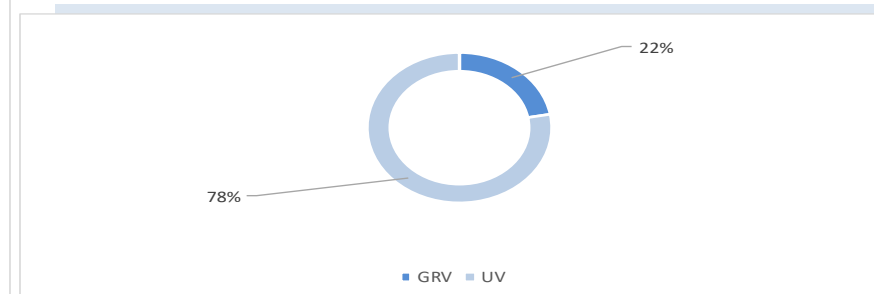
General Rate Revenue	Annual Budget							YTD Actual			
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE	\$			\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV	0.083965	188	2,369,718	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)				(90,799)
Concession / Write Offs							(58,450)				(120)
COVID Subsidy							(1,000)				(635)
Interim Rates							250				12
Ex-Gratia Rates							490				0
Amount from General Rates							1,241,862				1,294,520
Ex-Gratia Rates											0
Total General Rates							1,241,862				1,294,520

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	\$1.29 M	104%

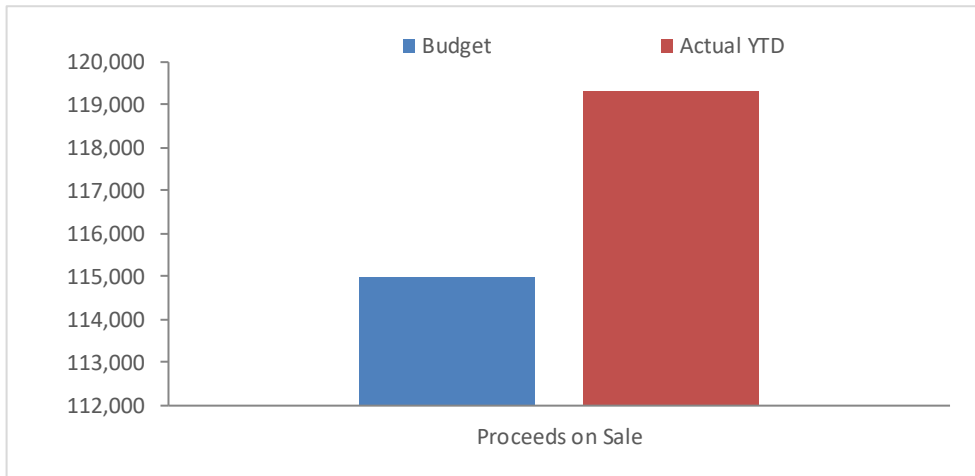


NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2022

Attachment 9.1.2A
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			56,422	1,415		
10051	Bomag Roller	40,000	30,000		39,151	26,518		(12,633)	
16	CN0 Dual Cab Utility	27,058	25,000			36,364	12,857		
103	CN1 Dual Cab Utility	30,015	25,000						
		157,073	115,000	0	39,151	119,303	14,272	(12,633)	

KEY INFORMATION



Proceeds on Sale		
Budget	YTD Actual	%
\$115,000	\$119,303	104%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2022

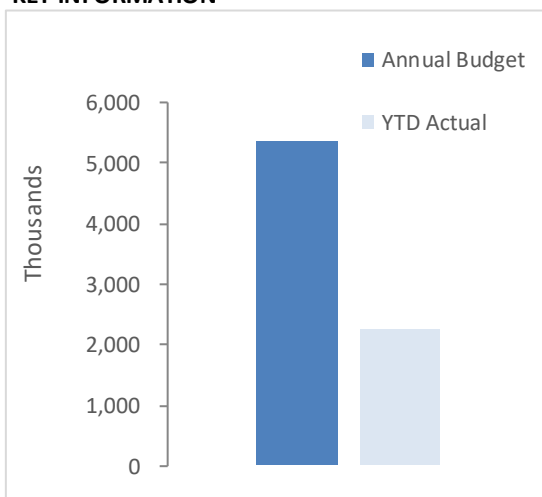
INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS

Capital Acquisitions	Amended		YTD Actual Total	YTD Budget Variance
	Annual Budget	YTD Budget		
	\$	\$	\$	\$
Land & Buildings	2,549,561	1,852,763	637,931	1,214,832
Plant & Equipment	486,000	0	499,196	(499,196)
Furniture & Equipment	0	0	0	0
Roads	2,190,879	2,008,182	1,029,032	979,150
Recreation	0	0	0	0
Parks, Gardens, Recreation Facilities	72,286	66,231	71,509	(5,278)
Other Infrastructure	55,000	27,489	21,100	6,389
Capital Expenditure Totals	5,353,726	3,954,665	2,258,769	1,695,896
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	2,360,758	2,360,757	1,112,554	(1,248,203)
Borrowings	850,000	850,000	0	(850,000)
Other (Disposals & C/Fwd)	115,000	115,000	119,303	4,303
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	628,908	1,026,911	398,003
Capital Funding Total	5,353,726	3,954,665	2,258,769	(1,695,896)

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

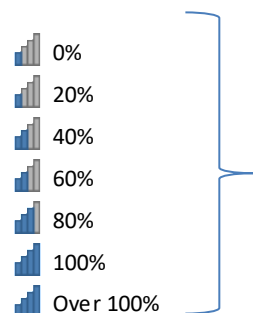


Acquisitions	Annual Budget	YTD Actual	% Spent
	\$5.35 M	\$2.26 M	42%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$2.36 M	\$1.11 M	47%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2022

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

Capital Expenditure Total
Level of Completion Indicators



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

% of Completion	Level of completion indicator	Acc / Job	Annual Budget	YTD Budget	YTD Actual	Variance
	Capital Expenditure					
	Land					
0.02	Cuballing Railway Reserve Business Case	C201	35,000	14,580	625	13,955
	Buildings					
1.14	Administration Building Disabled Access	J4114C	62,833	62,833	71,528	(8,695)
0.24	Building Renewal - Cuballing Memorial Park	C203	85,368	28,444	20,392	8,052
0.67	Cuballing Transfer Station Shed Floor	C160	9,960	9,108	6,700	2,408
0.77	Administration Building Refurbishment	J4114D	73,211	67,100	56,123	10,977
1.22	Popanyinning Main Street Refurbishment	C204	200,465	83,510	244,999	(161,489)
0.15	Aged Persons Accommodation	C084	1,587,188	1,587,188	237,563	1,349,625
0.00	LRCI Phase 3 Projects	C300	495,536	495,536	0	495,536
	Total Land & Buildings		2,549,561	1,852,763	637,931	1,214,832

		Plant & Equipment					
1.02		Prime Mover	12407	200,000	0	203,973	(203,973)
0.94		Bomag Roller	12426	170,000	0	159,490	(159,490)
0.07		Two Way System	12411	15,000	0	1,000	(1,000)
1.04		MWS Vehicle	12406	53,000	0	54,992	(54,992)
0.98		WS Vehicle	12417	48,000	0	47,196	(47,196)
1.00		DCEO Vehicle	4267	0	0	32,545	(32,545)
		Total Plant & Equipment		486,000	0	499,196	(499,196)
		Furniture & Equipment					
1.00		Nil		0	0	0	0
		Total Furniture & Equipment		0	0	0	0
		Infrastructure - Roads					
1.22		RRG - Narrogin Wandering Road	R129E	352,151	322,795	428,152	(105,357)
1.39		RRG - Stratherne Road 20/21	R001C	103,604	94,963	144,296	(49,333)
1.20		RRG - Wandering Narrogin Road	R001D	160,343	146,960	191,748	(44,788)
1.00		RTR - Popanyinning East Road Gravel Sheeting	R004B	0	0	17,537	(17,537)
1.23		RTR - Popanyinning East Road Gravel Sheeting	RTR004	35,113	32,164	43,039	(10,875)
0.39		RTR - Popanyinning West Widening	RTR002	215,044	197,087	83,833	113,255
0.37		BS - Narrogin Wandering Road Black Spot	BS129	7,000	6,413	2,600	3,813
0.09		WSFN - Cuballing East Road	WSF006	1,317,624	1,207,800	112,023	1,095,777
1.00		WSFN - Cuballing East Road	WSF129	0	0	5,804	(5,804)
		Total Road Infrastructure		2,190,879	2,008,182	1,029,032	(110,823)
		Recreation					
1.00		Nil		0	0	0	0
		Total Recreation		0	0	0	0
		Parks, Ovals & Playgrounds					
0.95		Yornaning Dam - Stage 3	C189	66,079	60,566	62,612	(2,046)
1.00		Yornaning Dam - Stage 4	C186	0	0	6,118	(6,118)
		Yornaning Dam - Mountain Bike Track	C197	6,207	5,665	2,779	2,886
		Total Parks, Ovals & Playgrounds		72,286	66,231	71,509	(5,278)
		Other Infrastructure					
0.70		Bridge Improvements - Capital Upgrade	11214	30,000	27,489	21,100	6,389
1.00		Transfer Station Bin Lids	C163	0	0	0	0
0.00		Depot Fencing & Gates - Eastern Boundary	10744	25,000	22,913	0	22,913
		Total Other Infrastructure		55,000	27,489	21,100	6,389
0.42		TOTAL CAPITAL EXPENDITURE		5,353,726	3,954,665	2,258,769	605,923

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2022**

**FINANCING ACTIVITIES
NOTE 8
BORROWINGS**

Information on Borrowings Particulars	2020/21	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Transport									
Loan 63 - Graders	29,228	0	0	29,228	29,228	(0)	29,228 0	485	485
Economic Services									
Loan 64 - Lot 74 Austral St	130,702			15,130	15,130	115,572	130,702	2,755	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	44,359	77,812	115,571	1,009,930	3,240	23,708

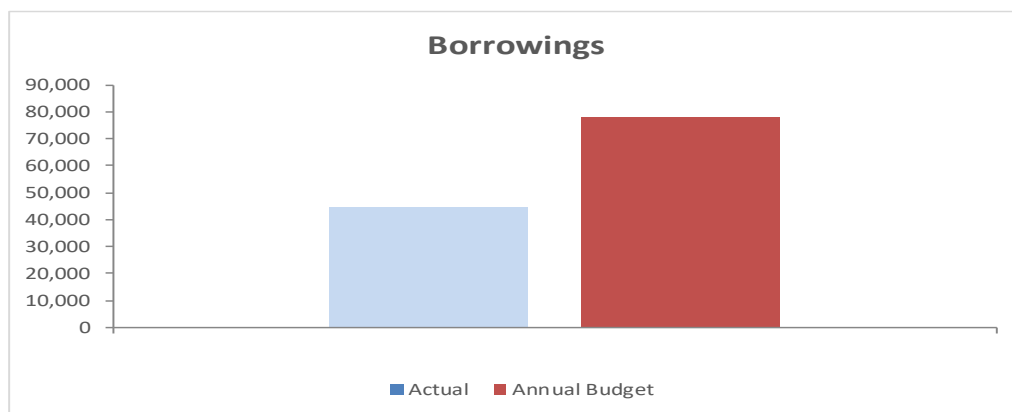
All debenture repayments were financed by general purpose revenue.

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.



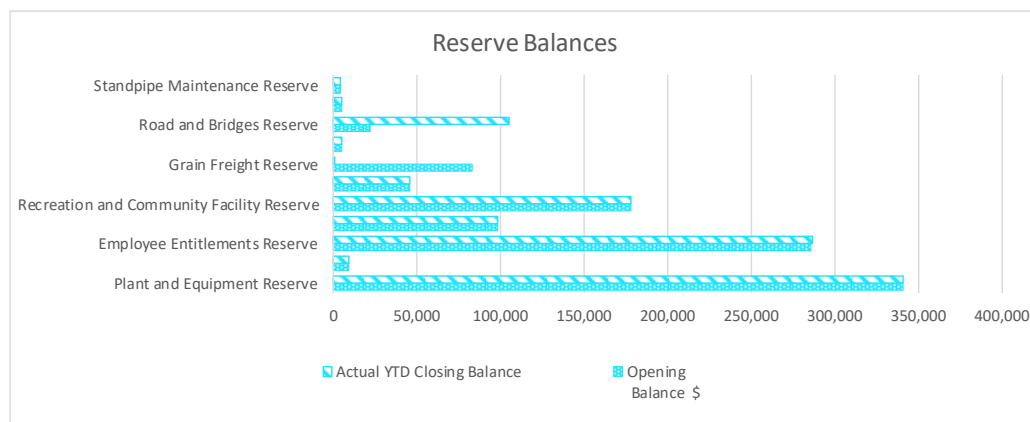
Principal Repayments	\$44,359
Interest Earned	\$7,728
Interest Expense	\$3,240
Reserves Bal	Loans Due
\$1.08 M	\$.12 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2022

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	288		288	(121,000)	0	221,614	340,942
IT and Office Equipment Reserve	9,149	32	8		8	0	0	9,181	9,157
Employee Entitlements Reserve	286,072	1,067	242		242	(20,000)	0	267,139	286,314
Housing Reserve	98,208	367	83		83	(40,000)	0	58,575	98,291
Recreation and Community Facility Reserve	178,046	792	151		151	(85,368)	0	93,470	178,197
Refuse Site Reserve	45,422	205	38		38	0	0	45,627	45,460
Grain Freight Reserve	83,139	0	0		0	(83,139)	(83,139)	0	0
Equestrian Reserve	4,910	50	4	4,772	4	0	0	9,732	4,914
Road and Bridges Reserve	21,883	486	89	83,139	83,228	0	0	188,736	105,111
Community & Sporting Club Reserve	5,316	21	5	1,000	5	(4,000)	0	2,337	5,321
Standpipe Maintenance Reserve	4,096	20	3		3	0	0	4,116	4,099
	1,076,895	5,000	912	88,911	84,051	(353,507)	(83,139)	900,527	1,077,807

KEY INFORMATION



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2022

Attachment 9.1.2A
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	276,000	648,893	372,893
CBH - Grass Roots Funding	0	0	15,000	15,000
Governance				
Insurance & Other Reimbursements	0	0	0	0
Department Primary Industries & Regional Development	35,000	35,000	0	(35,000)
Law, Order & Public Safety				
DFES - Bush Fire Brigades	31,547	31,547	35,547	4,000
Fire Mitigation Grant	84,825	84,825	68,373	(16,452)
Fire Prevention	12,990	12,990	0	(12,990)
Education & Welfare				
Stay on your feet	2,500	2,500	0	(2,500)
Community Amenities				
Other Income - Reimbursements	0	0	0	0
Recreation & Culture				
Mountain Bike Track Income	4,000	4,000	3,677	(323)
Youth Week Funding	1,000	1,000	500	(500)
Transport				
Main Roads - Direct Grant	87,145	87,145	87,145	0
Grants Commission - Roads Component	152,360	152,360	482,430	330,070
Economic Services				
Community Events	4,700	4,700	3,500	(1,200)
Other Property & Services				
Workers Compensation	10,000	10,000	29,901	19,901
Operating grants, subsidies and contributions Total	702,067	702,067	1,374,966	672,899
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	361,790	361,790	0
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	1,171,254	524,656	(646,598)
Other Infrastructure				
Community Infrastructure Grants	49,815	49,815	0	(49,815)
Community Infrastructure Grants Phase 2	56,256	56,255	0	(56,255)
Community Infrastructure Grants Phase 3	495,536	495,536	0	(495,536)
Non-operating grants, subsidies and contributions Total	2,360,758	2,360,757	1,112,554	(696,412)
Grand Total	3,062,825	3,062,824	2,487,520	(23,513)

KEY INFORMATION

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

9.2 CHIEF EXECUTIVE OFFICER:

9.2.1 Review of Local Laws

Applicant: CEO – Stan Scott
File Ref. No: ADM 321
Disclosure of Interest: Nil
Date: 24 May 2022
Author: CEO- Stan Scott
Attachments: Nil

Summary

Council is required to review any new Local Law within 8 Years of adoption and every 8 years thereafter.

Background

At its March 2022 Ordinary Council Meeting Council resolved:

That Council give a local public notice stating that —

- a) the Shire of Cuballing proposes to review its local laws; and***
- b) a copy of the local laws may be inspected at the Shire Administration or on the Shire's website; and***
- c) submissions about the local laws may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.***

The review of Local Laws was advertised in the Cuby News and on notice boards, website and social media with a closing date of 4.00 pm on 21 May 2022. By the close of the consultation period no submissions had been received.

Comment

The review process is fairly simple

Council advertises its intention to review its local laws and invites submissions from the public. After the close of submissions Council decides whether to amend or repeal any of its local laws.

Nothing in the periodic review process prevents the Council from amending or repealing a Local Law or adopting a new Local Law at any time.

Council may now resolve that the following Local Laws have been reviewed and no changed made.

Local Law	Date Adopted
Local Government Property Local Law 2018	16-1-2018
Health Local Laws 2007	5-6-2007
Dogs Local Law 2004	10-9-2004

Local Law	Date Adopted
Cemeteries - Cuballing and Popanyinning	18-9-1998
Standing Orders	18-9-1998
Pest Plants	18-7-1980

Strategic Implications - Nil

Statutory Environment

The Local Government Act 1995 has the following provision:

3.16. Periodic review of local laws

- (1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.
- (2) The local government is to give local public notice stating that —
 - (a) the local government proposes to review the local law; and
 - (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and
 - (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.

[(2a) *deleted*]

- (3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.
- (4) When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.

* *Absolute majority required.*

Policy Implications

Local Laws are a powerful policy tool for Local Governments.

Financial Implications - Nil

Economic Implication – Nil

Environmental Considerations - Nil

Consultation

Council has met its consultation obligations.

Options

Council may resolve:

1. the Officer's Recommendation; or
2. Seek to modify or repeal one or more Local Laws.

Voting Requirements – Absolute Majority

COUNCIL DECISION 2022/56:

That Council determines that —

- a) the Shire of Cuballing review of local laws is complete; and**
- b) that none of the local laws will be amended or repealed at this time.**

Moved: Cr Kowald

Seconded: Cr Bradford

Carried by Absolute Majority 5/0

9.2.2 Transfer of Volunteer BFB to DFES

Applicant:	WALGA
File Ref. No:	ADM080
Disclosure of Interest:	Nil
Date:	2 June 2022
Author:	Stan Scott – CEO
Attachments:	9.2.2A WALGA InfoPage Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades 9.2.2B WALGA Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position 9.2.2C Shire of Waroona - Legislative Impacts and Opportunities for Volunteer Bush Fire Brigades – Proposed WALGA Advocacy Position
Resources	Overview of the WHS Act https://www.dmirs.wa.gov.au/sites/default/files/atoms/files/overview_wa_whs_act_0_0.pdf Reframing Rural Bushfire Management – The Ferguson Report https://www.wa.gov.au/government/document-collections/waroona-bushfire-special-inquiry

Summary

WALGA has requested feedback from Councils on its proposed advocacy position regarding the transfer of Volunteer Bush Fire Brigades to DFES.

Background

There are a number of developments contributing to the current considerations.

The State Government is currently drafting the *Consolidated Emergency Services Act* (CES Act), which consolidates the *Fire Brigades Act 1942*, *Bush Fires Act 1954* and *Fire and Emergency Services Act 1998* into a single piece of legislation, anticipated to be released as a Green Bill for consultation in early 2023. This work is being undertaken by DFES. (<https://www.dfes.wa.gov.au/site/about-us/corporate-information/legislation/legislation.html>).

The introduction of the *Work Health and Safety Act 2020* has also shone a spotlight on Local Government responsibilities for managing volunteer BFBs.

Key features of the WHS Act are provided in the following extract from the “Overview of Western Australia’s Work Health and Safety Act 2020” put out by the Department of Mines, Industry Regulation and Safety, and Worksafe (pg. 2):

- The primary duty holder is the ‘person conducting a business or undertaking’ (PCBU) which is intended to capture a broader range of contemporary workplace relationships.
- A primary duty of care requiring PCBUs to, so far as is reasonably practicable, ensure the health and safety of workers and others who may be affected by the carrying out of work.
- Duties of care for persons who influence the way work is carried out, as well as the integrity of products used for work, including the providers of WHS services.
- A requirement that ‘officers’ exercise ‘due diligence’ to ensure compliance.
- The new offence of industrial manslaughter, which provides substantial penalties for PCBUs where a failure to comply with a WHS duty causes the death of an individual, in circumstances where the PCBU knew the conduct could cause death or serious harm.

- The voiding of insurance coverage for WHS penalties, and imposition of penalties for providing or purchasing this insurance.
- The introduction of WHS undertakings, which are enforceable, as an alternative to prosecution.
- Reporting requirements for 'notifiable incidents' such as the serious illness, injury or death of persons and dangerous incidents arising out of the conduct of a business or undertaking.

WALGA in its discussion paper has set out 4 possible positions:

1. Status quo - continue with the current arrangements for management of BFBs whereby the majority are managed by Local Government and transfer arrangements are negotiated on an ad hoc basis between DFES and Local Governments (or their BFBs).

2. Improvements - continue with the current arrangements for Local Government management of BFBs with additional support provided by the State Government with respect to increased funding and better access to training resources and other support.

3. Hybrid Model - Local Government continues to manage BFBs where they have the capacity, capability and resources to do so; however where they do not have the capacity, capability and resources, responsibility for management of BFBs is transferred to DFES.

4. Transfer - Responsibility for management of all BFBs is transferred to the State Government, consistent with the arrangements in other States and Territories.

The Shire of Waroona following its experience of the Waroona and Yalgoo bushfire, and the subsequent Ferguson Report is advocating strongly for Option 4. WALGA is suggesting that Option 3 – the hybrid model – is its suggested advocacy position.

Comment

Potential Risks

The Volunteer Bush Fire Brigades in the Shire of Cuballing together with brigades from neighbouring Shires have demonstrated the capability of managing serious bush fire incidents. However, in the debrief of this seasons major incidents there were situations reported where some volunteers were in serious potentially life threatening situations.

It is worthwhile contemplating the possible consequences of such a scenario under the new WHS Act. Any injury meeting certain threshold criteria would need to be reported to Worksafe as would any dangerous incident. Dangerous incident includes an uncontrolled implosion, explosion or fire.

In the event that a volunteer is seriously injured or killed while fighting a fire the PCBU, in this case likely the Local Government CEO, would be potentially liable for criminal penalties including a fine of up to \$5 million or 20 years in gaol. The body corporate could be liable for a fine of up to \$10 million. The Act prohibits such fines being paid by insurance and it is illegal to take or offer a policy that purports to cover these fines. In short the potential consequences are very serious. While the likelihood of the most serious penalty is unlikely, any of the penalties would be very challenging.

Risk Mitigation

The published overview of the WHS Act provides the following guidance on what measures are reasonably practicable.

A guiding principle of the WHS Act is that all people are provided the highest level of health and safety protection from hazards arising from work, so far as is reasonably practicable.

The term 'reasonably practicable' means what could reasonably be done at a particular time to ensure health and safety measures are in place.

In determining what is reasonably practicable, there is a requirement to weigh up all relevant matters including:

- the likelihood of a hazard or risk occurring (the probability of a person being exposed to harm)*
- the degree of harm that might result if the hazard or risk occurred (the potential seriousness of injury or harm)*
- what the person concerned knows, or ought to reasonably know, about the hazard or risk and ways of eliminating or minimising it*
- the availability of suitable ways to eliminate or minimise the hazard or risk*
- the cost of eliminating or minimising the hazard or risk.*

Costs may only be considered after assessing the extent of the risk and the available ways of eliminating or minimising the risk.

Cost will not ordinarily be the key factor in determining what it is reasonably practicable for a duty holder to do unless it can be shown to be 'grossly disproportionate' to the risk.

Fire fighting is an inherently dangerous activity with potential consequences including serious injury or death. The kinds of questions that may arise are:

- Are Fire Control Officers adequately trained;
- Were all fire fighters adequately trained;
- Were fire fighters provided with suitable PPE;
- Were the activities of fire fighters adequately controlled and directed by the Incident Controller;
- Were decisions and directions of the Incident Controller or Sector Commander properly documented.

The CEO as the PCBU would be required to answer some of these questions and justify that prior to the incident all steps that were reasonably practicable had been taken to ensure that these risks were addressed.

WALGA's Proposed Advocacy Position

WALGA's proposed advocacy position recognises some of the issues set out above, and the fact that there is unlikely to be a common view across the sector. Its advocacy position identifies a range of actions that would help mitigate some of the risks for Local Governments that wish to retain volunteer brigades.

The proposed position is as follows:

Management of Bush Fire Brigades

1. The Association advocates that the State Government must provide for:
 - a) A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;
 - b) The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;
 - c) Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and
 - d) The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.
2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).
3. Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.

Conclusion

The argument presented by the Shire of Waroona is compelling. The Ferguson Report recommendation was clear and the establishment of the DFES Rural Fire Division was as a direct result of that report. It was not however full implementation of the recommendations.

If Volunteer Bush Fire Brigades are to remain the responsibility of Local Government, either in whole or in part, the proposed new Consolidated Emergency Services Act should provide legal protections for participating Local Governments including modifying obligations under the WHS Act.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027

Social

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

3.2	Ensure essential services and infrastructure are aligned to community needs now and in the future.	Services and infrastructure which meets the needs of the broadest community and responds to changing priorities.
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Statutory Environment

Workplace Health and Safety Act 2020
Proposed new Consolidated Emergency Services Act

Policy Implications - Nil

Financial Implications – Nil

Any incident that results in the injury or death of a volunteer would be devastating for the community. The new WHS Act means that it could also be financially crippling for the organisation.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation

WALGA has conducted extensive consultation across the sector in relation to the management of Volunteer Bush Fire Brigades. It is not clear that the implications of the new WHS Act were front of mind when the consultation was conducted.

Options

Two options have been presented. Council may support:

1. Responsibility for management of all BFBs being transferred to the State Government, consistent with the arrangements in other States and Territories
2. WALGA's proposed advocacy position for a hybrid model

If WALGA's advocacy position is accepted by the State it would allow Council to decide whether or not to retain responsibility for its VBFB's at a later date.

Voting Requirements – Simple Majority

COUNCIL DECISION 2022/57

That Council advise WALGA that it supports the responsibility for the management of Volunteer Bush Fire Brigades being transferred to State Government consistent with the arrangements in other States and Territories.

Moved: Cr Bradford

Seconded: Cr Harris

Carried 5/0

INFOPAGE



To: All Local Governments From: Susie Moir, Resilient Communities Policy Manager

Date: 20 May 2022

Reference: 05-024-02-0059SM Priority: High

Subject: Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades

Operational Area:	CEO, Emergency Management
Key Issues:	<ul style="list-style-type: none"> The Association is consulting the Local Government sector on a proposed Advocacy Position on the arrangements for management of volunteer Bush Fire Brigades. Responses to the proposed Advocacy Position Paper are requested by 8 July 2022. Sector feedback will inform a final position to be considered by WALGA State Council in September 2022.
Action Required:	<ul style="list-style-type: none"> Local Governments are encouraged to provide a written response or submit a response through the survey. A formal Council resolution will assist the Association understand the sentiment of the sector.

Background

Western Australian Local Governments have extensive roles and responsibilities embedded in the State Emergency Management Framework across the emergency management spectrum of prevention, preparedness, response, and recovery. Under the *Bush Fires Act 1954*, Local Governments have responsibility for bushfire and the management of volunteer Bush Fire Brigades (BFBs). 111 Local Governments manage 563 BFBs involving approximately 20,000 volunteers.

As part of WALGA's 2021 Emergency Management Survey, Local Governments were asked about their level of satisfaction with current arrangements for managing BFBs. 92 Local Governments (69 of which manage BFBs) provided the following feedback:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

The State Government is currently drafting the *Consolidated Emergency Services Act* (CES Act), which consolidates the *Fire Brigades Act 1942*, *Bush Fires Act 1954* and *Fire and Emergency Services Act 1998* into a single piece of legislation, anticipated to be released as a Green Bill for consultation in early 2023.

The introduction of the *Work Health and Safety Act 2020* has also shone a spotlight on Local Government responsibilities for managing volunteer BFBs.

Comment

The development of the CES Act represents a important and timely opportunity for the sector to determine its position on the management of volunteer BFBs. An endorsed advocacy position will guide the Association in its engagement with the State Government on this issue.

WALGA has prepared the attached proposed Advocacy Position for the sector's consideration.

An six week period for sector consultation is designed to enable Local Governments to engage with relevant stakeholders, including volunteers, and for Councils to consider their position. Feedback on the proposed position will be reviewed and inform a final position to be considered by WALGA State Council in September 2022.

Further information

Please contact WALGA's Resilient Communities Policy Manager, Susie Moir smoir@walqa.asn.au or 9213 2058.



Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position

May 2022



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Acknowledgement

The WA Local Government Association (WALGA) acknowledges the Traditional Owners of the land and pays respects to Elder's past, and present. WALGA acknowledges the continuing knowledge and cultural practices that they bring to the Local Government and Emergency Management sectors to support resilient and sustainable land management on WA landscapes.

Executive Summary

Western Australian Local Governments have extensive roles and responsibilities prescribed in the State Emergency Management Framework (State Framework) across the emergency management activities of prevention, preparedness, response, and recovery. Relevantly, pursuant to the *Bush Fires Act 1954*, Local Governments have responsibility for bushfire and the management of volunteer Bush Fire Brigades (BFBs).

This Paper proposes a new Advocacy Position on the management of BFBs to guide the Association's emergency management advocacy on behalf of Local Government, and in particular its engagement with the State Government on the development of the *Consolidated Emergency Services Act* which is expected to be released for stakeholder consultation in early 2023.

How to Comment on This Paper

Local Governments are encouraged to provide a written response to this Paper or to complete the [survey](#). Formal Council resolutions will assist the Association understand the sentiment of the sector on this important issue.

The Paper outlines the proposed Advocacy Position, followed by the background and rationale for the new position.

Questions are provided at the end of the Paper to guide feedback.

For further information please contact WALGA's Resilient Communities Policy Manager, Susie Moir via 9213 2058 or smoir@walga.asn.au

Feedback should be provided in response to the questions via email to em@walga.asn.au by 5pm Friday 8 July 2022.

Introduction

This Paper seeks Local Government's views on a new WALGA Advocacy Position on the management of volunteer bush fire brigades (BFBs).

WALGA Advocacy Positions guide WALGA's policy, advocacy and capacity building activities and support a consistent and whole-of-sector approach.

The introduction of the *Work Health and Safety Act 2020* has shone a spotlight on Local Government responsibilities for managing BFBs. In addition, the State Government is currently drafting the *Consolidated Emergency Services Act*, which consolidates the *Fire Brigades Act 1942*, *Bush Fires Act 1954* and *Fire and Emergency Services Act 1998* into a single piece of legislation, anticipated to be released as a Green Bill in early 2023. Therefore consultation on a new Advocacy Position with respect to management of BFBs is timely.

In 2012, 2019 and 2021, WALGA undertook comprehensive consultation with Local Government in relation to emergency management matters.

In 2021 WALGA undertook a comprehensive [Local Government Emergency Management Survey](#) to ascertain the sector's sentiment with respect to their emergency management responsibilities. 104 Local Governments responded to the Survey. Responses were provided by:

- 36 Chief Executive Officers
- 18 Community Emergency Services Managers
- 50 Local Government officers

As part of the survey Local Governments were asked about their level of satisfaction with current arrangements for managing BFBs. 92 Local Governments (69 of which manage BFBs) provided the following feedback:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

These Survey responses reinforce that it is timely to engage with the sector on this issue.

WALGA has been undertaking a process to update our Advocacy Positions, and as a result has prepared eight new Advocacy Position Statements relating to Emergency Management, which will be considered at the July 2022 State Council meeting, as listed in Appendix 1. These new Advocacy Positions are based on previous State Council endorsed submissions, recommendations from significant reviews and inquiries, and information and priorities captured in sector-wide consultations.

A comprehensive Advocacy Position regarding the *Consolidated Emergency Services Act*, is outlined in Appendix 1, Advocacy Position 8.4.

Background

FESA (now the Department of Fire and Emergency Services (DFES)) was established in 1999 for the purpose of improving coordination of the State's emergency services, replacing the Fire Brigades and Bush Fires Boards¹. DFES provides strategic leadership for emergency services across WA. DFES manages the career fire and rescue service, as well as a number of volunteer emergency services: Volunteer Fire and Emergency Services (VFES); Volunteer Fire and Rescue Service (VFRS); State Emergency Services (SES); and Marine Rescue Western Australia.

Around Australia:

- WA is the only State in Australia in which Local Governments manage bushfire volunteers (pursuant to the *Bush Fire Act 1954*).
- In New South Wales, the NSW Rural Fire Service, which makes up the world's largest firefighting volunteer services, is managed by the NSW Government².
- Similarly, the Victorian Government manages the Country Fire Authority which manages regional fire services in Victoria³.
- In South Australia, the *Fire and Emergency Services Act 2005* (SA) provides for the South Australian Country Fire Service (SACFS) being established as a body corporate, currently managing 14,000 volunteers. The SACFS is responsible to the Minister for Emergency Services⁴.
- In Queensland, the *Fire and Emergency Services Act 1990* (Qld) provides for the establishment of rural fire brigades, with the Commissioner responsible for the efficiency of rural fire brigades⁵.
- The Tasmanian Fire Service sits under the State Fire Commission, established under the *Fire Service Act 1979*⁶, with more than 200 fire brigades across Tasmania, 350 career firefighters and 5000 volunteers.
- The ACT Rural Fire Service sits under the ACT Emergency Services Agency⁷ and is responsible for all bush and grass fires in rural ACT areas, through 450 volunteers in eight brigades.
- Bushfires NT is a division of the Department of Environment, Parks and Water Security, which is responsible for administration of the *Bushfires Management Act 2016*⁸. The Minister appoints members of the Bushfires Council and regional bushfires committees.

¹ <https://www.dfes.wa.gov.au/site/about-us/corporate-information/corporate-history/corporate-history.html>

² <https://www.rfs.nsw.gov.au/about-us/history>

³ <https://www.cfa.vic.gov.au/about-us/who-we-are>

⁴ Part B 2015 South Australian Country Fire Service.pdf (audit.sa.gov.au)

⁵ [Fire and Emergency Services Act 1990 \(legislation.qld.gov.au\)](#)

⁶ [TFSAnnualReport2021.pdf \(fire.tas.gov.au\)](#)

⁷ [Emergencies Act 2004 | Acts](#)

⁸ [Legislation Database \(nt.gov.au\)](#)

Current Arrangements in WA

In Western Australia 111 Local Governments manage 563 BFBs involving approximately 20,000 volunteers. The Bush Fire Service is the largest volunteer emergency service by a significant margin:

- Bush Fire Service: 19,639 volunteers
- Fire and Rescue Service: 2,486 volunteers
- State Emergency Services: 2001 volunteers
- Volunteer Fire and Emergency Services: 926 volunteers
- Emergency Services Cadet Corps: 2,261 volunteers
- Marine Rescue Service: 1,559 volunteers⁹.

The number of BFBs managed by Local Governments varies from one up to 20. For example, the Shire of Cranbrook, which has a population of 1000 people, annual revenue of \$8 million and 29 employees manages 11 BFBs. The City of Mandurah, population 88,000, annual revenue of \$116 million and 678 employees, manages one BFB.

DFES also manages some BFBs. This includes seven bushfire brigades within the Kimberley and seven bushfire brigades within the Pilbara regions, under Memorandums of Understanding (MOU) with relevant Local Governments which make DFES responsible for the day-to-day management of the BFB and all response activities, excluding in relation to land tenure managed by the Department of Biodiversity, Conservation and Attractions.

Under this arrangement, Local Governments maintain responsibility for administering the *Bushfires Act* and carry out activities such as inspecting fire breaks and issuing burning permits.

The Local Government Grants Scheme (LGGS) Manual ([Appendix 1](#)) outlines five different 'profiles' for Bush Fire Brigades, as follows:

- Farmer Response Rural Brigades
- Pastoral Emergency Management
- Rural Brigades
- Settlement Brigades (Rural/Semi Rural)
- Urban Brigades (Defensive/Structural/Breathing Apparatus).

Considerations for Future Bush Fire Brigade Management Arrangements

Local Government Views

As part of WALGA's 2021 Emergency Management Survey, Local Governments were asked about their level of satisfaction with current arrangements for managing BFBs. 92 Local Governments (69 of which manage BFBs) provided the following feedback:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

⁹ DFES Volunteering, April 2022

Detailed comments provided in the WALGA survey indicated a strong preference for the State Government to be responsible for all emergency management matters in Western Australia, including the management of BFBs.

Recommendations of Previous Reviews

Over the years there have been many calls for transformational change to the State Emergency Management Framework, in particular rural fire management.

The [Ferguson Report](#) on the 2016 Waroona Bushfire recommended that the State Government establish a rural fire service to address perceived issues in rural fire management, including insufficient capacity and unsuitable governance to deliver rural fire services. In 2017 the State Government hosted a bushfire mitigation summit at which a number of options were considered by stakeholders: a rural fire service operated within DFES; a rural fire service operated within DFES with autonomy; and a dedicated rural fire service that operated independently. Options to transfer the management of all BFBs under one umbrella – DFES or other – were also explored.

The 2017 [Economic Regulation Authority Review of the Emergency Services Levy \(ESL\)](#) considered the extent to which the ESL should be available to fund the administrative and/ or operational costs of a rural fire service, although it was outside the terms of reference for the ERA to examine the merits of a rural fire service or form a view on the best model of a rural fire service¹⁰. A number of Local Governments provided submissions to the ERA Review that supported the creation of a rural fire service¹¹.

Work Health and Safety Act 2020

The requirements of the *Work Health and Safety Act 2020*, enacted in March 2022, have heightened concerns in the sector regarding risk and liability in the management of BFBs, resourcing requirements and training and competency.

The shared responsibility for the health and safety of BFB volunteers adds further complexity to the management of BFBs and responsibilities. Local Governments, DFES, and in some cases the Department of Biodiversity, Conservation and Attractions (DBCA), have a shared duty of care to BFB volunteers due to Controlling Agency activities at incidents, and funding mechanisms (LGGS) for BFB operations and capital equipment.

DFES has a role as the lead fire and emergency services agency in WA for preparing training resources and standard operating procedures. DFES is currently developing additional resources suited to each of the above BFB 'profiles', specifically the management and training of BFBs. These additional resources will be discussed further with the sector in the coming months.

Whether the management structure for BFBs could be aligned to reflect the current operations of different brigade 'profiles', as provided in the LGGS Manual and outlined on Page 5 of this Paper, would require further discussion between DFES and the Local Government sector. This could allow for scalability of BFBs depending on location, resources and capabilities.

¹⁰ [ERA Review of the ESL, 2017, pg 185](#)

¹¹ [ERA ESL Review – summary of submissions to issues paper and draft report](#)

Volunteer Insurance

Local Governments are responsible for providing compensation for injury caused to present and former BFB volunteers as a result of their duties. The commercial insurance market ceased writing injury insurance for volunteers in 2012, therefore a self-insurance mutual scheme was implemented to ensure that Local Governments continue to meet this obligation.

Since 2012, due to the high cost of claims, the aggregate limit of liability has increased from \$250,000 to \$750,000. In addition, the annual cost of insurance has nearly doubled (92%) from \$47.50 to \$91.20 per volunteer, and it is expected that this trend will continue¹².

Sector Capacity, Capability and Resourcing

Local Governments vary in their capability, capacity, and resources to manage BFBs, as well as their other extensive legislative responsibilities and requirements¹³.

By way of overview, Local Governments in Western Australia:

- vary in size from less than 1.5 to over 370,000 square kilometres;
- have populations of just over 100 to more than 220,000 people;
- employ fewer than 10 to over 1000 staff; and
- have revenue (2019-20) ranging from just over \$2 million to just over \$225 million¹⁴.

Bush Fire Service and Volunteerism

The localised culture and history of BFBs in WA has had a large influence on the way that Local Governments engage with and manage BFBs. Many BFBs operate in an independent and self-sufficient way, which Local Governments encourage and support, as this contributes to expansion of the volunteer network in the local community, while also building community networks and resilience.

Communities, and therefore many Local Governments, have a significant interest in volunteering and BFBs, with some Local Governments very involved in the establishment, management and operation of their local BFBs. Therefore it is essential that any future management arrangements, including the transfer of responsibility for management of BFBs to the State Government, should be a voluntary process available to Local Governments that do not have the capacity, capability or resources to manage BFBs. It is also essential that the integrity of the Bush Fire Service is maintained, whatever the arrangements for the management of BFBs.

¹² Data provided by LGIS, 17 May 2022

¹³ 2021 Local Government Emergency Management Capability report - SEMC

¹⁴ [Department of Local Government, Sport and Cultural Industries](#)

Options for future management of BFBs

Four options are identified for the future management of BFBs:

1. Status quo - continue with the current arrangements for management of BFBs whereby the majority are managed by Local Government and transfer arrangements are negotiated on an ad hoc basis between DFES and Local Governments (or their BFBs).
2. Improvements - continue with the current arrangements for Local Government management of BFBs with additional support provided by the State Government with respect to increased funding and better access to training resources and other support.
3. Hybrid Model - Local Government continues to manage BFBs where they have the capacity, capability and resources to do so; however where they do not have the capacity, capability and resources, responsibility for management of BFBs is transferred to DFES.
4. Transfer - Responsibility for management of all BFBs is transferred to the State Government, consistent with the arrangements in other States and Territories.

Proposed Position

Based on the feedback received from Local Governments in the WALGA Emergency Management Survey and the other considerations outlined above, it is considered appropriate for the Association to **support a hybrid model** for the management of BFBs.

A hybrid model would enable the continued management of BFBs by those Local Governments with capacity, capability and resources to do so, while providing a framework for the transfer of the management of BFBs to the State Government where a Local Government does not.

Whatever the arrangements for future management of BFBs, it is apparent that Local Governments with responsibility for management of BFBs require **additional support and resourcing** which should be provided by the State Government, including:

- development of a suite of guidelines and resources to assist Local Governments in their management of BFBs, particularly with respect to the discharge of obligations under the *Work Health and Safety Act 2021*;
- expansion of the Community Emergency Services Manager Program (CESM) so that every Local Government with responsibility for managing BFBs has access to the Program if they wish to participate;
- universal access to DFES training for BFBs; and
- development of mandatory and minimum training requirements including recognition of competency for volunteers.

Based on the previous commentary, the following Advocacy Position is proposed:

Management of Bush Fire Brigades

1. The Association advocates that the State Government must provide for:
 - a) A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;
 - b) The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;
 - c) Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and
 - d) The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.
2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).
3. Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.

How to Provide a Response to this Paper and Proposed Position

WALGA strongly encourages all Local Governments, and particularly those with responsibility for managing Bush Fire Brigades to provide a response to this Paper and the proposed Advocacy Position. Council endorsed responses are preferred but not essential.

The following questions are provided for Local Governments to consider:

1. Does your Local Government manage BFBs?
2. Does your Local Government support the proposed Advocacy Position on arrangements for the management of Bush Fire Brigades? Why or why not?
3. Does your Local Government have any further suggestions or changes to the proposed Advocacy Position?
4. For Local Governments that manage BFBs, is your Local Government's preference to continue to manage BFBs or to transfer responsibility to the State Government?
5. Is your response endorsed by Council? If so, please include the Council paper and resolution.
6. Do you have any further comments to make?

Responses can be provided by way of written submission or by completion of the online [survey](#).

Please provide written submissions by **5pm Friday 8 July 2022** to em@walga.asn.au (Subject line: Bush Fire Brigade Advocacy Position).

WALGA will review the feedback received and prepare a report for consideration by WALGA Zones and State Council in September 2022.

APPENDIX ONE - Proposed Emergency Management Advocacy Position Statements

(Positions to be considered at July 2022 State Council Meeting)

8 Emergency Management

Local Governments in Western Australia play a significant role in emergency management. Both Commonwealth and State Government policy identify Local Government as a key player in community disaster resilience, preparedness and response. Local Governments however face a few challenges in addressing their emergency management responsibilities, and these challenges differ greatly across the State.

8.1 Emergency Management Principles

1. The State Government bears fundamental responsibility for emergency management and has the role of providing strategic guidance, support and services for emergency management activities in Western Australia.
2. The State Government should provide financial and resourcing support as necessary to enable Local Governments to adequately deliver their extensive emergency management roles and responsibilities under the State Emergency Management Framework.
3. The Local Government Sector should be engaged as a partner in policy and legislative reviews that impact Local Government emergency management roles and responsibilities.

8.2 State Emergency Management Framework

Local Governments are supported to undertake their emergency management responsibilities by a simple and streamlined State Emergency Management Framework with the primary objectives of:

1. Protecting people, the economy, and the natural environment from disasters;
2. Supporting communities in preventing, preparing for, responding to and recovering from emergencies;
3. Clearly outlining roles, responsibilities and accountabilities for Local Government and other emergency management stakeholders;
4. Scalability and adaptability that supports Local Governments of varied capacity and capability; and
5. Supporting agency interoperability through common systems and approaches to key activities including data management, communications, and hazard management.

8.3 Sustainable Grant Funding Model for Emergency Management

Local Government should be empowered to discharge its emergency management responsibilities through sustainable grant funding models that support a shared responsibility and all hazards approach to prevention, preparedness, response and recovery from natural disasters. A sustainable grant funding model for Local Government emergency management:

1. empowers Local Governments to undertake proactive approaches to preparedness, prevention, response and recovery;

2. supports the resilience of local communities through capacity-building activities and programs;
3. is responsive to the variations in Local Government resourcing and context
4. develops the skills, capacity and capability of the emergency management workforce; and
5. is consistent, flexible, timely, accessible, scalable, strategic and the guidance provided is comprehensive.

8.4 Consolidated Emergency Services Act

1. The Association advocates for the development of a Consolidated Emergency Services Act to provide a comprehensive and contemporary legislative framework to support the effective delivery of emergency services in Western Australia. The Legislation should clearly define the roles and responsibilities of all emergency management stakeholders including Local Government.
2. The Local Government sector seeks ongoing engagement in the scoping and co-design of the Act and associated Regulations and supporting materials such as Guidelines and fact sheets.
3. The Association advocates for DFES to undertake a full costing analysis of the new Act and to provide to Local Government details of the cost implications prior to the release of any Exposure Draft Bill.
4. Any new or increased responsibilities placed on Local Government by the Consolidated Emergency Services Act must be accompanied by funding and resource support to enable Local Governments to adequately discharge those responsibilities.
5. The Association recognises that in addition to the Consolidated Emergency Services Act, the Regulations and other supporting materials that are developed to support it provide a key resource for Local Governments in understanding and discharging their legislative obligations.
6. The Association advocates for the Act to provide clear guidelines for the process for transferring responsibility for bushfire incident response from Local Government to DFES.

8.5 Resource Sharing

Local Governments and the Association support resource sharing across the Local Government Sector for the purpose of emergency management, to support Local Governments to undertake effective and timely response and recovery to emergencies as well as conduct business as usual. The Association will endeavour to facilitate support to the sector in undertaking resource sharing arrangements.

8.6 Lessons Learnt Management

The Association advocates for the implementation of a transparent and contemporary assurance framework for emergency management lessons management overseen by the State Emergency Management Committee. Findings from inquiries and reviews, and progress on implementation of recommendations, should be publicly reported regularly and consistently.

8.7 Emergency Services Levy

Local Government requests the implementation of the recommendations from the 2017 Economic Regulation Authority (ERA) Review of the Emergency Services Levy, which supported increased transparency and accountability in the administration and distribution of the ESL through:

1. Expansion of the ESL to fund Local Government emergency management activities across prevention, preparedness and response.
2. Administration of the ESL by an independent organisation that is funded through consolidated revenue, with regular independent reviews of expenditure and assessment of the effectiveness of ESL funding expenditure to support prevention, preparedness and response activities.
3. The ESL administration fee should recompense Local Governments for the complete cost of administering the ESL.
4. Public disclosure of the allocation and expenditure of the ESL.
5. Public disclosure by the State Government on the progress of implementation of each of the ERA Review recommendations.
6. A review of the role, responsibilities and reporting arrangements of the Community Emergency Services Manager (CESM) Program.

8.8 Local Government Grants Scheme (LGGS)

Local Government supports:

1. A full, independent review of the LGGS to investigate and analyse how ESL funds are allocated to Local Government via the LGGS;
2. A redesign of the LGGS to remove the ineligible and eligible list and create a sustainable, modern, equitable grants program that funds Local Government emergency management activities across prevention, preparedness and response
3. An audit of existing buildings, facilities, appliances, vehicles, and major items of equipment for both Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES) to inform the preparation of a Comprehensive Asset Management Plan and to guide future funding requests;
4. in the interim, an immediately increase in the quantum of State Government funding to enable the provision of funding of operating and capital grant applications in full, to provide all resources necessary for the safe and efficient operation of Local Government Bushfire Brigades, in accordance with obligations of the Work Health and Safety 2020 legislation.

8.9 Expansion of the Community Emergency Services Manager (CESM) Program

That the Association advocates for an expansion of the Community Emergency Service Manager (CESM) Program, as follows:

1. All Local Governments should have the option of participating in the CESM Program.
2. The full cost of the CESM Program should be funded through the Emergency Services Levy.

8.10 Management of Bush Fire Brigades

To be developed.

MATTER FOR DECISION

Legislative Impacts and Opportunities for Volunteer Bush Fire Brigades – Proposed WALGA Advocacy Position
--

By Mark Goodlet, Shire of Waroona Chief Executive Officer, on behalf of the Shire of Waroona Council

RECOMMENDATION

That Council requests:

1. WA Local Government Association (WALGA) to advocate for the:
 - a. Modernisation of Western Australian emergency services legislation, including alignment of the WA Bush Fires Act 1954 with the rest of Australia by removing the legislative requirement for WA Local Governments to manage Volunteer Bush Fire Brigades (VBFB); and
 - b. Provision of a legislated State Government department or agency to do so, fully implementing recommendation 15 of the “Reframing Rural Fire Management” Report of the Special Inquiry Into the January 2016 Waroona Fire (Ferguson Report), which states;

“The State Government to create a Rural Fire Service to enhance the capability for rural fire management and bushfire risk management at a State, regional and local level. The proposed Rural Fire Service will:

- *be established as a separate entity from the Department of Fire and Emergency Services or, alternatively, be established as a sub-department of the Department of Fire and Emergency Services;*
- *have an independent budget;*
- *be able to employ staff;*
- *have a leadership structure which, to the greatest degree possible, is regionally based and runs the entity;*
- *be led by a Chief Officer who reports to the responsible Minister on policy and administrative matters; and to the Commissioner for Fire and Emergency Services during operational and emergency response;*
- *have responsibilities and powers relating to bushfire prevention, preparedness and response; and*
- *operate collaboratively with the Department of Fire and Emergency Services, the Department of Parks and Wildlife, Local Government and volunteer Bush Fire Brigades.*

“In creating the Rural Fire Service, the State Government to consider whether back office and corporate support services could be effectively provided by an existing Department, such as the Department of Fire and Emergency Services or the Department of Parks and Wildlife.

“The State Government to review the creation of the Rural Fire Service two years after its establishment, to assess whether its structure and operations are achieving the intended outcome.

2. WALGA to support, in the review of the emergency services legislation, a comprehensive plan by the Department of Fire and Emergency Services and the State Government for;
 - a. Full engagement with the VBFBs, local governments and WALGA to understand their successes, challenges, ideas and hopes for this service;
 - b. Inclusion of a review of the history and past performance of the volunteer bush fire brigades in Western Australia, including all previous studies and findings, with volunteer safety as a key theme;
 - c. A best practice assessment of volunteer bush fire brigades departmental/agency structures and legislative underpinnings across Australia; and
 - d. A legislative outcome goal that ensures that organisational structures, expertise, strategy, management and control, best meet the health and safety mandates of the WHS Act 2020;

3. WALGA to support Option 4 of its "Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position" paper, being, *"Transfer - Responsibility for management of all BFBs is transferred to the State Government, consistent with the arrangements in other States and Territories"*.

Executive Summary

- In March 2022 the provisions of the new Work Health and Safety Act 2020 were fully transitioned. They clearly detail the standard of duty of care that entities responsible for volunteers now carry.
- This standard has brought into focus the fact that local government is no longer the right entity to be discharging the duty of care and the duty of provision of extreme risk bush fire management services in Western Australia. Western Australia, while its health and safety legislation is now in alignment with the rest of Australia, is now at odds with the rest of Australia in terms of State Government responsibility for volunteer bush fire brigades.
- Local government is clearly unable to meet the management and duty of care expectations enunciated in the Work, Health and Safety Act 2020 in the extreme risk area of bush firefighting. This new legislation exposes the gap between the extreme risk of bush fires and the capabilities of local governments to meet this risk. It has set up local government for failure if nothing is done to fix the fundamental question - what entity is best able to meet the responsibility for supporting volunteer bush fire brigades. This responsibility must be placed in the hands of a State Government department or agency with appropriate expertise, capabilities and resourcing under the emergency services banner to adequately address and manage the risks associated with bush fires and support volunteers in this endeavour.
- Cabinet has agreed on a review of the three emergency services Acts, the Fire Brigades Act 1942, the Bush Fires Act 1954 and the Fire and Emergency Services Act of 1998, to create a single comprehensive Emergency Services Act which will improve community safety and better support all of our emergency services workers into the future. This work is being undertaken by DFES. (<https://www.dfes.wa.gov.au/site/about-us/corporate-information/legislation/legislation.html>).
- This review represents a once in a generation opportunity have this matter addressed and give volunteer bush fire brigades the level of overarching support they need,

through a State Government agency or department with new legislation designed to take over this role from local governments.

- It is not appropriate that the current hybrid responsibility sharing arrangement continue between Local Government and the State Government, for either historic or power sharing reasons. This will perpetuate the current mixed message and unclear lines of responsibility that comes from a legislative underpinning of volunteer bush fire brigades as local government entities, while management, training, funding and operational support are provided through DFES. This will not ultimately be in the best interests of the volunteers and their ability to be supported in the important role they undertake in managing bush fire risk.
- WALGA has issued a Proposed Advocacy Position and InfoPage which proposes a hybrid model allowing local governments to opt in or out of management of volunteer bush fire brigade models. A 6-week consultation is underway with the matter to be presented to WALGA State Council in September 2022. Option 4 aligns with the position espoused in this report, namely responsibility being transferred to the State Government, albeit with volunteer bush fire brigades being given entity status.

Attachments

A – “Reframing Rural Fire Management” Report of the Special Inquiry Into the January 2016 Waroona Fire, Volume 1, by E. Ferguson (Ferguson Report)

B – Overview of Western Australia’s Work Health and Safety Act 2020, by Department of Mines, Industry Regulation and Safety and Worksafe Western Australia

C - Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position May 2022, WALGA.

D – INFOPAGE, Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades, 20 May 2022, WALGA

Policy Implications

The adoption of advocacy positions will inform WALGA policy positions and will be incorporated in WALGA’s Advocacy Positions Manual.

Budgetary Implications

Insurance

Up to \$10M in uninsurable organisational maximum penalties for the most serious failures to comply with the new WHS Act 2020.

WALGA Local Governments are responsible for providing compensation for injury caused to present and former BFB volunteers as a result of their duties. The commercial insurance market ceased writing injury insurance for volunteers in 2012, therefore a self-insurance mutual scheme was implemented to ensure that Local Governments continue to meet this obligation.

Since 2012, due to the high cost of claims, the aggregate limit of liability has increased from \$250,000 to \$750,000. In addition, the annual cost of insurance has nearly doubled (92%)

from \$47.50 to \$91.20 per volunteer, and it is expected that this trend will continue (Data provided by LGIS, 17 May 2022 in pg. 7, Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position - May 2022).

Volunteer Bush Fire Services Funding

The State Government has in place an Emergency Services Levy. This is a pre-existing and suitable funding mechanism for volunteer bush fire brigades services via an entity, under direct management of the State Government.

WALGA Advocacy Position

Nil.

Background

History

The Volunteer Bush Fire Brigades have been a vital part of the regional Western Australian emergency services fabric since 1954 in a formal legislated system, but before that in heart of the community unsupported volunteer service groups. The continuation of this service by the volunteers, ensuring the continuity of the brigades along with the safety of the members, remain as the key priorities. How this is best achieved given findings of the 2016 Ferguson Report and the new safety mandates of the Work Health & Safety Act 2020 (WHS Act) for volunteers, is a primary issue.

Long gone are the days of a group of farming neighbours fronting up to a fire, with the Shire sending down some crew with machinery to assist. Volunteer bush fire brigades replaced this loose affiliation in 1954 through the commencement of the Bush Fires Act with local governments being given responsibility to establish and run the brigades. Over time the State Government has increasingly mandated duty of care requirements to the members and those charged with their management, to the point where the duty of care now extends to the volunteers themselves.

2016 "Reframing Rural Fire Management" Report of the Special Inquiry Into the January 2016 Waroona Fire (Ferguson Report)

Following the 2016 Waroona Yarloop bush fires the Public Sector Commission tasked a special inquiry led by Mr. Euan Ferguson AFSM into the matter. His report (Pg. 18) summarises the losses of these fires as follows:

"Tragically, during the fire, two residents of Yarloop lost their lives. The fire burned a total area of 69,165 hectares comprising 31,180 hectares of private property and 37,985 hectares of public land. One hundred and eighty one properties were destroyed. At time of writing, it is estimated that the cost of the fire, including the costs of suppression, losses, damage and recovery (including estimated insurance losses) totals approximately \$155 million.

In his report prologue (pg.12) he summarises his findings thus:

"It is my view that there exists a need to effect fundamental changes to the system of rural fire management in Western Australia. My conclusion, which has been very carefully considered, is that the current system for managing bushfire in Western Australia is failing citizens and the government.

The recommendations for change were provided in two categories; Strategic and Agency opportunities for improvement. 17 Recommendations and 23 Opportunity statements were made. Critical to the context of this Council Report, is Recommendation 15, which is about rural fire management and its recommends:

"The State Government to create a Rural Fire Service to enhance the capability for rural fire management and bushfire risk management at a State, regional and local level. The proposed Rural Fire Service will:

- be established as a separate entity from the Department of Fire and Emergency Services or, alternatively, be established as a sub-department of the Department of Fire and Emergency Services;
- have an independent budget;
- be able to employ staff;
- have a leadership structure which, to the greatest degree possible, is regionally based and runs the entity;
- be led by a Chief Officer who reports to the responsible Minister on policy and administrative matters; and to the Commissioner for Fire and Emergency Services during operational and emergency response;
- have responsibilities and powers relating to bushfire prevention, preparedness and response; and
- operate collaboratively with the Department of Fire and Emergency Services, the Department of Parks and Wildlife, Local Government and volunteer Bush Fire Brigades.

"In creating the Rural Fire Service, the State Government to consider whether back office and corporate support services could be effectively provided by an existing Department, such as the Department of Fire and Emergency Services or the Department of Parks and Wildlife.

"The State Government to review the creation of the Rural Fire Service two years after its establishment, to assess whether its structure and operations are achieving the intended outcome.

This recommendation has only been partially implemented and the independent entity with the capabilities and resourcing described in the recommendation is far from realization. This is in part because this requires legislative change, one that removes local government as the head of power body establishing and underpinning this entity. The opportunity for this change is now available with the review of the emergency services legislation.

Bush Fire Fighting Risk

The prologue to the Ferguson Report provides an excellent description of the complexities of fighting bush fires and making judgment following the event (pg. 11):

"Hindsight is a wonderful thing. But we must act with disciplined caution when exercising this hindsight. It must always be remembered that those who were key players in this fire emergency were not afforded such luxury. Many individuals, be they citizens or members of agencies or in community teams, worked in extreme and challenging

conditions. Many were hot, hungry, dehydrated and sometimes sick with worry and exhaustion. Dangers were ever present. Fast decisions had to be made with information that was incomplete and sometimes conflicting. There were many unknowns. People made decisions. Assumptions changed. Best laid plans failed. Teams used their initiative and adjusted. Even the most straightforward of tasks became complex. Emergency and essential services worked to create order out of chaos. Everyone worked against time and the progression of the fire.

“It would be easy to look at any shortcomings and be tempted to fall into the trap of finding fault and allocating blame. This must be resisted. In striving for excellence in bushfire emergency management, it must be recognised that there are many parts of the system: the fire, the weather, the terrain and the actions and reactions of people that are subject to sudden and unpredictable change. Under these conditions, much is unknown. Almost everything is shrouded by uncertainty. People make judgements and those judgements are not infallible. Errors can and do occur, despite the best intentions and best efforts of people.

While the Ferguson Report wasn't written with the aim of “finding fault and allocating blame”, the new Work Health and Safety Act 2020 is. It is specifically designed and written to provide standards and responsibilities for health and safety, in order to provide a path for finding fault, allocating blame and then punishing those who are at fault.

Work Health and Safety Act 2020

Key features of the WHS Act are provided in the following extract from the “Overview of Western Australia’s Work Health and Safety Act 2020” put out by the Department of Mines, Industry Regulation and Safety, and Worksafe (pg. 2):

- The primary duty holder is the ‘person conducting a business or undertaking’ (PCBU) which is intended to capture a broader range of contemporary workplace relationships.
- A primary duty of care requiring PCBUs to, so far as is reasonably practicable, ensure the health and safety of workers and others who may be affected by the carrying out of work.
- Duties of care for persons who influence the way work is carried out, as well as the integrity of products used for work, including the providers of WHS services.
- A requirement that ‘officers’ exercise ‘due diligence’ to ensure compliance.
- The new offence of industrial manslaughter, which provides substantial penalties for PCBUs where a failure to comply with a WHS duty causes the death of an individual, in circumstances where the PCBU knew the conduct could cause death or serious harm.
- The voiding of insurance coverage for WHS penalties, and imposition of penalties for providing or purchasing this insurance.
- The introduction of WHS undertakings, which are enforceable, as an alternative to prosecution.
- Reporting requirements for ‘notifiable incidents’ such as the serious illness, injury or death of persons and dangerous incidents arising out of the conduct of a business or undertaking.
- A framework to establish a general scheme for authorisations such as licences, permits and registrations (for example, for persons engaged in high-risk work or users of certain plant or substances), including provisions for automated authorisations.

Importantly, the WHS Act captures the duty of care requirements for bush fire brigades and volunteers.

Work Health and Safety Act 2020 Duty of Care Failure and Penalties

Hefty fines now apply to local governments and criminal charges may be imposed on executive staff should they fail in their duty of care under the new Work Health and Safety Act 2020. A sevenfold increase in the maximum fine is now applicable to executives along with a 20 year jail term. The local government body is now subject to an uninsurable fine up to \$10M, up 2.85 times from \$3.5M.

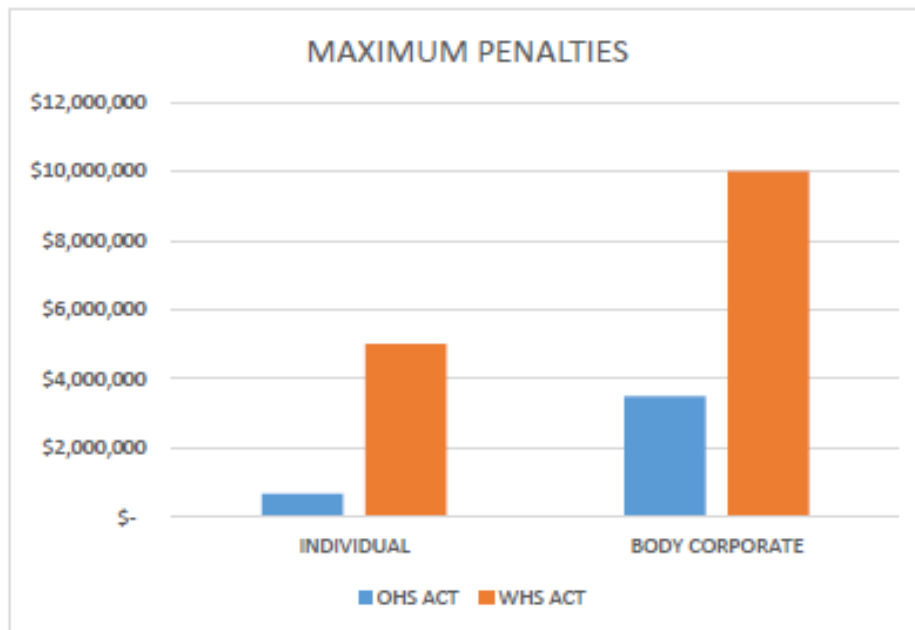


Figure 1. Maximum Individual and Body Corporate Penalties Comparison Between the Previous OHS Act (blue) and the WHS Act (orange)

Maximum penalties for breach of health and safety duty offences

Offence	Duty holder		
	Body corporate	Individual as a PCBU or officer	Individual as worker or other
Industrial manslaughter	\$10 000 000	\$5 000 000, 20 years in jail	Not applicable
Category 1	\$3 500 000	\$680 000, 5 years in jail	\$340 000, 5 years in jail
Category 2	\$1 800 000	\$350 000	\$170 000
Category 3	\$570 000	\$120 000	\$55 000

Note: Where a penalty provides for a fine or term of imprisonment, the Court may impose a sentence that includes either or both penalties.

Exceptions (section 34)

Volunteers are not liable for a failure to comply with a health and safety duty except in their capacity as a worker (section 28) or other person at a workplace (section 29).

Table 1. Maximum Penalties. Department of Mines, Industry Regulation and Safety, and Worksafe, "Overview of Western Australia's Work Health and Safety Act 2020", pg. 36.

LEVEL	INDIVIDUAL 1ST OFFENCE	INDIVIDUAL SUBSEQUENT OFFENCE	BODY CORPORATE 1ST OFFENCE	BODY CORPORATE SUBSEQUENT OFFENCE
1	\$ 100,000	\$ 120,000	\$ 450,000	\$ 570,000
2	\$ 250,000	\$ 350,000	\$1,500,000	\$1,800,000
3	\$ 400,000	\$ 500,000	\$2,000,000	\$2,500,000
4	\$ 550,000	\$ 680,000	\$2,700,000	\$3,500,000

Table 2. Maximum Penalties Under the Previous Occupational, Health and Safety Act 1984", pg. 36.

The State Government has made crystal clear its overarching expectations regarding duty of care, including to volunteers. In doing so, however, it has raised a fundamental question about the appropriate provision of leadership and support for volunteer bush fire brigades in the extreme risk environment in which they operate.

Comment

Risk and WHS Act Implications

The new WHS Act safety mandate has brought into focus two related questions, and these questions must be rigorously and independently assessed and addressed, ahead of preference and historical affiliation, if a best practice, safe and compliant outcome is to be achieved. **Who is best placed to manage bush fire brigades, given the systems, expertise and control hierarchy needed to operate within the new WHS Act requirements? Secondly, is the current legislation, which provides for local governments to establish and run bush fire brigades, still appropriate, given these mandated safety management requirements?** Recommendation 15 of the Ferguson Report answers these questions.

Local governments, and particularly those in executive level management, see a chasm between their risk management capabilities, expertise, control, financial support and the standards mandated in the new WHS Act for the extremely high-risk and complex activity of fighting bushfires. They also see that the State Government, through the Department of Fire and Emergency Services (DFES), which has the expertise, knowledge, systems, training support and control, is much more capable in fighting fires than local government as an entity will ever be. In fact, in all of these areas DFES currently provides support to the bush fire brigades, with local government effectively simply providing a legacy legislative platform for their existence, along with some administrative support, assets and land for VBFB facilities.

The disparate, disjointed management by individual local governments, may provide some tailored local focus, but it has no strategic, management expertise, operational expertise, coordination or cohesiveness, nor State Government consistent operational budget funding outside of grants; despite now carrying safety expectations well above local government primary expertise and risk management capabilities.

As an alternative way of viewing this issue, local governments would not be expected, or able, to competently manage the emergency services currently within DFES areas of responsibility. Nor would Local government manage ambulance services, and nor should they. These are matters outside of local government core business and expertise. As a risk response, government, agencies and departments must operate within their core business and competencies. With a new focus on health and safety it is no longer appropriate that local government be required to operate in a highly specialized extreme risk area, when suitable alternatives exist, or should exist, as stated in the Ferguson Report.

Australian Models for Management of Bush Fire Brigades

The WHS Act was ostensibly enacted, in part, to bring Western Australia in line with the rest of the Australian states, including responsibility for volunteers. Perhaps as an unintended consequence, this has highlighted a significant disparity across Australia, with every other state having their volunteer bushfire brigades run by State Government agencies rather than local governments. Many in local government charged with management oversight of the VBFBs, believe that a handover to the State Government is the necessary next step for Western Australia, if coming into line with the rest of Australia.

Bush Fire Brigade Volunteers

The Ferguson Report (pp. 237 – 245) details the public response to the question of DFES involvement in fighting bush fires:

- DFES staff do not have sufficient expertise in rural fire management and don't understand our needs; and
- Inappropriate training is provided.

There is some skepticism and reluctance among some VBFB members regarding leaving the local governments, where they believe there is often more autonomy, local knowledge and a local focus.

A review of the emergency legislation needs to ensure that bush fire brigades are at the table in terms of consultation and that their legitimate concerns are aired and resolved.

Statutory Environment

In light of, *the Local Government Act of 1995: Division 3 — Executive functions of local governments, Subdivision 1 — Performing executive functions, s3.18. Performing executive functions: 3(b)*; as the WA Department of Fire and Emergency Services (DFES), is already providing a rural fire division (ref. 2), it could be considered that the further provision of Local Government controlled Fire & Emergency Services Brigades is an inappropriate duplication of “services or facilities provided by the ... State”.

Work Health and Safety Act 2022, mandates the duty of care to volunteers by the person conducting a business undertaking. Senior Local Government officers with decision making and budget allocation control, have a duty of care to volunteer bush fire brigade members.

Bush Fires Act 1954, s36 and s41. Provides for local governments to establish, maintain and equip bush fire brigades.

Emergency Services Review of Legislation

The Department of Emergency Services is currently reviewing the three emergency services Acts. This represents a one in a generation opportunity to consider the best and most competent delivery of volunteer bush fire brigade services. Ensuring that WALGA is at the table in this review is critical to good outcomes for local government.

Consultation

Special Inquiry into the Waroona bush fires

The Special Inquiry into the Waroona bush fires was conducted by Euan Ferguson AFSM. In a letter dated 26 April 2016, to Mr Wauchope, the Public Sector Commissioner, Mr Ferguson described the consultation process as follows:

“The Special Inquiry started in early February, ran for 13 weeks and held formal hearings on 22 days. The Special Inquiry has evoked a significant response. One hundred and sixty five written submissions have been received. One hundred people appeared at formal hearings and five people gave evidence via telephone. We have met and interacted with 42 organisations and interest groups.

The report prologue further describes the consultation and the outcomes sought by the witnesses and submissions:

“All of the people the Special Inquiry met with: citizens, landowners, farmers, business owners, personnel from agencies, essential services and from emergency services, were genuine in their commitment to do the best they could during this crisis. The Special Inquiry noted a strong urge from all the witnesses and submissions to understand the failings in the current systems of work, to learn from this tragic experience, and to change the future.

WALGA Proposed Advocacy Position

WALGA's proposed advocacy position is as follows.

"Management of Bush Fire Brigades

1. The Association advocates that the State Government must provide for:
 - a) A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;
 - b) The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;
 - c) Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and
 - d) The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.
2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).
3. Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.

WALGA's proposed advocacy position does not address the critical risk problem, nor does it examine the best and most appropriate legislative vehicle to ensure the best outcome for the volunteer bush fire brigades is achieved. Without this critical appraisal, the advocacy position simply shifts the responsibility back to local government to determine.

Conclusion

There is an urgent need for Local Governments and the State Government to review the suitability of local governments role in delivery of volunteer bush fire brigades, given the spotlight on volunteer management raised by the new Work Health and Safety Act 2020. The Ferguson Report, in 2016, provides a pathway for a new entity to do this, with a State Government core business emergency services entity tailored to bush firefighting and meeting the needs of volunteers. The current review of the three emergency services Acts represents a one in a generation opportunity to modernise the legislation underpinning volunteer bush firefighting in Western Australia to align under a suitable agency.

9.2.3 Funding Commitment for Dryandra Country Visitor Centre

Applicant: Shire of Narrogin
File Ref. No: ADM 144
Disclosure of Interest: Nil
Date: 7 June 2022
Author: Stan Scott – CEO
Attachments: 9.2.3A Letter from the Shire of Narrogin

Summary

The Shire of Narrogin has:

- **advised of changes to the administration of the Dryandra Country Visitor Centre,**
- **confirmed its relocation to the former Railway Station and**
- **sought a commitment to ongoing funding from the Shire of Cuballing.**

Background

The DCVC was originally intended to be a sub-regional tourism body involving several local governments. Only the Shires of Narrogin and Cuballing remain. This is reflected in the Dryandra VC website.

The Centre is open 7 days per week except public holidays, Monday to Friday: 9am – 4pm, Saturday: 10am – 4pm and Sunday: 11am – 3pm.

Recently Geire Kami resigned at short notice after 8 years in the role of Manager of the Visitor Centre. At the April DCVC meeting it was decided to request that the Shire of Narrogin allocate a staff member to take on the responsibility of running the DCVC.

The Shire of Narrogin resolved at its Ordinary Council Meeting of 25 May 2022:

“That with respect to the Dryandra Country Visitors Centre (DCVC) Incorporated, the Council:

- 1. Note that Dryandra Country Visitor Centre Incorporated has resolved to;*
 - a. Formally windup the Association;*
 - b. Request the Shire of Narrogin to take over its tourism promotion, destination marketing and visitor servicing activities; and*
 - c. Distribute its remaining net assets and proceeds (after windup) to the Shire of Narrogin, in order to continue to provide tourism promotion, destination marketing and visitor servicing to the District.*
- 2. Thank the DCVC Inc. Board, Members and Volunteers for their dedicated commitment and service to tourism for the district for many years.*
- 3. Assist the DCVC Inc., if required, with the administrative tasks of formally winding down in accordance with the requirements of the Associations Incorporation Act 2015 and the associated Regulations 2016 and its Constitution.*
- 4. Support the transition of the Dryandra Country Visitors Centre’s visitor servicing / centre operations from community managed to Shire managed, commencing from 1 June 2022, if the DCVC Inc. Board so agrees;*
- 5. Request the DCVC Inc. to provide to the Shire as soon as practical:*
 - a. A contact list of current (if any) and immediately preceding year financial members.*

b. A contact list of volunteers.

c. A comprehensive Statement of Financial Position (Balance Sheet) with an itemised schedule of ALL of its known net assets, including, but not limited to, from the date of windup or 1 June 2022, whichever is the earliest, the following;

- i. Debts owing to it;
- ii. Creditors and debts owing by it;
- iii. Website;
- iv. Computers, licenses, copyright assignments or agreements and any software;
- v. The legal trading name of the Dryandra Country Visitor Centre;
- vi. Intellectual Property;
- vii. Furniture;
- viii. Merchandise Stocks (itemised and costed at both cost and retail price);
and
- ix. Cash and Investments.

6. Request the Shire's Chief Executive Officer to:

- a. Inform and engage with the relevant stakeholders including the Shire of Cuballing, as a major financial contributor of the former Association.
- b. Establish a suitable interim Working Group, comprising Officers of the Shire, Councillors Seale, Early and Alexander, a representative of the Shire of Cuballing and a representative of the Volunteers of the Visitor Centre to assist the Administration of the Shire in effective continued service delivery; volunteer support and management; visitor centre operations; transition planning from the management of the DCVC to the Shire; and the proposed relocation of visitor servicing activities to the Railway Station in coming months.
- c. Accept any donated assets from the DCVC Inc. as part of the winding up of the Association and ensure that any cash assets are transferred to the Shire's Tourism and Area Promotion Reserve Account if or when received.

7. Note that nothing in this resolution should be construed as;

- a. Preventing the Council from, at some future point, renaming the operation to some other name, from the Dryandra Country Visitor Centre, particularly when it transitions to the Railway Station.
- b. Requiring the Shire of Narrogin to maintain accreditation as a Visitor Centre with Tourism WA.

8. Note that a Budget variation to give effect to purchasing Visitor Centre merchandise and operations is not required, as the existing Budget General Ledger Line Number 2130206 (Visitor Centre Contribution) can be utilised and has sufficient capacity within it to 30 June 2022.

9. Approve of a new fee and charge for Visitor Centre merchandise sales of cost plus 100% markup being advertised with effect from the date of local public notice being achieved or from 1 June 2022, whichever is the latter."

Narrogin Proposal

Following the adoption of the above resolutions the Shire of Narrogin has written to the Shire of Cuballing as follows:

As a valued stakeholder of the Association and longtime financial supporter of the Centre, the Shire of Narrogin undertakes to keep the Shire of Cuballing informed of inevitable changes required as the Centre moves to a Shire managed model and in coming months its move to the Historic Railway Station. Rest assured we wish to continue promoting our joint natural asset of the Dryandra Woodlands National Park as well as the many other tourism assets in our region and within our two local governments.

In the interim, I would ask that you consider budgeting (in 2022/23) the same annual contribution to the Centre that has been generously made by your Shire over many years, that being \$7,000 (plus GST). A request for this contribution or potential 'draw' against it to direct assist marketing your assets would then be considered in coming months.

In coming weeks we will also be in touch regarding the proposed Working Group mentioned above and seeking a representative from your Shire to participate in that – Councillor Bradford being the current representative on the Association.

Discussion

As noted in the Narrogin letter Cuballing has been a long term supporter of the Dryandra Country Visitor Centre. It is difficult to envisage how Cuballing could deliver the same level of service independently for the contribution we are presently making.

It seems at the very least we should continue our support until the current issues are resolved, the Visitor Centre relocation is complete and there is the chance to bed in new arrangements.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027 identifies as one of the Shires KPI's:

Community satisfaction with Council's tourism strategy.

<u>Statutory Environment</u>	Nil
<u>Policy Implications -</u>	Nil

Financial Implications

The Shire of Narrogin has requested that the Shire of Cuballing commit to a \$7,000 commitment for the 2022-23 financial year.

Economic Implication

Visitor numbers was identified as one of the economic drivers in the Strategic Community Plan.

<u>Social Implication -</u>	Nil
<u>Environmental Considerations -</u>	Nil

Consultation

Cr Kowald represented the Shire of Cuballing at the Dryandra Country Visitor Centre meeting when the decision was taken to seek support from the Shire of Narrogin to take over administration of the DCVC. The circumstances at the DCVC were discussed at the May 2022 Council Forum.

Options

Council may:

1. Support the Officers Recommendation; or
2. Determine a different approach to meeting its tourism promotion and visitor servicing imperatives.

Voting Requirements – Absolute Majority

COUNCIL DECISION 2022/58:

That Council:

- 1. Commit to contributing \$7,000 to support the Dryandra Country Visitor Centre for 2022-23 financial year;**
- 2. Nominate Cr Bradford to participate on the proposed interim working group to oversee the transition of the Dryandra Country Visitor Centre from incorporated association to Shire run service.**
- 3. Request input into any change of name for the visitor centre.**

Moved: Cr Bradford

Seconded: Cr Kowald

Carried by Absolute Majority: 5 / 0

YOUR REF:
OUR REF: OCR2212398-DRYANDRA COUNTRY VISITOR
ENQUIRIES: Dale Stewart



1 June 2022

89 Earl Street, Narrogin
Correspondence to:
PO Box 1145, Narrogin WA 6312
T (08) 9890 0900
E enquiries@narrogin.wa.gov.au
W www.narrogin.wa.gov.au

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

(via: ceo@cuballing.wa.gov.au)

Dear Stan

RE: DRYANDRA COUNTRY VISITORS CENTRE

I write to you to inform the Shire of Cuballing that the Dryandra Country Visitors Centre Inc is intending to wind up operations, and has requested that the Shire of Narrogin take over the management of the Visitors Centre Operations (Visitor Servicing) from 1 June 2022.

The Shire's resolution (of the Council Meeting of 25 May 2022) with respect to matter is as follows;

"That with respect to the Dryandra Country Visitors Centre (DCVC) Incorporated, the Council:

- 1. Note that Dryandra Country Visitor Centre Incorporated has resolved to;*
 - a. Formally windup the Association;*
 - b. Request the Shire of Narrogin to take over its tourism promotion, destination marketing and visitor servicing activities; and*
 - c. Distribute its remaining net assets and proceeds (after windup) to the Shire of Narrogin, in order to continue to provide tourism promotion, destination marketing and visitor servicing to the District.*
- 2. Thank the DCVC Inc. Board, Members and Volunteers for their dedicated commitment and service to tourism for the district for many years.*
- 3. Assist the DCVC Inc., if required, with the administrative tasks of formally winding down in accordance with the requirements of the Associations Incorporation Act 2015 and the associated Regulations 2016 and its Constitution.*
- 4. Support the transition of the Dryandra Country Visitors Centre's visitor servicing / centre operations from community managed to Shire managed, commencing from 1 June 2022, if the DCVC Inc. Board so agrees;*
- 5. Request the DCVC Inc. to provide to the Shire as soon as practical:*
 - a. A contact list of current (if any) and immediately preceding year financial members.*
 - b. A contact list of volunteers.*
 - c. A comprehensive Statement of Financial Position (Balance Sheet) with an itemised schedule of ALL of its known net assets, including, but not limited to, from the date of windup or 1 June 2022, whichever is the earliest, the following;*
 - i. Debts owing to it;*

- ii. Creditors and debts owing by it;*
 - iii. Website;*
 - iv. Computers, licenses, copyright assignments or agreements and any software;*
 - v. The legal trading name of the Dryandra Country Visitor Centre;*
 - vi. Intellectual Property;*
 - vii. Furniture;*
 - viii. Merchandise Stocks (itemised and costed at both cost and retail price); and*
 - ix. Cash and Investments.*
6. Request the Shire's Chief Executive Officer to:
- a. Inform and engage with the relevant stakeholders including the Shire of Cuballing, as a major financial contributor of the former Association.*
 - b. Establish a suitable interim Working Group, comprising Officers of the Shire, Councillors Seale, Early and Alexander, a representative of the Shire of Cuballing and a representative of the Volunteers of the Visitor Centre to assist the Administration of the Shire in effective continued service delivery; volunteer support and management; visitor centre operations; transition planning from the management of the DCVC to the Shire; and the proposed relocation of visitor servicing activities to the Railway Station in coming months.*
 - c. Accept any donated assets from the DCVC Inc. as part of the winding up of the Association and ensure that any cash assets are transferred to the Shire's Tourism and Area Promotion Reserve Account if or when received.*
7. Note that nothing in this resolution should be construed as:
- a. Preventing the Council from, at some future point, renaming the operation to some other name, from the Dryandra Country Visitor Centre, particularly when it transitions to the Railway Station.*
 - b. Requiring the Shire of Narrogin to maintain accreditation as a Visitor Centre with Tourism WA.*
8. Note that a Budget variation to give effect to purchasing Visitor Centre merchandise and operations is not required, as the existing Budget General Ledger Line Number 2130206 (Visitor Centre Contribution) can be utilised and has sufficient capacity within it to 30 June 2022.
9. Approve of a new fee and charge for Visitor Centre merchandise sales of cost plus 100% markup being advertised with effect from the date of local public notice being achieved or from 1 June 2022, whichever is the latter."

As a valued stakeholder of the Association and longtime financial supporter of the Centre, the Shire of Narrogin undertakes to keep the Shire of Cuballing informed of inevitable changes required as the Centre moves to a Shire managed model and in coming months its move to the Historic Railway Station. Rest assured we wish to continue promoting our joint natural asset of the Dryandra Woodlands National Park as well as the many other tourism assets in our region and within our two local governments.

In the interim, I would ask that you consider budgeting (in 2022/23) the same annual contribution to the Centre that has been generously made by your Shire over many years, that being \$7,000 (plus GST). A request for this contribution or potential 'draw' against it to direct assist marketing your assets would then be considered in coming months.

In coming weeks we will also be in touch regarding the proposed Working Group mentioned above and seeking a representative from your Shire to participate in that – Councillor Bradford being the current representative on the Association.

Should you require further information or clarification on the above, please contact me via email, enquiries@narrogin.wa.gov.au or phone 9890 0900.

Yours sincerely



Dale Stewart
Chief Executive Officer

cc Executive Manager Development and Regulatory Services
Manager Community Leisure and Culture



9.2.4 Review of Councillor Attendance Fees, Allowances and Expenses for 2022-23

Applicant:	N/A
File Ref. No:	ADM250
Disclosure of Interest:	N/A
Date:	2 June 2022
Author:	Stan Scott - CEO
Attachments:	Nil
Resources	Determination of The Salaries and Allowances Tribunal For Local Government Chief Executive Officers and Elected Members https://www.wa.gov.au/government/publications/local-government-chief-executive-officers-and-elected-members-determination-no-1-of-2022#for-local-government-chief-executive-officers-and-elected-members

Summary

The purpose of this report is to determine the Councillor Fees, Allowances and Expenses to be paid in the 2022/23 financial year.

Background

The Local Government Act 1995 section 5.98 (the Act) and Local Government (Administration) Regulations 1996 provide for Councillors to receive certain sitting fees, allowances and reimbursements.

The payments are required to be within a range set by the WA Salaries and Allowances Tribunal.

Fees, Allowances and Expenses available include:

- Meeting attendance Fees (or alternatively annual attendance Fees);
- President's and Deputy President's Allowance;
- Information Technology and Communication allowance (or reimbursement);
- Travel and Accommodation expense allowance;
- Child Care reimbursement; and
- Other prescribed reimbursements approved by Council.

The Salary and Allowances Tribunal recently undertook the annual review of Fees, Allowances and Expenses for Councillors the with the determination made on 7th April 2022 effective from 1 July 2022.

The Tribunal's determination included the following:

*The Tribunal has determined that remuneration, fees, and annual allowance ranges provided to CEOs and elected members be **increased by 2.5%**. The increase is appropriate within the wider framework of senior public offices and the current economic climate.*

It also noted:

It is emphasised that fees and allowances, in lieu of reimbursement of expenses, provided to elected members are not considered payment for work performed in a manner akin to regular employment arrangements. Elected members are provided these fees and allowances to recognise the commitment of their time and to ensure they are not out of pocket for expenses properly incurred in the fulfilment of their duties.

The Tribunal's original 2013 determination stated that "fees and allowances provided to elected members are not intended to be full time salaries for members". The Tribunal continues to recognise the degree of voluntary community service in the role of elected members.

Sitting Fees

Council may make any determination Councillor attendance fees, allowances and expenses for 2022/23 that is within the allocated range for a Band 4 Local Government. There is no compulsion for Council to make any increase from year to year as long as the decision is within the allotted Band range.

For member sitting fees there are two options:

- Individual attendance fees for every Council and Committee Meeting attended.
- Annual allowance paid quarterly to cover all meetings for the year.

It is notable that if annual allowances were paid even the minimum would exceed our historical budget for meeting fees.

Sitting Fees

Allowance	Min	Max	Existing	Recommended
Council Meeting Fees - Councillor	\$93	\$244	\$155	\$160
Council Meeting Fees - President	\$93	\$502	\$210	\$220
Committee Meeting Fee - Cr	\$47	\$122	\$50	\$60
Committee Meeting Fee - Pres	\$47	\$122	\$50	\$60
Presidents Allowance	\$526	\$20,565	\$8,000	\$8,200
Deputy's Allowance	\$132	\$5,141	\$2,000	\$2,050

Annual Meeting Attendance Allowance

Allowance	Min	Max
Council Meeting Allowance - Councillor	\$3,679	\$9,742
Council Meeting Allowance - President	\$3,679	\$2,022

There are a number of meetings where attendance will entitle members to the payment of the committee sitting fee: Reg 30(3A) of the Local Government Administration Regulations specifies:

(3A)Each of the following meetings is a meeting of a prescribed type for the purposes of section 5.98(2A) —

- meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;*
- meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government;*

- (c) *council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;*
- (d) *meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;*
- (e) *meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.*

Allowances

Similar options are available for communication allowances. The tribunal has determined that Council may set an allowance in lieu of some of the reimbursements set out in regulation 31 and 32. The tribunal described the Information and Computing Telecommunications Allowance (ICT) Allowance as follows:

ICT expenses means:

- (a) *rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations;*
- (b) *any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations; or*
- (c) *any expenses, including the purchase costs, of ICT hardware provided to elected members.*

The SAT has set the range for the ICT from \$500 to \$3,500. It is notable that this allowance could be used for example for iPads or tablets supplied to Councillors.

Strategic Implications

The setting of Councillor Fees and Allowances is a sensitive matter for the Council to consider however it is important that Councillors receive reasonable remuneration in order to attract and retain suitable candidates. It is up to Council to make their own decision as to where they should sit within the prescribed Bands

Statutory Environment

Local Government Act 1995

5.63. Some interests need not be disclosed

- (1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter —
 - (c) an interest relating to-
 - (i) a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers; or

5.98. Fees etc. for council members

5.98A. Allowance for deputy mayor or deputy president

5.99. Annual fee for council members in lieu of fees for attending meetings.

5.99A. Allowances for council members in lieu of reimbursement of expenses

Salaries and Allowances Act 1975

Section 7A of the Salaries and Allowances Act 1975 ('the SA Act') requires the Salaries and Allowances Tribunal ('the Tribunal') to "inquire into and determine, the amount of remuneration, or the minimum and maximum amounts of remuneration, to be paid or provided to chief executive officers of local governments".

Section 7B(2) of the SA Act requires the Tribunal to inquire into and determine the amount of:

- Fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 ('the LG Act') to elected council members for attendance at meetings;
- expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the LG Act to elected council members; and
- allowances, or the minimum and maximum amounts of allowances, to be paid under the LG Act to elected council members.

Policy Implications – Nil

It is open to Council to determine a policy for sitting fees and allowances. Council could for example set allowances at 65% of the maximum, or the midpoint between the minimum and the maximum.

Financial Implications

The 2021/22 budget allocations include:

Presidents Allowance	\$8,000
Deputy Presidents Allowance	\$2,000
Members sitting Fees	\$14,045

Actual costs of member sitting fees are likely to be considerably less than the allocation.

Economic Implication – Nil

Environmental Considerations - Nil

Consultation

Determination of The Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members

Options

Council may resolve:

1. the Officer's Recommendation;
2. Set a different rate within the range set by the Tribunal including leaving allowances unchanged.

Voting Requirements – Absolute Majority

COUNCIL DECISION 2022/59:

That Council in the 2022/23 financial year, pay:

1. a Shire President Meeting Fee of \$220 per Council Meeting;
2. a Councillor Meeting Fee of \$160 per Council Meeting;
3. a Shire President's Allowance of \$8,200;
4. a Deputy Shire President's Allowance of \$2,050;
5. a Committee Meeting Fee of \$60 per Committee Meeting or prescribed meeting;
6. an annual ICT Allowance of \$500 per Councillor; and
7. all travel, and childcare costs upon presentation of evidence of the actual costs.

Moved: Cr Bradford

Seconded: Cr Kowald

Carried by Absolute Majority 5/0

9.3 MANAGER OF WORKS AND SERVICES:

9.3.1 10 Year Road Construction Program – 2022 to 2032

Applicant:	N/A
File Ref. No:	ADM096
Disclosure of Interest:	Nil
Date:	9 th June 2022
Author:	Bruce Brennan/Stan Scott
Attachments:	9.3.1A Draft 10 Year Road Program

Summary

Council is to consider an updated draft 10 Year Road Construction Program for the years 2022 to 2032.

Background

Council's largest area of operations is completion of the annual road works program.

Planning for future years road construction programs have very long lead times. A 10 Year Road Construction Program gives staff direction on Council's intended program and this information will form the basis of grant applications. For example Council needs to submit completed applications for the 2023/24 state government funded program by 30th August 2022.

It is envisaged that Council will reconfirm their 10 Year Road Construction Program at about this time annually. This will provide opportunity for the program to respond to changes in Council and community priority and grant funding opportunities.

Funding

Roads are the Shire's largest capital and operating expense, and also the largest source of funding. Funding that will impact on the program is set out below.

Wheatbelt Secondary Freight Network

This collaboration between 42 Local Governments, the State Government (through WDC, Main Roads WA) and the Commonwealth is delivering \$170 million in funding, with potentially up to \$500 million if the present work is delivered effectively.

Cuballing has two roads that form part of a route between Wickepin and Albany Highway. That is Cuballing East Road (priority 1) and Wandering Narrogin Road (priority 2). Funding allocated to these roads over the next 5 years totals over \$15 million. For 2022-23 the allocation is \$2.85 million including a carry over of almost over \$1 million for the present year.

Regional Road Group

Each year we can access up to \$365,000, with a matching contribution of \$185,000 from Regional Road Group (RRG). RRG funding may only be applied to roads of regional significance. This is presently Stratherne Road and Congelin Narrogin Rd that are not part of the WSN. Urgent works are scheduled on Wandering Narrogin Road that are not part of the scope for WSN. We may be seeking to add a portion of Popanyinning East Road next year, which would delay works on Congelin Narrogin Road.

Bridges

There is specific bridge funding under the Financial Assistance to Local Government program. (FAGs). While this funding is paid as a tied grant to the Shire, Main Roads will build the bridges and invoice the Shire. There are two bridges funded during the life of the program.

- \$3,276,000 for a new bridge across Hotham River on **Popanyinning East Road** probably in 24-25. We are responsible for the bridge approaches and connection roads (Est up to \$1.5 million) and
- \$371,000 for a new bridge on **Wardering Road** probably in 25-26. Council is contributing \$40,000 to this bridge to allow it to be wider than the bridge it is replacing.

We are investigating the possibility of Popanyinning East Road being included on the RRG list to help fund the adjacent works.

Roads to Recovery (R2R)

This Commonwealth Program provides \$212,000 per year which may be spent over the 5 year life of the program with funds moved between years. R2R is conditional on Council maintaining its own source efforts on roads funding. The reference amount we need to achieve is approximately \$410,000 per year.

Comment

Council has been informed previously about the challenge in achieving such an extensive road program. It is not for a single year – we will be operating at 3 to 4 times our long term average roads program for the next 5 years.

This will require:

- Developing our project management skills including contracted engineering expertise;
- Contracting out significant parts of projects including stabilisation works, replacement culverts and asphalt seal widening;
- Supplementing work crews with contractors;
- Recruiting additional staff to provide back up and redundancy; and
- Ensuring that mission critical equipment is fit for purpose.

Senior staff have worked with our contract engineer to map out staff and machine hours to ensure that the program is capable of being delivered. Experience elsewhere suggests that team capability of these kinds of projects improve with experience.

A draft 10 Year Road Construction Program is included at Attachment 9.3.1A.

The draft 10 Year Road Construction Program includes:

1. Council completing \$3.7 million of works in 22/23. This compares with a program of around \$1 million in 2020-21.
2. Council receiving \$3.6 million in tied grants from the State and Federal governments in 2022-23.

3. The program includes the two WSNF projects of Cuballing East Road (almost \$6 million over 3 years) and Wandering Narrogin Road (\$9.7 million over 5 years). These projects are 93.3% funded by Commonwealth and State governments. Our contribution is 6.7%.

Collectively these projects limit out capacity to deliver other works. We will need to carefully target the type of works we undertake so that we get the best value for money from contracted works.

4. It is proposed to continue widening works on Stratherne Road in 2022-23.
5. If we can get approval to add Popanyinning East to our RRG eligible roads focus with shift in 23-24 and 24-25 to the works associated with the new bridge.

A different site for the bridge has been located upstream of the current bridge. At this point the river is narrower and reduce the size of the new bridge. Not requiring demolition of the old bridge prior to construction of the new bridge also reduces cost. This will require an extension to the Popanyinning East Road to the new bridge and the termination of the Bunmulling Road at the intersection with the Popanyinning East Road. The existing bridge can remain as a pedestrian bridge with Council to meet the full cost of ongoing maintenance.

The draft program outlines that the upgrading of this bridge is a significant community investment that will provide service for at least 50 years. It will provide ongoing benefit by reducing road safety, making the Popanyinning Road network simpler and easier to use and will allow the upgrading of the RAV rating of the surrounding roads.

6. Bridgeworks have been programmed for the one of the three bridges on Wardering Road. Bridge 4865 is programmed for a concrete overlay in 2025-26. In doing this work, Council has the opportunity to consider widening the bridges from their current 7.2 metres to 8.1 metres. Such a widening will allow for future upgrading of the roads heavy haulage permits as well as make the road safer. The anticipated cost of the widening is \$40,000.

Bridge 4864 on Wardering Road completed a concrete overlay and widening in 2018/19 for a contribution of \$27,000..

7. To effectively program works and resources it is proposed that Councils annual roadside mulching program be completed in July and August. This will mean issuing orders and starting work before budget is adopted. Council will be asked to endorse the commencement of that work.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027

ECONOMY – Our Economy, Infrastructure, Systems and Services.

Goals

- Community infrastructure and services delivered in a timely manner, are well utilised, effective and meet the expectations of the community.
- Transport systems that are functional, efficient, economical and safe, coupled with continuous improvement to meet the safety and amenity needs of the community.
- Managing community assets in a whole of life and economically sustainable manner.
- Promoting sustainable and diverse economic development opportunities that make the Shire of Cuballing an attractive place to live, work and visit.

	Strategy	Outcome
3.1	Deliver a diverse range of affordable services and infrastructure across the Shire.	A range of services, facilities and programs that the broadest community can access.
3.2	Ensure essential services and infrastructure are aligned to community needs now and in the future.	Services and infrastructure which meets the needs of the broadest community and responds to changing priorities.
3.3	Deliver and advocate for a diverse and safe transport system which is efficient and meets the needs of all users.	A diverse and safe transport system that balances the needs of all users including pedestrians, cyclists, private vehicles, public transport and freight.
3.4	Create and strengthen partnerships to advocate for and deliver community facilities, and services and major infrastructure.	The community has access to a range of education, health, cultural, recreational and transport opportunities to maximise their potential.
3.5	Maintain a robust asset management practices and maintenance programs.	Assets which meet the expectations of the community.

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

Council's contribution to the roads program in 22-23 is \$459,000, marginally more than the R2R reference amount, and this reduces to \$325,00 in 23-24. The larger amounts in the following 2 years are as a result of the works associate with the Popanyinning Bridge. This will substantially reduce if we can get RRG funding for this works. The overall cost of the road program would reduce accordingly.

Council should note that, because of the scale of this year's program work locking in contactors and materials will commence immediately and prior to adoption of the budget. This is in accordance with Section 6.8 (1)(a) of the Local Government Act.

Economic Implication

Ensuring that Council's roads are maintained and improved provides economic benefit to local industry utilising these roads.

Social Implication

In such a geographically dispersed population, ensuring that Council's roads are maintained and improved provides considerable social benefit. Ensuring appropriate road safety infrastructure also has significant social impact.

Environmental Considerations

\$1.1 million of works on Cuballing East Road has been deferred to next year due to delays in clearing permits. Clearing permits have now been approved and the bulk of clearing works for future works on WSNF projects completed.

Council has received the required environmental approvals to complete most road construction and maintenance requirements for the next ten years.

As usual, mulching works will commence in July.

Consultation

Main Roads WA
Wheatbelt Secondary Freight Network
Department of Water and Environment Regulation

Options

The Council can resolve:

1. the Officer's Recommendation;
2. to adopt an amended road program;
3. direct staff to make amendments to the draft 10 Year Road Construction Program that will be considered at a future meeting of Council.

Voting Requirements – Simple Majority

COUNCIL DECISION 2022/60

That Council adopt the draft 10 Year Road Construction Program included at Attachment 9.3.1A.

Moved: Cr Bradford

Seconded: Cr Dowdell

Carried 5/0

Voting Requirements – Absolute Majority

COUNCIL DECISION 2022/61

That Council approve the allocation of \$59,000 to the roadside mulching program for 22-23 and authorise these works to commence prior to the adoption of the annual budget.

Moved: Cr Kowald

Seconded: Cr Dowdell

Carried by Absolute Majority 5/0

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:

COUNCIL DECISION 2022/62:

That Council consider 2 items of Urgent Business presented by the CEO:

- Heating for the Cuballing Agricultural Hall; and
- Peel Harvey Catchment Council MOU.

Moved: Cr Harris

Seconded: Cr Kowald

Carried 5/0

11.1.1 Heating for Cuballing Agricultural Hall

Applicant: CEO – Stan Scott
File Ref. No: ADM 75
Disclosure of Interest: Nil
Date: 14 June 2022
Author: CEO- Stan Scott
Attachments: Air Conditioning Quote

Purpose

Council is requested to approved urgent expenditure to improve facilities at the Cuballing Hall ahead of the planned winter ball.

Background

The Winter Ball proposal discussed at the May Forum is taking shape. It will be a black tie event held on Saturday 30 July at the Cuballing Hall. There seems to be very strong support from the local business community and tickets will be in high demand.

One of the issues that has emerged during the planning of the event is some of the shortcomings of the Cuballing Agricultural Hall as a venue. Notably:

- There is no heating or cooling in the building;
- The hall lighting consists of 4 LED spotlights in two banks of two. There is no dimming. There are only two power points in the entire hall and stage area.
- The hall is all hard surfaces and the acoustics are terrible; and
- The stage curtains and hall window treatments are old and overdue for replacement.

It may be possible to make some improvements prior to the event by tapping our Local Roads and Community Infrastructure Program funding. (See forum Item 2.6)

Discussion

Air Conditioning / heating

Quotes have been obtained for 4 split system air conditioners for the Main Hall. Prices vary depending on the preferred brand:

Brand	Price (ex GST)
Toshiba	\$13,363.64
Fujitsu	\$12,157.27
Hitachi	\$13,884.55
Carrier	\$14,084.55
Mitsubishi Heavy Industries	\$16,150.91

Mitsubishi HI has been awarded the highest ranking for split system air conditioners by both Canstar and Finder. The cheapest is Fujitsu which is 32% cheaper than Mitsubishi.

The quotes do not include provision for a power upgrade, but this will be required, adding another \$2 to \$3,000 to the cost.

Electrical

Minor electrical work will be scheduled from maintenance, but if an upgrade is required this will be a separate cost.

Acoustics

We are hoping to improve the acoustics through draping hessian along the internal roof trusses. A picture rail along the back wall should allow us to hang something to dampen the sounds. This may be quilts or some other temporary treatment.

A more lasting solution may cost in the order of \$30-50,000. We are seeking professional advice at present, but there is no realistic prospect of a permanent solution prior to the ball.

Stage Curtains and drapes.

The current stage curtains are very old and worn and well past their best before date. They are also mounted too close to the edge of the stage. If we are doing upgrade work on the hall it would be worthwhile replacing the stage curtains. Supplementing the present transparent blinds with decent quality drapes on the hall windows would also go some way towards improving the acoustics.

Kitchen

Presently the kitchen is only really suitable as a serving kitchen for food prepared elsewhere. If the kitchen was to be used to fully cater events and upgrade would cost in the order of \$90,000. A minor upgrade could be achieved for a lesser investment.

Proposal

The Cuballing Hall should be the Shire's premier performance venue. Presently it is not really fit for purpose. On the rare occasions where regional events are held in Cuballing the hall is not really used, largely because of poor acoustics.

The Local Roads and Community Infrastructure Program is a rare opportunity to invest in community infrastructure projects. Allocating some of these funds to improve the usefulness of the Cuballing Hall would be a good use of some of these funds.

Proposed works are, not including a kitchen upgrade.

Item	Amount
Air Conditioning	\$13,500
Power & Lighting Upgrade	\$10,000
Stage Curtains & Drapes	\$15,000
Acoustic Treatment	\$25,000
Universal Access	\$21,500
Gardens	\$15,000
Total	\$100,000

Of these works the air conditioning, minor power upgrade and temporary acoustic treatment would be sufficient for the hall. Other works could be considered in the context of the other projects listed for consideration. An immediate allocation of \$25,000 would allow urgent works to proceed.

In the wider context of investment in public buildings there is a question of which venues should be just maintained and which justify investment and upgrade. Largely that will depend on the type of usage they are likely to attract. Those decisions will determine whether there is justification for a full kitchen upgrade.

Strategic Implications - Nil

Statutory Environment

The Local Government Act 1995 provides as follows:

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.*

Expenditure on the hall will occur or be committed before 30 June 2022 and is not included in the current budget. It requires an absolute majority decision of Council to allow the air conditioning and other minor improvements to be started immediately. The balance of works would be a matter for budget deliberation.

Policy Implications - Nil

Financial Implications - Nil

Economic Implication – Nil

Environmental Considerations - Nil

Consultation

Only internal consultation has occurred. It is notable the proposed improvements would benefit the line dancers who are the only regular users of the hall.

Options

Council may resolve whether or not to support the Officer's Recommendation.

Voting Requirements – Absolute Majority

COUNCIL DECISION 2022/63

That Council allocate \$25,000 to install air conditioning and make other minor urgent improvements to the Cuballing Agricultural Hall

Moved: Cr Bradford

Seconded: Cr Harris

Carried By Absolute Majority 5/0

Cr Harris declared an impartiality interest as he is a voluntary committee member for PHCC.

11.1.2 Peel Harvey Catchment Council MOU

Applicant:	CEO – Stan Scott
File Ref. No:	ADM 75
Disclosure of Interest:	Nil
Date:	15 June 2022
Author:	CEO- Stan Scott
Attachments:	11.1.2 A Letter from PHCC 11.1.2 B MOU Expiring 30 June 2022

Purpose

Council is requested to:

- Commit to a new 5 year MOU with Peel Harvey Catchment Council and neighbouring Shires; and
- Determine the quantum of contribution.

Background

Five years ago, the Shire of Cuballing entered into an MOU with the Peel Harvey Catchment Council and the Shires of Boddington, Williams and Wandering for NRM services in the Hotham Williams Catchment.

Under the agreement each of the Shires made an annual contribution towards the delivery of NRM services and PHCC committed to a particular level of service. The previous financial arrangements are set out in the attached MOU.

Mel Durack, Operations Manager, Land Conservation & Agriculture for PHCC presented to Council on their achievements during the period of the MOU. PHCC was a funding partner and supporter for the rehabilitation of Yornaning Dam.

Council at that presentation was very positive about the value of this collaboration.

Discussion

Based on the feedback at the presentation to Council it seems that Council would be keen to enter into a new MOU. PHCC in its correspondence has not stipulated an amount, only that it would prefer at least the same as has been paid for the last 4 years (\$5,000), or more if possible.

It is notable that:

- the Shire's contribution has not changed in the last 4 years, and
- the contribution will remain constant over the life of the new MOU; and
- Council now has a better appreciation of the value of the contribution.

It is therefore proposed that Council offer an annual contribution of \$7,500 for the 5 year life of the new MOU.

Strategic Implications

The Shire of Cuballing Strategic Community Plan includes the following goals:

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

Statutory Environment

The contribution determined by Council will be included in the annual budget.

Policy Implications - Nil

Financial Implications

An annual contribution of \$7,500 is proposed.

Economic Implication – Nil

Environmental Considerations - Nil

Consultation

Council met with PHCC representatives at the May OCM. The CEO consulted with senior staff before making the recommendation.

Options

Council may resolve whether or not to support the Officer's Recommendation.

Voting Requirements – Absolute Majority

COUNCIL DECISION 2022/64:

That Council authorise the CEO to advise PHCC that Council wishes to enter into a further 5 year MOU and agrees to offer an annual contribution of \$7,500 over the life of the new agreement.

Moved: Cr Bradford

Seconded: Cr Harris

Carried By Absolute Majority 5/0

Enquiries: Mel Durack
 Our Ref: 042_2022_0614
 File No.: BU_A_400



14 June 2022

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

Dear Stan

Memorandum of Understanding (MOU) – Hotham-Williams Shires & PHCC Partnership

Thank you for your commitment to provide funding towards our staff being located in Boddington, to assist with natural resource management/landcare support for the landowners and community of the Hotham-Williams catchment, as defined within the Hotham-Williams Natural Resource Management (NRM) Plan 2015-2025. Your support has contributed towards the reinvigoration of NRM in the upper catchment.

As presented by our Operations Manager, Land Conservation & Agriculture Mel Durack at your Council meeting in May some of the major achievements since the commencement of the current MOU include:

- Enabling leveraging of funding from the Australian Government's National Landcare Program to secure the Numbat Neighbourhood, Greening Farms and Black Cockatoo projects as well as funding for a Regional Agriculture Landcare Facilitator.
- Development of a dedicated River Action Plan and River Health Assessments for the Hotham-Williams subcatchment.
- Preparation of restoration plans for eight sites on the Hotham and Williams Rivers, including Popanyinning, Yornaning Dam and Hotham River Nature Reserve.
- Four Community Environmental Grant rounds delivered to the Hotham-Williams community since 2018/19 with PHCC cash contribution of \$750,000, leading to 94 projects which have protected 2000 ha vegetation through 144 km fencing installed and large scale feral animal and weed control.
- 50 capacity building workshops/events delivered across the Hotham-Williams sub-catchment.
- Monthly editions of the Hotham-Williams landcare matters across 4 community newsletters.

As 2021/22 is the last financial year stated within the MOU, we seek the Shire of Cuballing's support to enter into a five year extension of this agreement commencing July 2022 along with the Shire's of Boddington, Wandering and Williams to continue to support NRM activities within the Hotham-

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 Western Australia 6210

T: +61 8 6369 8800

www.peel-harvey.org.au



*We acknowledge the Noongar people as Traditional Custodians
 of this land and pay our respects to all Elders past and present*

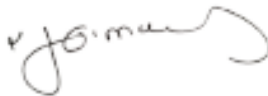
Williams subcatchment. The purpose of the new MOU is to continue to define the relationships between the Shires and the PHCC, and secondly to demonstrate a commitment to continue to work together to deliver these important community services (as defined in the Hotham-Williams NRM Plan) through cash funding and/or other support.

The PHCC is committed to NRM in the upper catchment and will continue to deliver projects with current and hopefully future funding to ensure NRM human resources are available in Hotham-Williams, as well as funding to deliver on-ground outcomes, wherever possible. The MOU with the upper catchment Local Governments is very valuable when we apply for state and federal funding, as it demonstrates the commitment of the local governments to our shared outcomes.

We would appreciate an ongoing contribution of at least your current amount of \$5,000 but would welcome an increase if possible. Subject to being advised the Council meeting outcome, PHCC would then be able to provide a 5 year MOU (July 2022 to June 2027) for the Shire's review.

Thank you again for your support, we look forward to hearing the outcome of this proposal at your Council meeting. Should you require any further information please contact Mel Durack on (08) 6369 8801 or melanie.durack@peel-harvey.org.au.

Yours sincerely



Jane O'Malley
Chief Executive Officer

Encl: Current MOU

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into between:

Peel-Harvey Catchment Council Inc.

and

The Shires of Boddington, Williams, Wandering and Cuballing

August, 2018 to August, 2023 (5 years)

(funding commencing 2017/18)

1 Purpose of the MOU

The purpose of the MOU is to formalise the partnership between the Peel-Harvey Catchment Council (PHCC) and the Shires of Boddington, Williams, Wandering and Cuballing to provide natural resource management/landcare support to the landowners and community of the Hotham-Williams catchment, as defined within the Hotham-Williams NRM Plan 2015-2025. The footprint of the works/support will extend to include those portions of the Shires of Pingelly, Collie, Narrogin and Wickiepin, within the surface water catchment of the Peel-Harvey.

The PHCC, through funding from the Australian Government and State NRM Program have been providing on-ground support to landowners across the Hotham-Williams catchment for a number of years. This support has been able to be increased in the last four years, thanks to funding received through the Australian Government via the "Rivers 2 Ramsar" project, and more recently through the National Landcare Programme. Via the PHCC approximately \$700,000 has been invested in the Hotham Williams since 2013 for on-ground projects such as fencing of rivers and bushland, revegetation, feral animal control support, weed removal and investment in community groups. It has also enabled the development of the Hotham-Williams NRM Plan, with the community, to provide a framework to implement community priorities.

A collaborative arrangement is required to continue to build the capacity of the Hotham-Williams community for ongoing natural resource management/landcare activities. The uptake and involvement of the community currently relies on the support provided by the PHCC via a locally placed NRM Officer, supported by the governance and supporting frameworks of the PHCC. Approximately \$145,000 is required per annum to continue this and this MOU defines the intended contributions of each organisation, noting that, in accordance with governance processes, each Local Government's contribution will be subject to an annual budget endorsement of that Local Government and as such the amounts shown are an intended, but non-binding contribution.

The Shires of Boddington, Williams, Wandering and Cuballing are important delivery partners and their collaborative roles with the PHCC in reinvigorating NRM in the Hotham-Williams since 2013 is acknowledged.

This MoU has two primary purposes, the first is to solidify and define the relationships between the Shires and the PHCC, and secondly to demonstrate a commitment to continue to work together to deliver these important community services (as defined in the NRM Plan) through cash funding and/or other support. The PHCC will continue to provide funding as is available to ensuring there are NRM human resources available in Hotham-Williams, as well as funding to deliver on-ground outcomes, wherever possible.

2 Roles and Responsibilities

The PHCC will be responsible for providing a NRM Officer/s (based in Boddington) to provide the knowledge, skills and resources to landowners to facilitate on ground and engagement activities. Funding will also be directed to the Hotham-Williams catchment to ensure on-ground activities can be undertaken. The PHCC will facilitate regular meetings of a steering committee, made up of community representatives from the PHCC Board, including representatives from both within and outside of the Hotham-Williams. Community representatives will also be invited, where and when appropriate, to help provide community input into the direction of NRM activities that are undertaken and ensure projects are consistent with the Hotham-Williams NRM Plan. The PHCC will ensure regular communication to the Shires on proposed activities as well as any achievements that are completed via this MoU and ongoing partnership, on a minimum of an annual basis.

The Shires commit to providing funding to help cover the cost of the gap that exists in the NRM services costs to enable the NRM officer/s to effectively provide NRM support in Hotham-Williams as outlined in the table below. The Shire will also commit to providing a Senior Staff member, or Councillor to attend at least one Steering Committee meeting each year, to provide the Shire's input into the prioritisation of activities as per the Hotham-Williams NRM Plan.

3 Funding

The below table outlines the financial needs of the position to effectively provide NRM support to the Hotham-Williams Community, and defines the agreed financial contributions of each. This funding will provide for 1 x full time equivalent officer (over 1 or more persons); Supervision and Administration; Vehicle lease and running costs; Governance, supervision and Steering Committee support.

	2017/18	2018/19	2019/20	2020/21	2021/22
Total cost of NRM Support	\$145,000	\$145,000	\$148,000	\$148,000	\$150,000
PHCC Contribution	\$105,000	\$105,000	\$108,000	\$108,000	\$110,000
Funding Gap	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
<i>Shire of Boddington Contribution</i>	\$25,000	\$25,000*	\$25,000*	\$25,000*	\$25,000*
<i>Shire of Williams Contribution</i>	\$10,000	\$5,000*	\$5,000*	TBD*	TBD*
<i>Shire of Cuballing Contribution</i>	\$2,500	\$5,000*	\$5,000*	\$5,000*	\$5,000*
<i>Shire of Wandering Contribution</i>	\$2,500	\$2,500*	\$2,500*	\$2,500*	\$2,500*
Total Funding	\$40,000	\$37,500*	\$37,500*	\$32,500*	\$32,500
Remaining Gap	\$0	\$2,500*	\$2,500*	\$7,500*	\$7,500*

*Subject to Council Approval (Annual Budget Approval Process)

4 Timeframe

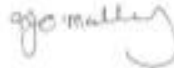
This MOU will be effective from 1 March 2018 and will be expire no later than 1 August 2023.

This Memorandum of Understanding is the complete agreement between Peel-Harvey Catchment Council and the Shires of Boddington, Williams, Wandering and Cuballing, and may only be amended by written agreement signed by each of the parties involved. The memorandum of understanding can be cancelled by either party at any time by writing to the other party and conveying their desire to exit the agreement.

The MOU to be executed by the PHCC and Shires of Boddington, Williams, Wandering and Cuballing.

PHCC

Authorised Signature:



Name and Title (Printed):

Jane O'Malley, CEO

Date:

16 February, 2018

Phone: 63698800

Email: jane.omalley@peel-harvey.org.au

Shire of Boddington

Authorised Signature:



Name and Title (Printed):

Grant Bartle, Acting CEO

Date:

16 February, 2018

Phone: 9883 4999

Email: ceo@boddington.wa.gov.au

Shire of Williams

Authorised Signature:



Name (Printed):

Geoff McKeown, CEO

Date:

16 February 2018

Phone: 9885 1005

Email: ceo@williams.wa.gov.au

Shire of Wandering

Authorised Signature:



Name and Title (Printed):

Amanda O'Halloran, CEO

Date:

16 February, 2018

Phone: 9884 1056

Email: ceo@wandering.wa.gov.au

Shire of Cuballing

Authorised Signature:



Name and Title (Printed):

Gary Sherry, CEO

Date:

16 February, 2018

Phone: 08 9883 6031

Email: ceo@cuballing.wa.gov.au

12. CONFIDENTIAL MATTERS:

Nil

13. NEXT MEETING:

Special Council Meeting, 4.00pm, Wednesday 22nd June 2022 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

Ordinary Council Meeting, 2.00pm. Wednesday 20th July 2022 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing

14. CLOSURE OF MEETING:

There being no further business, the Shire President, Cr Dowling, closed the meeting at 3.37pm.