

*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 21st SEPTEMBER 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.

1.	DECLARATION OF OPENING:	2
2.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:	2
2.1.1	Attendance	2
2.1.2	Apologies.....	2
2.1.3	Leave of Absence.....	2
3.	STANDING ORDERS:	2
4.	PUBLIC QUESTION TIME:	2
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:	2
4.2	WRITTEN QUESTIONS PROVIDED IN ADVANCE:	2
4.3	PUBLIC QUESTIONS FROM THE GALLERY:	3
5.	APPLICATIONS FOR LEAVE OF ABSENCE:	3
6.	CONFIRMATION OF MINUTES:	3
6.1.1	Ordinary Meeting of Council held on Wednesday 17th August 2022 .	3
7.	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:	3
8.	DISCLOSURE OF FINANCIAL INTEREST:	3
9.	REPORTS OF OFFICERS AND COMMITTEES:	4
9.1	DEPUTY CHIEF EXECUTIVE OFFICER:	4
9.1.1	List of Payments – August 2022.....	4
9.1.2	Statement of Financial Activity – July 2022	12
9.1.3	Statement of Financial Activity – August 2022	36
9.1.4	Sundry Debtor Write Off	60
9.2	CHIEF EXECUTIVE OFFICER:	62
9.2.1	Scheme Amendment No. 6 to the Shire of Cuballing Local Planning Scheme No. 2.....	62
9.2.2	WALGA 2021 AGM – Member Motions.....	109
9.2.3	Camping Event at Cuballing Recreation Centre	144
9.2.4	Southwest Native Title Settlement – Reserve 19794	148
9.2.5	Southwest Native Title Settlement – Reserve 4239	157
9.2.6	Firebreak Order 2022/23	163
9.3	MANAGER OF WORKS AND SERVICES:	170
10.	ELECTED MEMBERS’ MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:	170
11.	URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:	170
12.	CONFIDENTIAL MATTERS:	170
13.	NEXT MEETING:	170
14.	CLOSURE OF MEETING:	170

1. DECLARATION OF OPENING:

Cr Dowling declared the meeting open at 2.02 pm

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

2.1.2 Apologies

Mr Bruce Brennan	Manager of Works and Services
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2.1.3 Leave of Absence

Nil

3. STANDING ORDERS:

COUNCIL DECISION 2022/93:

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

Moved: Cr Christensen

Seconded: Cr Dowdell

Carried 6/0

4. PUBLIC QUESTION TIME:

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:

Nil

4.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

Nil

4.3 PUBLIC QUESTIONS FROM THE GALLERY:

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Wednesday 17th August 2022

COUNCIL DECISION 2022/94

That the Minutes of the Ordinary Meeting of Council held on Wednesday 17th August 2022 be confirmed as a true record of proceedings.

Moved Cr Harris

Seconded Cr Dowdell

Carried 6/0

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

Nil

8. DISCLOSURE OF FINANCIAL INTEREST:

Cr Bradford declared a proximity interest in relation to Item 9.2.4 – he owns land adjacent to Reserve 19794.

9. REPORTS OF OFFICERS AND COMMITTEES:

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1 List of Payments – August 2022

File Ref. No:	NA
Disclosure of Interest:	Nil
Date:	7 th September 2022
Author:	Nichole Gould
Attachments:	9.1.1A List of August Municipal Accounts 9.1.1B Credit Card Transactions 9.1.1C Petty Cash & Coles Card Transactions

Summary

Council is to review payments made under delegation in August 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 August 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 2022/95

That Council receives:

- 1. the List of Accounts paid in August 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 \$657,871.83 included at Attachment 9.1.1A; and**
- 2. a summary of transactions completed on Credit Cards by Council Staff for the period ending 3rd August 2022 included at Attachment 9.1.1B**
- 3. a summary of transactions completed on the Coles Cards for the period ending 5th August 2022**

Moved Cr Christensen

Seconded Cr Kowald

Carried 6/0

LIST OF AUGUST 2022 MUNICIPAL FUND ACCOUNTS

Chq/EFT	Name	Description	Amount
01082022	Police Licensing	Police Licensing Payments	9,117.55
02082022	Police Licensing	Police Licensing Payments	267.75
04082022	Police Licensing	Police Licensing Payments	983.75
05082022	Police Licensing	Police Licensing Payments	944.40
08082022	Police Licensing	Police Licensing Payments	71.20
09082022	Police Licensing	Police Licensing Payments	46.90
10082022	Police Licensing	Police Licensing Payments	1,320.80
11082022	Police Licensing	Police Licensing Payments	195.75
12082022	Police Licensing	Police Licensing Payments	4,942.35
15082022	Police Licensing	Police Licensing Payments	107.10
16082022	Police Licensing	Police Licensing Payments	683.85
17082022	Police Licensing	Police Licensing Payments	285.20
18082022	Police Licensing	Police Licensing Payments	100.00
19082022	Police Licensing	Police Licensing Payments	1,005.40
22082022	Police Licensing	Police Licensing Payments	558.60
22082022	ATO Clearing Account BAS	ATO Clearing Account BAS	15,284.00
23082022	Police Licensing	Police Licensing Payments	45.00
25082022	Police Licensing	Police Licensing Payments	1,201.45
26082022	Police Licensing	Police Licensing Payments	83.95
29082022	Police Licensing	Police Licensing Payments	904.95
30082022	Police Licensing	Police Licensing Payments	1,241.20
31082022	Police Licensing	Police Licensing Payments	230.50
EFT7240	Ace Bookkeeping Solutions	Administration support for DCEO	2,024.00
EFT7241	Air Response	Supply and install 4 x Mitsubishi Split inverter Air-conditioners	19,366.00
EFT7242	Bruce Brennan	Electricity Charges - 50% for MWS 17/05/2022 - 14/07/2022	124.08
EFT7243	Christine Hill Food	Catering for Cuballing Winter ball	5,250.00
EFT7244	Cloud Payment Group	Debt Collection Services. 2022/2023	779.90
EFT7245	DX Print Group Pty Ltd	DL Brochure - Rates Newsletter	330.00
EFT7246	Elisa Alice Dowling	Performance by Trip for Winter Ball	800.00
EFT7247	Earl Street Surgery	Flu Vaccinations - Shire of Cuballing Staff	180.00
EFT7248	Exteria Street & Park Outfitters	3x vasse composite seats	3,598.10
EFT7249	Farmworks Narrogin	1 x1000lt Pod of Roundup Ultramax	13,695.00
EFT7250	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery	10,390.75

Chq/EFT	Name	Description	Amount
EFT7251	Hancocks Home Hardware	Monthly Account - Materials for the Winter Ball	324.45
EFT7252	Kalexpress & Quality Transport	Freight Charges - ITR WA	49.61
EFT7253	Makit Narrogin Hardware	Monthly Account -Pick up Tools, 20mm Screws and 25mm, Brass tap adaptor	191.40
EFT7254	Narrogin Auto Electrics	1 x set heavy duty jumper leads Hella receptacles fittings to suit Cat machines Jump start extension leads to bolt onto Batteries for Hino	1,384.90
EFT7255	Narrogin Freightlines	Freight Charges - Storm Water Lid	281.03
EFT7256	Narrogin Valley Stockfeed & Gas	1 x 45kg Gas Bottle	350.00
EFT7257	Narrogin Glass & Quickfit Windscreens & Narrogin Window Tinting	4 x roller door wheels	45.90
EFT7258	Ozlite Pty Ltd	4 x Lithium replacement batteries	939.46
EFT7259	Shire of Westonia	LGIS Intermunicipal Golf Tournament	2,200.00
EFT7260	Stallion Homes	June Progress Claim for Works Complete at Cuballing Independent Living Units	84,749.98
EFT7261	Steele's Guns and Outdoors	2 x reece hitch tow blocks 4 x dampner bags 1 x snatch strap	439.85
EFT7262	Zircodata Pty Ltd	Monthly archive storage fee	16.55
EFT7263	Cuby Roadhouse	Monthly Account - Postage, Fuel & Catering	1,034.85
EFT7264	Cuby Tavern	Catering	120.00
EFT7265	Reinforced Concrete Pipes	Supply all concrete pipes as per	8,491.12
EFT7266	Shire of Narrogin	Ranger Services 22/23 Labour and Travel - 21/07/2022	138.00
EFT7267	Builders Registration Board Building Commission	Building Services Levy - Remittance Advice July 2022	56.65
EFT7268	All West Building Approvals	Certificate of Building Compliance	3,608.00
EFT7269	Bill & Bens Hot Bread Shop	Catering - Community Builders cluster muster meeting Cuballing	50.00
EFT7270	BKS Electrical	Upgrade mains power to Cuballing Ag Hall for Air Conditioners	3,936.90

Chq/EFT	Name	Description	Amount
EFT7271	BMR Mechanical Pty Ltd	Find water leak and pressurised cooling system	159.04
EFT7272	Corsign (WA) Pty Ltd	4 x Keep left signs 4 x Kangaroo signs	484.00
EFT7273	Edge Planning & Property	Town Planning Service - July 2022	804.65
EFT7274	Farmworks Narrogin	60 x bags rapid set Concrete	965.32
EFT7275	Industrial Automation Group Pty Ltd	Annual Remote Server Fee 2022/23	2,031.70
EFT7276	Intelife Group	Tree Mulching - various roads	34,243.22
EFT7277	Kalexpress & Quality Transport	Freight Charges - DX Print Group	42.75
EFT7278	Narrogin Earthmoving and Concrete	15 days Rubber Tyred Roller Hire with operator for shoulder grading	20,264.75
EFT7279	Narrogin Freightlines	Freight Charges - RCPA Concrete Pipes	2,953.37
EFT7280	Narrogin Packaging and Motorcycles & Accessories	12x round stand up tables	291.00
EFT7281	Parrys Narrogin	Staff Uniforms	1,033.75
EFT7282	Reinforced Concrete Pipes	Supply all concrete pipes, Headwall 375 to Suite Pipe	12,836.52
EFT7283	Shire of Narrogin	Ranger Services 22/23 Labour and Travel - 27/07/2022	241.50
EFT7284	Tutt Bryant Equipment	2 x air hose assembly for Bomag roller	213.73
EFT7285	WA Local Government Association (WALGA)	WALGA Membership & Subscriptions 2022/2023	24,100.36
EFT7286	Winc Australia Pty Limited	Stationery	379.34
EFT7287	Down to Earth Training & Assessing	Staff Training	259.48
EFT7288	Department Fire and Emergency Services	FESA Levy 2022/2023	62,589.00
EFT7289	Fulford Earthmoving & Civil	Push up 5,000m ³ Gravel at Burgess Pit	29,287.50
EFT7290	Farmworks Narrogin	12 x Bundles of 45 Droppers 1.17	2,303.40
EFT7291	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery	8,775.20
EFT7292	Great Southern Waste Disposal	Rubbish Removal - Recycling Service	6,055.76
EFT7293	Ipec Pty Ltd (Toll)	Freight Charges - Tutt Bryant	11.01
EFT7294	Landgate	Monthly Interim UV & GRV Scheduled Roll. 2022/2023	88.70

Chq/EFT	Name	Description	Amount
EFT7295	Local Health Authorities Analytical Committee	Analytical Services 2022/2023 Proportional contribution based on population for the cost of the Local Health Authorities Analytical Committee	396.00
EFT7296	Narrogin Country Fresh Meats	Catering	138.69
EFT7297	Narrogin Stihl	2 x Chainsaw Chaps	625.81
EFT7298	R Munns Engineering Consulting Services	Complete Design and draft 85% For Popanyinning East Bunmulling roads New Bridge alignment 5420	14,446.88
EFT7299	Stallion Homes	July Progress Claim for Works Complete at the Cuballing Independent Units	178,906.29
EFT7300	Tutt Bryant Equipment	500 Hour Service of Bomag Roller	1,864.46
EFT7301	Whitford Fertilisers Narrogin	Weighbridge - Waste Management - Month of July 2022	38.50
EFT7302	Great Southern Waste Disposal	Rubbish Removal - Recycling Service	5,329.76
20155	Synergy	Electricity Charges - Street Lights	678.81
20156	Shire of Cuballing	Groceries - Cuballing Winter Ball	274.85
20157	Water Corporation	Water Charges - 82 Austral Street Cuballing	660.10
20158	Shire of Cuballing	Additional Kerbside Rubbish & Recycling Charge	2,717.00
20159	Shire of Cuballing	Building Permit/Certificate Fees Aged Independent Living Units	1,976.75
20160	Water Corporation	Water Charges - Private Standpipe at Ridley Street Cuballing	1,296.28
DD3170.1	Hostplus Super	Payroll deductions	817.77
DD3170.2	Aware Super Pty Ltd	Payroll deductions	4,682.09
DD3170.3	Matrix Superannuation	Superannuation contributions	195.21
DD3170.4	Australian Super	Payroll deductions	1,738.83
DD3170.5	CBUS	Superannuation contributions	526.50
DD3170.6	Colonial First State	Superannuation contributions	574.17
DD3182.1	inet Limited	NBN Wireless Limitless Boost Internet Inc LNM Calls	89.99
DD3186.1	Telstra	Phone Charges - Works Crew	287.51
DD3196.1	Hostplus Super	Payroll deductions	825.95
DD3196.2	Aware Super Pty Ltd	Payroll deductions	4,643.57
DD3196.3	Matrix Superannuation	Superannuation contributions	198.47
DD3196.4	Australian Super	Payroll deductions	1,645.75

Chq/EFT	Name	Description	Amount
DD3196.5	CBUS	Superannuation contributions	526.50
DD3196.6	Colonial First State	Superannuation contributions	574.17
DD3208.1	National Australia Bank	Credit Card Charges	7,355.25
DD3210.1	Telstra	Telephone Charges - Landline	282.12
DD3219.1	Hostplus Super	Payroll deductions	827.13
DD3219.2	Aware Super Pty Ltd	Payroll deductions	4,678.09
DD3219.3	Matrix Superannuation	Superannuation contributions	206.84
DD3219.4	Australian Super	Payroll deductions	1,761.89
DD3219.5	CBUS	Superannuation contributions	526.50
DD3219.6	Colonial First State	Superannuation contributions	574.17
			657,871.83

CREDIT CARD TRANSACTIONS

SUPPLIER	DETAIL OF PURCHASE	TOTAL
Bloomex	2 X Bouquets of Flowers – Winter ball	114.95
Department of Water and Environmental Regulation	Annual Licence	324.80
Office works	Square Contactless Reader - Winter Ball	123.95
Cockburn Central Station	Train ticket (training)	5.00
Fluid Management Technology	Smartfill Ibutton Key	374.00
Aussie Broadband	Monthly Internet Service	79.00
Victoria Hotel Collie	Meals	55.00
Shire of Cuballing	Fleet Schedule - Vehicle Registrations	6278.55
		7355.25

COLES CARD

Item details	Refreshments 04105	Office Main J4114	Events J132Y	GST10%	Total
Groceries	85.55		109.50	15.15	195.05
Misc (Cleaning supplies)		79.80		7.25	79.80
Stationery/Postage					0.00
Outside Staff Goods					0.00
Staff					0.00
Licensing					0.00
	85.55	79.80	109.50	22.40	274.85

9.1.2 Statement of Financial Activity – July 2022

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	16 th September 2022
Author:	Fred Steer, Deputy Chief Executive Officer
Attachments:	9.1.2A Statement of Financial Activity

Summary

Council is to consider the Statement of Financial Activity for July 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 in July 2022;
- Transport – First 40% of Regional Road Group claims have been submitted;
- Financial Assistance Grants – early payment of 2022/23 grant has been received;

Operating Expenses – The key items of variance include:

- Employee costs are underbudget due to timing of engaging new staff;
- Overall expenses underbudget; and
- Capital acquisitions are underbudget – due to timing of major projects.

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

Administration Allocations have been calculated to 31st July 2022.

Depreciation expense is calculated to 31st July 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 2022/96

That the Statement of Financial Activity, as included at Attachment 9.1.2A for the Shire of Cuballing for period ending 31st July 2022 be received.

Moved Cr Kowald

Seconded Cr Christensen

Carried 6/0

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 31 July 2022

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

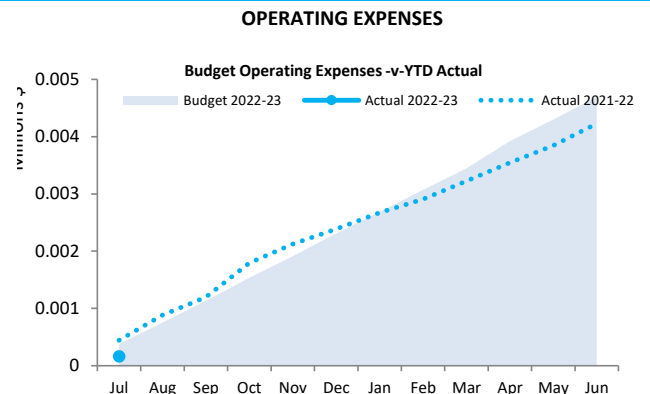
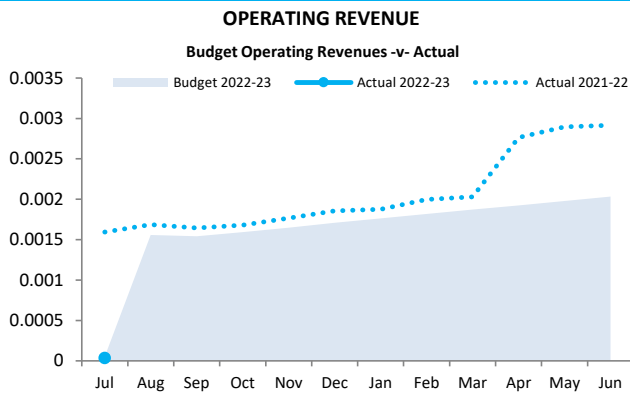
TABLE OF CONTENTS

Statement of Financial Activity by Nature or Type	5
Basis of Preparation	6
Note 1 Statement of Financial Activity Information	7
Note 2 Cash and Financial Assets	8
Note 3 Receivables	9
Note 4 Other Current Assets	10
Note 5 Payables	11
Note 6 Disposal of Assets	12
Note 7 Capital Acquisitions	13
Note 8 Borrowings	14
Note 9 Reserve Accounts	16
Note 10 Other Current Liabilities	17
Note 11 Operating grants and contributions	18
Note 12 Non operating grants and contributions	19
Note 13 Trust Fund	20
Note 14 Budget Amendments	21
Note 15 Explanation of Material Variances	22

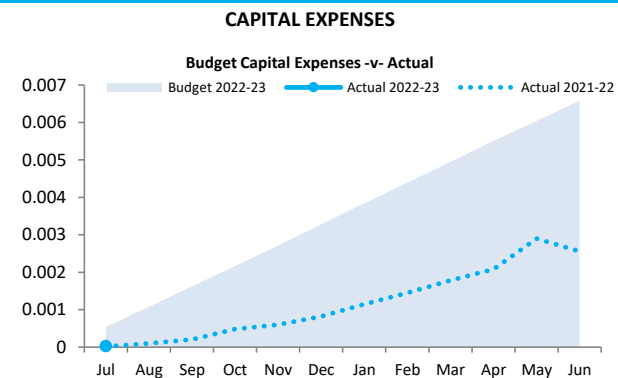
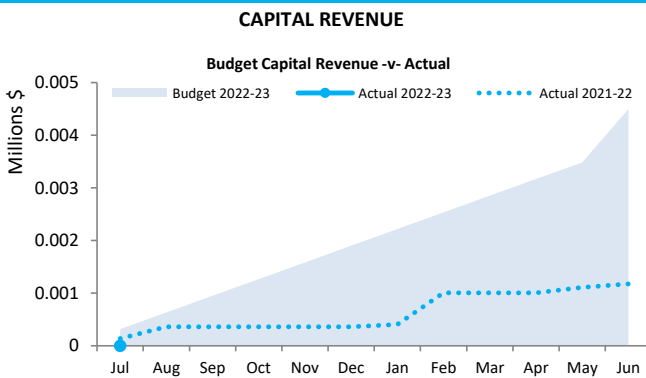
**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 JULY 2022**

SUMMARY INFORMATION - GRAPHS

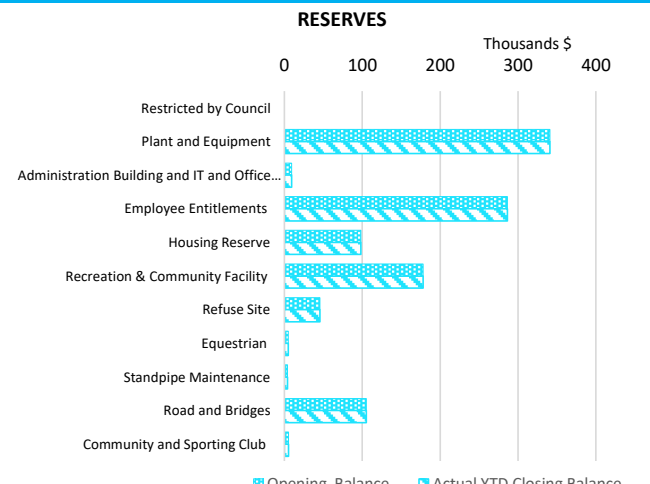
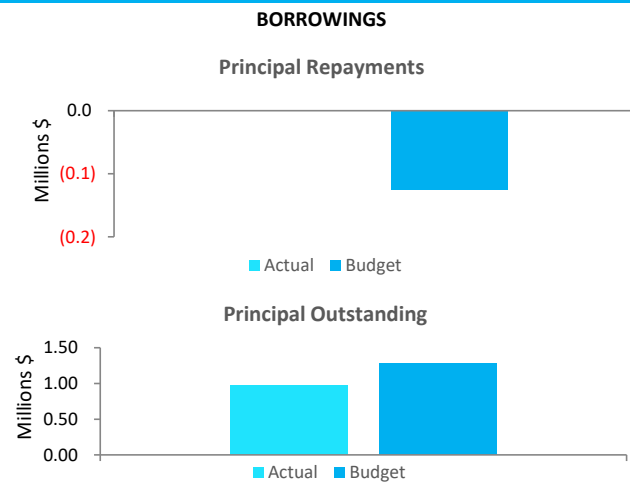
OPERATING ACTIVITIES



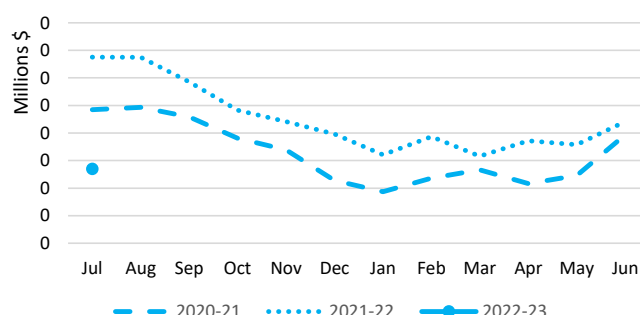
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



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

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 JULY 2022**

EXECUTIVE SUMMARY

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$1.51 M	\$1.51 M	\$1.51 M	\$0.00 M
Closing	(\$0.10 M)	\$1.13 M	\$1.35 M	\$0.22 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$1.82 M	62.8%
Restricted Cash	\$1.08 M	37.2%

Refer to Note 2 - Cash and Financial Assets

Payables		% Outstanding
	\$	
Trade Payables	\$0.02 M	
0 to 30 Days		0.0%
Over 30 Days		0.0%
Over 90 Days		0%

Refer to Note 5 - Payables

Receivables		
	\$	%
Rates Receivable	\$0.14 M	3.6%
Trade Receivable	\$0.12 M	% Outstanding
Over 30 Days		99.9%
Over 90 Days		1.9%

Refer to Note 3 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.52 M)	(\$0.15 M)	(\$0.13 M)	\$0.03 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$0.00 M	
YTD Budget	\$0.00 M	0.0%

Refer to Statement of Financial Activity

Operating Grants and Contributions		
	\$	% Variance
YTD Actual	\$0.02 M	
YTD Budget	\$0.04 M	(48.8%)

Refer to Note 11 - Operating Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$0.01 M	
YTD Budget	\$0.01 M	11.9%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$1.83 M)	(\$0.22 M)	(\$0.03 M)	\$0.19 M

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.00 M	
Adopted Budget	\$0.25 M	(100.0%)

Refer to Note 6 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$0.03 M	
Adopted Budget	\$6.58 M	(99.6%)

Refer to Note 7 - Capital Acquisitions

Capital Grants		
	\$	% Received
YTD Actual	\$0.00 M	
Adopted Budget	\$4.50 M	(100.0%)

Refer to Note 7 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.75 M	\$0.00 M	\$0.00 M	\$0.00 M

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.00 M
Interest expense	\$0.00 M
Principal due	\$0.97 M

Refer to Note 8 - Borrowings

Reserves	
Reserves balance	\$1.08 M
Interest earned	\$0.00 M

Refer to Note 9 - Cash Reserves

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

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 31 JULY 2022

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers 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 identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

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, and 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 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, reimbursements etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

EXPENSES

EMPLOYEE COSTS

All costs associated 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, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, 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)

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

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets. Excluding Land.

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, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2022**

BY NATURE OR TYPE

	Ref	Adopted Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Var.
	Note	(a)	(b)	(c)	(c) - (b)	((c) - (b))/(b)	
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	1,506,177	1,506,177	1,506,177	0	0.00%	
Revenue from operating activities							
Rates		1,378,840	0	0	0	0.00%	
Operating grants, subsidies and contributions	11	441,431	36,782	18,823	(17,959)	(48.83%)	▼
Fees and charges		149,696	12,464	13,950	1,486	11.92%	
Interest earnings		11,300	939	2,149	1,210	128.86%	
Other revenue		42,930	3,576	2,395	(1,181)	(33.03%)	
Profit on disposal of assets	6	8,833	0	0	0	0.00%	
		2,033,030	53,761	37,317	(16,444)	(30.59%)	
Expenditure from operating activities							
Employee costs		(1,103,795)	(91,937)	(118,145)	(26,208)	(28.51%)	▼
Materials and contracts		(1,106,927)	(91,524)	(38,910)	52,614	57.49%	▲
Utility charges		(62,635)	(5,203)	(6,263)	(1,060)	(20.37%)	
Depreciation on non-current assets		(2,035,605)	(169,626)	0	169,626	100.00%	▲
Interest expenses		(47,954)	0	0	0	0.00%	
Insurance expenses		(161,952)	(13,483)	(971)	12,512	92.80%	▲
Other expenditure		(61,810)	(5,148)	(811)	4,337	84.25%	
Loss on disposal of assets	6	(116,000)	0	0	0	0.00%	
		(4,696,678)	(376,921)	(165,100)	211,821	(56.20%)	
Non-cash amounts excluded from operating activities	1(a)	2,142,772	169,626	0	(169,626)	(100.00%)	▼
Amount attributable to operating activities		(520,876)	(153,534)	(127,783)	25,751	(16.77%)	
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	12	4,496,101	316,820	0	(316,820)	(100.00%)	▼
Proceeds from disposal of assets	6	250,000	0	0	0	0.00%	
Payments for property, plant and equipment and infrastructure	7	(6,580,923)	(536,964)	(27,630)	509,334	94.85%	▲
Amount attributable to investing activities		(1,834,822)	(220,144)	(27,630)	192,514	(87.45%)	
Financing Activities							
Proceeds from new debentures	8	440,000	0	0	0	0.00%	
Transfer from reserves	9	444,887	0	0	0	0.00%	
Repayment of debentures	8	(124,980)	0	0	0	0.00%	
Transfer to reserves	9	(14,245)	0	0	0	0.00%	
Amount attributable to financing activities		745,662	0	0	0	0.00%	
Closing funding surplus / (deficit)	1(c)	(103,859)	1,132,499	1,350,764	218,265	(19.27%)	▲

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Refer to Note 15 for an explanation of the reasons for the variance.

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

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 JULY 2022**

BASIS OF PREPARATION

BASIS OF PREPARATION

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying Regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has 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 Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 13 to these financial statements.

SIGNIFICANT ACCOUNTING POLICES

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 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 not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimation of fair values of certain financial assets
- estimation of fair values of fixed assets shown at fair value
- impairment of financial assets

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.

ROUNDING OFF FIGURES

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

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 16 September 2022

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

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	6	(8,833)	0	0
Add: Loss on asset disposals	6	116,000	0	0
Add: Depreciation on assets		2,035,605	169,626	0
Total non-cash items excluded from operating activities		2,142,772	169,626	0

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

		Adopted Budget Opening 30 June 2022	Last Year Closing 30 June 2022	Year to Date 31 July 2022
Adjustments to net current assets				
Less: Reserves - restricted cash	9	(1,078,080)	(1,078,080)	(1,078,080)
Add: Borrowings	8	124,980	(1)	(1)
Add: Provisions employee related provisions	10	260,765	260,766	260,766
Total adjustments to net current assets		(692,335)	(817,315)	(817,315)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	3,007,541	3,007,541	2,899,086
Rates receivables	3	144,603	144,603	139,354
Receivables	3	126,456	126,456	121,048
Other current assets	4	5,613	5,613	5,613
Less: Current liabilities				
Payables	5	(5,732)	(5,732)	(42,031)
Borrowings	8	(124,980)	1	1
Contract liabilities	10	(694,224)	(694,224)	(694,224)
Provisions	10	(260,765)	(260,766)	(260,766)
Less: Total adjustments to net current assets	1(b)	(692,335)	(817,315)	(817,315)
Closing funding surplus / (deficit)		1,506,177	1,506,177	1,350,764

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. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

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

OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Municipal Cash at Bank		267,545	0	267,545		NAB	0.01%	N/A
Municipal Cash Investments (Online and at call account)		1,552,630	0	1,552,630		NAB	0.35%	N/A
Term Deposits		131	1,078,080	1,078,211		NAB	TBA	TBA
Petty Cash		700	0	700		N/A	N/A	N/A
Total		1,821,006	1,078,080	2,899,086	0			
Comprising								
Cash and cash equivalents		1,821,006	1,078,080	2,899,086	0			
		1,821,006	1,078,080	2,899,086	0			

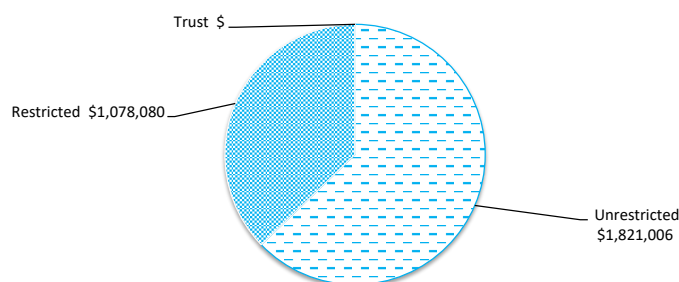
KEY INFORMATION

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

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

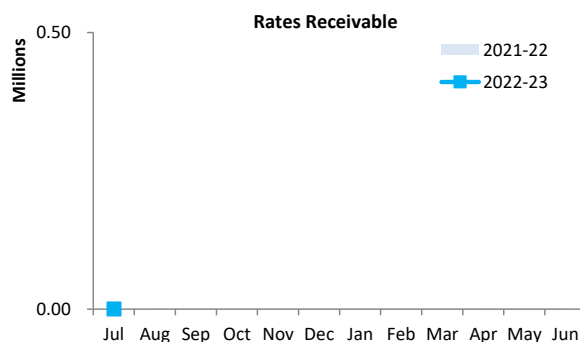
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



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

**OPERATING ACTIVITIES
NOTE 3
RECEIVABLES**

Rates receivable	30 Jun 2022	31 Jul 2022
	\$	\$
Opening arrears previous years	143,603	144,603
Levied this year	0	0
Less - collections to date	1,000	(5,249)
Gross rates collectable	144,603	139,354
Net rates collectable	144,603	139,354
% Collected	-0.7%	3.6%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(2)	162	1,666	116,946	2,275	121,047
Percentage	0.0%	0.1%	1.4%	96.6%	1.9%	
Balance per trial balance						
Sundry receivable						121,047
GST receivable						1
Total receivables general outstanding						121,048

Amounts shown above include GST (where applicable)

KEY INFORMATION

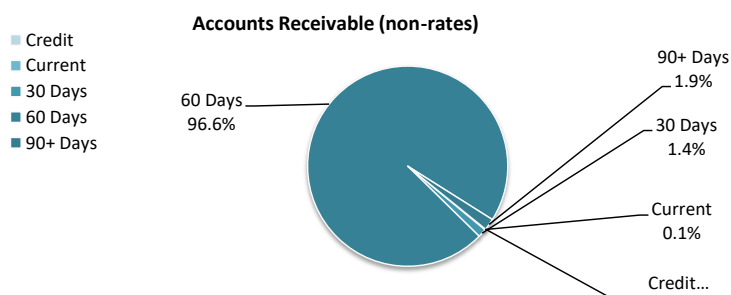
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



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

**OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS**

	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 31 July 2022
Other current assets	\$	\$	\$	\$
Inventory				
Fuel	5,613	0	0	5,613
Total other current assets	5,613	0	0	5,613

Amounts shown above include GST (where applicable)

KEY INFORMATION

Inventory

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 JULY 2022**

**OPERATING ACTIVITIES
NOTE 5
PAYABLES**

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	0	0	0	0	0
Percentage	0%	0%	0%	0%	0%	
Balance per trial balance						
Sundry creditors						21,636
Accrued salaries and wages						10,809
ATO liabilities						1
Bonds & Deposits						9,585
Total payables general outstanding						42,031

Amounts shown above include GST (where applicable)

KEY INFORMATION

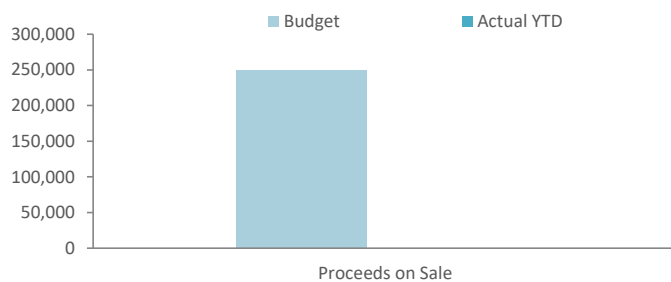
Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



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

OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Transport								
	Komatsu Grader	197,500	100,000	0	(97,500)	0	0	0	0
	Komatsu Loader	118,500	100,000	0	(18,500)	0	0	0	0
	Toyota Prado	41,167	50,000	8,833	0	0	0	0	0
		357,167	250,000	8,833	(116,000)	0	0	0	0



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

**INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS**

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	2,047,255	159,767	3,551	(156,216)
Plant and equipment	874,217	72,848	0	(72,848)
Infrastructure - roads	3,580,451	297,766	24,079	(273,687)
Infrastructure - bridges	55,000	4,583	0	(4,583)
Infrastructure - parks, ovals & playgrounds	24,000	2,000	0	(2,000)
Payments for Capital Acquisitions	6,580,923	536,964	27,630	(509,334)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	4,496,101	316,820	0	(316,820)
Borrowings	440,000	0	0	0
Other (disposals & C/Fwd)	250,000	0	0	0
Cash backed reserves				
Plant and Equipment	(340,000)		0	0
Housing Reserve	(20,000)		0	0
Recreation & Community Facility	(84,887)		0	0
Contribution - operations	1,839,709	220,144	27,630	(192,514)
Capital funding total	6,580,923	536,964	27,630	(509,334)

SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

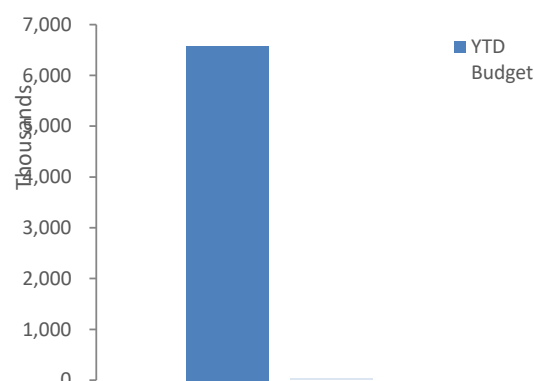
Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions

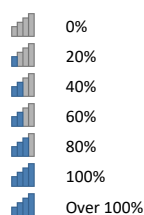


NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2022

INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS (CONTINUED)

Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

Account Description	Adopted			Variance (Under)/Over
	Budget	YTD Budget	YTD Actual	
	\$	\$	\$	\$
Buildings				
C084 Aged Persons Accommodation Capital Expense	1,149,064	95,755	0	(95,755)
C162 Cuballing Town Hall - Capital Works	250,000	20,833	2,141	(18,692)
C164 Building Renewal - Cuballing Cwa Hall	293,304	24,441	0	(24,441)
C173 Skate Park Refurbishment	15,000	1,250	0	(1,250)
C197 Yornaning Mountain Bike Track	0	0	1,410	1,410
C203 Yornaning Mountain Bike Track	99,887	8,322	0	(8,322)
J163A Cuballing War Memorial	100,000	8,333	0	(8,333)
11057 CCTV Camera's	30,000	0	0	0
J4114D Shire Office Back Area Upgrade	100,000	0	0	0
12145 Capital Expenditure - Depot Upgrade	10,000	833	0	(833)
Total Buildings	2,047,255	159,767	3,551	(156,216)
Furniture & Equipment				
Nil	0	0	0	0
Total Furniture & Equipment	0	0	0	0
Plant & Equipment				
12411 Two Way system for Plant	20,000	1,666	0	(1,666)
12412 Capital Purchase - Grader	440,000	36,666	0	(36,666)
12414 Capital Purchase - CEO Vehicle Prado GXL	57,717	4,809	0	(4,809)
12419 Capital Expenditure - Plant & Equipment - Loader and Attachmen	350,000	29,166	0	(29,166)
12420 Capital Expenditure - Plant & Equipment - Mower	6,500	541	0	(541)
Total Plant & Equipment	874,217	72,848	0	(72,848)
Roads				
R001E Rrg Stratherne Rd 2022/23	210,600	17,546	5	(17,541)
R129F Wandering-Narrogin Road 2022/23	269,400	22,448	6	(22,442)
RTR014 Contine Siding Floodway	41,750	3,477	0	(3,477)
RTR042 Dent Road Floodway	37,424	3,115	0	(3,115)
RTR052 Youngs Road Floodway	40,660	3,385	0	(3,385)
RTR056 Lol Gray Soak Road Floodway	74,927	6,242	0	(6,242)
RTR129 R2R Wandering Narrogin Road Final Seal	40,050	3,337	0	(3,337)
BS129 Blackspot - Wandering Narrogin Road	7,000	0	0	0
WSF006 Wheatbelt Secondary Freight Network Cuballing East Road	1,090,148	90,844	10,026	(80,818)
WSF007 Wheatbelt Secondary Freight Network 2022/23 Cuby East Road	1,509,832	125,817	14,036	(111,781)
WSF129 Wheatbelt Secondary Freight Narrogin Wandering Road	258,660	21,555	6	(21,549)
Total Roads	3,580,451	297,766	24,079	(273,687)
Bridges				
11214 Bridge Improvements - Capital Upgrades	55,000	4,583	0	(4,583)
Total Bridges	55,000	4,583	0	(4,583)
Parks, Ovals & Playgrounds				
11128 Expenditure - Sporting Club Upgrades	24,000	2,000	0	(2,000)
Total Parks, Ovals & Playgrounds	24,000	2,000	0	(2,000)
TOTAL CAPITAL EXPENDITURE	6,580,923	536,964	27,630	(509,334)

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

FINANCING ACTIVITIES

NOTE 8

BORROWINGS

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2022	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Education and welfare										
Aged Accommodation	65	850,000	0	0	0	(68,849)	850,000	781,151	0	(37,891)
Transport										
Grader	67	0	0	440,000	0	(40,671)	0	399,329	0	(7,639)
Other property and services										
Austral Land	64	115,572	0	0	0	(15,460)	115,572	100,112	0	(2,424)
Total		<u>965,572</u>	<u>0</u>	<u>440,000</u>	<u>0</u>	<u>(124,980)</u>	<u>965,572</u>	<u>1,280,592</u>	<u>0</u>	<u>(47,954)</u>
Current borrowings		124,980					(1)			
Non-current borrowings		<u>840,592</u>					<u>965,573</u>			
		965,572					965,572			

All debenture repayments were financed by general purpose revenue.

The Shire has no unspent debenture funds as at 30th June 2021, nor is it expected to have unspent funds as at 30th June 2022.

KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

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

OPERATING ACTIVITIES
NOTE 9
RESERVE ACCOUNTS

Reserve accounts

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by Council									
Plant and Equipment	341,028	1,960		0	0	(340,000)	0	2,988	341,028
Administration Building and IT and Office	9,160	32		0	0	0	0	9,192	9,160
Employee Entitlements	286,388	1,067		0	0	0	0	287,455	286,388
Housing Reserve	98,316	367		0	0	(20,000)	0	78,683	98,316
Recreation & Community Facility	178,242	792		0	0	(84,887)	0	94,147	178,242
Refuse Site	45,472	205		0	0	0	0	45,677	45,472
Equestrian	4,915	50		5,245	0	0	0	10,210	4,915
Standpipe Maintenance	4,100	20		0	0	0	0	4,120	4,100
Road and Bridges	105,137	486		0	0	0	0	105,623	105,137
Community and Sporting Club	5,322	21		4,000	0	0	0	9,343	5,322
	1,078,080	5,000	0	9,245	0	(444,887)	0	647,438	1,078,080

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

OPERATING ACTIVITIES
NOTE 10
OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2022	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 July 2022
Other current liabilities		\$		\$	\$	\$
Other liabilities						
- Capital grant/contribution liabilities		694,224	0	0	0	694,224
Total other liabilities		694,224	0	0	0	694,224
Employee Related Provisions						
Annual leave		108,129	0			108,129
Long service leave		152,637	0			152,637
Total Employee Related Provisions		260,766	0	0	0	260,766
Total other current assets		954,990	0	0	0	954,990
Amounts shown above include GST (where applicable)						

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 12

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

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

NOTE 11
OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget Revenue	YTD Budget	YTD Revenue
	1 July 2022		(As revenue)	31 Jul 2022	31 Jul 2022	Revenue	Budget	Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Operating grants and subsidies								
General purpose funding								
Income - Grants Commission	0	0	0	0	0	131,532	10,961	0
Law, order, public safety								
Income - Fire Prevention - Grants	0	0	0	0	0	38,997	3,249	15,000
Income Fire Mitigation Grants	0	0	0	0	0	40,000	3,333	0
Education and welfare								
Income Relating to Aged & Disabled - Senior Citizens	0	0	0	0	0	2,500	208	0
Recreation and culture								
Income - Youth Activity Funding	0	0	0	0	0	1,000	83	0
Income - Sporting Club Grants & Contributions	0	0	0	0	0	16,000	1,333	0
Transport								
Income - Grant - MRWA Direct	0	0	0	0	0	93,646	7,803	0
Income - Grants Commission Local Road Grant	0	0	0	0	0	103,056	8,588	0
	0	0	0	0	0	426,731	35,558	15,000
Operating contributions								
Recreation and culture								
Income - Relating to Other Recreation & Sport	0	0	0	0	0	0	0	323
Economic services								
Income Relating to Tourism & Area Promotion	0	0	0	0	0	4,700	391	3,500
Other property and services								
Income - Less Workers Compensation Claimed	0	0	0	0	0	10,000	833	
	0	0	0	0	0	14,700	1,224	3,823
TOTALS	0	0	0	0	0	441,431	36,782	18,823

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

NOTE 12

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue		
	Liability 1 July 2022	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Jul 2022	Current Liability 31 Jul 2022	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Non-operating grants and subsidies								
General purpose funding								
Income - Phase 3 community Infrastructure Grant - LRCI	0	0	0	0	0	495,536	41,294	0
Income - Phase 3 Extension LRCI	0	0	0	0	0	247,768	20,647	0
Education and welfare								
Aged Accommodation	694,224	0	0	694,224	694,224	694,224	0	0
Transport								
Regional Road Grants	0	0	0	0	0	321,225	26,768	0
Cuballing East Wheatbelt Secondary Freight Network	0	0	0	0	0	705,958	58,829	0
WSFN - Income Wandering Narrogin Road	0	0	0	0	0	240,554	20,046	0
2022/23 Cuballing East Road Wheatbelt Secondary Freight	0	0	0	0	0	1,580,836	131,736	0
Roads to Recovery	0	0	0	0	0	210,000	17,500	0
	694,224	0	0	694,224	694,224	4,496,101	316,820	0

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

**NOTE 13
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2022	Amount Received	Amount Paid	Closing Balance 31 Jul 2022
	\$	\$		\$
Cuballing Cricket Club	200	0	0	200
Department of Transport - Licensing	658	672,793	(672,135)	1,316
	858	672,793	(672,135)	1,516

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

**NOTE 14
BUDGET AMENDMENTS**

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

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget adoption						24,427
	Revised Budget Net Deficit position					(128,286)	(103,859)
				0	0	(128,286)	(103,859)

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

**NOTE 15
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 Actual materially.

The material variance adopted by Council for the 2022-23 year is \$5,000 or 10.00% whichever is the greater.

Nature or type	Var. \$	Var. %	Explanation of positive variances		
			Timing/Permanent	Comments	
	\$	%			
Revenue from operating activities					
Operating grants, subsidies and contributions	(17,959)	(48.83%)	▼	Timing	Budget Profiling
Expenditure from operating activities					
Employee costs	(26,208)	(28.51%)	▼	Timing	Budget Profiling
Materials and contracts	52,614	57.49%	▲	Timing	Budget Profiling
Depreciation on non-current assets	169,626	100.00%	▲	Timing	Budget Profiling
Insurance expenses	12,512	92.80%	▲	Timing	Budget Profiling
Non-cash amounts excluded from operating activities	(169,626)	(100.00%)	▼	Timing	Budget Profiling
Investing activities					
Proceeds from non-operating grants, subsidies and contributions	(316,820)	(100.00%)	▼	Timing	Budget Profiling
Payments for property, plant and equipment and infrastructure	509,334	94.85%	▲	Timing	Budget Profiling
Closing funding surplus / (deficit)	218,265	(19.27%)	▲	Timing	Budget Profiling

9.1.3 Statement of Financial Activity – August 2022

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	16 th September 2022
Author:	Fred Steer, Deputy Chief Executive Officer
Attachments:	9.1.3A Statement of Financial Activity

Summary

Council is to consider the Statement of Financial Activity for August 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 in July 2022;
- Transport – MRWA Direct Grant amount received
- Transport – First 40% of Regional Road Group claim has been submitted;
- Financial Assistance Grants – early payment of 2022/23 grant has been received;
- FESA – ESL grant funding – early payment of 2022/23 grant has been received; and

Operating Expenses – The key items of variance include:

- Employee costs are underbudget due to staff leave;
- Road maintenance underbudget due to timing of major projects; and
- Capital acquisitions are underbudget – due to timing of major projects.

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

Administration Allocations have been calculated to 31st August 2022.

Depreciation expense is calculated to 31st August 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 2022/97

That the Statement of Financial Activity, as included at Attachment 9.1.3A for the Shire of Cuballing for period ending 31st August 2022 be received.

Moved Cr Bradford

Seconded Cr Christensen

Carried 6/0

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 31 August 2022

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

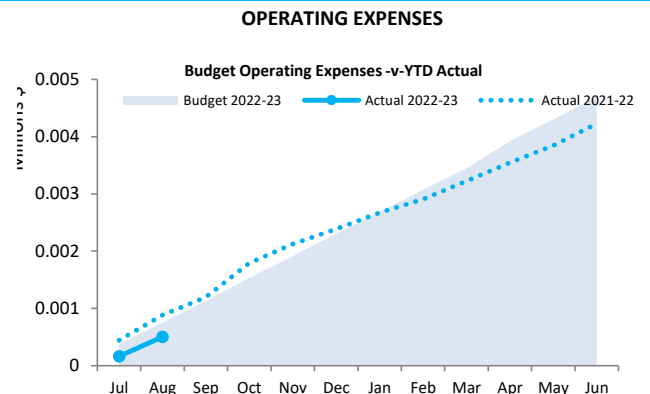
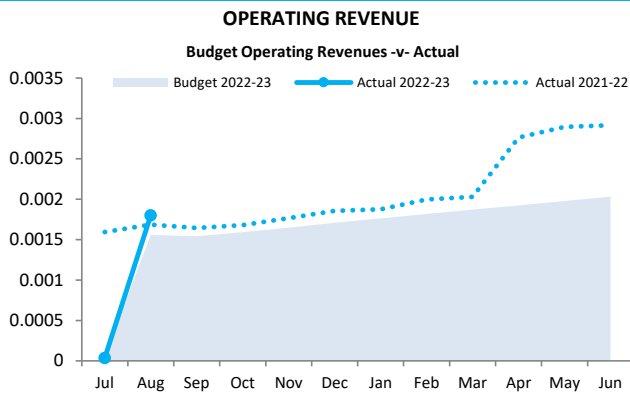
TABLE OF CONTENTS

Statement of Financial Activity by Nature or Type	5
Basis of Preparation	6
Note 1 Statement of Financial Activity Information	7
Note 2 Cash and Financial Assets	8
Note 3 Receivables	9
Note 4 Other Current Assets	10
Note 5 Payables	11
Note 6 Disposal of Assets	12
Note 7 Capital Acquisitions	13
Note 8 Borrowings	14
Note 9 Reserve Accounts	16
Note 10 Other Current Liabilities	17
Note 11 Operating grants and contributions	18
Note 12 Non operating grants and contributions	19
Note 13 Trust Fund	20
Note 14 Budget Amendments	21
Note 15 Explanation of Material Variances	22

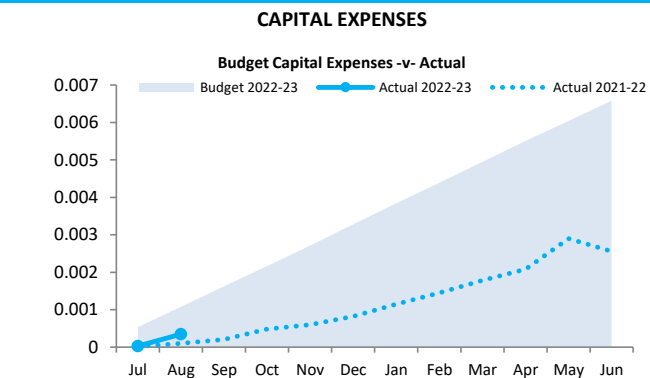
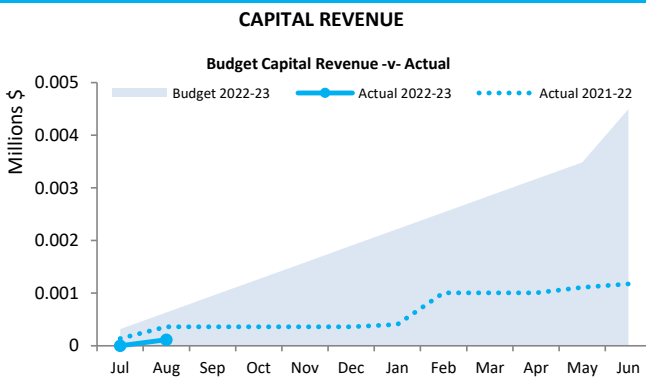
**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 AUGUST 2022**

SUMMARY INFORMATION - GRAPHS

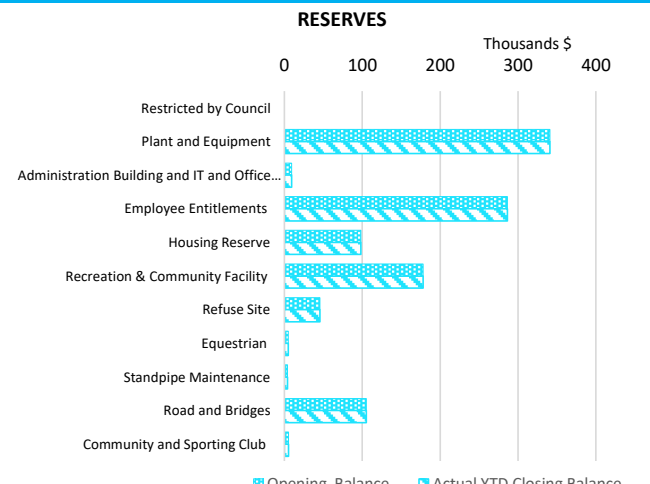
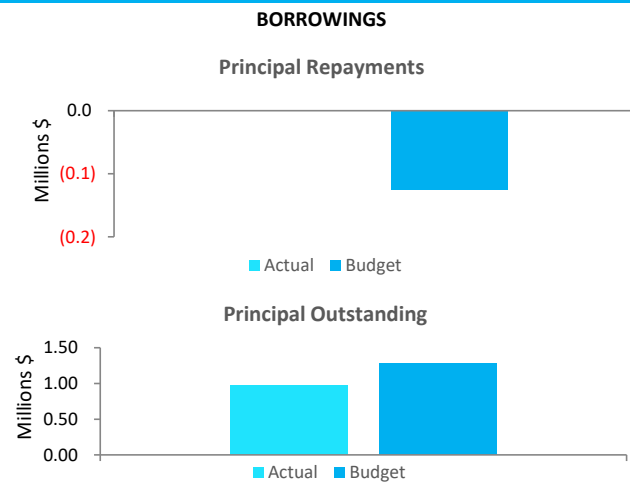
OPERATING ACTIVITIES



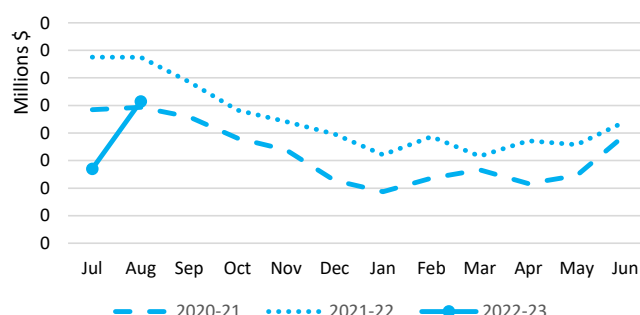
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



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

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 AUGUST 2022**

EXECUTIVE SUMMARY

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$1.51 M	\$1.51 M	\$1.51 M	\$0.00 M
Closing	(\$0.10 M)	\$2.21 M	\$2.57 M	\$0.37 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$1.60 M	59.8%
Restricted Cash	\$1.08 M	40.2%

Refer to Note 2 - Cash and Financial Assets

Payables		
	\$	% Outstanding
Trade Payables	\$0.01 M	
0 to 30 Days		0.0%
Over 30 Days		0.0%
Over 90 Days		0%

Refer to Note 5 - Payables

Receivables		
	\$	% Collected
Rates Receivable	\$1.33 M	18.9%
Trade Receivable	\$0.40 M	
Over 30 Days		34.2%
Over 90 Days		34.1%

Refer to Note 3 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.52 M)	\$1.14 M	\$1.30 M	\$0.16 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$1.49 M	
YTD Budget	\$1.45 M	2.8%

Refer to Statement of Financial Activity

Operating Grants and Contributions		
	\$	% Variance
YTD Actual	\$0.18 M	
YTD Budget	\$0.07 M	148.9%

Refer to Note 11 - Operating Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$0.11 M	
YTD Budget	\$0.02 M	361.0%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$1.83 M)	(\$0.44 M)	(\$0.23 M)	\$0.21 M

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.00 M	
Adopted Budget	\$0.25 M	(100.0%)

Refer to Note 6 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$0.35 M	
Adopted Budget	\$6.58 M	(94.7%)

Refer to Note 7 - Capital Acquisitions

Capital Grants		
	\$	% Received
YTD Actual	\$0.12 M	
Adopted Budget	\$4.50 M	(97.4%)

Refer to Note 7 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.75 M	\$0.00 M	\$0.00 M	\$0.00 M

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.00 M
Interest expense	\$0.00 M
Principal due	\$0.97 M

Refer to Note 8 - Borrowings

Reserves	
Reserves balance	\$1.08 M
Interest earned	\$0.00 M

Refer to Note 9 - Cash Reserves

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

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 31 AUGUST 2022

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers 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 identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

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, and 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 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, reimbursements etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

EXPENSES

EMPLOYEE COSTS

All costs associated 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, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, 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)

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

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets. Excluding Land.

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, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2022**

BY NATURE OR TYPE

	Ref	Adopted Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Var.
	Note	(a)	(b)	(c)	(c) - (b)	((c) - (b))/(b)	
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	1,506,177	1,506,177	1,506,177	0	0.00%	
Revenue from operating activities							
Rates		1,378,840	1,449,590	1,489,581	39,991	2.76%	
Operating grants, subsidies and contributions	11	441,431	73,564	183,074	109,510	148.86%	▲
Fees and charges		149,696	24,928	114,913	89,985	360.98%	▲
Interest earnings		11,300	1,878	5,012	3,134	166.88%	
Other revenue		42,930	7,152	7,823	671	9.38%	
Profit on disposal of assets	6	8,833	0	0	0	0.00%	
		2,033,030	1,557,112	1,800,403	243,291	15.62%	
Expenditure from operating activities							
Employee costs		(1,103,795)	(183,874)	(293,595)	(109,721)	(59.67%)	▼
Materials and contracts		(1,106,927)	(183,048)	(175,509)	7,539	4.12%	
Utility charges		(62,635)	(10,406)	(9,779)	627	6.03%	
Depreciation on non-current assets		(2,035,605)	(339,252)	0	339,252	100.00%	▲
Interest expenses		(47,954)	0	0	0	0.00%	
Insurance expenses		(161,952)	(26,966)	(971)	25,995	96.40%	▲
Other expenditure		(61,810)	(10,296)	(22,866)	(12,570)	(122.09%)	▼
Loss on disposal of assets	6	(116,000)	0	0	0	0.00%	
		(4,696,678)	(753,842)	(502,720)	251,122	(33.31%)	
Non-cash amounts excluded from operating activities	1(a)	2,142,772	339,252	5	(339,247)	(100.00%)	▼
Amount attributable to operating activities		(520,876)	1,142,522	1,297,688	155,166	13.58%	
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	12	4,496,101	633,640	116,366	(517,274)	(81.64%)	▼
Proceeds from disposal of assets	6	250,000	0	0	0	0.00%	
Payments for property, plant and equipment and infrastructure	7	(6,580,923)	(1,073,928)	(346,782)	727,146	67.71%	▲
Amount attributable to investing activities		(1,834,822)	(440,288)	(230,416)	209,872	(47.67%)	
Financing Activities							
Proceeds from new debentures	8	440,000	0	0	0	0.00%	
Transfer from reserves	9	444,887	0	0	0	0.00%	
Repayment of debentures	8	(124,980)	0	0	0	0.00%	
Transfer to reserves	9	(14,245)	0	0	0	0.00%	
Amount attributable to financing activities		745,662	0	0	0	0.00%	
Closing funding surplus / (deficit)	1(c)	(103,859)	2,208,411	2,573,449	365,038	(16.53%)	▲

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Refer to Note 15 for an explanation of the reasons for the variance.

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

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 AUGUST 2022**

BASIS OF PREPARATION

BASIS OF PREPARATION

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying Regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has 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 Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 13 to these financial statements.

SIGNIFICANT ACCOUNTING POLICES

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 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 not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimation of fair values of certain financial assets
- estimation of fair values of fixed assets shown at fair value
- impairment of financial assets

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.

ROUNDING OFF FIGURES

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

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 16 September 2022

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

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	6	(8,833)	0	0
Less: Reversal of prior year revaluation loss		0	0	5
Add: Loss on asset disposals	6	116,000	0	0
Add: Depreciation on assets		2,035,605	339,252	0
Total non-cash items excluded from operating activities		2,142,772	339,252	5

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

		Adopted Budget Opening 30 June 2022	Last Year Closing 30 June 2022	Year to Date 31 August 2022
Adjustments to net current assets				
Less: Reserves - restricted cash	9	(1,078,080)	(1,078,080)	(1,078,080)
Add: Borrowings	8	124,980	(1)	(1)
Add: Provisions employee related provisions	10	260,765	260,766	260,766
Total adjustments to net current assets		(692,335)	(817,315)	(817,315)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	3,007,541	3,007,541	2,680,572
Rates receivables	3	144,603	144,603	1,325,312
Receivables	3	126,456	126,456	396,079
Other current assets	4	5,613	5,613	5,613
Less: Current liabilities				
Payables	5	(5,732)	(5,732)	(61,823)
Borrowings	8	(124,980)	1	1
Contract liabilities	10	(694,224)	(694,224)	(694,224)
Provisions	10	(260,765)	(260,766)	(260,766)
Less: Total adjustments to net current assets	1(b)	(692,335)	(817,315)	(817,315)
Closing funding surplus / (deficit)		1,506,177	1,506,177	2,573,449

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. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

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

**OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Municipal Cash at Bank		246,550	0	246,550		NAB	TBA	N/A
Municipal Cash Investments (Online and at call account)		1,354,855	0	1,354,855		NAB	TBA	N/A
Term Deposits		387	1,078,080	1,078,467		NAB	TBA	TBA
Petty Cash		700	0	700		N/A	N/A	N/A
Total		1,602,492	1,078,080	2,680,572	0			
Comprising								
Cash and cash equivalents		1,602,492	1,078,080	2,680,572	0			
		1,602,492	1,078,080	2,680,572	0			

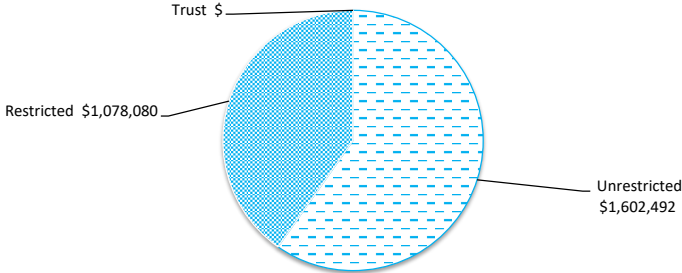
KEY INFORMATION

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

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

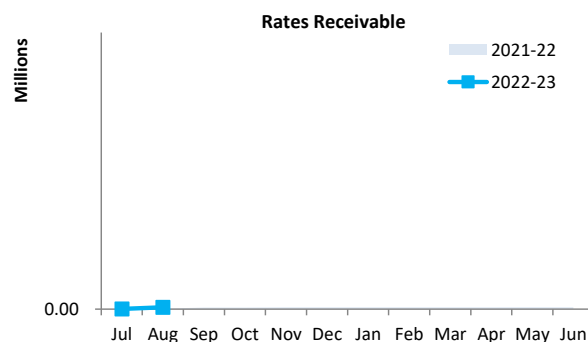
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



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

**OPERATING ACTIVITIES
NOTE 3
RECEIVABLES**

Rates receivable	30 Jun 2022	31 Aug 2022
	\$	\$
Opening arrears previous years	143,603	144,603
Levied this year	1,012,792	1,489,581
Less - collections to date	(1,011,792)	(308,872)
Gross rates collectable	144,603	1,325,312
Net rates collectable	144,603	1,325,312
% Collected	87.5%	18.9%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(86)	229,924	0	260	118,821	348,919
Percentage	0.0%	65.9%	0%	0.1%	34.1%	
Balance per trial balance						
Sundry receivable						348,919
GST receivable						47,160
Total receivables general outstanding						396,079

Amounts shown above include GST (where applicable)

KEY INFORMATION

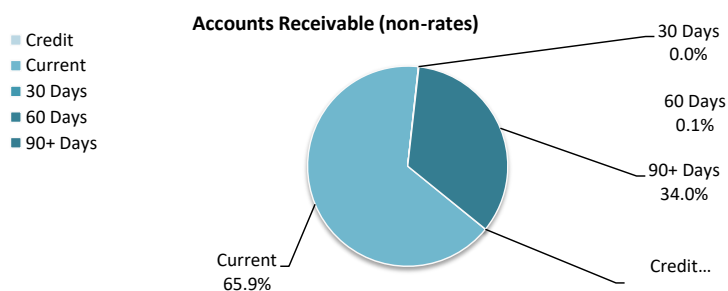
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



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

**OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS**

	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 31 August 2022
Other current assets	\$	\$	\$	\$
Inventory				
Fuel	5,613	0	0	5,613
Total other current assets	5,613	0	0	5,613

Amounts shown above include GST (where applicable)

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

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

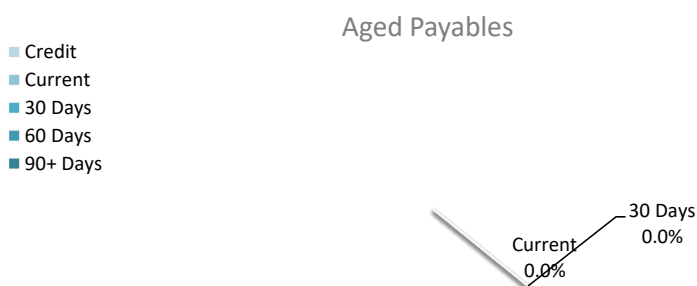
**OPERATING ACTIVITIES
NOTE 5
PAYABLES**

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	0	0	0	0	0
Percentage	0%	0%	0%	0%	0%	
Balance per trial balance						
Sundry creditors						6,166
Accrued salaries and wages						10,809
ATO liabilities						44,406
Bonds & Deposits						442
Total payables general outstanding						61,823

Amounts shown above include GST (where applicable)

KEY INFORMATION

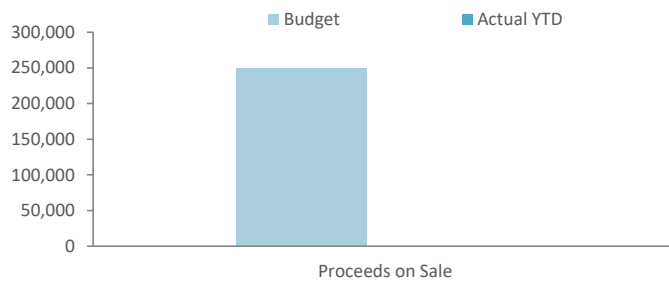
Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



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

OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Transport								
	Komatsu Grader	197,500	100,000	0	(97,500)	0	0	0	0
	Komatsu Loader	118,500	100,000	0	(18,500)	0	0	0	0
	Toyota Prado	41,167	50,000	8,833	0	0	0	0	0
		357,167	250,000	8,833	(116,000)	0	0	0	0



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

**INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS**

Capital acquisitions	Adopted		YTD Actual	Forecast 30 June Closing	YTD Actual Variance
	Budget	YTD Budget			
	\$	\$	\$		\$
Buildings	2,047,255	319,534	255,166	1,982,887	(64,368)
Plant and equipment	874,217	145,696	0	728,521	(145,696)
Infrastructure - roads	3,580,451	595,532	78,482	3,063,401	(517,050)
Infrastructure - bridges	55,000	9,166	13,134	58,968	3,968
Infrastructure - parks, ovals & playgrounds	24,000	4,000	0	20,000	(4,000)
Payments for Capital Acquisitions	6,580,923	1,073,928	346,782	5,853,777	(727,146)
Capital Acquisitions Funded By:					
	\$	\$	\$		\$
Capital grants and contributions	4,496,101	633,640	116,366	3,978,827	(517,274)
Borrowings	440,000	0	0	440,000	0
Other (disposals & C/Fwd)	250,000	0	0	250,000	0
Cash backed reserves					
Plant and Equipment	(340,000)		0	(340,000)	0
Housing Reserve	(20,000)		0	(20,000)	0
Recreation & Community Facility	(84,887)		0	(84,887)	0
Contribution - operations	1,839,709	440,288	230,416	1,629,837	(209,872)
Capital funding total	6,580,923	1,073,928	346,782	5,853,777	(727,146)

SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

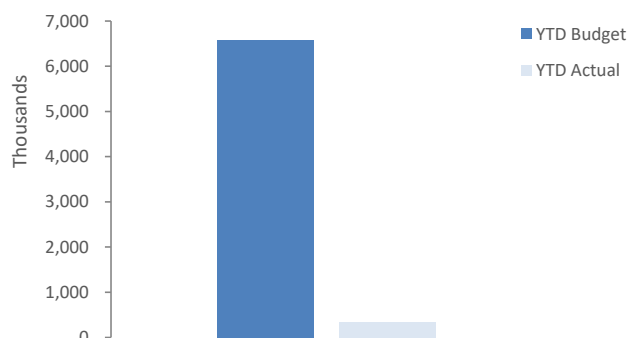
Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions

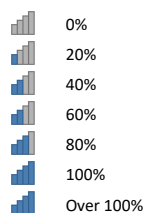


NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2022

INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS (CONTINUED)

Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

	Account Description	Adopted		YTD Actual	Variance (Under)/Over	
		Budget	YTD Budget			
		\$	\$	\$	\$	
Buildings						
	C084	Aged Persons Accommodation Capital Expense	1,149,064	191,510	244,765	53,255
	C162	Cuballing Town Hall - Capital Works	250,000	41,666	5,720	(35,946)
	C164	Building Renewal - Cuballing Cwa Hall	293,304	48,882	0	(48,882)
	C173	Skate Park Refurbishment	15,000	2,500	0	(2,500)
	C186	Yornaning Mountain Bike Track	0	0	3,271	3,271
	C197	Yornaning Mountain Bike Track	0	0	1,410	1,410
	C203	Yornaning Mountain Bike Track	99,887	16,644	0	(16,644)
	J163A	Cuballing War Memorial	100,000	16,666	0	(16,666)
	11057	CCTV Camera's	30,000	0	0	0
	J4114D	Shire Office Back Area Upgrade	100,000	0	0	0
	12145	Capital Expenditure - Depot Upgrade	10,000	1,666	0	(1,666)
	Total Buildings		2,047,255	319,534	255,166	(64,368)
Furniture & Equipment						
	Nil		0	0	0	0
	Total Furniture & Equipment		0	0	0	0
Plant & Equipment						
	12411	Two Way system for Plant	20,000	3,332	0	(3,332)
	12412	Capital Purchase - Grader	440,000	73,332	0	(73,332)
	12414	Capital Purchase - CEO Vehicle Prado GXL	57,717	9,618	0	(9,618)
	12419	Capital Expenditure - Plant & Equipment - Loader and Attachment	350,000	58,332	0	(58,332)
	12420	Capital Expenditure - Plant & Equipment - Mower	6,500	1,082	0	(1,082)
	Total Plant & Equipment		874,217	145,696	0	(145,696)
Roads						
	R001E	Rrg Stratherne Rd 2022/23	210,600	35,092	6,318	(28,774)
	R129F	Wandering-Narrogin Road 2022/23	269,400	44,896	90	(44,806)
	RTR014	Contine Siding Floodway	41,750	6,954	0	(6,954)
	RTR042	Dent Road Floodway	37,424	6,230	0	(6,230)
	RTR052	Youngs Road Floodway	40,660	6,770	0	(6,770)
	RTR056	LoI Gray Soak Road Floodway	74,927	12,484	0	(12,484)
	RTR129	R2R Wandering Narrogin Road Final Seal	40,050	6,674	0	(6,674)
	BS129	Blackspot - Wandering Narrogin Road	7,000	0	0	0
	WSF006	Wheatbelt Secondary Freight Network Cuballing East Road	1,090,148	181,688	30,028	(151,660)
	WSF007	Wheatbelt Secondary Freight Network 2022/23 Cuby East Road	1,509,832	251,634	41,956	(209,678)
	WSF129	Wheatbelt Secondary Freight Narrogin Wandering Road	258,660	43,110	90	(43,020)
	Total Roads		3,580,451	595,532	78,482	(517,050)
Bridges						
	11214	Bridge Improvements - Capital Upgrades	55,000	9,166	13,134	3,968
	Total Bridges		55,000	9,166	13,134	3,968
Parks, Ovals & Playgrounds						
	11128	Expenditure - Sporting Club Upgrades	24,000	4,000	0	(4,000)
	Total Parks, Ovals & Playgrounds		24,000	4,000	0	(4,000)
	TOTAL CAPITAL EXPENDITURE		6,580,923	1,073,928	346,782	(727,146)

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

**FINANCING ACTIVITIES
NOTE 8
BORROWINGS**

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2022	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Education and welfare										
Aged Accommodation	65	850,000	0	0	0	(68,849)	850,000	781,151	0	(37,891)
Transport										
Grader	67	0	0	440,000	0	(40,671)	0	399,329	0	(7,639)
Other property and services										
Austral Land	64	115,572	0	0	0	(15,460)	115,572	100,112	0	(2,424)
Total		<u>965,572</u>	<u>0</u>	<u>440,000</u>	<u>0</u>	<u>(124,980)</u>	<u>965,572</u>	<u>1,280,592</u>	<u>0</u>	<u>(47,954)</u>
Current borrowings		124,980					(1)			
Non-current borrowings		<u>840,592</u>					<u>965,573</u>			
		965,572					965,572			

All debenture repayments were financed by general purpose revenue.

The Shire has no unspent debenture funds as at 30th June 2021, nor is it expected to have unspent funds as at 30th June 2022.

KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

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

Reserve accounts

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by Council									
Plant and Equipment	341,028	1,960		0	0	(340,000)	0	2,988	341,028
Administration Building and IT and Office	9,160	32		0	0	0	0	9,192	9,160
Employee Entitlements	286,388	1,067		0	0	0	0	287,455	286,388
Housing Reserve	98,316	367		0	0	(20,000)	0	78,683	98,316
Recreation & Community Facility	178,242	792		0	0	(84,887)	0	94,147	178,242
Refuse Site	45,472	205		0	0	0	0	45,677	45,472
Equestrian	4,915	50		5,245	0	0	0	10,210	4,915
Standpipe Maintenance	4,100	20		0	0	0	0	4,120	4,100
Road and Bridges	105,137	486		0	0	0	0	105,623	105,137
Community and Sporting Club	5,322	21		4,000	0	0	0	9,343	5,322
	1,078,080	5,000	0	9,245	0	(444,887)	0	647,438	1,078,080

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

OPERATING ACTIVITIES
NOTE 10
OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2022	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 August 2022
Other current liabilities		\$		\$	\$	\$
Other liabilities						
- Capital grant/contribution liabilities		694,224	0	0	0	694,224
Total other liabilities		694,224	0	0	0	694,224
Employee Related Provisions						
Annual leave		108,129	0			108,129
Long service leave		152,637	0			152,637
Total Employee Related Provisions		260,766	0	0	0	260,766
Total other current assets		954,990	0	0	0	954,990
Amounts shown above include GST (where applicable)						

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 12

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

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

NOTE 11
OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget Revenue	YTD Budget	YTD Revenue
	1 July 2022		(As revenue)	31 Aug 2022	31 Aug 2022			Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Operating grants and subsidies								
General purpose funding								
Income - Grants Commission	0	0	0	0	0	131,532	21,922	47,918
Law, order, public safety								
Income - Fire Prevention - Grants	0	0	0	0	0	38,997	6,498	15,000
Income Fire Mitigation Grants	0	0	0	0	0	40,000	6,666	0
Education and welfare								
Income Relating to Aged & Disabled - Senior Citizens	0	0	0	0	0	2,500	416	0
Recreation and culture								
Income - Youth Activity Funding	0	0	0	0	0	1,000	166	0
Income - Sporting Club Grants & Contributions	0	0	0	0	0	16,000	2,666	0
Transport								
Income - Grant - MRWA Direct	0	0	0	0	0	93,646	15,606	95,660
Income - Grants Commission Local Road Grant	0	0	0	0	0	103,056	17,176	20,674
	0	0	0	0	0	426,731	71,116	179,252
Operating contributions								
Recreation and culture								
Income - Relating to Other Recreation & Sport	0	0	0	0	0	0	0	323
Economic services								
Income Relating to Tourism & Area Promotion	0	0	0	0	0	4,700	782	3,500
Other property and services								
Income - Less Workers Compensation Claimed	0	0	0	0	0	10,000	1,666	
	0	0	0	0	0	14,700	2,448	3,823
TOTALS	0	0	0	0	0	441,431	73,564	183,074

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

NOTE 12

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue			
	Liability 1 July 2022	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Aug 2022	Current Liability 31 Aug 2022	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual	Forecast 30 June Closing
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Non-operating grants and subsidies									
General purpose funding									
Income - Phase 3 community Infrastructure Grant - LRCI	0	0	0	0	0	495,536	82,588	0	412,948
Income - Phase 3 Extension LRCI	0	0	0	0	0	247,768	41,294	0	206,474
Education and welfare									
Aged Accommodation	694,224	0	0	694,224	694,224	694,224	0	0	694,224
Transport									
Regional Road Grants	0	0	0	0	0	321,225	53,536	116,366	384,055
Cuballing East Wheatbelt Secondary Freight Network	0	0	0	0	0	705,958	117,658	0	588,300
WSFN - Income Wandering Narrogin Road	0	0	0	0	0	240,554	40,092	0	200,462
2022/23 Cuballing East Road Wheatbelt Secondary Freight	0	0	0	0	0	1,580,836	263,472	0	1,317,364
Roads to Recovery	0	0	0	0	0	210,000	35,000	0	175,000
	694,224	0	0	694,224	694,224	4,496,101	633,640	116,366	3,978,827

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

**NOTE 13
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2022	Amount Received	Amount Paid	Closing Balance 31 Aug 2022
	\$	\$	\$	\$
Cuballing Cricket Club	200	0	0	200
Department of Transport - Licensing	658	672,793	(672,135)	1,316
	0			0
	858	672,793	(672,135)	1,516

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

**NOTE 14
BUDGET AMENDMENTS**

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

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget adoption						24,427
	Revised Budget Net Deficit position					(128,286)	(103,859)
				0	0	(128,286)	(103,859)

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

**NOTE 15
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 Actual materially.

The material variance adopted by Council for the 2022-23 year is \$5,000 or 10.00% whichever is the greater.

Nature or type	Var. \$	Var. %	Explanation of positive variances		
			Timing/Permanent	Comments	
	\$	%			
Revenue from operating activities					
Operating grants, subsidies and contributions	109,510	148.86%	▲	Timing	Budget Profiling
Fees and charges	89,985	360.98%	▲	Timing	Budget Profiling
Expenditure from operating activities					
Employee costs	(109,721)	(59.67%)	▼	Timing	Budget Profiling
Depreciation on non-current assets	339,252	100.00%	▲	Timing	Budget Profiling
Insurance expenses	25,995	96.40%	▲	Timing	Budget Profiling
Other expenditure	(12,570)	(122.09%)	▼		
Non-cash amounts excluded from operating activities	(339,247)	(100.00%)	▼	Timing	Budget Profiling
Investing activities					
Proceeds from non-operating grants, subsidies and contributions	(517,274)	(81.64%)	▼	Timing	Budget Profiling
Payments for property, plant and equipment and infrastructure	727,146	67.71%	▲	Timing	Budget Profiling
Closing funding surplus / (deficit)	365,038	(16.53%)	▲	Timing	Budget Profiling

9.1.4 Sundry Debtor Write Off

Applicant: Nil
File Ref. No: ADM242
Disclosure of Interest: Nil
Date: 21st September 2022
Author: Fred Steer, Deputy Chief Executive Officer
Attachments: Nil

Summary

Council is to consider writing off a sundry debtor for Main Roads Wheatbelt Secondary Freight Network funds.

Background

The Wheatbelt Secondary Freight Network is a regional strategy to improve road freight safety and efficiency across the key transport routes that support the region's major industries. A joint project between 42 Wheatbelt local governments, the collaboration will see 950km of high priority routes upgraded over the next six years in five stages.

The \$187.5 million Stage Two of the Wheatbelt Secondary Freight Network is currently underway and local governments in the region are on target to deliver upgrades to 15 of the 54 routes included in the overall plan.

Funding for Wheatbelt Secondary Freight Network is based on approved project allocations with Federal contribution at 80%, State contribution at 13.333% and Local Government contribution at 6.667%.

Funding is claimed in 3 payments. Claim No 1 – 40%, Claim No 2 – 40%, Final Claim No 3 – Final Total Project Actual Cost.

Comment

The project is overseen by a steering committee comprised of the Wheatbelt Development Commission, Main Roads WA, Regional Development Australia Wheatbelt, and the WA Local Government Association.

The Final Project Costs should be the actual amount the Shire spent on the project and not the allocated funding). The LG Contribution should be the balance of the Final Actual costs less the Federal and State contribution.

Invoices for the Final Project Costs are raised and submitted with a Certificate of Completion based on the allocated funding rather than the actual spend and unfortunately the forms recorded incorrect Project Numbers.

The invoices raised are therefore no longer accurate and need to be written off. Shire staff will raise new invoices for Wheatbelt Secondary Freight Network and submit new Certificates of Completion.

Strategic Implications - Nil

Statutory Environment

Council's Delegation Register provides limited delegated authority for the Chief Executive Officer

F1: Outstanding Debtors

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

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

Policy Implications – Nil

Financial Implications

The Officer's Recommendation suggests writing off income of \$59,360. New invoices totalling \$57,851 to be raised and issued.

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations – Nil

Consultation - Nil

Options

The Council can resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation; or
3. to not write off any income.

Voting Requirements – Simple Majority

COUNCIL DECISION 2022/98

That Council write off Invoices 5690, 5693 & 5693 for Debtor 78 being an amount of \$59,360 for Wheatbelt Secondary Freight Network funding.

Moved Cr Kowald

Seconded Cr Harris

Carried 6/0

9.2 CHIEF EXECUTIVE OFFICER:

9.2.1 Scheme Amendment No. 6 to the Shire of Cuballing Local Planning Scheme No. 2

Location:	Applies throughout the Shire
Applicant:	Edge Planning & Property for the Shire of Cuballing
File Ref. No:	ADM 324
Disclosure of Interest:	Nil
Date:	22 August 2022
Author:	Stan Scott
Attachments	9.2.1A – Proposed amending provisions 9.2.1B – Environmental Protection Authority decision and advice 9.2.1C – Submissions 9.2.1D – Schedule of Submissions

Summary

Following a review of the submissions, it is recommended that Council support Scheme Amendment No. 6 and advise the Minister for Planning to approve Amendment No. 6.

Background

As Councillors are aware, the *Shire of Cuballing Local Planning Scheme No. 2* (LPS2) provides the statutory basis for Council regulating development and land use proposals.

Based on the Western Australian Planning Commission's (WAPC) approval of the Report of Review, Amendment No. 6 seeks to ensure LPS2 is consistent with recent changes to the Deemed Provisions along with consistency with the Model Scheme Text as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* (the 'Regulations').

Based on the approved Report of Review, Amendment No. 6 also updates other sections of the LPS2 text to address emerging planning issues, and to promote an effective and efficient local planning system.

The proposed amending provisions are outlined in Attachment 9.2.1A.

The purpose of Amendment No. 6 is to modify the LPS2 text to:

- Ensure consistency with Schedule 1 - Model provisions for local planning schemes (Model Scheme Text) in the Regulations;
- Ensure consistency with the Deemed Provisions in Schedule 2 in the Regulations;
- Delete provisions which are now superfluous due to the Deemed Provisions;
- Ensure zone and reserve names are consistent with the Regulations;
- Add and modify general and land use definitions;
- Update the Zoning Table to provide sufficient controls but also to provide flexibility for a range of appropriate uses in the different zones as expected in a non-metropolitan context; and
- Add provisions relating to matters including car parking and vehicle access, commercial vehicle parking, signage and advertisements, landscaping, caretaker's dwellings, workforce accommodation, servicing, general appearance of buildings and preservation of amenity, servicing, mining operations and regional facilities.

At the Council's Ordinary Meeting on 20 April 2022, the Council passed the following motion, at Minute No. 2022/38:

‘That Council:

1. **Agrees** to adopt an amendment to the *Shire of Cuballing Local Planning Scheme No. 2*, pursuant to section 75 of the *Planning and Development Act 2005*, through modifying the Scheme text as outlined in Attachment 9.2.5A.
2. **Determines** that Amendment No. 6 is standard under part (f) and (g) of the standard amendment definition contained in Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. **Authorises** the Shire President and the Chief Executive Officer to execute the Scheme Amendment No. 6 documents as outlined in Attachment 9.2.5A.
4. **Notes** the Shire will refer Scheme Amendment No. 6 to the Environmental Protection Authority for assessment pursuant to section 81 of the *Planning and Development Act 2005*. Should the Environmental Protection Authority advise that the amendment does not require assessment, advertise the amendment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.’

Following the Council resolution, the Environmental Protection Authority (EPA) determined that the scheme amendment should not be assessed via an environmental impact assessment (see Attachment 9.2.1.B). The EPA decision effectively gave its environmental clearance to Amendment No. 6. The EPA additionally provided some advice which is further considered in the ‘Comment’ section.

The Shire has met the requirements of the Regulations through seeking public comment on Amendment No. 6 for a period of 42 days through:

- Writing to relevant State Government, servicing agencies and stakeholders;
- Placing public notices in local papers (Narrogin Observer and Cuby News);
- A public notice on the Shire office noticeboard;
- Details being on the Shire’s website; and
- Having information available at the Shire office.

The Shire received four submissions on Amendment No. 6, all from government agencies, (see Attachment 9.2.1.C). The Department of Water and Environmental Regulation support the Amendment, the Department of Primary Industries and Regional Development raise no objections, Main Roads Western Australia raise no objections but provide advice while the Department of Health has no objections and provide advice:

The associated Schedule of Submissions is set out in Attachment 9.2.1.D. This includes the local government response and the local government recommendation on the submissions.

Comment

It is recommended that Council resolves to support Amendment No. 6, as outlined in Attachment 9.2.1A, with minor modifications to the version considered by the Council on 20 April 2022 and which was subject to community and stakeholder advertising. The modifications seek to address the EPA advice relating to agriculture-intensive land uses.

This is accomplished by retaining and rewording of part of existing clause 4.11.2 (proposed clause 51(7)) as follows:

'Applications for agriculture-intensive and animal husbandry-intensive shall, in addition to other Scheme requirements, demonstrate the following -

(a) evidence of suitable land management addressing retention of remnant vegetation, revegetation, land degradation and salinity management; and

(b) evidence that the proposed activity is compatible with off-site sensitive uses or that adverse impacts can be contained within the site.'

For ease of reference, this change is highlighted in yellow in Attachment A, but the highlight will be removed when the document is executed. The submissions from the Department of Health and Main Roads Western Australia do not require modification to the Amendment No. 6 documentation. Matters raised by these agencies can be addressed through other planning, building and environmental health processes.

Subject to the Council's decision, copies of the submissions, the Schedule of Submissions and the amendment documentation will be forwarded to the WAPC who will assess the scheme amendment request with the final decision made by the Minister for Planning.

Strategic Implications

Approval of Amendment No. 6 will assist in improving the effectiveness and efficiency of the planning system.

Statutory Environment

Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015 and LPS2.

Policy Implications - Nil

Financial Implications – This has already been budgeted for.

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations - Nil

Consultation

Amendment No. 6 was publicly advertised in accordance with the Regulations.

Options

Based on Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Council has a number of options available to it which are summarised below:

- Support the Amendment without modification (the highlighted section would be removed)
- Support the Amendment with proposed modifications to address issues raised by the EPA and/or in the submissions; or
- Not to support the amendment (giving reasons).

COUNCIL DECISION 2022/99

That Council:

- 1. Agrees to support a standard amendment to the *Shire of Cuballing Local Planning Scheme No. 2*, pursuant to Part 5 of the *Planning and Development Act 2005*, as set out in Attachment 9.2.1A subject to retaining and rewording part of existing clause 4.11.2 (proposed clause 51(7)) as follows:**

Applications for agriculture-intensive and animal husbandry-intensive shall, in addition to other Scheme requirements, demonstrate the following –

- (a) evidence of suitable land management addressing retention of remnant vegetation, revegetation, land degradation and salinity management; and/or**
 - (b) evidence that the proposed activity is compatible with off-site sensitive uses or that adverse impacts can be contained within the site.**
- 2. Endorses the ‘Local Government Recommendation’ in the Schedule of Submissions as shown in Attachment 9.2.1.D.**
 - 3. Advises agencies who lodged a submission that their comments were noted.**
 - 4. Authorises the Shire President and the Chief Executive Officer to execute the Scheme Amendment No. 6 documents.**
 - 5. Forwards a copy of all submissions as shown in Attachment 9.2.1.C and the Schedule of Submissions as shown in Attachment 9.2.1.D to the Western Australian Planning Commission for assessment and final approval by the Minister for Planning.**

Moved Cr Bradford

Seconded Cr Christensen

Carried 6/0



Shire of Cuballing Local Planning Scheme No. 2 Scheme Amendment No. 6

Omnibus amendment

Prepared by Edge Planning & Property for the Shire of Cuballing

www.edgeplanning.com.au

April 2022

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO TOWN PLANNING SCHEME

**SHIRE OF CUBALLING LOCAL PLANNING SCHEME No. 2
AMENDMENT No. 6**

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amends the above Local Planning Scheme by:

1. Deleting Parts 1 (other than clause 1.6), 2, 3 (other than for the Rural Townsite zone), 4, 5 and Schedules Two, Three, Four, Five and Six from the Scheme text and replacing with Parts 1, 2, 3, 4, 5 and 6 from Model Provisions for Local Planning Schemes set out in Schedule 1 of the *Planning and Development (Local Planning Scheme) Regulations 2015 (Model Scheme Text)*.
2. Deleting, modifying and adding definitions from Schedule One, Dictionary of Defined Words and Expressions, as they have been superseded by the definitions set out in the Model Scheme Text.
3. Adding the Model Scheme Text definitions, plus adding other definitions to Part 6.
4. Extending the Aims of the Scheme in clause 1.6 (new clause 9).
5. Deleting the Zoning Table and replacing with a new Zoning Table with new land uses and modified permissibility.
6. Inserting provisions relating to car parking and vehicle access, commercial vehicle parking, signage and advertisements, landscaping, caretaker's dwellings, workforce accommodation, servicing, general appearance of buildings and preservation of amenity, servicing, mining operations and regional facilities.
7. Modifying provisions relating to the Rural Townsite, Rural Residential and General Agriculture Zones.
8. Modifying references of 'General Agriculture' zone to 'Rural' zone.
9. Moving the details in Schedule Four – Special Use Zones to clause 21.
10. Modifying Schedule A – Supplementary Provisions.
11. Adding Schedule 1 – Exempted Signage and Advertisements.
12. Addressing administrative anomalies.
13. Renumbering the scheme provisions and schedules sequentially and updating any cross referencing.
14. Updating the Table of Contents.

15. Modifying the scheme maps through changing 'General Agriculture' zone to 'Rural' zone and changing reserve names to align with Schedule 3 – Legends used in Scheme from the *Planning and Development (Local Planning Scheme) Regulations 2015*.

The amendment is a standard amendment in accordance with part (f) and (g) of the standard amendment definition contained in Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Dated this day of 20.....

.....
CHIEF EXECUTIVE OFFICER

Contents

Section No.	Heading	Page No.
1	Introduction	5
2	Background	5
3	Purpose of Amendment	6
4	Conclusion	6

Attachment

1	Shire of Cuballing Local Planning Scheme No. 2 text showing proposed amendments in highlight and strikeout	
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PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

LOCAL GOVERNMENT	Shire of Cuballing
DESCRIPTION OF LOCAL PLANNING SCHEME	Shire of Cuballing Local Planning Scheme No. 2
TYPE OF SCHEME	District Scheme
SERIAL NO. OF AMENDMENT	6
PROPOSAL	Undertake various amendments to the scheme text to address the Model Scheme Text, address emerging planning issues and assist in creating an effective and efficient local planning system. Additionally, to ensure zone and reserve names are consistent with the Regulations.

REPORT BY THE SHIRE OF CUBALLING

1. INTRODUCTION

The purpose of this Amendment is to modify the *Shire of Cuballing Local Planning Scheme No. 2 (LPS2)* to:

- Ensure consistency with the deemed provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the 'Regulations');
- Ensure consistency with Schedule 1 - Model provisions for local planning schemes (Model Scheme Text) in the Regulations;
- Update the Zoning Table;
- Introduce provisions relating to contemporary planning matters;
- Ensure zone and reserve names are consistent with the Regulations; and
- Review opportunities to create an effective and efficient local planning system.

The Amendment is a standard amendment in accordance with part (f) and (g) of the standard amendment definition contained in Regulation 34 of the Regulations.

2. BACKGROUND

LPS2 was gazetted on 20 May 2005. Amendment No. 4 addressed the Regulations via an omnibus amendment. Based on the approved Report of Review, this Amendment seeks to ensure LPS2 is consistent with recent changes to the deemed provisions along with consistency with the Model Scheme Text.

The Regulations were gazetted on 25 August 2015. The Regulations, made under the *Planning and Development Act 2005* (the 'Act'), govern the way in which local planning schemes are prepared and amended.

Schedule 2 of the Regulations titled 'Deemed provisions for local planning schemes' apply to all planning schemes and prevail over schemes including LPS2. The deemed provisions are 'read into' schemes automatically under Section 257B of the Act. Provisions in LPS2, which are inconsistent with the deemed provisions, ceased to apply as of gazettal of the Regulations.

The deemed provisions address a range of matters including uniform processes and procedures to schemes, such as structure plan preparation and development assessment. The Regulations are a major part of Western Australia's planning reform agenda.

As a result of recent changes to the Regulations, various parts of LPS2 are now superfluous. This Amendment is now pursued to remove provisions which have been replaced by the deemed provisions.

The local government has audited LPS2 to determine which provisions are now superseded by the Model Scheme Text. Accordingly, the Amendment also seeks consistency with Schedule 1 of the Regulations to address the Model Scheme Text.

Based on the approved Report of Review, the Amendment also updates other sections of the LPS2 text to address emerging planning issues, and to promote an effective and efficient local planning system.

3. PROPOSED AMENDMENTS AND RATIONALE

The following matters have been identified as requiring modification to ensure LPS2 is consistent with the Regulations and to reflect the needs of the local community:

- Modifying planning provisions and the order of provisions in the scheme text to reflect the Model Scheme Text;
- Deleting provisions which are now superfluous due to the Deemed Provisions;
- Adding and modifying general and land use definitions;
- The Regulations (Schedules 1 and 2) include some additions and minor modifications to the wording and structure of a number of general and land use definitions. This has been done for the purpose of clarity and readability;
- Updating the Zoning Table to provide sufficient controls but also to provide flexibility for a range of appropriate uses in the different zones as expected in a non-metropolitan context;
- Adding provisions relating to matters including car parking and vehicle access, commercial vehicle parking, signage and advertisements, landscaping, caretaker's dwellings, workforce accommodation, servicing, general appearance of buildings and preservation of amenity, servicing, mining operations and regional facilities; and
- Ensure zone and reserve names, including on the scheme maps, are consistent with the Regulations.

Attachment 1 outlines proposed modifications to the LPS2 text with new sections highlighted and deleted sections in ~~strikeout~~. The aqua highlighted text are from the WAPC's Model Scheme Text, green highlighted text are proposed new provisions, while white text are retained provisions from LPS2.

4. CONCLUSION

The proposed amendments to the LPS2 text seek to ensure consistency with the Regulations, to address emerging issues and to assist in making LPS2 a more effective and efficient planning tool.

The support of the Western Australian Planning Commission and the approval of the Minister for Planning are respectfully requested.

Planning and Development Act 2005

SHIRE OF CUBALLING

LOCAL PLANNING SCHEME No. 2

AMENDMENT No. 6

That the Shire of Cuballing, under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Local Planning Scheme by:

1. Deleting Parts 1 (other than clause 1.6), 2, 3 (other than for the Rural Townsite zone), 4 (other than clauses 4.8 to 4.12), 5 and Schedules Two, Three, Four, Five and Six from the Scheme text and replacing with Parts 1, 2, 3, 4, 5 and 6 from Model Provisions for Local Planning Schemes set out in Schedule 1 of the Planning and Development (Local Planning Scheme) Regulations 2015 (Model Scheme Text).
2. Deleting, modifying and adding definitions from Schedule 1, Dictionary of Defined Words and Expressions, as they have been superseded by the definitions set out in the Model Scheme Text.
3. Adding the Model Scheme Text definitions, plus adding other definitions to Part 6 as follows:

animal husbandry — intensive means premises used for keeping, rearing or fattening of alpacas, beef, dairy cattle, goats, pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) sheep or other livestock in feedlots, sheds or rotational pens and excludes 'agriculture – extensive';

hotel means premises providing accommodation the subject of a hotel license under the *Liquor Licensing Act 1988*, and may include a betting agency on those premises, but does not include a tavern or motel;

industry - rural means premises used for an industry that:

- (a) supports and/or is associated with primary production; or
- (b) services plant or equipment used in primary production;

nature based park means premises that are defined in the *Caravan Parks and Camping Grounds Regulations 1997*;

renewable energy facility means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource, where energy is being produced for commercial gain (i.e. solar farms as opposed to solar panels);

residential care facility means a residential facility providing personal and/or nursing care primarily to aged or dependent persons which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. This may consist of multiple components that include residential respite (short-term) care, aged or dependent persons' dwellings and a retirement village, but does not include a hospital, rehabilitation or psychiatric facility;

retirement village means a development with self-contained, independent dwellings for aged or dependent persons together with communal amenities and land uses

incidental and ancillary to the provision of such accommodation, but does not include a development which includes these features as a component of a residential aged care facility;

road house, adding '(f)' as follows:

(f) dump points for the disposal of black and/or grey water from recreational vehicles;

4. Extending the Aims of the Scheme in clause 1.6 (new clause 9) as follows:

Aims of Scheme

The aims of this Scheme are —

- (a) to encourage the sustainable development and expansion of the Cuballing and Popanyinning townsites to improve service viability while conserving or enhancing a strong sense of community;
- (b) to ensure that future subdivision and development within and near the Cuballing and Popanyinning townsites provide a broad range of housing and lifestyle choices that enhance the environment and character of the townsites;
- (c) to provide opportunities for planned, contained and sustainable rural residential and rural smallholding development with access to services and infrastructure within and abutting the existing town sites;
- (d) to assist employment and economic growth by facilitating the timely provision of suitable land for commercial, industrial and tourist development, as well as providing opportunities for home-based employment;
- (e) to encourage economic growth in rural areas by facilitating the more intensive and diversified use of rural land in appropriate areas for high value products which are compatible with surrounding farm practices and encouraging processing and value adding industries to be located within the Shire;
- (f) to protect good quality agricultural soils suitable for sustainable production from inappropriate subdivision and development for non-agricultural purposes;
- (g) to promote the sustainable management of natural resources including energy, water, land, minerals and basic raw materials by preventing land degradation and integrating land and catchment management with land use planning;
- (h) to protect the natural environment and biodiversity whilst ensuring appropriate development opportunities within the Shire are realised;
- (i) to manage the use and development of land by means of zoning and development controls to achieve compatibility between land uses, and the preservation, and where possible the enhancement of visual amenity of urban and rural uses;
- (j) to safeguard and enhance the character and amenity of the built and natural environment of the Scheme Area; and
- (k) to protect the existing local heritage by encouraging compatible development which will aid the restoration and retention of the property.

5. Deleting the Zoning Table and replacing with a new Zoning Table (Table 2) with new land uses and modified permissibility as follows:

LAND USE	Rural Townsite	Rural Residential	Rural
Abattoir	X	X	A
Agriculture – extensive	X	X	P
Agriculture – intensive	X	A	D
Ancillary dwelling	P	D	D
Animal establishment	X	A	D
Animal husbandry – intensive	X	X	A
Art gallery	D	A	D
Bed and breakfast	A	A	D
Betting agency	A	X	X
Brewery	A	A	A
Bulky goods showroom	D	X	X
Caravan park	A	A	X
Caretaker's dwelling	D	X	D
Car park	A	A	X
Child care premises	D	A	X
Cinema/theatre	D	X	X
Civic use	D	D	D
Club premises	D	D	D
Commercial vehicle parking	D	D	P
Community purpose	D	D	D
Consulting rooms	A	A	X
Convenience store	A	X	X
Corrective institution	X	X	A
Educational establishment	A	A	A
Exhibition centre	D	D	D
Family day care	A	A	D
Fast food outlet/lunch bar	D	X	X
Fuel depot	D	X	D
Funeral parlour	A	X	X
Garden centre	A	A	D
Grouped dwelling	D	X	D
Holiday accommodation	A	A	A
Holiday house	A	A	A
Home business	A	A	P
Home occupation	P	P	P
Home office	P	P	P
Home store	A	X	X
Hospital	A	X	X
Hotel	A	X	X
Industry	A	X	A
Industry – cottage	D	D	D
Industry – extractive	X	X	A
Industry – light	D	X	A
Industry - rural	X	X	D
Industry – service	D	X	A
Liquor store - small	D	X	X
Market	D	X	D
Medical centre	A	X	X
Mining operations	D	D	D
Motel	A	X	X

LAND USE	Rural Townsite	Rural Residential	Rural
Motor vehicle, boat or caravan sales	D	X	X
Motor vehicle repair	A	A	D
Motor vehicle wash	A	X	X
Nature based park	X	X	D
Office	D	X	X
Park home park	A	X	A
Place of worship	A	A	A
Reception centre	A	A	A
Recreation – private	D	D	D
Renewable energy facility	X	X	A
Repurposed dwelling	D	D	D
Residential building	D	D	D
Residential care facility	A	X	X
Resource recovery centre	A	X	D
Restaurant/cafe	D	A	A
Restricted premises	A	X	X
Retirement village	D	X	X
Road house	A	X	A
Rural home business	X	D	D
Rural pursuit/hobby farm	P	P	P
Second hand dwelling	D	D	D
Service station	A	X	X
Shop	D	X	X
Single house	P	P	P
Small bar	D	X	X
Tavern	A	X	X
Telecommunications infrastructure	D	D	D
Tourist development	A	X	A
Trade display	D	X	D
Trade supplies	A	X	A
Transport depot	X	X	A
Tree farm	X	X	A
Veterinary centre	A	A	A
Warehouse/storage	A	X	D
Waste disposal facility	X	X	A
Waste storage facility	A	X	D
Winery	A	A	A
Workforce accommodation	A	X	A

6. Inserting provisions relating to car parking and vehicle access, commercial vehicle parking, signage and advertisements, landscaping, caretaker's dwellings, workforce accommodation, servicing, general appearance of buildings and preservation of amenity, servicing, mining operations and regional facilities as follows:

34. Car parking and vehicle access requirements

- (1) Car parking shall be provided, in accordance with Table 5 and in accordance with the standards and requirements, including parking space layouts and dimensions, as set out in the relevant Australian Standard.
- (2) The local government may require the provision of spaces for cycle racks and vehicles for the disabled as considered necessary.

- (3) Where land is to be developed or used for purposes not mentioned in Table 5, or where a standard or requirement is not specified in the Scheme, the local government shall determine in each case the number of spaces to be provided on the land having due regard to the -
- (a) nature of the proposed development;
 - (b) number of employees or others likely to be employed or engaged in the use of the land;
 - (c) anticipated demand for visitor parking; and
 - (d) orderly, proper and sustainable planning of the area.
- (4) Car parking requirements shall be provided on the site the subject of the proposed development or land use, or in the immediate vicinity thereof provided that arrangements for the permanent retention of that parking can be set in place to the satisfaction of the local government.
- (5) The size of car parking spaces and the vehicular driveways providing entry to, or exit from, a parking area shall meet the minimum requirements set out in Table 6.
- (6) Where an applicant can demonstrate to the satisfaction of the local government that there is not the demand for the number of parking spaces specified in Table 5, or that other off-street parking facilities are available and that these facilities can be shared with a nearby land use, the local government may vary parking requirements specified in Table 5.
- (7) All parking, loading and access areas shall be constructed prior to occupation of the development or at such time as may be agreed in writing between the local government and the proponent. Such areas shall be maintained by the landowner to the satisfaction of the local government.
- (8) Where the local government is satisfied that an application for development approval cannot provide the minimum car parking requirements on site, the local government may accept a cash payment in lieu of the provision of car parking spaces, subject to requirements specified by a local planning policy.

Table 5: Car parking requirements

Use	Minimum Number of Parking Spaces to be Provided
Bed and Breakfast	1 per bedroom
Caravan Park	1.25 per unit, bay or tent site
Civic Use	1 per 40m ² Gross Floor Area (GFA)
Club Premises	1 per 50m ² GFA, or where licensed: 1 per 5m ² and other activity area
Consulting Rooms / Medical Centre	4 per practitioner for the first practitioner and 2 bays for each practitioner thereafter
Family Day Care	1 per staff member + 2 extra spaces for the picking up and setting down of persons
Fast Food Outlet/Lunch Bar	1 per 4 seated patrons
Recreation - private	1 per 40m ² GFA
Hotel	1 per 5m ² public area + 1 per bedroom
Industry	1 per 100m ² GFA
Light & Service Industry	1 per 50m ² GFA
Liquor Store	1 per 40m ² GFA
Motel	1 per unit + 1 per 25m ² service area
Office	1 per 40m ² GFA

Cinema / theatre	1 per 4 seats provided
Place of Worship	1 per 4 seats provided
Residential	As per the Residential Design Codes
Restaurant/cafe	1 per 4 patrons
Service Station	1 per 200m ² gross site area
Shop	1 per 40m ² GFA
Bulky goods showroom	1 per 50m ² GFA
Tourist Development	1 per unit or dwelling + 1 space per staff member
Tavern	1 per 5m ² public area
Veterinary Centre	4 per practitioner
Warehouse / storage	1 per 100m ² GFA
Other Uses Not Listed	Determined by the local government after consideration of the parking need generated by the use and/or outlined in a Local Planning Policy.

Table 6 - Parking dimensions

Parking angle	Width of bay (m)	Length of bay (m)	Depth of bay (m)	Minimum manoeuvring depth (m)	Minimum total depth (m)
(a) One-way access					
90°	2.6	5.5	5.0	5.9	11.4
75°	2.6	5.5	6.0	5.3	11.3
60°	2.6	5.5	6.1	5.0	11.1
45°	2.6	5.5	6.1	3.6	9.7
30°	2.6	5.5	4.8	3.3	8.1
00° (parallel parking)	3.0	6.7	3.0	3.0	6.0
(b) Two-way access					
90°	2.6	5.5	5.5	6.0	11.5
75°	2.6	5.5	6.0	6.0	12.0
60°	2.6	5.5	6.1	6.0	12.1
45°	2.6	5.5	6.1	6.0	12.1
30°	2.6	5.5	4.4	6.0	10.4
00° (parallel parking)	3.0	6.7	3.0	6.0	9.0

35. Commercial vehicle parking

For lots containing and/or adjacent a dwelling in the Rural Townsite zone and within the Rural Residential zone, commercial vehicles shall comply with the following -

- (a) the commercial vehicle is located on freehold land;
- (b) the vehicle forms an essential part of the lawful occupation of the occupant of the single house or grouped dwelling and that occupation, if carried on upon the site, does not contravene the provisions of this Scheme;
- (c) the vehicle is not brought or taken from the lot between the hours of midnight and 6:00am; and
- (d) the vehicle is not carrying any residue hazardous or noxious material.

36. Development of land without constructed/dedicated road frontage or access

- (1) In considering a development application for any development on land abutting an un-constructed road or a lot or location which does not have frontage to a constructed road/dedicated road, the local government may -
 - (a) place conditions to require access by means of a dedicated or constructed road or require road construction;
 - (b) where dedicated road access is available, grant development approval subject to a condition requiring the applicant to pay a sum of money in or towards the cost of constructing the road or part thereof and any other condition it considers appropriate; or
 - (c) require other legal arrangements are made for permanent legal access, to the satisfaction of the local government.
- (2) The responsible authority shall be satisfied arrangements for vehicle access are acceptable including the location of access points and construction, with regard to the impact of the proposed land use and expected traffic volume and composition on traffic flow and safety, the character and function of the road, the volume and the width of the carriageway and visibility; and the ultimate volume and type of traffic generated by the development.

37. Signage and advertisements

- (1) Advertisements that advertise goods or services which are not produced, displayed or offered for sale, or which is otherwise not relevant to, the land upon which the advertisement is located, but excluding political signage during elections, are prohibited.
- (2) Despite subclause (1), the local government will consider applications for development approval for advertisements on 'third party land' for a temporary period. The local government will have regard to the relevant Local Planning Policy.

38. Landscaping

- (1) Where landscaping is required under this Scheme or pursuant to a development approval, it shall be -
 - (a) provided in a location and standard to the satisfaction of the local government; and
 - (b) carried out at the time of the development or at such other time as may be agreed in writing between the proponent and the local government and shall thereafter be maintained to the satisfaction of the local government.
- (2) At the discretion of the local government, the landscaping requirement may include areas of natural bushland, and areas under covered ways and access driveways between a street alignment and any buildings, however garbage collection and handling spaces, other open storage areas and other driveways and parking areas shall not be included.
- (3) In order to improve the environmental amenity of areas that local government considers deficient in tree cover, local government may require as a condition of any development approval, the planting of such trees and/or groups of trees and species as specified by the local government which may include native vegetation re-establishment and/or drainage measures where considered

necessary by the relevant public agency or local government.

39. General appearance of buildings and preservation of amenity

The local government may place conditions on any development approval granted to ensure the development will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality which may address matters including -

- (a) design and appearance of the development including screening of areas used for servicing, storage and waste management;
- (b) the colour or type of materials to be used on exposed surfaces;
- (c) and the height, bulk and massing of any building;
- (d) managing and controlling impacts of development; and
- (e) the condition of a repurposed dwelling or second-hand dwelling so that it does not adversely affect the amenity of the locality.

40. Ancillary dwellings

An ancillary dwelling on land which the R-Codes do not apply must be no greater than 100m², be co-located with the single house, must allow for the continued use of the lot for rural purposes on a rural lot and shall be constructed to a standard that ensures the visual amenity of the area is not adversely impacted.

41. Caretaker's dwellings

Caretaker's dwellings shall be -

- (a) limited to one (1) dwelling per lot;
- (b) a maximum plot ratio area of 100m²; and
- (c) incidental to the predominant use of the site.

42. Workforce accommodation

Applications for development approval for workforce accommodation shall address the following to the satisfaction of the local government -

- (a) the demonstrated need for workers accommodation necessary for the continued operation of an industry;
- (b) the suitability of the site to be developed for the proposed use;
- (c) the suitable siting of the land use in the context of surrounding existing and proposed land uses to avoid landscape impacts and land use conflicts;
- (d) all services to the dwellings from the lot boundary (including access and egress by vehicles and pedestrians) are to be shared, where applicable;
- (e) be located to minimise any amenity impacts from noise, dust, odour and light spill from the predominant land use;
- (f) maintain the amenity of the locality;
- (g) comply with the development standards of this Scheme or any R-code standards applicable; and
- (h) appropriate facility design and use including provision and/or access to recreation, entertainment and community services.

43. Dwellings without reticulated mains water supply

- (1) Where any dwelling is proposed to be constructed on a lot which cannot be

connected to a reticulated mains water supply, that dwelling shall be provided with sufficient roof catchment or other methods acceptable to the local government and the provision of a rain water tank with a minimum capacity of 135,000 litres prior to occupation unless alternative arrangements are made to the satisfaction of the local government for a supply of potable water.

- (2) Where additional water supplies are required for fire-fighting purposes, the capacity of the rainwater tank shall be a minimum of 10,000 litres in addition to the minimum tank size specified in clause xx along with sufficient roof catchment or other methods of water capture acceptable to the local government.

44. Servicing

Development is to be serviced with power, water supply and wastewater and effluent disposal to a level commensurate with the intended land use, with arrangements in place to the satisfaction of the responsible authority and relevant agencies and in accordance with the below subclauses.

45. Waterway resource management and protection

- (1) In considering a development application which may have an impact on any water resources including waterways such as rivers, creeks, drainage lines, swamps and other wetlands, the local government shall have regard to -

- (a) managing water balance;
- (b) maintaining and where possible enhancing water quality;
- (c) encouraging water conservation;
- (d) maintaining and where possible enhancing water related environmental values, recreational and cultural values; and
- (e) advice from relevant government agencies.

- (2) The local government may require proponents to -

- (a) prepare a foreshore management plan, drainage strategy or other document to manage impacts of proposed development and subdivision and will require the proponent, or other agreed party, to appropriately implement the plan or strategy to the satisfaction of the local government;
- (b) undertake appropriate pre-development and post development monitoring and undertake measures deemed appropriate by the local government to address water management and protection issues.

46. Development adjoining a main road or railway

Development of noise-sensitive land uses adjoining a main road or railway may require assessment against State Planning Policy 5.4 - Road and Rail Noise to determine the likely impact of transport noise, and any required noise mitigation measures required.

47. Mining operations

In considering proposals to commercially extract minerals, the local government may, in keeping with s120 of the *Mining Act 1978*, exercise its discretion to inform the Minister for Mines and the Minister for Planning in writing that the granting of a mining lease or general purpose lease is contrary to the provisions of the Scheme and the Local Planning Strategy.

48. Regional facilities

Where there are proposals including scheme amendment or development applications for a regional facility such as waste facilities and resource recovery facilities, the following shall be demonstrated -

- (a) facilities shall be located on a main road or on a road that is of a suitable standard and treatment, to accommodate significant increase in traffic volumes and freight tasks which may be generated by the proposal;
- (b) facilities shall contain or satisfactorily manage potential environmental (including water resources), noise, amenity and air quality impacts on the landholding without affecting nearby rural land uses;
- (c) facilities shall not be visually dominant within key viewsheds, and should be visually compatible with surrounding land uses and development; and
- (d) facilities shall be provided with essential services commensurate with the intended land use.

7. Modifying provisions relating to the Rural Townsite, Rural Residential and General Agriculture Zones as follows:

49. Development in the Rural Townsite zone

Non-residential development in the Rural Townsite zone shall meet the following site requirements -

Maximum Ratio	Plot	Minimum Setback (metres)			Minimum Landscaping % of site
		Front	Side	Rear	
0.5		15	5	7.5	10%

50. Development in the Rural Residential Zone

- (1) The local government may require a Structure Plan to be prepared by the proponent and approved in the Rural Residential Zone prior to subdivision being approved where detailed planning is required to ensure coordinated development and address matters such as access, servicing, land use, environmental impact and bushfire risk.
- (2) All development in the Rural Residential zone must be located within any building envelope or outside of any building exclusion area approved (as may be shown on an approved Structure Plan, Local Development Plan or approved building envelope plan), except for -
 - (a) provision of a suitable access way to the building envelope;
 - (b) rainwater tanks;
 - (c) provision of suitable boundary fencing; and
 - (d) implementation of an approved bushfire management plan or any other general bushfire requirements.
- (3) The local government may grant development approval for variation to subclause 3 under clause 32 where -
 - (a) the objectives of the zone are not compromised;
 - (b) the visual amenity and rural character of the locality;

- (c) development within the proposed new building envelope will not increase bushfire risk; and
 - (d) the proposed size and location of the envelope can accommodate future development, including on-site sewerage disposal systems and water supply tanks, and not have a detrimental effect on the environment.
- (4) Building envelopes and building exclusion areas in the Rural Residential Zone, shall be defined for maximum flexibility for building location, but subject to -
- (a) avoidance of impacts to significant landscape and environmental elements;
 - (b) avoidance of impacts to areas where ground or soil conditions may prejudice the structural integrity of buildings or result in potential for pollution, erosion or flooding;
 - (c) building setback requirements of the Scheme unless appropriately justified by the proponent to the satisfaction of the local government; and
 - (d) where possible, positioning any building envelope to maximise the separation distance to adjoining agricultural land and to address bushfire risk.
- (5) Unless otherwise specified by an approved structure plan, local development plan or approved building envelope plan, the building setbacks from lot boundaries in the Rural Residential Zone shall be a minimum of -
- (a) 15 metres from primary street boundaries; and
 - (b) 10 metres from other boundaries.
- (6) A reduction of the setbacks requirements may be permitted in the Rural Residential Zone where, in the opinion of the local government, the topography, soil conditions, location or shape of the lot are such as to make adherence to the setback impractical, and the proposal otherwise meets the requirements of the Scheme.
- (7) Boundary fencing within the Rural Residential zone shall be post and minimum four strand wire, 1.0 to 1.3 metres high, or post and ring lock or similar approved by the local government. Solid fencing such as super six or pickets shall not be permitted on boundaries and shall only be permitted in proximity to buildings where the local government determines that it will not adversely affect the amenity of the area.
- (8) In the Rural Residential zone in order to conserve the rural environment of features of natural beauty all native trees shall be retained unless their removal is authorised by local government and relevant public agencies and is associated with approved works, vehicle access or required bushfire mitigation measures or the trees are dead, diseased or dangerous.

51. Development in the Rural Zone

- (1) Development in the Rural zone shall conform to the following setback requirements -
- (a) 30 metres from road boundaries;

- (b) 20 metres from other boundaries; and
 - (c) 50 metres from a boundary with State Forest, or reserved land managed for conservation purposes.
- (2) A reduction of the setbacks requirements may be permitted in the Rural zone where, in the opinion of the local government, the topography, soil conditions, location or shape of the lot are such as to make adherence to the setback impractical, and the proposal otherwise meets the requirements of the Scheme.
 - (3) The local government may grant development approval of up to two dwellings regardless of the dwelling type (e.g. grouped dwellings, caretakers dwellings, repurposed dwellings, second-hand dwelling or combinations thereof) on any lot in the Rural zone, where the land is managed for agricultural production, tourism, or education purposes and where the occupants are employed in those specified predominant land uses or activities. This clause does not apply to ancillary dwellings which can be approved in addition to the two dwellings.
 - (4) Notwithstanding sub-clause (3), the local government may consider, if appropriately justified by the applicant, a third dwelling (regardless of the dwelling type) on a lot in the Rural Zone where one of the existing dwellings forms part of a heritage protected place and where there is a suitable agreement, to the satisfaction of the local government (in consultation if appropriate with the Heritage Council), to conserve and appropriately maintain the heritage significance of the dwelling.
 - (5) When considering an application for more than one dwelling in accordance with sub clause 3 and 4 and regardless of the dwelling type in the Rural zone, the local government will have regard to -
 - (a) the size of the subject land and its capacity to operate as a farm where used for agricultural production;
 - (b) bushfire risks;
 - (c) compatibility with adjoining and nearby uses;
 - (d) the additional dwelling(s) will not adversely detract from the rural character and amenity of the area or conflict with primary production on the subject lot or adjoining land;
 - (e) the landscape values of the area and any impact of the proposal upon these values;
 - (f) access to the existing road network is to be provided for any additional dwelling(s) and shared with any existing dwelling(s) where practicable; and
 - (g) the existence of more than one (1) dwelling on a lot in the Rural zone shall not be considered by itself to be sufficient grounds for subdivision.
 - (6) The above provisions do not preclude the local government from considering proposals for workforce accommodation in the Rural zone.
8. Modifying references of 'General Agriculture' zone to 'Rural' zone.
 9. Moving the details in Schedule Four – Special Use Zones to clause 21.
 10. Modifying Schedule A – Supplementary Provisions through replacing with the following:

Schedule A - Supplemental provisions to the deemed provisions

These provisions are to be read in conjunction with the deemed provisions (Schedule 2) set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

61. Development approval is not required for works if –

- (a) the works are of a class specified in Column 1 of an item in the Table; and
- (b) if conditions are set out in Column 2 of the Table opposite that item – all of those conditions are satisfied in relation to the works.

Table

	Column 1 – Works	Column 2 – Conditions
22	The erection or extension of a single house on a lot .	(a) a single house is a permitted ('P') use in the zone (where the R-Codes do not apply) in which that lot is located; (b) the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied; and (c) the works are not in a heritage-protected place or lot or location which does not have access to a dedicated and/or constructed road.
23	The erection or extension of an outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, deck, garage or carport on the same lot as a single house.	(a) a single house is a permitted ('P') use in the zone (where the R-Codes do not apply) in which that lot is located; (b) the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied; and (c) the works are not in a heritage-protected place.
24	The erection or installation of landscaping; letter boxes; or clothes lines where on the same lot as a single house or a grouped dwelling.	Where compliant with all relevant provisions in this Scheme
25	The erection or installation of advertisements.	Where exempt in Schedule 1 except in respect of a sign that is to be erected or installed in heritage protected place.
26	The minor filling, excavation or re-contouring of land.	(a) The Residential Design Codes do not apply (b) There is no more than 0.9 metres change to the natural ground level; (c) the works are not within a flood risk area; and (d) there are no other relevant scheme requirements
27	Retaining walls.	(a) The Residential Design Codes do not apply; and (b) There is no more than 0.9 metres change to the natural ground level.
28	Satellite dishes and other domestic telecommunication installation.	(a) The works comply with any relevant adopted standards outlined in a local planning policy; and (b) The works are not located in a heritage protected place.

29	The erection or placement of a sea container.	The works are in place for a maximum period of 3 months, unless it is associated with storing building materials to support building works approved by the local government.
30	Outbuildings.	(a) The Residential Design Codes do not apply; and (b) The works comply with any relevant adopted standards outlined in a local planning policy.
31	A dam.	(a) It is located in the Rural or Rural Residential zone for the purposes of water collection, storage, and use that is directly associated with a lawful land use, (b) It is not within 10 metres of a lot boundary or natural waterway; (c) It does not alter or affect waterways or water table; and (d) It does not direct runoff to areas other than the watercourse on site and/or impacts adjoining properties.

Clause 61(2)(i) Commercial vehicle parking involving one commercial vehicle per lot in the Rural Townsite or Rural Residential zones where it complies with the relevant development standards set out by the Scheme;

Clause 61(2)(j) the use of land in a reserve, where such land is vested in the local government or vested in a public authority:

- (i) for the purpose for which the land is reserved under the Scheme; or
- (ii) in the case of land vested in a public authority, for any purpose for which land may be lawfully used by that authority.

11. Adding Schedule 1 – Exempted Signage and Advertisements.

Schedule 1 - Exempted Signage and Advertisements

Land use/works	Exempted sign type and number (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	Maximum area of exempted sign
Dwellings	One professional name-plate as appropriate.	0.2m ²
Bed and Breakfast, Home Occupation, Holiday House, Family Day Care, Industry-Cottage, and other business operating from a dwelling	One advertisement describing the nature of the business operating from a dwelling.	0.2m ²
Community Purpose, Place of Worship and community related use	One advertisement detailing the function and/or the activities of the use/institution concerned.	0.2m ²

Exhibition Centre	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5m ²
Bulky Goods Showroom, Shop, Convenience Store and other commercial uses	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 2.5 metres from the ground level of the building subject to compliance with Local Planning Policy	N/A
Industrial and Warehouse/Storage premises	A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building. A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level.	Total area of any such advertisements shall not exceed 15m ² . Maximum permissible total area shall not exceed 10m ² and individual advertisement signs shall not exceed 6m ² .
Public Places and Reserves	a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government a public authority or the local government of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body;	N/A
	b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a government department, public authority or the local government of a municipality; and	N/A
	c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
All classes of buildings other than single house	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²
Temporary Signs	b) Advertising signs associated with traffic management for events provided signs are – (i) not placed on the road reserve (with the exception of directional signs); (ii) displayed for a period not exceeding 8 weeks; (iii) located to promote the safety of motorists, pedestrians and cyclists.	N/A

	b) Advertising signs associated with traffic management for works on roads.	
Building Construction Sites (advertisement signs displayed only for the duration of the construction as follows):		
(i) Dwellings and grouped dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
Property Transactions Advertisement signs displayed for the duration of a period over which property transactions are offered and negotiated as follows. (a) Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of 2m ² .
Shop	All advertisements affixed to the building below the top of the awning, or in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building.	N/A

12. Addressing administrative anomalies.
13. Renumbering the scheme provisions and schedules sequentially and updating any cross referencing.
14. Updating the Table of Contents.
15. Modifying the scheme maps through changing 'General Agriculture' zone to 'Rural' zone and changing reserve names to align with Schedule 3 – Legends used in Scheme from the *Planning and Development (Local Planning Scheme) Regulations 2015*.

COUNCIL ADOPTION FOR ADVERTISING

Adopted for advertising by resolution of the Council of the Shire of Cuballing at the Ordinary Meeting of the Council held on the

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDED/SUBMITTED FOR APPROVAL

Supported for submission to the Minister for Planning for approval by resolution of the Shire of Cuballing at the Ordinary Meeting of the Council held on the and the Common Seal of the Shire of Cuballing was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDED/SUBMITTED FOR APPROVAL

.....
DELEGATED UNDER S.16 OF THE
PLANNING AND DEVELOPMENT ACT 2005

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING
S.87 OF THE PLANNING AND DEVELOPMENT ACT 2005

DATE.....

ATTACHMENT 1



Environmental Protection Authority

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

Our Ref: CMS 18196
 Enquiries: Maddison Howard, 6364 6424
 Email: Maddison.Howard@dwer.wa.gov.au

Dear Mr Scott

DECISION UNDER SECTION 48A(1)(a)
Environmental Protection Act 1986

SCHEME	Shire of Cuballing Local Planning Scheme 2 Amendment 6
LOCATION	Shire of Cuballing
RESPONSIBLE AUTHORITY	Shire of Cuballing
DECISION	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. Advice Given. (Not Appealable)

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations. I have also attached a copy of the Chair's determination of the scheme.

Please note the following:

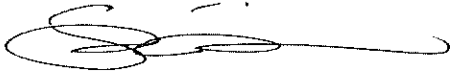
- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision to not assess the scheme.

Prime House, 8 Davidson Terrace Joondalup, Western Australia 6027.
 Postal Address: Locked Bag 10, Joondalup DC, Western Australia 6919.

Telephone: (08) 6364 7000 | Facsimile: (08) 6364 7001 | Email: info.epa@dwer.wa.gov.au

A copy of the Chair's determination, this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely



Dr Shaun Meredith
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

20 May 2022

Encl. Chair's Determination
Scheme Advice and Recommendations



GOVERNMENT OF
WESTERN AUSTRALIA

S48A Referrals

Environmental Protection Authority

Title: Shire of Cuballing Local Planning Scheme 2 Amendment 6

Location: Shire of Cuballing

Description: Amendment 6 proposes to update the Shire of Cuballing Local Planning Scheme to provide for general consistency with the *Planning and Development (Local Planning Schemes) Regulations 2015* and facilitate efficiencies in local planning. The amendment proposes to modify and replace existing provisions, zonings, and the land use permissibility table, with updated scheme text.

Ref ID: CMS18196

Date Received: 29/04/2022 **Date Sufficient Information Received:** 29/04/2022

Responsible Authority: Shire of Cuballing, PO Box 13 CUBALLING 6311

Contact: Stan Scott

Preliminary Environmental Factors: Flora and Vegetation; Terrestrial Fauna; Terrestrial Environmental Quality; Inland Waters; Social Surroundings.

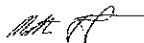
Potential Significant Effects: Potential clearing of native vegetation and fauna habitat, and potential impacts to sensitive receptors including Inland waters and Rural Townsite.

Management: Potential impacts can be managed through proposed scheme provisions and future planning processes. Implementation of EPA advice is recommended to further mitigate potential impacts.

Determination: Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. Advice Given. (Not Appealable)

The Environmental Protection Authority (EPA) has carried out some investigations before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

This Determination is not appealable.

Chair's Initials: 

Date: 18 May 2022

**ADVICE UNDER SECTION 48A(1)(a)
ENVIRONMENTAL PROTECTION ACT 1986**

Shire of Cuballing Local Planning Scheme 2 Amendment 6

Location: Shire of Cuballing

Determination: Scheme Not Assessed – Advice Given (not appealable)

Determination Published: 23 May 2022

Summary

The Shire of Cuballing (the Shire) proposes to amend Local Planning Scheme 2 (LPS 2) to be consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* (P&D Regulations) and to provide for efficiencies in local planning processes. The proposed amendment includes:

- Introduction of model scheme text consistent with the P&D Regulations
- Modifications to the Zoning Table and permissible land use types
- Replacement of the 'General Agriculture' zone with a 'Rural' zone
- Modifications to zoning provisions and supplementary provisions.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the original referral documentation for this amendment. Having considered this matter, the following advice is provided.

Environmental Factors

Having regard to the EPA (2021) *Statement of Environmental Principles, Factors, Objectives and Aims of EIA* the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- Flora and Vegetation
- Terrestrial Fauna
- Inland Waters
- Social Surroundings
- Terrestrial Environmental Quality.

Advice and Recommendations regarding the Environmental Factors

The proposed amendment will allow for a range of land uses within the 'Rural Townsite', 'Rural Residential' and 'Rural' zones which may have the potential for environmental impacts.

Detailed information relating to the range of environmental impacts associated with proposals that may be allowable in these zones is not available to the EPA in considering the scheme text amendment. Accordingly, the EPA has not been able to undertake an assessment of relevant environmental issues. The EPA expects that future proposals that appear likely, if implemented, to have a significant effect on the environment are referred to the EPA under Part IV of the EP Act. This approach should also apply to proposals within the existing zones included in LPS 2, that will continue under the proposed amendment.

Flora and Vegetation; Terrestrial Fauna; Terrestrial Environmental Quality

The EPA notes that some of the lands within LPS 2 potentially contain or are adjacent to areas potentially containing conservation significant flora, vegetation, and terrestrial fauna environmental values. Noting that the amendment proposes to remove clause 4.12.9 referring the historic *EPA Position Statement No. 2 – Environmental Protection of Native Vegetation in Western Australia*, the EPA recommends that the proposed scheme text is modified, or an additional clause is provided to facilitate maximum retention of potential fauna habitat and native vegetation within the Shire.

The EPA also notes that the proposed objectives of the 'Rural' zone (replacing the 'General Agriculture' zone under this amendment) include:

- *'To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.'*
- *'To maintain and enhance the environmental qualities of the landscape, vegetation, soils and waterbodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.'*

In reference to the second objective, and in respect to the proposed clause 51(5)(e), the EPA recommends that it may be appropriate for the Shire to also have regard for 'significant environmental values' in considering dwelling applications within the Rural zone.

The amendment also proposes to remove clause 4.11.2, which provides provisions for agriculture intensive land uses within the 'General Agriculture' zone (proposed 'Rural' zone). Given that 'Agriculture – Intensive' remains a 'D' use in the Rural zone as per the modified Zoning Table, the EPA considers that parts of provision 4.11.2, relating to applications for agriculture intensive land uses, remain relevant for inclusion in the scheme. Namely, the current sub-sections (c) and (d) which refer to land care management for vegetation retention, land degradation and salinity issues. It is recommended that the Shire considers retaining some existing scheme text, or modifying proposed scheme text, to facilitate land care management within the Rural zone.

Inland Waters

The EPA notes that in removing clause 4.12.10, the introduction of clause 45 to LPS 2 has been proposed to address 'waterway resource management and protection' within the Shire. The EPA supports the proposed inclusion of clause 45 in the scheme, and recommends the following to further mitigate potential impacts to Inland Water values:

- In reference to the proposed insertion of row 31 in the table at *Schedule A – Supplemental provisions to the deemed provisions*, conditions for the development of a dam in the 'Rural' zone may refer to the *Water Quality Protection Note No. 53 – Dam construction and operation in rural areas* (DWER, 2019).

Social Surroundings

The amendment proposes to change the permissibility of 'mining operations' land use type from a non-permitted ('X') use in the 'Rural' Townsite and 'Rural Residential' zones, and a discretionary ('A') use in the 'General Agriculture' zone (proposed 'Rural' zone), to a discretionary ('D') use in all three zones. The EPA notes that the proposed amendment will therefore potentially facilitate 'mining operations' at zones within which it has previously not been permitted, and potentially in areas that may contain or are adjacent to sensitive land uses. The EPA understands that this zoning modification reflects section 7.1 of the Western Australian Planning Commission's Rural Planning Guidelines (State Planning Policy 2.5).

Potential environmental impacts of future mining operations permitted in the 'Rural Residential' and 'Rural Townsite' zones may include noise, dust and odour emissions. Future applications and development of potential mining operations should demonstrate separation distances from sensitive land uses. Future development should consider the EPA (2005) Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses* and the EPA's Social Surroundings environmental factor guideline.

The EPA also notes that future applications to undertake mining operations within the Shire may require referral to the EPA for consideration under s. 38 of the EP Act.

Conclusion

The EPA concludes the scheme amendment is likely to be consistent with the EPA's environmental objectives through the proposed scheme provisions and future planning processes. The EPA recommends its advice is implemented to mitigate potential impacts to the above environmental factors during future development.

Stan Scott

From: WALLACE Cherie (DPRAC) <Cherie.Wallace@mainroads.wa.gov.au>
Sent: Friday, 1 July 2022 12:46 PM
To: Stan Scott
Cc: Shire of Cuballing Enquiries
Subject: RE: Invitation to comment on Scheme Amendment No. 6 to the Shire of Cuballing's Local Planning Scheme No. 2

Good morning

Thank you for the opportunity to comment on Scheme Amendment No. 6 of the Shire's Local Planning Scheme No. 2.

Main Roads WA Wheatbelt Region has reviewed the proposed scheme amendment and I can advise that we have no objections.

Please note however, although some advertisements may be exempt from requiring town planning approval from the Shire, if the advertising signs are within or beyond a state road reserve and visible from a state road, then Main Roads WA approval must be sought and granted prior to the advertising signs being installed.

Also, for your ongoing information, any future town planning related matters should be forwarded directly to the Wheatbelt Region at wheatbelt@mainroads.wa.gov.au. This ensures that your matter is directed to the correct area from the outset and there is no delay in getting the mater to the assessing officer. Please contact me if you have any queries in this regard.

Kind regards

Cherie Wallace
 Development Planning and Road Access Coordinator
Wheatbelt Region
 p: +61 8 9080 1422 | m: +61 0437 230 661
 w: www.mainroads.wa.gov.au





Department of
**Primary Industries and
Regional Development**

Your reference: AMD 324
Our reference: LUP 1381
Enquiries: Greg Doncon

Mr Stan Scott
PO Box 13
Cuballing WA 6311
ceo@cuballing.wa.gov.au

Date: 26 July 2022

Dear Stan

**Invitation to comment on Scheme Amendment No. 6 to the Shire of Cuballing
Local Planning Scheme No. 2**

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the above proposal.

DPIRD does not object to the proposed amendments which aligns Local Planning Scheme No 2 with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

For more information, please contact Greg Doncon on 90813117 or greg.doncon@dpiird.wa.gov.au

Yours sincerely

A handwritten signature in black ink that reads "Melanie Strawbridge".

Dr Melanie Strawbridge
**Director Agriculture Resource Management Assessment
Sustainability and Biosecurity**

1 Nash Street East Perth 6004
Locked Bag 4 Bentley Delivery Centre 6983
Telephone +61 (0)8 9368 3333 landuse.planning@dpiird.wa.gov.au
dpiird.wa.gov.au
ABN: 18 951 343 745



Government of Western Australia
Department of Health

Your Ref: ADM 324
Our Ref: EHB-01834 D-AA-272776
Contact: Phill Oorjitham 9222 2000

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

Via email: enquiries@cuballing.wa.gov.au

Dear Mr Scott

**PROPOSED SCHEME AMENDMENT NO. 6 TO THE SHIRE OF CUBALLING
LOCAL PLANNING SCHEME NO. 2**

Thank you for your letter of 26 May 2022, requesting comments from the Department of Health (DOH) on the above proposal.

The DOH provides the following comment:

1. *Water Supply and Wastewater Disposal*

In relation to the management of wastewater, it is noted the town does not have reticulated deep sewerage available. The DOH has no objections to the proposal subject to the following:

1. Consider the Government Sewage Policy (2019) requirements including meeting the minimum 100 metre setbacks from natural water bodies, creeks, streams etc;
2. All development proposals to submit a specific site and soil evaluation (SSE) report, to be undertaken by a qualified consultant and conducted during the wettest seasonal time of the year only (July/August) as per the requirements of AS/NZS 1547:2012;
3. Ensure volumes for the wastewater treatment system and effluent disposal areas are designed and sized based on the current health sewage legislation and SSE report findings;
4. If a public facility/reserve is intending to use recycled water as a recreational area or for beneficial use, a recycled water quality management plan (RWQMP) should also be submitted;
5. Detailed plans of proposed building envelopes, land application area/s and exclusion zones to be submitted for each proposal;
6. If grouped dwellings or Strata Titles are proposed it is imperative there is an ongoing regular maintenance service program undertaken by specialised


189 Royal Street East Perth Western Australia 6004
Telephone (08) 9222 2000 TTY 133 677
PO Box 8172 Perth Business Centre Western Australia 6849
ABN 28 684 750 332
www.health.wa.gov.au

consultants for the management of the onsite wastewater treatment system and disposal area/s to the satisfaction of Local Government Environmental Health department;

7. If ancillary dwellings are proposed within a Rural zone, the single dwellings existing onsite wastewater treatment system and disposal area may require upgrading;
8. Where two or more dwellings, grouped or otherwise are proposed within a single lot, the wastewater systems are required to be approved by the DOH and should be included as part of the development approval;
9. Consideration of nuisances such as odours, noise and vibration in relation to the location of the wastewater treatment plant to accommodation or sensitive land users (where applicable).

Should you have any queries or require further information please contact Phill Oorjitham on 9222 2000 or eh.eSubmissions@health.wa.gov.au

Yours sincerely



Dr Michael Lindsay
EXECUTIVE DIRECTOR
ENVIRONMENTAL HEALTH DIRECTORATE

28 July 2022

G O V E R N M E N T O F W E S T E R N A U S T R A L I A



Government of **Western Australia**
Department of **Water and Environmental Regulation**

Your ref: ADM324
Our ref: RF3746 & PA 049573
Enquiries: Brett Dunn, Ph 9550 4202

Shire of Cuballing
PO Box 13
CUBALLING WA 6311

Attention: Stan Scott

Dear Mr Scott

RE: SCHEME AMENDMENT NO. 6 TO THE SHIRE OF CUBALLING LOCAL PLANNING SCHEME NO.2

Thank you for the opportunity to provide comment on Scheme Amendment No. 6 to the Shire of Cuballing Local Planning Scheme No. 2, received with your correspondence dated 26 May 2022.

The Department of Water and Environmental Regulation has reviewed documents provided and wishes to advise it supports the intent of the revised Local Planning Scheme.

Should you wish to discuss further, please contact the undersigned on 9550 4202.

Yours sincerely

Brett Dunn
Program Manager – Planning Advice
Kwinana Peel Region

29 / 07 / 2022

Kwinana Peel Region
107 Breakwater Parade Mandurah Ocean Marina Mandurah Western Australia 6210
PO Box 332 Mandurah Western Australia 6210
Telephone: 08 9550 4222 Facsimile: 08 9581 4560

Shire of Cuballing Local Planning Scheme No. 2 Scheme Amendment No. 6 – Schedule of Submissions				
No.	Name and Address of Submitter	Summary of Submissions	Local Government Comments	Local Government Recommendation
1	Cherie Wallace Development Planning and Road Access Coordinator Wheatbelt Region, Main Roads, Western Australia wheatbelt@mainroads. wa.gov.au	Main Roads WA Wheatbelt Region has reviewed the proposed scheme amendment and I can advise that we have no objections. Please note however, although some advertisements may be exempt from requiring town planning approval from the Shire, if the advertising signs are within or beyond a state road reserve and visible from a state road, then Main Roads WA approval must be sought and granted prior to the advertising signs being installed.	That the submission be noted.	No modification to the amendment is required.
2	Dr Melanie Strawbridge Director Agriculture Resource Management Assessment Sustainability and Biosecurity Department of Primary Industries and Regional Development PO Box 483 Northam WA 6401	DPIRD does not object to the proposed amendments which aligns Local Planning Scheme No 2 with the Planning and Development (Local Planning Schemes) Regulations 2015.	That the submission be noted.	No modification to the amendment is required.

**Shire of Cuballing Local Planning Scheme No. 2
Scheme Amendment No. 6 – Schedule of Submissions**

No.	Name and Address of Submitter	Summary of Submissions	Local Government Comments	Local Government Recommendation
3	Dr Michael Lindsay Executive Director Environmental Health Directorate Department of Health, 189 Royal Street East Perth 6004	<p>The DOH provides the following comment:</p> <p>1. Water Supply and Wastewater Disposal</p> <p>In relation to the management of wastewater, it is noted the town does not have reticulated deep sewerage available. The DOH has no objections to the proposal subject to the following:</p> <p>1. Consider the Government Sewage Policy (2019) requirements including meeting the minimum 100 metre setbacks from natural water bodies, creeks, streams etc;</p> <p>2. All development proposals to submit a specific site and soil evaluation (SSE) report, to be undertaken by a qualified consultant and conducted during the wettest seasonal time of the year only (July/August) as per the requirements of AS/NZS 1547:2012;</p> <p>3. Ensure volumes for the wastewater treatment system and effluent disposal areas are designed and sized based on the current health sewage legislation and SSE report findings;</p>	These are matters that will be addressed at the subdivision application, development application, building permit and on-site wastewater application stages.	No modification to the amendment is required.

**Shire of Cuballing Local Planning Scheme No. 2
Scheme Amendment No. 6 – Schedule of Submissions**

No.	Name and Address of Submitter	Summary of Submissions	Local Government Comments	Local Government Recommendation
		<p>4. If a public facility/reserve is intending to use recycled water as a recreational area or for beneficial use, a recycled water quality management plan (RWQMP) should also be submitted;</p> <p>5. Detailed plans of proposed building envelopes, land application area/s and exclusion zones to be submitted for each proposal;</p> <p>6. If grouped dwellings or Strata Titles are proposed it is imperative there is an ongoing regular maintenance service program undertaken by specialised consultants for the management of the onsite wastewater treatment system and disposal area/s to the satisfaction of Local Government Environmental Health department;</p> <p>7. If ancillary dwellings are proposed within a Rural zone, the single dwellings existing onsite wastewater treatment system and disposal area may require upgrading;</p> <p>8. Where two or more dwellings, grouped or otherwise are proposed within a single lot, the wastewater systems are required to be -approved by the DOH and should be</p>		

Shire of Cuballing Local Planning Scheme No. 2 Scheme Amendment No. 6 – Schedule of Submissions				
No.	Name and Address of Submitter	Summary of Submissions	Local Government Comments	Local Government Recommendation
		included as part of the development approval; 9. Consideration of nuisances such as odours, noise and vibration in relation to the location of the wastewater treatment plant to accommodation or sensitive land users (where applicable).		
4	Brett Dunn Program Manager – Planning Advice Kwinana Peel Region DWER, PO Box 332, Mandurah WA 6210	The Department of Water and Environmental Regulation has reviewed documents provided and wishes to advise it supports the intent of the revised Local Planning Scheme.	That the submission be noted	No modification to the amendment is required.

Environmental Protection Authority advice (23 May 2022)		
Advice	Local Government Comments	Local Government Recommendation
The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act.	Noted.	No modification to the amendment is required.
The proposed amendment will allow for a range of land uses within the 'Rural Townsite', 'Rural Residential' and 'Rural' zones which may have the potential for environmental impacts.	Noted. The Shire will refer future proposals to the EPA under Part IV of the Environmental Protection Act that appear likely, if implemented, to have a significant effect on the environment.	No modification to the amendment is required.
<p>The EPA also notes that the proposed objectives of the 'Rural' zone (replacing the 'General Agriculture' zone under this amendment) include:</p> <ul style="list-style-type: none"> <i>'To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.'</i> <i>'To maintain and enhance the environmental qualities of the landscape, vegetation, soils and waterbodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.'</i> <p>In reference to the second objective, and in respect to the proposed clause 51(5)(e), the EPA recommends that it may be appropriate for the Shire to also have regard for 'significant environmental values' in considering dwelling applications within the Rural zone.</p>	The wording is from the Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 1 - Model provisions for local planning schemes.	No modification to the amendment is required.

<p>The amendment also proposes to remove clause 4.11.2, which provides provisions for agriculture intensive land uses within the 'General Agriculture' zone (proposed 'Rural' zone). Given that 'Agriculture – Intensive' remains a 'D' use in the Rural zone as per the modified Zoning Table, the EPA considers that parts of provision 4.11.2, relating to applications for agriculture intensive land uses, remain relevant for inclusion in the scheme. Namely, the current sub-sections (c) and (d) which refer to land care management for vegetation retention, land degradation and salinity issues. It is recommended that the Shire considers retaining some existing scheme text, or modifying proposed scheme text, to facilitate land care management within the Rural zone.</p>	<p>Support retaining and rewording part of existing clause 4.11.2 (proposed clause 51(7) as follows:</p> <p>'Applications for agriculture-intensive and animal husbandry-intensive shall, in addition to other Scheme requirements, demonstrate the following -</p> <p>(a) evidence of suitable land management addressing retention of remnant vegetation, revegetation, land degradation and salinity management; and/or</p> <p>(b) evidence that the proposed activity is compatible with off-site sensitive uses or that adverse impacts can be contained within the site.'</p>	<p>Modify the Amendment as set out in the 'Local Government Comments' column.</p>
<p>The EPA notes that in removing clause 4.12.10, the introduction of clause 45 to LPS 2 has been proposed to address 'waterway resource management and protection' within the Shire. The EPA supports the proposed inclusion of clause 45 in the scheme, and recommends the following to further mitigate potential impacts to Inland Water values:</p> <ul style="list-style-type: none"> • In reference to the proposed insertion of row 31 in the table at <i>Schedule A – Supplemental provisions to the deemed provisions</i>, conditions for the development of a dam in the 'Rural' zone may refer 	<p>The conditions associated with Schedule A need to be clear and succinct to guide landowners and other stakeholders.</p>	<p>No modification to the amendment is required.</p>

<p>to the <i>Water Quality Protection Note No. 53 – Dam construction and operation in rural areas</i> (DWER, 2019).</p>		
<p>The amendment proposes to change the permissibility of ‘mining operations’ land use type from a non-permitted (‘X’) use in the ‘Rural’ Townsite and ‘Rural Residential’ zones, and a discretionary (‘A’) use in the ‘General Agriculture’ zone (proposed ‘Rural’ zone), to a discretionary (‘D’) use in all three zones. The EPA notes that the proposed amendment will therefore potentially facilitate ‘mining operations’ at zones within which it has previously not been permitted, and potentially in areas that may contain or are adjacent to sensitive land uses. The EPA understands that this zoning modification reflects section 7.1 of the Western Australian Planning Commission’s Rural Planning Guidelines (State Planning Policy 2.5).</p> <p>Potential environmental impacts of future mining operations permitted in the ‘Rural Residential’ and ‘Rural Townsite’ zones may include noise, dust and odour emissions. Future applications and development of potential mining operations should demonstrate separation distances from sensitive land uses. Future development should consider the EPA (2005) Guidance Statement No. 3 <i>Separation Distances between Industrial and Sensitive Land Uses</i> and the EPA’s Social Surroundings environmental factor guideline.</p> <p>The EPA also notes that future applications to undertake mining operations within the Shire may require referral to the EPA for consideration under s. 38 of the EP Act.</p>	<p>The zoning modification reflects section 7.1 of the Western Australian Planning Commission’s Rural Planning Guidelines (State Planning Policy 2.5).</p> <p>Noted. The Shire will consider relevant EPA publications.</p> <p>Noted. The Shire may refer future mining applications to the EPA under Section 38 of the Environmental Protection Act.</p>	<p>No modification to the amendment is required.</p>

9.2.2 WALGA 2021 AGM – Member Motions

Applicant: WALGA
File Ref. No: ADM104
Disclosure of Interest: Nil
Date: 5th September 2022
Author: Stan Scott - CEO
Attachments: 9.2.2A WALGA AGM 2022 – Members Motions Extract

Summary

Council is to consider its position in relation to motions to be presented to the 2022 WALGA Annual General Meeting.

Background

Council's voting delegates to the 2022 Annual General Meeting (AGM) of WALGA are Councillors Dowling and Harris.

Comment

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

Summary detail of the members motions to be debated at the 2022 Annual General Meeting of WALGA to be held at Crown Perth, Grand Ballroom on Monday, 3rd October 2022, are included at Attachment 9.2.2A. Staff can provide interested Councillors with a complete copy of the agenda.

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

3.1. Road Traffic Issues

Motion

That WALGA Advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.

Comment

Motion reflects frustration at lack of action in relation to safety issues identified and documented by Local Government.

Recommendation

SUPPORT

3.2. Car Parking and Traffic Congestion Around Schools

Motion

That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:

1. Reviewing car parking standards for schools;

2. Ensuring sufficient land is set aside for the provision of parking on school sites;
3. Reviewing the co-location of schools to avoid issues being exacerbated;
4. Restricting school access from major roads;
5. Developing plans to enable schools to manage school traffic;
6. Develop programs to educate drivers; and
7. Develop options and implement initiatives to encourage alternative modes of transport to school.

Comment

Motion highlights ongoing issues with traffic management around schools.

Recommendation

SUPPORT

3.3. Proposal for Regional Road Maintenance Contracts with Main Roads WA

Motion

That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.

Comment

Motion proposes an arrangement similar to one in Queensland. Similar projects have been implemented in WA previously. This is not something in which the Shire of Cuballing is likely to be able to participate but has merit.

Recommendation

SUPPORT

3.4. Northern Australia Beef Roads Program

Motion

That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.

Comment

There seem to be some similarities between this proposal and the Wheatbelt Secondary Freight Network. The main difference seems to be the extent of Commonwealth investment in the business case.

Recommendation

SUPPORT

3.5. 3D House Printing Building Compliance

Motion

That WALGA requests:

1. Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP, Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.
2. That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.

Comment

This mirrors a similar motion at the ALGA AGM earlier this year. There are significant impediments to the adoption of new building technologies and products largely due to a low risk appetite amongst regulators.

Recommendation

SUPPORT

3.6. South West Native Title Settlement

Motion

That WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.

Comment

The Shire of Cuballing has one such request at present, but each request involves significant work. There is no indication in the request as to the proposed purpose or nature of the vesting. Normal statutory planning arrangements apply to any proposed use by the Noongar people. It is clear a lot of work goes into the consideration before comment is sought from affected Local Governments.

Recommendation

SUPPORT

3.7. Land Offset Compensation to Local Governments

Motion

That WALGA advocate to the State Government that the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.

Comment

Many near metropolitan Local Governments are experiencing a significant reduction in rateable land as land is acquired by developers and returned to the crown as offsets for metro developments. The Perth Peel 3.5 million planning frameworks identify how that region can accommodate 3.5 million people by 2050, but fails to account for the impacts outside the study region.

Recommendation

SUPPORT

3.8. Review of the Rating Methodology used by the Valuer-General

Motion

Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.

Comment

In some other states valuations are based on capital improved value. This means that both urban and rural property may be valued in the same way. A review would help inform decisions on the appropriate methodology.

Recommendation

SUPPORT

3.9. WA Local Government Rating Model

Motion

That WALGA advocate to the State Government and the Valuer Generals' Office that a different rating model be trialled across several Councils whereby the Unimproved Value rate is abolished, and all properties are rated for Gross Rental Value or Capital Value.

Comment

This motion addresses the same issue as the previous motion. The previous motion involving a review of methodology is in the CEO's view a better option. It would be difficult to do both.

Recommendation

SUPPORT only if Motion 3.8 defeated.

3.10. Reform of the Cat Act 2011

Motion

That the WA Local Government sector requests the WA State Government prioritise reforms to the *Cat Act 2011*, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.

Comment

The biggest single action that could reduce the impact of cats on wildlife would be requiring that cats be contained within the owner's property. This is one of the recommendations of the Statutory Review.

Recommendation

STRONGLY SUPPORT

3.11. WALGA Best Practice Governance Review – Principles

Motion

That:

1. The update on the Best Practice Governance Review project be noted, and
2. The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed:

a. Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.

b. Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.

c. Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.

Comment

The motion would give effect to the Governance Review commissioned by State Council in March 2022.

Recommendation

SUPPORT

Discussion

The WALGA AGM provides the opportunity for delegates from around the State to present and debate motions. Resolutions from the Annual General Meeting must under the WALGA constitution be considered by State Council, but are not binding on State Council or the Association.

Council delegates have a deliberative vote and, much as happened in Council meetings, delegates have the opportunity to consider the arguments made during the debate and vote accordingly. While the Council resolution will provide guidance it is not binding on delegates.

Strategic Implications –

Shire of Cuballing Strategic Community Plan 2017-2027

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

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

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

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

Attendance at the WALGA AGM is free.

Economic Implication – Nil

Social Implication – Nil
Environmental Considerations – Nil
Consultation – Nil

Options

Council may resolve:

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

Voting Requirements – Simple Majority

COUNCIL DECISION 2022/100

That Council Delegates to the Western Australian Local Government Association Annual General Meeting to be held at Crown Perth, on Monday, 3rd October 2022 note the following guidance when participating the WALGA AGM

3.1. Road Traffic Issues	SUPPORT
3.2. Car Parking and Traffic Congestion Around Schools	SUPPORT
3.3. Proposal for Regional Road Maintenance Contracts with Main Roads WA	SUPPORT
3.4. Northern Australia Beef Roads Program	SUPPORT
3.5. 3D House Printing Building Compliance	SUPPORT
3.6. South West Native Title Settlement	SUPPORT
3.7. Land Offset Compensation to Local Governments	SUPPORT
3.8. Review of the Rating Methodology used by the Valuer-General	SUPPORT
3.9. WA Local Government Rating Model	SUPPORT only if Motion 3.8 defeated.
3.10. Reform of the Cat Act 2011	STRONGLY SUPPORT
3.11. WALGA Best Practice Governance Review – Principles	SUPPORT
Moved Cr Kowald	Seconded Cr Bradford

Carried 6/0

1. Apologies, Announcements, Standing Orders and Previous Minutes

1.1 Record of Apologies

1.2 Announcements

1.3 Adoption of AGM Association Standing Orders

The AGM Association Standing Orders are contained within this Agenda ([Attachment 1](#)).

DRAFT MOTION:

That the AGM Association Standing Orders be adopted.

1.4 Confirmation of Previous Minutes

The Minutes of the 2021 WALGA Annual General Meeting are contained within this Agenda ([Attachment 2](#)).

DRAFT MOTION:

That the Minutes of the 2021 WALGA Annual General Meeting be confirmed as a true and correct record of proceedings.

2. Adoption of Annual Report

The 2021-2022 Annual Report, including the 2021/22 Audited Financial Statements, was distributed to members separately.

DRAFT MOTION:

That the 2022 Annual Report, including the 2021/22 Audited Financial Statements, be received.

3. Consideration of Executive and Member Motions

3.1. Road Traffic Issues

Shire of Dardanup to move:

MOTION

That WALGA Advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.

IN BRIEF

- Request for WALGA to advocate for greater local input into road and intersection treatments.

MEMBER COMMENT

The Shire of Dardanup and its community have experienced a number of instances where preventative action was only taken after fatalities occurred on roads and intersections, despite pleas and requests from the local government, community and stakeholders.

Recent examples include the following intersections:

- Hynes Road on Forrest highway, fatalities occurred before safety concerns were addressed and speed limit reduced;
- Hynes Road on South Western Highway, fatalities occurred before safety concerns were addressed and speed limit reduced;
- South Western Highway section from Hynes Road westbound to Picton, high number of fatalities occurred before safety concerns were addressed and speed limit reduced;
- Eaton Drive numerous intersection designs, almost 10 years of traffic studies paid for by the local government as requested by Main Roads which eventually culminated in a treatment plan for all intersection that was agreed to by Main Roads South West, but rejected by Main Roads Perth request further traffic studies delaying action and deferring addressing community and safety concerns.

SECRETARIAT COMMENT

The Commissioner for Main Roads has the authority to erect, alter or take down any road sign or traffic control signal under the provisions of Regulation 297 of the *Road Traffic Code 2000*. This authority has not been delegated to Local Governments, except under very limited conditions. To effectively manage the local road network Local Governments need to work with Main Roads WA Traffic Management Services. The issues identified in the motion are consistent with the experience of other Local Governments.

In response to advocacy from WALGA and Local Governments, Main Roads WA undertook a review of the Speed Zoning Policy and Application Guidelines in 2020. Following adoption of the new policy, 52 Local Governments that had applied one or more times to amend a speed zone completed a survey undertaken by WALGA in 2021 which found that a higher proportion of applications to reduce speed limits on local roads were rejected under the new policy than was previously the case. Local Governments highlighted that the process was slow, somewhat unpredictable and lacked feedback indicating changes are required.

The proposed motion is broadly consistent with the WALGA State Council advocacy position in relation to travel speed management;

1. That the Road Safety Council initiate the development of a comprehensive speed reform plan. That the speed reform plan be designed, to meet the various needs of metropolitan, rural and remote Western Australian communities, with the aim of improving liveability, amenity and safety.
2. That a speed reform plan incorporates:
 - a. measures to ensure that Local Governments are consulted in the process of changing speed limits on the local road network, and
 - b. processes to reduce the barriers and red tape for Local Governments seeking lower speed limits in targeted locations on local urban roads.

[September 2019 – 99.6/2019]

Main Roads WA has evolved its policy position in relation to intersection treatments in the past three years such that “roundabouts or other treatments will be preferred over traffic signalisation, unless evaluation clearly demonstrates those other solutions are unsuitable”¹. There have also been significant technical changes in the modelling required, including the type of software to be used to demonstrate the effectiveness of the proposed intersection treatment². These new policies and operational requirements were introduced without adequate consideration of the long planning timeframes associated with road network development.

¹ Main Roads WA 2021 p13 [Traffic Signals Approval Policy](#)

² Main Roads WA 2021 [Operational Modelling Guidelines](#)

3.2. Car Parking and Traffic Congestion Around Schools

City of Wanneroo to move:

MOTION

That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:

- 1. Reviewing car parking standards for schools;**
- 2. Ensuring sufficient land is set aside for the provision of parking on school sites;**
- 3. Reviewing the co-location of schools to avoid issues being exacerbated;**
- 4. Restricting school access from major roads;**
- 5. Developing plans to enable schools to manage school traffic;**
- 6. Develop programs to educate drivers; and**
- 7. Develop options and implement initiatives to encourage alternative modes of transport to school.**

IN BRIEF

- Car parking and traffic congestion around school sites has been and continues to be problematic.
- Causes arise from lack of parking, lack of adequate drop-off and pick-up areas and driver behaviour.
- Issues include illegal parking and traffic movements leading to conflict and potentially dangerous situations.
- Issues are not exclusive to City of Wanneroo.
- Requires a wide-ranging review of standards and school location.
- Requires better management of traffic by schools and development of driver education programs.
- Requires development of options and programs to alternative modes of travel to and from school.

MEMBER COMMENT

Background

The City of Wanneroo has for some time been concerned about traffic congestion and car parking in and around school sites. In particular, the City is concerned about the car parking and congestion issues that occur over the morning drop-off and afternoon pick-up times due to the high demand and intensity of activity over relatively short periods of time. Causes seem to range from a lack of parking availability, lack of adequate drop-off and pick-up areas and driver behaviour. The results observed by the City include illegal parking and traffic movements leading to conflict and potentially dangerous situations.

As an outer metropolitan growth council, the City of Wanneroo will continue to face the issue of car parking and traffic congestion unless measures are taken to address the increasing challenges and issues associated with schools throughout the City.

It is apparent that the issue of car parking and traffic congestion around schools is not exclusive to the City of Wanneroo. It follows that a comprehensive and coordinated approach to the problem is called for. This motion is submitted to request that WALGA take a lead role in helping bring about such a solution on behalf of all member councils.

Comment

There is a need to approach the State Government to identify and implement new approaches that can contribute to a comprehensive solution. These include:

- Reviewing parking standards for educational establishments;
- Ensuring sufficient land is set aside for the provision of parking on school sites;
- Reviewing the co-location of schools to avoid issues being exacerbated;
- Restricting school access from major arterial roads;
- Developing plans to enable schools to manage school traffic;
- Develop programs to educate drivers; and
- Develop options and implement initiatives to encourage alternative modes of transport for travel to and from school.

The City's Councillors are very concerned about the issues and are supportive of the City pursuing options to reduce the problems at existing schools and prevent them from occurring where new schools are developed. An example of the problem faced in relation to traffic and congestion has been highlighted by a Councillor. Mercy College in Koondoola is located at the intersection of two major roads (Beach Road and Mirrabooka Avenue) where it has been observed that:

- At school pick-up times, cars stop along Mirrabooka Avenue, approximately 200m before the intersection of Beach Road / Mirrabooka Avenue.
- The gate at Mercy College doesn't open until about 2:45pm. Cars are banked up from 2:30, causing significant congestion issues.
- A drop off / pick up entrance along Beach Road appears to be well managed, unlike the one on Mirrabooka Avenue.

The City has operated a school parking program to provide education, manage parking and where necessary take compliance/enforcement action. The City has also worked with the Department of Transport (DOT) *Your Move* team to help in the development of safe routes to school. Despite these efforts, issues of congestion and parking problems persist.

The City acknowledges the Department of Transport (DOT) report "*The declining rate of walking and cycling to school in Perth*" issued in November 2021. The City generally supports the conclusions and recommendations of the report and looks forward to the implementation of the actions proposed.

The City is also aware of the Department of Planning, Lands and Heritage Development Control Policy 2.4: School Sites and the draft operational Policy 2.4: Planning for School Sites. The former policy has been in place since 1998 and the issues of parking and traffic congestion have continued throughout its duration. While the draft policy discusses sufficient parking and embayments and facilities for drop-off and pick-up it does not appear to have measures in place to deal with the high demand and intensity of activity over short periods of time that deal with the resultant congestion and potentially dangerous situations. There is no requirement for schools to manage the traffic they generate.

The City of Wanneroo's observations are that the issue of car parking and traffic congestion occurs at schools in the entire Local Government area regardless of the type (public or private), age and location. That is to say that the issue has been occurring for many years and according to the DOT report has become more of an issue as the rate of walking and cycling to school has declined over the past 40 years.

There is a need for WALGA, as representative of Local Government, to lead discussions with the State Government to find a solution to the issue of parking and traffic congestion around schools.

Addressing car parking provision, driver behaviour and mode of transport can help reduce the issues occurring at schools.

The City's view is that addressing school location, improving safe pedestrian and cycle access routes, provision of safe bicycle storage facilities, ensuring sufficient car parking provision and drop-off/pick-up areas are provided, improving driver behaviour through education and mode of transport can help reduce the issues occurring in and around schools. Improved and safe pedestrian and cycle routes can lead to healthier outcomes for users and can contribute to stronger connected communities.

SECRETARIAT COMMENT

This motion outlines three key requests:

1. A wide-ranging review of standards and school location

There are two main types of schools: Public schools and private schools.

Land for public schools is required to be identified and set aside as part of the structure planning and subdivision process. Public schools are considered as public works, are not controlled by local planning schemes and are exempt from the requirement to obtain development approval. Consequently, Local Governments have limited direct control over the concerns raised in the motion for new public schools. Private schools, the demand for which usually materialises after neighbourhoods are well established, are controlled by local planning schemes and the parking standards and other requirements set out in these schemes.

Draft Operational Policy 2.4 (Western Australian Planning Commission 2020) is the primary planning policy that sets standards for new schools. This draft policy “is intended to assist in addressing issues that may arise in residential areas between schools and their surroundings particularly in respect of traffic and noise generating activities, and mitigation of impacts on existing transport network and services.” The policy sets standards related to minimum number of road frontages and road types, access to active and public transport connections, and requirements to provide traffic impact assessments. The policy was drafted in 2020 and will be finalised following the review of Liveable Neighbourhoods.

Liveable Neighbourhoods is the Western Australian Planning Commission’s primary policy for the design and assessment of structure plans (regional, district and local) and subdivision for new urban (predominantly residential) areas. This policy includes a component on education facilities, including particular design requirements for schools.

The finalisation of Draft Operational Policy 2.4 and current revision of Liveable Neighbourhoods provide opportunities for Local Governments and WALGA to seek amendments to these documents in accordance with member concerns.

2. *Better management of traffic by schools and development of driver education programs*

Driver behaviour, as well as transport mode choice, contributes to reducing the impact of traffic congestion and safety around schools.

3. *Development of options and programs to alternative modes of travel to and from school*

In May 2022 WALGA State Council endorsed the Draft Active Travel to School Roadmap, subject to amending Urban Environment Initiative No 1 to “Consult local governments to identify sub-regional school transport challenges and amend existing planning guidelines and develop new guidelines where gaps exist (RESOLUTION 337.4/2022).

State Council also resolved that WALGA:

- Works with the Department of Transport to finalise the Roadmap and encourage Local Government participation in the initiatives identified where these offer solutions to the local issues encountered in each area; and
- Uses the Draft Active Travel to School Roadmap to strengthen advocacy for increased funding for walking and cycling infrastructure in Western Australia by the State and Federal Government.

WALGA has some involvement with the Active Transport to School Working Group, which is led by the Department of Transport and includes representation from the Department of Education. The Department of Transport has developed a new category within the next round of WA Bicycle Network Grants to co-fund Active Transport Officers with Local Governments. This is an evolution of the former Travel Smart Officers with the new officers having a greater role in working with schools.

3.3. Proposal for Regional Road Maintenance Contracts with Main Roads WA

Shire of Dundas to move:

MOTION

That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.

IN BRIEF

- \$29.7 billion total investment through QTRIP 2022-23 to 2025-26.
- 25,200 jobs supported over the life of program in Local Governments in Queensland.
- Main Roads WA Projects can be viewed [here](#).

MEMBER COMMENT

On 1 April 2022, the McGowan Labour Government [announced](#) it was returning up to 660 maintenance road workers back in-house to Main Roads.

An interactive Q-Trip Funding Tool ([here](#)) provided by the Queensland Government, details the next four years of State Government and Local Government Partnership providing safer roads and sustainability to regional and remote Shires.

To enable the Shire of Dundas to be involved in the direction of WALGA to assist with issues impacting us directly, and other regional resource communities impacted by the related Acts and Regulations.

Given the recent State Government announcement, there is an opportunity for all Local Governments to look at this proposal from WA State Government on how this proposal to keep jobs in house within Main Roads WA and the possibility to work with local governments when contracting the required road maintenance to Local Governments (see [here](#)).

It is suggested that the Queensland Government model, which can be viewed [here](#), works well and allows Councils to recover costs for usage of plant and equipment and recoup plant costs as hire charges against activities to cover all maintenance, depreciation and operating costs for Local Governments as agreed when undertaking joint routine maintenance on State controlled roads.

It is important that when developing this type of model and contract terms to get the document standards and the WHS and the Main Roads Preferred Suppliers correct. In Queensland, Main Roads assisted with these requirements in a partnership arrangement.

If Local Governments across WA are allowed into this space and work for the State Government on a contractual basis, it could be an opportunity to increase revenue significantly, especially in remote rural areas across WA. This would help Council cover cost relating to new imposed WHS Reforms, Local Government Reforms, Auditing Requirements, and associated costs.

SECRETARIAT COMMENT

The decision by the State Government to move to in-sourcing road maintenance delivery and management provides new opportunities for Local Governments to participate in delivering maintenance and minor capital work on the State road network. Local Governments and Regional Organisations of Council have previously contracted to Main Roads WA to deliver road maintenance services. There were several reasons that Councils and Main Roads WA decided not to continue with these arrangements. The Association will need to understand the interest and capacity of Local

Governments to undertake road maintenance work on the State road network, to inform engagement with the State Government.

The extent and type of road works that Main Roads WA will deliver using staff and those operations that will be delivered by contract are likely to vary in different parts of the State.

3.4. Northern Australia Beef Roads Program

Shire of Dundas to move:

MOTION

That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.

MEMBER COMMENT

The extension to the south of the country of Roads and Beef Road Funding will be vital to get cattle to the saleyards and be competitive with their counterparts from the North who receive [Federal Funding](#) to assist them in their efforts to transport cattle.

Reliable access has always been the most significant issue facing the community and businesses operating in the remote Northern Nullarbor region and is a serious concern for those emergency service personnel who are called upon in times of crisis. The 2019-2020 bushfires which closed the Eyre Highway (effectively the gateway into WA) is an example of inaccessibility. The Trans Access Road is the only road servicing this area and has in the past been impassable for months due to flooding. This project would deliver transport efficiencies, stimulate and support economic activity, and provide a safer access road for regular users, tourists, and emergency service personnel. The Eyre highway is the number one strategic link into Western Australia. The Trans-Access Road is the only road East linking the Aboriginal Communities, remote roadhouses, and pastoral stations. Linking the two roads increases accessibility, safety, and improves the social service access between the communities on both roads. Cattle and sheep movements can be hampered when the Trans Access Road is closed, and WA freight movements (in and out) are hampered when the Eyre highway is closed, as per the bushfire season of 2020.

This road improvement will shorten the distance from 1,041 to 91.7km (within our Shire), making traffic movements more efficient, as well as safer with a better-quality formed road. The Commodities can get to market with increased certainty, safety, and more efficiently.

This is only the situation with one road and their numerous pastoral leaseholders having the same issues in Western Australia and all the southern pastoral leaseholders across Southern Australia.

See [here](#) a map showing Northern Australia Local Government Roads receiving Funding.

SECRETARIAT COMMENT

The Northern Australia Beef Roads Program was a \$100 million Federal Government investment within the \$980 million Northern Australia Roads Program, which is delivering upgrades to high priority roads in northern Australia essential to the movement of people and freight to support the North's economic development. The Northern Australia Beef Roads Program is making targeted upgrades to key roads necessary for transporting cattle to improve the reliability, productivity and resilience of cattle supply chains in northern Australia, thereby reducing freight costs and strengthening links to markets. The

IN BRIEF

- At the 2022-23 Budget, the Australian Government extended the Northern Australia Roads Program by committing a further \$380 million to road projects in Northern Australia over four years from 2022-23 to 2025-26.
- Projects to be funded from this new \$380 million commitment will be determined following engagement with stakeholders and project delivery partners.
- This extension builds on the Australian Government's initial \$600 million investment, which is nearing completion. Roads identified in Infrastructure Australia's Northern Australia Audit, along with other roads identified as priorities by the states and territories, such as those connecting communities, or regional towns to ports, were considered for funding.

Federal Government announced projects to be funded in October 2016, and the program is now nearing completion.

A key feature of the Northern Australia Beef Roads Program was the active engagement with the beef industry and transport sector to identify potential projects and modelling of different scenarios by the CSIRO using the Transport Network Strategic Investment Tool (TraNSIT) to determine the benefits and assist in prioritising projects. Success in establishing a new Beef Roads Program in Southern Australia would likely require similar support and evidence. Northern Australia provides 90% of Australia's live cattle exports³.

The Northern Australia Program is framed around the [Our North, Our Future: White Paper](#) on Developing Northern Australia, with annual statements to Parliament on progress. It is outside of the Minister for Northern Australia responsibilities to establish funding programs in other parts of Australia.

Depending on the scale of investment required, a business case detailing the costs and benefits of the proposed upgrades will be required to underpin advocacy to State and Federal Ministers. The Hon Catherine King, Minister for Infrastructure, Transport and Regional Development of Australia is a primary decision-maker when seeking funding to respond to the identified needs.

³ Office of Northern Australia 2022 ([Office of Northern Australia | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)).

3.5. 3D House Printing Building Compliance

Shire of Dundas to move:

MOTION

That WALGA requests:

1. **Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP, Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.**
2. **That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.**

IN BRIEF

- The section of the National Building Code that would need to change is National Construction Code, Building Code of Australia 2019 Volume 1 Amendment 1
- Australian Standards Adopted by Reference
- The *Building Act 2011*
- Building Regulations 2012

MEMBER COMMENT

Australia's construction industry may be in for a shake-up, with the arrival of commercial 3D house-printing technology capable of slashing build times and costs.

On the heels of the country's first 3D-printed house – erected in three days Melbourne in January - COBOD, an international leader in the disruptive field, has partnered with Australian company Fortex to distribute its equipment.

COBOD has spearheaded the development of 3D house-printing, having sold about 50 systems featuring multifunctional construction robots across the globe since 2019. They were used to help build the first single-, two- and three-storey 3D-printed dwellings in Europe, the first 3D-printed house and school in Africa, and first wind turbine tower base.

Unfortunately, laws, codes and regulations rarely keep pace with technology. This is the case for using 3D printing to construct houses.

The Shire of Dundas Elected Members supported this motion at the [Ordinary Council Meeting on 28 July 2022](#) (item 10.1.2 WALGA AGM item – 3D Building Compliance).

Australia is currently experiencing an unprecedented housing crisis. Staff and material shortages are now affecting all industries and especially impacting critical industries like housing construction. The construction of buildings in Australia is controlled through a legislative framework that includes reference to the need to comply with the National Construction Code (NCC) and the Building Code Australia (BCA). The NCC is a uniform set of technical provisions for the design and construction of buildings and other structures, including building systems throughout Australia. In WA the NCC/BCA is called up in the *Building Act 2011* and the Building Regulations 2012. It is a statutory requirement that a building or system must be demonstrated to achieve NCC/BCA compliance. The NCC is a performance-based code, containing all performance requirements for the construction of buildings. It's built around a hierarchy of guidance and code compliance levels, with the performance requirements being the minimum level that buildings, building elements, and systems must meet. A building will comply with the NCC if it satisfies the performance requirements, which are the mandatory requirements of the NCC. The performance

requirements are also supported by general requirements. These cover other aspects of applying the NCC including its' interpretation, reference documents, the acceptance of design and construction, including related evidence of suitability/documentation, and the classification of buildings within the NCC. The key to the performance-based NCC is that there is no obligation to adopt any particular material, component, design factor or construction method. This provides for a choice of compliance pathways.

At the [National General Assembly on 19-22 June 2022](#), Motion number 100 was presented by Murray River Council NSW.

Motion number 100 Murray River Council NSW

This National General Assembly calls on the Australian Government to collaborate with local government to remove impediments within the National Construction Code Series (BCA) and associated Australian Standards, that dissuade industry from adopting 3D printing, and the Government provide instruments to incentivise private industry to develop 3D printing.

OBJECTIVE

There is mounting financial pressure on governments, with limited fiscal levers available, to slow the price trajectory of housing. Major change across any industry is difficult for profit-driven entities, especially smaller players, to orchestrate, as simply the risk is high, the financial capacity is limited, and the reward will soon be diluted across their competitors. There are investigations into housing affordability occurring in NSW already, which is commendable. Further opportunities can be harvested if the state partners with local government to review the building codes (which by default do not currently reflect the new technology).

KEY ARGUMENTS

Often the scale of the research and development required is beyond even the most affluent or well-resourced. The longer an industry has been in existence, the harder it is to change, amplified by the educational institutions and financial commitments that both have long lead times and future commitments. Furthermore, regulations (in this instance building codes and standards) are always slow to change and are often an even bigger impediment. In August 2021, the first 3D printed houses were sold in the USA. The investment in research and development in 3D printed structures over the next few years in many counties, largely driven by price pressures, government policies, international treaty obligations, but also because of the frailty of global supply chains, is profound.

Housing affordability is now becoming critical, yet the policy levers appear to be slow moving. Although it will take some time to achieve, the initial indicators are that 3D Printed houses will lower prices. Therefore, it would be prudent to adapt our rules to facilitate.

References

- <https://www.idsupra.com/legalnews/not-your-average-desktop-printer-how-3d-3943618/>
- <https://www.canberratimes.com.au/story/7785621/3d-printers-set-to-disrupt-building-sector/>
- https://www.dezeen.com/2021/08/31/east-17th-street-residences-3d-printed-homes-icon-austin/
- <https://www.procore.com/jobsite/6-of-the-worlds-most-impressive-3d-printed-buildings/https://all3dp.com/2/best-companies-building-3d-printed-houses/>

Statutory Environment

- [National Construction Code \(NCC\)](#)

SECRETARIAT COMMENT

Changes to the National Construction Code - All components used for building work in Australia must meet certain performance and legal requirements. These requirements help ensure that buildings are safe, healthy for occupants and maintain performance over the expected life of a building. Following a building fire in Melbourne Docklands in 2014, and the cladding fire at Grenfell Tower in London in 2017 which killed 72 people, all State and Territory Building Ministers agreed to an assessment of the effectiveness of building compliance systems across Australia. The resulting Building Confidence Report, released in 2018, identified that problems exist with building product safety in Australia. Subsequently, all Building Ministers agreed to the development of a National Product Assurance Framework to strengthen building product performance requirements. A discussion paper outlining the proposed framework was released by the Australian Building Codes Board in 2021 and can be found [here](#). Any change allowing new forms of construction would require substantial evidence to be presented by industry to the Australian Building Codes Board.

Alternative construction methods such as modular buildings, buildings with pre-engineered components and Structural Insulated Panels (SIPS panels) have risen in popularity in Western Australia in recent years, partly in response to supply chain issues and labour shortages. For example, a display home was built in Mandurah from SIPS panels that was supplied and installed in 16 weeks. Strategies that seek to promote diverse housing options, supply and sustainability should consider the suite of alternative construction methods.

3.6. South West Native Title Settlement

Shire of Gingin to move:

MOTION

That WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.

IN BRIEF

- WALGA to advocate for a review into how Local Governments are requested to consider land to potentially be transferred as part of the South West Native Title Settlement.

MEMBER COMMENT

The Shire of Gingin and many other Local Governments are being requested to consider parcels of land to be allocated for transfer as part of the South West Native Title Settlement.

The Shire of Gingin has received its third request, totalling approximately 45 parcels of land, for consultation as part of this process and in each instance is provided only 40 days to provide feedback to the Department.

For each land parcel in question, which can be numerous, Council is requested to consider the following:

1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?
2. Does the Shire have any interest in the land?
3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.
4. Is the land parcel subject to any mandatory connection to services?
5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?
6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?
7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local Government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?
8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).
9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

The 40-day consultation does not provide any ability for Local Government to consult with the community regarding Council's support for the land transfer and as such is ignorant as to the changes in land management.

Local Governments, as part of this process, are not advised as to any intent for the future purpose of the land and/or how it is proposed to be managed into the future and this is creating angst as part of the consultation with Council. For example, it is difficult for any Local Government to approve the transfer of the land without understanding as to what purpose the land is being requested for and who will manage the area, and will it be freehold transfer? This advice may be as simple as the site is requested for cultural significance or for commercial purposes and will be administered by SWLCC as a reserve vested.

The Shire of Gingin, through consultation with the Department, have been advised that within the Shire there are an additional some 230 more locations identified for potential transfer. The Shire, and all Local Governments, should be provided this full list to be able to undertake early due diligence on the land identified.

Without knowing what other Councils are being requested to consider, the Shire requested the Department to ensure that the Shire of Gingin and other Local Governments are not being targeted due to the commercial potential for land. There should be more clarity surrounding the lands that have been requested and identified across all Local Government and this be publicly accessible.

SECRETARIAT COMMENT

Background on the South West Native Title Settlement (Settlement):

The Settlement, in the form of six Indigenous Land Use Agreements (ILUAs), is a landmark native title agreement negotiated between the Noongar people and the State Government of Western Australia (State). The Settlement officially commenced on 25 February 2021, followed by the establishment of the Noongar Boodja Trust and the appointment of Perpetual as the initial Noongar Boodja Trustee on 29 March 2021. Following commencement, as prescribed by the ILUAs, native title rights and interests were surrendered on 13 April 2021, in exchange for a negotiated package of benefits that the State is delivering.

The Noongar Land Estate is a key benefit under the Settlement and will be comprised of up to 300,000 hectares of land handed over as reserve, and up to 20,000 hectares of land transferred in freehold. The first transfers of land to create the NLE were executed by all parties on 14 July 2021. The Department of Planning, Lands and Heritage (DPLH) is the agency responsible for the delivery of the NLE, on behalf of the Minister for Lands. The NLE is intended to provide significant opportunities for the Noongar people to achieve sustainable economic, social and cultural outcomes. The land to be transferred to the NLE is primarily drawn from unallocated Crown land (UCL), unmanaged reserves (UMR) and Aboriginal Lands Trust (ALT) properties within the Settlement area and will be determined through the ILUA-prescribed land identification, assessment and eventual transfer processes managed by DPLH over the five year ILUA implementation period. This work is undertaken consultatively with the Trustee, SWALSC and a broad range of key stakeholders.

A key component of this process is the Assessment Phase, at which point DPLH consults with stakeholders, including Local Government. Consultation with Local Government in this manner is consistent with general Crown land administration requirements, where tenure matters are referred for comment under section 14 of the *Land Administration Act 1997* (LAA). Referrals to Local Governments under the Settlement request detail (if available) on the following:

- whether there are existing interests in the land parcels under consideration for inclusion in the NLE that cannot be met elsewhere;
- whether there are future proposals for the same land or land within the same general location;
- whether there are planning scheme amendments that could affect future use of the land;
- whether there are other relevant land use, land management or land development issues; and
- any other advice they may wish to provide in relation to the subject land.

WALGA asked DPLH if it would it be possible to advise each Local Government of all of the land under consideration within their area at the same time, and DPLH responded as follows:

DPLH regularly provides Local Government Authorities (LGAs) with a list of unallocated Crown land (UCL) and unmanaged reserves (UMR) that may be eligible for inclusion in the Noongar Land Estate within the boundaries of the LGA. This information is provided upon the request of the LGA, in the spirit of proactive and transparent engagement with key stakeholders.

Importantly, DPLH advise that the list provided is reflective of land under consideration at a specific point in time and may be subject to change. Further, all LGAs are advised that DPLH are progressing land through the Phases of the Noongar Land Base Strategy (Strategy) at Annexure J to ILUAs for the Settlement. The Strategy provides an agreed process to be followed and includes a five-year timeframe for the staged delivery of the full 320,000 hectare Noongar Land Estate. As a result, DPLH will likely engage with a number of the involved LGAs numerous times during the five-year period.

WALGA asked DPLH if a 3 month consultation period would be considered, and DPLH responded as follows:

Consultation with LGAs is consistent with general Crown land administration requirements, where tenure matters are referred for comment under section 14 of the LAA. The 40 day timeframe for consultation is prescribed by the Noongar Land Base Strategy (Strategy) at Annexure J to the ILUAs. The sections of the ILUA (including the Settlement Terms) can only be varied by agreement in writing that is executed by or on behalf of the State, each of the Government parties, each Regional Corporation or the relevant Native Title Agreement Group and the Central Services Corporation.

The timeframe for consultation with LGAs is outlined under the Strategy and is intended to ensure the structured delivery of State Government and Trustee for the Noongar Boodja Trust (Trustee) obligations relating to the handover of land. DPLH would also like to emphasise that the LGAs are asked to consider the change of tenure only, not a proposal for the use / development of the land.

The Strategy and therefore the activities of DPLH are consistent with best practice Crown land administration activities, though with prescribed timeframes to ensure adherence to tight project timeframes. The referral questions posed by DPLH during consultation with LGAs are intended to collect detail on what is known to apply to the land at the time of the referral, noting that detailed due diligence and site-specific investigations would need to be undertaken by the Trustee at the point of land use / land development. In the event that an LGA is unable to provide the detailed information within the 40 day timeframe, DPLH is able to discuss and possibly grant timeframe extensions on a case-by-case basis.

WALGA asked DPLH if it was possible to advise Local Governments, at the time of request, as to the intended use of each parcel of land eg cultural or economic development, and DPLH responded as follows:

This information is not provided to DPLH by the representatives of the Noongar people. Instead, the flexible reserve purpose of Noongar Social, Cultural and / or Economic Benefit and the flexibility provided by delivering freehold tenure allows for land to be used by the Trustee in line with the aspirations of the Noongar people – in accordance with the applicable statutory and policy framework. LGAs will retain standard decision-making powers relevant to the use and management of land, under the Local Planning Scheme / Town Planning Scheme and any applicable statute.

The Noongar Land Estate will be a diverse landholding across the six ILUA Areas and approximately 101 involved LGAs. The consultation process undertaken by DPLH is intended

to ensure that LGAs can disclose relevant information to inform the decision-making of the Trustee as to whether or not the land should be included in the Noongar Land Estate. Decisions around whether or not land is Cultural Land, Development Land or a combination of both is for the Trustee to make in consultation with the relevant Noongar Regional Corporation after land is accepted for transfer, and may have relevance to the future management of the land. However, LGAs can safely assume that land included into the Noongar Land Estate will be used and managed in accordance with the applicable zoning.

WALGA advised DPLH that generally, a Local Government would consult with their local community about changes to the use of Local Government managed land, and that the 40 day consultation timeframe did not allow for this. DPLH responded as follows:

LGAs may elect to undertake consultation with community regarding tenure change proposals, but it is not a requirement of the Strategy nor of the State Government more broadly. DPLH recommends that the standard approach taken by LGAs for any other Crown land administration matters referred by DPLH is the example to follow.

Community consultation may be more appropriate at the point of a development proposal being submitted to the LGA by the Trustee, as all detail requested above would be known and consultation can be well-informed. It is understood that consultation with community on development proposals is commonly undertaken by LGAs before consideration of a proposal by Council.

Please be advised that UCL and UMR (and Crown land more broadly) are the jurisdiction of the Minister for Lands, and while LGAs may have a role in regulating or to an extent managing UCL and UMR, this role does not form an interest in the land or a veto power for tenure proposals over the land.

DPLH made the additional further comment:

DPLH undertakes comprehensive consultation on land under consideration for possible inclusion in the Noongar Land Estate to obtain any and all information that may be relevant to the future use and management of the land by the Trustee. This includes all relevant LGAs and key State Agencies including the Department of Mines, Industry Regulation and Safety, the Department of Biodiversity, Conservation and Attractions and the Department of Water and Environmental Regulation. Service providers are also consulted on each land parcel.

All are provided with a 40 day timeframe for providing a response. At present, DPLH is actively progressing approximately 100,000 hectares of land across the six ILUA Areas through the Phases of the Strategy towards formal offer to the Trustee. The scope of this process is substantial, so the timeframes within the Strategy are critical for ensuring information collection can occur in a timely manner.

3.7. Land Offset Compensation to Local Governments

Shire of Gingin to move:

MOTION

That WALGA advocate to the State Government that the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.

IN BRIEF

- State Government to legislate that Developers requiring Land Offsets within another Local Government pay for the loss of that rateable land to the Local Government whose land is being used as the offset.

MEMBER COMMENT

It is proposed that Councils similar to the Shire of Gingin who are having large sections of rateable land locked away due to Developer Land Offsets need to be compensated for the loss of revenue.

The Shire of Gingin recently met with the Department of Biodiversity, Conservation and Attractions (DBCA) representatives regarding this matter, and they agreed that the Shire of Gingin is being targeted due to the type of Banksia bush that is within the Shire. The Shire of Gingin is not and will not be the only Local Government targeted through this type of scheme into the future.

The issues for the Shire of Gingin, other Local Governments and future Local Governments are as follows:

1. The requirement of land offsets is currently 1/7. Being that for every acre of land required by a developer, seven acres needs to be provided as offset.
2. What is currently rateable land for the Shire is being purchased and then handed to DPIRD for management.
3. The Shire of Gingin's loss of rates on a once off may seem minimal (last year the reduction was approximately \$10,000) but accumulating every year and then compounding becomes a significant amount of future income.
4. Council still needs to maintain the assets surrounding the site, providing access and egress from the blocks for DBCA and other adjoining ratepayers.
5. The land within the Shire of Gingin is in high demand due to its proximity to the metropolitan area and intensive agriculture and horticulture is dominant.
6. DBCA receives a 7-year management payment from the Developer to manage the newly offset land which is not enough for DBCA to manage the property, yet Council receives nothing other than a negative rates bill and continuous maintenance cost.
7. Whilst the metropolitan based Developer is making large amounts of money from the development and the metropolitan Council is receiving an increased rate book, the loser in the equation is the Local Government where the land is being offset and DBCA.
8. The current amount of non-Rateable land within the Shire is in excess of 30% and growing each year.

9. The additional land that is added to DBCA requires this Department to be appropriately funded, however advice received is that DBCA is underfunded and this in turn affects Local Government in regard to land management and increased fire risk.

The Shire of Gingin is not unique with this matter, however we are being significantly affected at this current time and will be well into the future and as such, request that WALGA advocate to the State to ensure that Local Governments losing rateable land through offset purchases are properly compensated for the loss of rates and continued maintenance.

SECRETARIAT COMMENT

In Western Australia, there are many reasons for land being transferred for public purposes to the Crown. In parts of the State, these lands represent significant portions of the total Local Government area, for example Local Governments with extensive areas of National Parks and State Forest.

The State Government Offsets Register shows offset land acquisitions or land transfers to conservation within these Local Government areas: Shires of Dandaragan, Gingin, Chittering, Waroona, Harvey, Augusta-Margaret River, Cities of Bunbury, Busselton, Mandurah and in the Perth metropolitan region.

Over 50 per cent of new housing construction in the Perth and Peel region is expected to be provided through greenfield development, indicating that the issue identified by the Shire of Gingin is likely to persist.

The requirement to provide environmental offsets is legislated through the Environmental Protection Act 1986 (WA) and under Part 9 of the *Environmental Protection and Biodiversity Conservation Act 1999* (Commonwealth). In Western Australia, offsets are implemented through the WA Environmental Offsets [Framework](#). A [review](#) of this framework was conducted in 2019.

WALGA's comments on the review advocated for adequate resourcing to manage offset lands to address any biosecurity and bush fire risk implications and to require that Local Governments be consulted regarding any proposed offsets in their areas. These points were also raised in WALGA Submissions on the Strategic Assessment for Perth and Peel and the [WA offset metrics guidelines](#).

Under the WA [Environmental Offsets Guidelines](#), it is the responsibility of the proponent to consult all relevant stakeholders regarding offsets, particularly those directly affected, including Local Government. The Guidelines identify the Department of Biodiversity, Conservation and Attractions (DBCA) as the key stakeholder in relation to offset planning due to their role as specialist scientific advisor and manager of the State's conservation lands.

In May 2022, the State Government released the Native Vegetation Policy for Western Australia, with a five year Implementation Roadmap which includes improvements to the environmental offsets framework. This will provide WALGA with the opportunity for continued advocacy on this issue.

3.8. Review of the Rating Methodology used by the Valuer-General

Shire of Serpentine Jarrahdale to move:

MOTION

Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.

MEMBER COMMENT

The Valuer-General is an entity created under the *Valuation of Land Act 1978*. The Valuer-General forms part of Landgate's functions.

Landgate valuers conduct independent valuations of property based on the Gross Rental Values (GRVs) or and Unimproved Values (UVs) of a property.

These valuations are used by local governments, government agencies and emergency services as a basis to determine property rates, service charges and levies as well as land tax.

In Victoria, valuations are conducted using the capital improved value of a property. Capital improved value is based on the value of the land plus the buildings on it and any other capital improvements. This method may provide a more fair and equitable assessment of the value of land across various land uses in Western Australia including agriculture, residential, commercial and mining. This in turn would provide a more fair and equitable basis for local government rating.

A review of rating methodologies set in the *Valuation of Land Act 1978* would ensure that valuation methods relied upon by local government represent the most appropriate method.

SECRETARIAT COMMENT

WALGA currently does not have an advocacy position on which is the most appropriate valuation methodology.

IN BRIEF

- Landgate conducts valuations of property based on the GRV and UV of a property.
- In Victoria valuations are conducted using the capital improved value of a property. This method should be explored.

3.9. WA Local Government Rating Model

Shire of Gingin to move:

MOTION

That WALGA advocate to the State Government and the Valuer Generals' Office that a different rating model be trialled across several Councils whereby the Unimproved Value rate is abolished, and all properties are rated for Gross Rental Value or Capital Value.

IN BRIEF

- WALGA to advocate for a full rating process review with potential of removing all UV rates and only rating GRV.

MEMBER COMMENT

The Shire of Gingin and many other Local Governments struggle to have appropriate rates raised that are adequate for the correct use of the land within the Shire that addresses the impacts that these ratepayers have on the Shire's Assets.

For example, within the Shire of Gingin, there are large numbers of Unimproved Value (UV) rated properties that have large scale infrastructure servicing significant commercial operations but are captured within the definition as a Rural Pursuit. Some of these properties have tens of millions of dollars of infrastructure but only contribute a UV valuation and an additional differential rate.

If all properties were rated Gross Rental Value (GRV) or the rates based on Capital Value (value that the land would likely sell for on the open market), all rural land would still hold an appropriate GRV/Capital Value that would not be too dissimilar to their current rates, however those that intensify their land would achieve a naturally higher GRV/Capital Value making the rating across a Shire far more equitable, easier to manage and would simplify and reduce the cost of the valuation process.

Whilst not every Council may wish to take this step, it is proposed that the Local Government has the ability to review and decide if it wishes to remove the UV rate. With the Valuer Generals' Office conducting routine valuations for both UV and GRV it would not be out of the question for the valuation to be changed to meet this process.

It is noted that within South Australia and Victoria 89% of the Local Governments use Capital Value, Tasmania is progressing to Capital Value whilst New South Wales is based on Land Value only, Northern Territory is based only on Unimproved Capital Value, Queensland is Site Value and Unimproved Value and the ACT is Unimproved Value only. It is clear that whilst there is a range of valuations across Australia there is a bias growing towards utilising Capital Value of Land.

For example, we have a location within the Shire that has a water license and two bore holes. Whilst this is the extent of the infrastructure, they pump water out 24/7 for bottling in Perth, a GRV/Capital Value would be much higher in value to Council than the minimum rates currently being received. This company has significant heavy vehicles utilising Council roads every day of the week to keep up with the demand and creates significant road maintenance issues for Council.

The impacts of water licenses within the Shire have been dramatic as they are now a strong trading commodity and have doubled the value of land with a water license, yet it is not being considered by the Valuer Generals' Office as part of the overall valuation assessment of the land. Water licenses are incredibly valuable to producers as it increases their productivity and profits from smaller properties and as water licenses are very difficult to access, as allocations are full in most areas, many are trading or selling off portions of licenses clearly showing that water licenses have an inherent value that is increasing rapidly.

Again, the Shire calls on WALGA to advocate to the Minister and Valuer Generals' Office to undertake a review of the rating system to either abolish the UV valuation or provide the ability for the Local Government to choose its rating structure.

SECRETARIAT COMMENT

WALGA currently does not have an advocacy position on which is the most appropriate valuation methodology.

3.10. Reform of the *Cat Act 2011*

Shire of Capel to move:

MOTION

That the WA Local Government sector requests the WA State Government prioritise reforms to the *Cat Act 2011*, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.

MEMBER COMMENT

Background

The Western Australian State Government through the (then) Department of Local Government released a Discussion Paper (January 2011) titled *Proposal for Domestic Cat Control Legislation*.

This consultation and proposed reform process ultimately led to the *Cat Act 2011* (Cat Act) receiving Royal Assent on 1 November 2012. The Cat Act fully commenced in 2013 and was introduced to:

- provide for the control and management of cats; and
- promote and encourage the responsible ownership of cats, and for related matters.

The Department of Local Government, Sport and Cultural Industries (DLGSC) commenced a statutory review of the *Cat Act 2011* and the *Dog Amendment Act 2013* in May 2019. The review undertaken by DLGSC was tabled in the WA Parliament by the Minister for Local Government on 27 November 2019.

Findings of the Review in relation to Cat Act included:

2. Registration of cats is strongly supported. The current three options for periods of registration should remain.
3. Registration periods for cats and dogs should be the same.
4. A central registration database for cats should be explored.
5. Feedback indicated that the wearing of collars and tags achieves the purpose of enabling a cat to be identified by rangers — including making it obvious that it is a domestic cat that has an owner. There is strong support for this to continue with no change.
6. Strong support from the public, local governments and industry exists for the practice of microchipping cats to continue.
7. Improvements could be made to the way microchip details are stored — this could be in either a national or State-based database.
8. Feedback indicated that education on the current requirements of microchipping, focusing on obligations of owners/breeders/rescues when a cat is transferred to a new owner and the need to keep information up-to-date, is necessary to achieve the desired outcomes of reuniting pets with their owners and the obligations of being a responsible cat owner.
9. There is strong support for cat numbers and confinement/curfews of cats to be implemented State-wide (in legislation) rather than through individual local laws — to provide consistency among local governments.
10. As a means of controlling cat numbers, there were multiple requests in the feedback received for the Cat Act to be brought into alignment with the Dog Act by placing greater restrictions on cat owners in relation to the number of cats that people can own.
11. The provisions in the Cat Act for cats to be sterilised should remain.
12. Feedback indicated that the age of cat sterilisation should be lowered, although further expert consultation on this will be needed.

IN BRIEF

- Statutory review into the *Cat Act 2011* was undertaken in 2019.
- No reforms or amendments to the Cat Act have resulted from the review.
- Request that WALGA advocate for the reforms to be undertaken.

Outcomes from the Statutory Review were:

- The *Dog Amendment (Stop Puppy Farming) Act 2021* received Royal Assent on 22 December 2021 with the aim to:
 - to amend the Dog Act 1976 to provide for matters relating to the sterilisation and breeding of dogs and the supply of dogs to and by relevant pet shop businesses;
 - to amend the Dog Act 1976 and the Cat Act 2011 to provide for a centralised registration system; and
 - to make other amendments to the Dog Act 1976

No further amendments, nor reforms of the *Cat Act 2011* have occurred since.

Comment

Any proposed changes to cat control measures should include public consultation.

The Shire of Capel hopes the State Government prioritises reforms of the Cat Act, similar to recent reforms with the Dog Act and Animal Welfare regulations.

The Shire of Capel supports a review of current cat control measures and to look at initiatives to better protect native wildlife, along with an accompanying education campaign.

Many Local Governments throughout the State have looked at similar reforms recently, however the current Act inhibits the control of cats and their impacts on native wildlife.

Shire understands that many people in the community love cats, with reforms looking to find a balance between valued family pets and protecting our unique and in some cases, endangered native animals.

SECRETARIAT COMMENT

This is a developing issue in the sector. A number of Local Governments have already attempted to make Cat Local Laws that seek to prohibit cats from roaming, require cats to be securely kept on premises of the owner, and prohibited from being in any public place. Parliament's Delegated Legislation Committee has disallowed a number of such attempts on the grounds that the local law-making head of power in the Cat Act does not contemplate local laws to be made for these purposes.

The Committee's views are summarised in this excerpt from the Annual Report 2016 (Report 89 at 5.32):

In each of these cases, the Committee considered that the relevant provisions of the local law were inconsistent with or repugnant to the provisions of the Cat Act 2011 which:

- *allow for cats to be in public places unless they do not comply with the provisions of the Act requiring registration, microchipping and sterilisation*
- *empower the making of local laws prohibiting cats in certain specified areas.*

WALGA's current advocacy position supports a review of the Cat Act that will introduce broader powers of cat control.

3.11. WALGA Best Practice Governance Review – Principles

Executive Member to move:

MOTION

That:

1. The update on the Best Practice Governance Review project be noted, and
2. The principles to inform WALGA's future governance model, as follows and as per the attached *Principles* document, be endorsed:
 - a. **Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.**
 - b. **Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.**
 - c. **Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.**

IN BRIEF

- State Council commissioned a Best Practice Governance Review to consider and engage with members on alternative governance models.
- The Steering Committee, appointed by State Council to oversee the project, has put forward principles to the 2022 Annual General Meeting for member consideration.
- The principles have been endorsed by State Council at their 22 August 2022 Special Meeting.
- Following consideration of the principles, a thorough consultation and engagement process will be undertaken with members on potential future models.

ATTACHMENT

- *WALGA Best Practice Governance Review: Principles*

BACKGROUND

State Council commissioned the WALGA Best Practice Governance Review in March 2022 to ensure that WALGA's governance model is contemporary and agile and maximises engagement with members.

Governance Reviews allow organisations to re-examine their membership structure, constitution, board role, board composition, governance approach and policies.

For WALGA, the Best Practice Governance Review represents an opportunity to review and reshape the governance model to ensure WALGA is well-placed to:

- Deliver strong, clear, focused, and consistent policy positions on strategic matters of the most importance to Local Governments in WA,
- Drive advocacy outcomes and impact on behalf of Local Government in WA, and the communities they serve, and
- Embed agility and responsiveness, ensuring member concerns are heard, respected, and represented in a timely, efficient, and effective manner.

There are several drivers for the review.

WALGA's [Corporate Strategy 2020-2025](#) identifies the governance model as a key enabler of performance, with the following description: *We have contemporary governance and engagement models.*

Member and stakeholder feedback from a range of sources over several years has highlighted dissatisfaction with the governance model. Specifically, feedback relates to:

- **Structure** – WALGA’s governance structure is seen by members and stakeholders as creating roadblocks, hindering decision-making, and holding WALGA back.
- **Responsiveness** – there is a perception among members and stakeholders that WALGA’s governance model is slow and bureaucratic in an environment that requires agility.
- **Prioritisation and focus** – members and stakeholders acknowledge the challenges of developing unified Local Government policy positions and advocacy priorities given the diversity of Local Government sector interests.
- **Transparency and accountability** – feedback from members and stakeholders suggests that WALGA should be more transparent about its decision-making processes.
- **Zones** – Feedback from members and stakeholders in relation to Zones and Zone meetings is mixed. A proportion of WALGA’s membership believes that Zones are not as representative, strategic nor effective as they potentially could be.

Legislative reforms could also impact WALGA’s governance arrangements. The Minister for Local Government’s reforms to the *Local Government Act 1995* propose to remove WALGA from being constituted under the Local Government Act. Secondly, the Review of WA’s *Industrial Relations Act 1979* provides an opportunity for WALGA to be constituted as a registered employer organisation, which would enable WALGA to make applications in its own right on behalf of the sector.

Following several reviews and amendments, the Best Practice Governance Review also represents an opportunity to ensure alignment between WALGA’s governance documentation. In addition, State Council resolved in September 2021 for amendments to the Constitution to be developed to deal with matters related to State Councillors’ candidature for State or Federal elections.

To undertake the Best Practice Governance Review, State Council appointed a Steering Committee comprising the following members:

President Cr Karen Chappel JP	WALGA President (Chair)
Cr Paul Kelly	WALGA Deputy President
President Cr Phil Blight	Country State Councillor
Mayor Carol Adams OAM	Metropolitan State Councillor
President Cr David Menzel, Shire of Wyndham East Kimberley	Country Elected Member
Mayor Albert Jacob, City of Joondalup	Metropolitan Elected Member
Andrew Sharpe, City of Albany	Country Chief Executive Officer
David MacLennan, City of Vincent	Metropolitan Chief Executive Officer
Nick Sloan	WALGA Chief Executive Officer

The Steering Committee is supported by consultants PwC and WALGA officers, Tony Brown, Executive Director Member Services, Tim Lane, Manager Corporate and Association Governance, and Kathy Robertson, Executive Officer Governance.

The Steering Committee has met five times to late August and has:

- Endorsed terms of reference and an overarching project plan
- Considered the 2019 review including previous deliberations and outcomes
- Commissioned and considered work on comparator membership-based advocacy organisations:
 - Australian Hotels Association (AHA)
 - Australian Medical Association (AMA)
 - Chamber of Minerals and Energy (CME)
 - Chamber of Commerce and Industry (CCI)

- Pharmacy Guild of WA
- Reviewed governance models of Local Government Associations in other States and New Zealand:
 - Local Government New South Wales (LGNSW)
 - Municipal Association of Victoria (MAV)
 - Local Government Association of Tasmania (LGAT)
 - Local Government Association of South Australia (LGASA)
 - Local Government Association of Queensland (LGAQ)
 - Local Government Association of the Northern Territory (LGAT)
 - Local Government New Zealand (LGNZ)
- Adopted a timeline for the way forward including member consultation and engagement, and
- Endorsed principles to be presented to the membership at the 2022 Annual General Meeting as per this agenda item.

SECRETARIAT COMMENT

Supported by State Council, the Steering Committee is putting forward principles to this Annual General Meeting to gauge member support for progressing the Best Practice Governance Review to the development of potential options for member consultation and engagement.

The principles put forward by the Steering Committee and endorsed by State Council at their 22 August 2022 Special Meeting, will guide the development of potential models for member consultation.

As per the attached Principles document, the three principles – Representative, Responsive and Results Oriented – comprise three or four components, component descriptions and governance implications.

Embedded in the governance implications are considerations for potential changes as well as principles that will be adhered to in the development of model options.

For instance, the principles propose that WALGA's governing body will:

- Maintain equal metropolitan and country representation,
- Continue the practice of electing the President from and by the governing body, and
- Facilitate responsive decision making with clear processes for members to influence policy and advocacy.

Potential models may be considered by the Steering Committee, and subsequently State Council and WALGA members, that could:

- Potentially lead to a reduction in the size of the governing body,
- Consider alternative election arrangements to the governing body, and
- Consider alternative arrangements to the existing Zones.

Following consideration of the principles at the 2022 Annual General Meeting, as per this item, an extensive consultation and engagement process will be undertaken with members on potential governance model options.

The consultation and engagement process will be undertaken during October, November, and December 2022. Feedback from member submissions, workshops, and discussions will inform a final report to be considered at February 2023 Zone meetings and subsequently, the March 2023 State Council meeting.

Constitutional amendments will then be prepared for consideration by State Council followed by the broader membership at the 2023 Annual General Meeting. As per WALGA's Constitution, amendments to the Constitution require endorsement by a 75 percent majority at both State Council and a general meeting of members.

The principles are put forward for member consideration.

Representative	WALGA unites and represents the entire local government sector in WA and understands the diverse nature and needs of Local Government members, regional communities and economies.	Composition	The composition of WALGA's governance model represents Local Government members from metropolitan and country councils	The governing body will maintain equal country and metropolitan local government representation
		Size	An appropriate number of representatives oversees WALGA's governance	Potential reduction in the size of the overarching governing body
		Diversity	WALGA's governance reflects the diversity and experience of its Local Government members	Potential for the introduction of a mechanism to ensure the governance model comprises an appropriate diversity of skills and experience
		Election Process	Considers the processes by which WALGA's governance positions are elected and appointed	Consideration of alternative election and appointment arrangements, with the President to be elected by and from the governing body

Responsive	WALGA is an agile association which acts quickly to respond to the needs of Local Government members and stakeholders.	Timely Decision Making	WALGA's governance supports timely decision making	WALGA's governance model facilitates responsive decision making
		Engaged Decision Making	WALGA's Local Government members are engaged in decision making processes	WALGA's governance model facilitates clear and accessible processes for Local Government members to influence policy and advocacy with consideration to alternatives to the existing zone structure
		Agility	Considers the flexibility of WALGA's governance to adapt to changing circumstances	WALGA's governance model is agile and future proofed for external changes

Results Oriented	WALGA dedicates resources and efforts to secure the best outcomes for Local Government members and supports the delivery of high-quality projects, programs and services.	Focus	Considers the clarity and separation of responsibilities and accountabilities of WALGA's governance	Governance bodies have clearly defined responsibilities and accountabilities, with the capacity to prioritise and focus on strategic issues
		Value Added Decision Making	Facilitates opportunities for value to be added to decision making	Adoption of best practice board processes, and introduction of governance structures that are empowered to inform decisions
		Continuous Improvement	Considers regular review processes for components of the governance model, their purpose and achieved outcomes	WALGA's governance is regularly reviewed every 3 to 5 years to ensure the best outcomes are achieved for Local Government members

9.2.3 Camping Event at Cuballing Recreation Centre

Applicant: N/A
File Ref. No: ADM77
Disclosure of Interest: Nil
Date: 15 September 2022
Author: Stan Scott - CEO
Attachments: Nil

Summary

Council is requested to consider waiving camping fees for a family reunion to be held at the Cuballing Recreation Centre.

Background

The family of Olive Hill (semi local family) have hired the Cuballing Recreation Centre on Saturday 22 October 2022 for a family reunion.

The organisers of the reunion are having difficulty in sourcing accommodation in the area and where looking for a camping facility. The closest alternatives are Narrogin Caravan Park and Lazaway are both fully booked due to caravan club event.

The organisers have requested permission to camp at the oval for the event which would give them access to the ablution facilities at the recreation ground. They will likely make separate contact with DREA regarding use of their facilities.

Council is requested to:

Give permission for the camping at the oval during the family reunion (Friday and Saturday Nights); and

Determine what fees should be charged for camping.

It is proposed that the group be charged the daily major function fee for use of the recreation centre and not make any individual per vehicle charge for campers. This is consistent with Councils decision in July 2021 to make similar arrangements for the Bi-Tone West Caravan Club event.

Comment

Council's adopted fees are:

- for overnight camping is \$27.50 per camping group (tent or RV or Caravan)
- for a major function at the Cuballing Recreation Centre \$250. Depending on how long facilities are needed this will be between \$250 and \$500 for the weekend.

Recent economic development discussions have identified the importance of people with a historic connection to Cuballing and promoting visits to Cuballing as returning home.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027

ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

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

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

Statutory Environment – Nil

Policy Implications

Council's policy 7.9 Camping on Council Property is set out below. Council has indicated that it has an appetite to review this policy in the near future.

Free Camping on Council Property With a Permit

Council will allow camping with a permit in the following areas:

1. *the Popanyinning Recreation Ground .*

Camping in these areas, with a permit is conditional upon:

1. *Camping is only permitted in the defined area;*
2. *Camping is only permitted for a one consecutive night;*
3. *Camping is only permitted between the hours of 4pm and 9am;*
4. *Camping is only permitted in a self-contained, camping trailer, caravan or motor home, manufactured for the purpose of camping. Self-contained means having adequate toilet and bathing facilities built into the camping trailer, caravan or motor home.*
5. *No camp fires of any type are permitted at any time.*

Council will not charge a fee for this Free Camping on Council Property With a Permit.

Charged Camping on Council Property With a Permit

Council will permit camping with a permit on selected Council properties:

1. *for activities conducted by local community based non-profit community groups; or*
2. *as part of a local event or activity.*

Council will permit camping with a permit in the following areas:

1. *Cuballing Recreation Ground;*
2. *Popanyinning Recreation Ground;*
3. *Popanyinning School Site;*
4. *Cuballing Hall;*
5. *Popanyinning Hall;*
6. *Cuballing Rifle Club;*
7. *Yornaning Dam.*

Council may consider applications for camping on other Shire of Cuballing property on an individual basis, with prior notice of at least a month

Camping in these areas, with a permit, is conditional upon:

1. *Obtaining a permit a week prior to establishing a campsite;*

2. *Camping can only be permitted for up to 3 consecutive nights. Council may consider applications for extended periods on an individual basis, with prior notice of at least a month;*
3. *Camping is only permitted in a swag, tent, camping trailer, caravan or motor home, manufactured for the purpose of camping;*
4. *Camp fires may be permitted with specific approval. Applications should indicate the request for approval of a camp fire with the permit application. Shire staff may seek the opinion of Shire of Cuballing Bush Fire Brigade volunteers in considering a request for a camp fire;*
5. *Payment of the Council fee for camping on Shire of Cuballing property.*
6. *Mobile power generators external to the vehicle should only be used up to two hours to top-up internal batteries and not operating before 7am or after 9pm.*
7. *Externally strung washing lines are not permitted.*
8. *If dogs accompany campers the Dog Act 1976 and the Shire of Cuballing Dog Local Law applies.*

Council staff are encouraged to include additional conditions on each permit to camp on Shire property that addresses factors unique to each location such as:

- *Rubbish disposal or waste management;*
- *Parking or driving on areas of the property;*
- *Times when noise should be minimised;*
- *Use of the Shire buildings or facilities on the property.*

Council will charge a fee for Charged Camping on Council Property With a Permit. Council will consider an appropriate fee annually as part of adopting Fees and Charges in the Shire of Cuballing's Annual Budget process.

Financial Implications

RECREATION FACILITY HIRE	Rate	GST	Total Charge
CUBALLING RECREATION CENTRE			
Major Functions	\$227.27	Y	\$250.00

CAMPING ON COUNCIL PROPERTY WITH A PERMIT			
As per Council Policy 7.9, Camping at: <ul style="list-style-type: none"> • Cuballing Recreation Ground • Popanyinning Recreation Ground, • Popanyinning School • Popanyinning Hall • Cuballing Rifle Club • Yornaning Dam A camping permit is for: <ul style="list-style-type: none"> • a single group for one night in one tent/caravan/RV/etc: or • two adults for one night in multiple swags, etc. 	\$25.00	YES	\$27.50

Economic Implication

People attending the event are expected to support local businesses when in the Shire of Cuballing.

Social Implication – Nil

Environmental Considerations – Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. the Officer's Recommendation with minor amendments; or
3. Charge camping fees in addition to the facility hire fee.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council:

1. consider the family reunion proposed event at the Cuballing Recreation Centre to be a "Major Function" under Council's adopted "Fees and Charges 2022-23"; and
2. agree to charge the organisers of the family reunion the "Major Function" fee in Council's adopted "Fees and Charges 2022/23"; and
3. not charge family members camping at the Cuballing Recreation Centre as part of the family reunion the adopted fee for camping at the Cuballing Recreation Ground.

COUNCIL DECISION 2022/101

That Council:

1. **consider the family reunion proposed event at the Cuballing Recreation Centre to be a "Major Function" under Council's adopted "Fees and Charges 2022-23"; and**
2. **agree to charge the organisers of the family reunion the "Major Function" fee in Council's adopted "Fees and Charges 2022/23"; and**
3. **charge family members camping at the Cuballing Recreation Centre as part of the family reunion the adopted fee for camping at the Cuballing Recreation Ground.**

Moved Cr Bradford

Seconded Cr Dowdell

Carried 6/0

Council decided that as the number of campers is unclear that it would be appropriate to charge each camper.

Cr Bradford declared a proximity interest in relation to Item 9.2.4 – he owns land adjacent to Reserve 19794.

Cr Bradford left the chambers at 3.25 pm.

9.2.4 Southwest Native Title Settlement – Reserve 19794

Location:	Applies throughout the Shire
Applicant:	Department of Planning Land and Heritage
File Ref. No:	ADM 324
Disclosure of Interest:	Nil
Date:	22 August 2022
Author:	Stan Scott - CEO
Attachments	9.2.4 A – Location Map

Summary

It is proposed that Council not object to Reserve 19794 being included in the parcel of lands to form part of the South West Native Title Settlement.

Background

The Native Title Agreements and Partnerships area of the Department of Planning Lands and Heritage wrote to Council in the following terms:

Request for Comment – Proposed Transfer of Land under the South West Native Title Settlement

The South West Native Title Settlement (Settlement) is a landmark native title agreement reached between the State Government (State) and the six Noongar Agreement Groups. The six requisite Indigenous Land Use Agreements (ILUAs) were conclusively registered, leading to the Settlement commencing on 25 February 2021 after some years of delay. The Settlement recognises the Agreement Groups as the Traditional Owners of the south west of Western Australia, while resolving native title in exchange for a negotiated package of benefits. The area subject to the Settlement is depicted in the attached map.

A key negotiated benefit is the delivery of a 320,000 hectare Noongar Land Estate, in accordance with the Noongar Land Base Strategy ([Annexure J to the ILUAs](#)). The Noongar Land Estate will contain up to 300,000 hectares of land transferred in reserve or leasehold, and up to 20,000 hectares of land transferred in freehold. The Landholding Body for all land transferred is the Noongar Boodja Land Sub Pty Ltd, which will hold and manage the land in the Noongar Land Estate in consultation with the soon to be established Noongar Regional Corporations. All land will be used and managed in line with Noongar cultural, social and economic aspirations for the benefit of generations to come.

For more information on the Settlement, please refer to the Department of the Premier and Cabinet website: <https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/south-west-native-title-settlement>

Over the next five years, the Department of Planning, Lands and Heritage (Department) will progress selected land parcels through to transfer under the Settlement, subject to all necessary consultation and approvals with stakeholders. Land eligible for inclusion in the Noongar Land Estate includes:

- *unallocated Crown land;*

- *unmanaged reserves;*
- *land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and*
- *land owner or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.*

The Shire of Gingin has raised these requests as an issue for consideration at the Local Government Convention (See Item 2.2.2)

As part of the investigation of the Gingin Item WALGA asked a number of questions of the Department. The questions and responses are set out below:

WALGA asked DPLH if it would it be possible to advise each Local Government of all of the land under consideration within their area at the same time, and DPLH responded as follows:

DPLH regularly provides Local Government Authorities (LGAs) with a list of unallocated Crown land (UCL) and unmanaged reserves (UMR) that may be eligible for inclusion in the Noongar Land Estate within the boundaries of the LGA. This information is provided upon the request of the LGA, in the spirit of proactive and transparent engagement with key stakeholders.

Importantly, DPLH advise that the list provided is reflective of land under consideration at a specific point in time and may be subject to change. Further, all LGAs are advised that DPLH are progressing land through the Phases of the Noongar Land Base Strategy (Strategy) at Annexure J to ILUAs for the Settlement. The Strategy provides an agreed process to be followed and includes a five-year timeframe for the staged delivery of the full 320,000 hectare Noongar Land Estate. As a result, DPLH will likely engage with a number of the involved LGAs numerous times during the five-year period.

WALGA asked DPLH if a 3 month consultation period would be considered, and DPLH responded as follows:

Consultation with LGAs is consistent with general Crown land administration requirements, where tenure matters are referred for comment under section 14 of the LAA. The 40 day timeframe for consultation is prescribed by the Noongar Land Base Strategy (Strategy) at Annexure J to the ILUAs. The sections of the ILUA (including the Settlement Terms) can only be varied by agreement in writing that is executed by or on behalf of the State, each of the Government parties, each Regional Corporation or the relevant Native Title Agreement Group and the Central Services Corporation.

The timeframe for consultation with LGAs is outlined under the Strategy and is intended to ensure the structured delivery of State Government and Trustee for the Noongar Boodja Trust (Trustee) obligations relating to the handover of land. DPLH would also like to emphasise that the LGAs are asked to consider the change of tenure only, not a proposal for the use / development of the land.

The Strategy and therefore the activities of DPLH are consistent with best practice Crown land administration activities, though with prescribed timeframes to ensure adherence to tight project timeframes. The referral questions posed by DPLH during consultation with LGAs are intended to collect detail on what is known to apply to the land at the time of the referral, noting that detailed due diligence and site-specific investigations would need to be undertaken by the Trustee at the point of land use / land development. In the event that an

LGA is unable to provide the detailed information within the 40 day timeframe, DPLH is able to discuss and possibly grant timeframe extensions on a case-by-case basis.

WALGA asked DPLH if it was possible to advise Local Governments, at the time of request, as to the intended use of each parcel of land eg cultural or economic development, and DPLH responded as follows:

This information is not provided to DPLH by the representatives of the Noongar people. Instead, the flexible reserve purpose of Noongar Social, Cultural and / or Economic Benefit and the flexibility provided by delivering freehold tenure allows for land to be used by the Trustee in line with the aspirations of the Noongar people – in accordance with the applicable statutory and policy framework. LGAs will retain standard decision-making powers relevant to the use and management of land, under the Local Planning Scheme / Town Planning Scheme and any applicable statute.

The Noongar Land Estate will be a diverse landholding across the six ILUA Areas and approximately 101 involved LGAs. The consultation process undertaken by DPLH is intended to ensure that LGAs can disclose relevant information to inform the decision-making of the Trustee as to whether or not the land should be included in the Noongar Land Estate. Decisions around whether or not land is Cultural Land, Development Land or a combination of both is for the Trustee to make in consultation with the relevant Noongar Regional Corporation after land is accepted for transfer, and may have relevance to the future management of the land.

However, LGAs can safely assume that land included into the Noongar Land Estate will be used and managed in accordance with the applicable zoning.

WALGA advised DPLH that generally, a Local Government would consult with their local community about changes to the use of Local Government managed land, and that the 40 day consultation timeframe did not allow for this. DPLH responded as follows:

LGAs may elect to undertake consultation with community regarding tenure change proposals, but it is not a requirement of the Strategy nor of the State Government more broadly. DPLH recommends that the standard approach taken by LGAs for any other Crown land administration matters referred by DPLH is the example to follow.

Community consultation may be more appropriate at the point of a development proposal being submitted to the LGA by the Trustee, as all detail requested above would be known and consultation can be well-informed. It is understood that consultation with community on development proposals is commonly undertaken by LGAs before consideration of a proposal by Council.

Please be advised that UCL and UMR (and Crown land more broadly) are the jurisdiction of the Minister for Lands, and while LGAs may have a role in regulating or to an extent managing UCL and UMR, this role does not form an interest in the land or a veto power for tenure proposals over the land.

DPLH made the additional further comment:

DPLH undertakes comprehensive consultation on land under consideration for possible inclusion in the Noongar Land Estate to obtain any and all information that may be relevant to the future use and management of the land by the Trustee. This includes all relevant LGAs and key State Agencies including the Department of Mines, Industry Regulation and Safety, the Department of Biodiversity, Conservation and Attractions and the Department of

Water and Environmental Regulation. Service providers are also consulted on each land parcel.

All are provided with a 40 day timeframe for providing a response. At present, DPLH is actively progressing approximately 100,000 hectares of land across the six ILUA Areas through the Phases of the Strategy towards formal offer to the Trustee. The scope of this process is substantial, so the timeframes within the Strategy are critical for ensuring information collection can occur in a timely manner.

Comment

The upshot of all the background information and the follow up questions from WALGA is that:

The 40 day time frame for comment is set out in the agreement and is consistent with the requirements of the land administration act;

Any land within the identified tenure types below is a possible target for consideration as part of the Native Title Settlement, these tenures being:

- unallocated Crown land;
- unmanaged reserves;
- land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and
- land owned or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.

Transfer of the land under the Native Title Settlement does not change the land use, and normal planning processes apply. There does not seem to be any real recognition that zoning can be influence by tenure. The land that is the subject of this application a reserve with a purpose of timber mallet and a zoning of conservation.

Should there be an application to change the current land use it is not clear how the planning and development framework would apply if the land is provided as part of the native title settlement, and any expectations that might be created by that process.

The responses to the specific questions are as follows:

1. the Shire supportive of the transfer of this land to the Noongar People under the Settlement?

The Shire of Cuballing is supportive of the land transfer

2. Does the Shire have any interest in the land?

No

3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.

No

4. Is the land parcel subject to any mandatory connection to services?

No

5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?

No

6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?

No

7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?

There is a scheme amendment in development. There is no change in zoning but there are minor changes in the zoning table reflecting changes in the Model Scheme Text. The land in question is zoned Conservation.

8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).

The smaller lot, 4047, has a long narrow strip of land heading due east until it intersects with the rail corridor. This may have been included to provide access, but it does not join any road or road reserve. This narrow strip of land seems in practice to have been incorporated into adjacent farmland. The only legal access to the land is via Pattullo Rd at the Eastern extent of the Reserve

9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

Reserve 19794 is identified as reserved for the purpose of "timber mallet". This refers to the fact that the area is a plantation of brown mallet trees (*Eucalyptus astringens*). The bark is used to produce tannin which is used for tanning leather and the timber may be used for producing tool handles. Fallen timber is susceptible to termites which means it is likely habitat for numbats and echidnas.

Strategic Implications

The State is required to identify a significant parcel of land to transfer under this process. We have had two referrals in a week. It is likely there will be more.

Statutory Environment

Consultation is in accordance with the requirements of Section 14 of the *Land Administration Act*.

The transfers are giving effective to the land transfers agreed under the South West Native Title Settlement.

Policy Implications - Nil

Financial Implications – Nil

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations - Nil

Consultation

Amendment No. 6 was publicly advertised in accordance with the Regulations.

Options

Council may:

Support the Officer's Recommendation

Support the Officer's Recommendation with minor changes; or

Provide a different response – with reasons.

Voting Requirements - Simple Majority

COUNCIL DECISION 2022/102

That Council responds to the specific questions are as follows:

1. the Shire supportive of the transfer of this land to the Noongar People under the Settlement?

The Shire of Cuballing is supportive of the land transfer

2. Does the Shire have any interest in the land?

No

3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.

No

4. Is the land parcel subject to any mandatory connection to services?

No

5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?

No

6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?

No

7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?

There is a scheme amendment in development. There is no change in zoning but there are minor changes in the zoning table reflecting changes in the Model Scheme Text. The land in question is zoned Conservation.

8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).

The smaller lot, 4047, has a long narrow strip of land heading due east until it intersects with the rail corridor. This may have been included to provide access, but it does not join any road or road reserve. This narrow strip of land seems in practice to have been incorporated into adjacent farmland. The only legal access to the land is via Pattullo Rd at the Eastern extent of the Reserve

9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

Reserve 19794 is identified as reserved for the purpose of "timber mallet". This refers to the fact that the area is a plantation of brown mallet trees (*Eucalyptus astringens*). The bark is used to produce tannin which is used for tanning leather and the timber may be used for producing tool handles. Fallen timber is susceptible to termites which means it is likely habitat for numbats and echidnas.

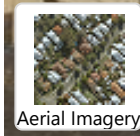
Moved Cr Kowald

Seconded Cr Dowdell

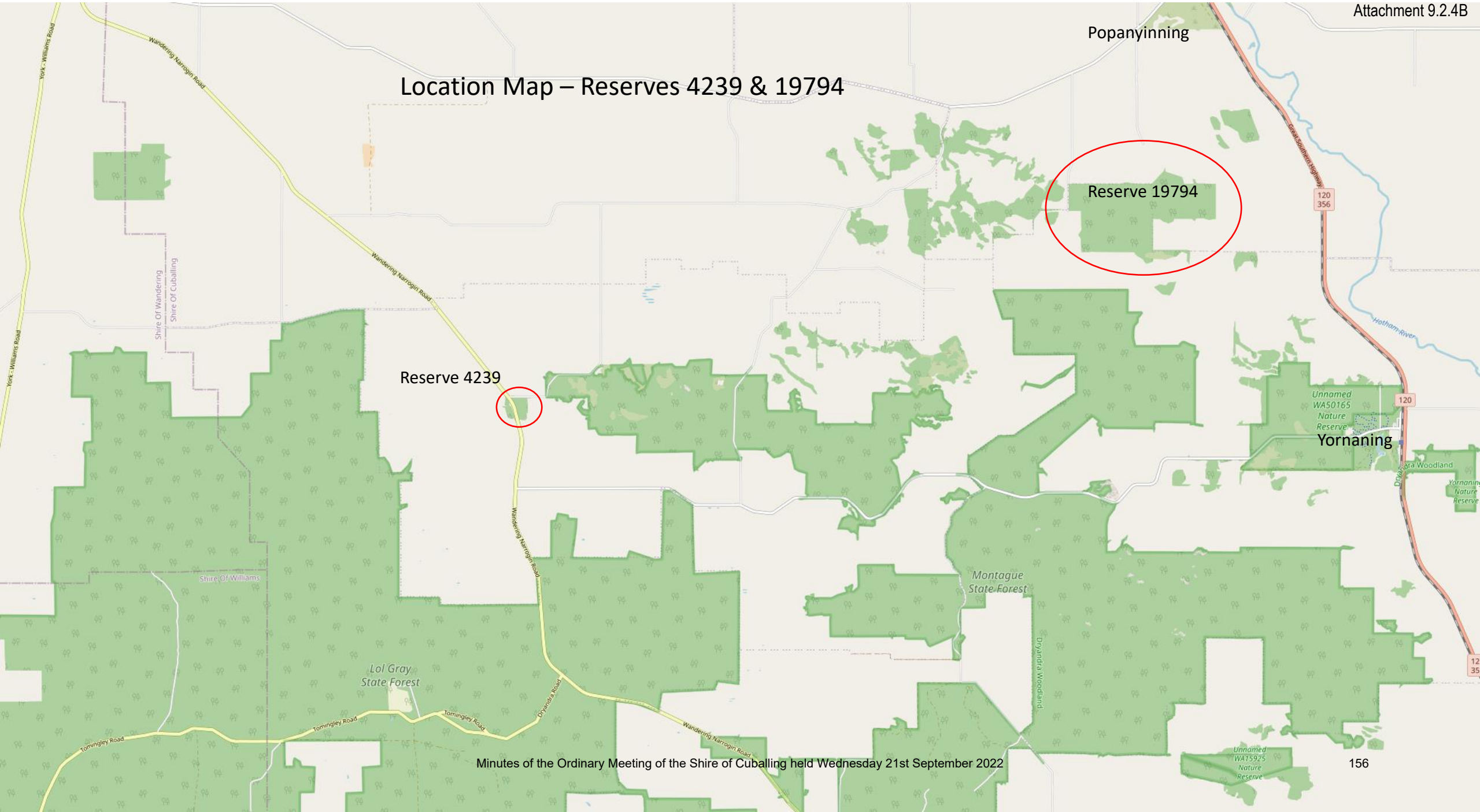
Carried 5/0

Cr Bradford returned to the chambers at 3.33 pm

Search...



Location Map – Reserves 4239 & 19794



Reserve 4239

Reserve 19794

Popanyinning

Yornaning

9.2.5 Southwest Native Title Settlement – Reserve 4239

Location:	Applies throughout the Shire
Applicant:	Department of Planning Land and Heritage
File Ref. No:	ADM 324
Disclosure of Interest:	Nil
Date:	22 August 2022
Author:	Stan Scott - CEO
Attachments	9.2.5A Location Map

Summary

It is proposed that Council not object to Reserve 19794 being included in the parcel of lands to form part of the South West Native Title Settlement.

Background

The Native Title Agreements and Partnerships area of the Department of Planning Lands and Heritage wrote to Council in the following terms:

Request for Comment – Proposed Transfer of Land under the South West Native Title Settlement

The South West Native Title Settlement (Settlement) is a landmark native title agreement reached between the State Government (State) and the six Noongar Agreement Groups. The six requisite Indigenous Land Use Agreements (ILUAs) were conclusively registered, leading to the Settlement commencing on 25 February 2021 after some years of delay. The Settlement recognises the Agreement Groups as the Traditional Owners of the south west of Western Australia, while resolving native title in exchange for a negotiated package of benefits. The area subject to the Settlement is depicted in the attached map.

A key negotiated benefit is the delivery of a 320,000 hectare Noongar Land Estate, in accordance with the Noongar Land Base Strategy ([Annexure J to the ILUAs](#)). The Noongar Land Estate will contain up to 300,000 hectares of land transferred in reserve or leasehold, and up to 20,000 hectares of land transferred in freehold. The Landholding Body for all land transferred is the Noongar Boodja Land Sub Pty Ltd, which will hold and manage the land in the Noongar Land Estate in consultation with the soon to be established Noongar Regional Corporations. All land will be used and managed in line with Noongar cultural, social and economic aspirations for the benefit of generations to come.

For more information on the Settlement, please refer to the Department of the Premier and Cabinet website: <https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/south-west-native-title-settlement>

Over the next five years, the Department of Planning, Lands and Heritage (Department) will progress selected land parcels through to transfer under the Settlement, subject to all necessary consultation and approvals with stakeholders. Land eligible for inclusion in the Noongar Land Estate includes:

- unallocated Crown land;*
- unmanaged reserves;*
- land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and*
- land owner or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.*

The Shire of Gingin has raised these requests as an issue for consideration at the Local Government Convention (See Item 2.2.2)

There is further background in the previous item 9.2.4.

Comment

The upshot of all the background information and the follow up questions from WALGA is that:

The 40 day time frame for comment is set out in the agreement and is consistent with the requirements of the land administration act;

Any land within the identified tenure types below is a possible target for consideration as part of the Native Title Settlement, these tenures being:

- unallocated Crown land;
- unmanaged reserves;
- land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and
- land owned or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.

Transfer of the land under the Native Title Settlement does not change the land use, and normal planning processes apply. There does not seem to be any real recognition that zoning can be influence by tenure. The land that is the subject of this application a reserve with a purpose of timber mallet and a zoning of conservation.

Should there be an application to change the current land use it is not clear how the planning and development framework would apply if the land is provided as part of the native title settlement, and any expectations that might be created by that process.

The responses to the specific questions are as follows:

1. the Shire supportive of the transfer of this land to the Noongar People under the Settlement?

The Shire of Cuballing does not consider that this would be a suitable addition to the proposed Noongar lands.

2. Does the Shire have any interest in the land?

No

3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.

No

4. Is the land parcel subject to any mandatory connection to services?

No

5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?

No

6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?

No

7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?

There is a scheme amendment in development. There is no change in zoning but there are minor changes in the zoning table reflecting changes in the Model Scheme Text. The land in question is zoned Recreation and Open Space.

8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).

The land in question is divided in two by the Wandering Narrogin Road. The smaller western portion is adjacent to a neighbour's homestead (about 4.5 HA). The neighbour's driveway cuts through the narrow section of the lot. It also appears that some farming infrastructure may have encroached on the lot boundary. From aerial photography it would appear to be hard stand and perhaps grain storage.

The balance of the Lot east of Wandering Narrogin Road consists of a significant creek line and appears to be the confluence of two water courses. The majority of this area is likely creek flood plain. The purpose of the reserve (rest area and water) provides a clue for why this land was set aside.

9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

The Wandering Narrogin Road is one of the priority routes identified as part of the Wheatbelt Secondary Freight Network and will have a substantial upgrade over the next 3 to 5 years. This will make doing anything worthwhile with a small split lot problematic.

The reserve in question is entirely surrounded by farmland belonging to a single family.

Strategic Implications

The State is required to identify a significant parcel of land to transfer under this process. We have had two referrals in a week. It is likely there will be more.

Statutory Environment

Consultation is in accordance with the requirements of Section 14 of the *Land Administration Act*.

The transfers are giving effective to the land transfers agreed under the South West Native Title Settlement.

Policy Implications - Nil
Financial Implications – Nil
Economic Implications - Nil
Social Implications - Nil
Environmental Considerations - Nil

Consultation

Amendment No. 6 was publicly advertised in accordance with the Regulations.

Options

Council may:
Support the Officer's Recommendation
Support the Officer's Recommendation with minor changes; or
Provide a different response – with reasons.

Voting Requirements - Simple Majority

COUNCIL DECISION 2022/103

That Council responds to the specific questions are as follows:

1. the Shire supportive of the transfer of this land to the Noongar People under the Settlement?

The Shire of Cuballing does not consider that this would be a suitable addition to the proposed Noongar lands.

2. Does the Shire have any interest in the land?

No

3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.

No

4. Is the land parcel subject to any mandatory connection to services?

No

5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?

No

6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?

No

7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?

There is a scheme amendment in development. There is no change in zoning but there are minor changes in the zoning table reflecting changes in the Model Scheme Text. The land in question is zoned Recreation and Open Space.

8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).

The land in question is divided in two by the Wandering Narrogin Road. The smaller western portion is adjacent to a neighbour's homestead (about 4.5 HA). The neighbour's driveway cuts through the narrow section of the lot. It also appears that some farming infrastructure may have encroached on the lot boundary. From aerial photography it would appear to be hard stand and perhaps grain storage.

The balance of the Lot east of Wandering Narrogin Road consists of a significant creek line and appears to be the confluence of two water courses. The majority of this area is likely creek flood plain. The purpose of the reserve (rest area and water) provides a clue for why this land was set aside.

9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

The Wandering Narrogin Road is one of the priority routes identified as part of the Wheatbelt Secondary Freight Network and will have a substantial upgrade over the next 3 to 5 years. This will make doing anything worthwhile with a small split lot problematic.

The reserve in question is entirely surrounded by farmland belonging to a single family.

Moved Cr Christensen

Seconded Cr Kowald

Carried 6/0

Search...



9.2.6 Firebreak Order 2022/23

Applicant:	N/A
File Ref. No:	ADM213
Disclosure of Interest:	Nil
Date:	16 th September 2022
Author:	Stan Scott- CEO
Attachments:	Nil
	9.2.6A draft Firebreak Notice 2021/22

Summary

Council is to consider the adoption of the Firebreak Order 2022/23.

Background

The Shire of Cuballing's Bush Fire Advisory Committee (BFAC) held a meeting on Wednesday 14th September 2021. This meeting endorsed the contents of the Firebreak Order 2022/23 to be considered by Council.

Comment

The Firebreak Notice 2022/23 is Council's declaration of the conditions required for compliance by landowners for this forthcoming fire season.

The draft Firebreak Notice 2022/23, included at Attachment 9.2.6A, is very similar to that from previous years.

Upon approval by Council the draft Firebreak Notice 2022/23 will be:

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

The Firebreak Notice 2022/23 pamphlet will be reviewed to improve readability. We will also distribute copies of a pamphlet setting out details of the new Australian Fire Danger Rating System.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017

SOCIAL – Our Community, Neighbourhoods, Recreation and Culture.

Goals

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

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

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

Bush Fires Act 1954

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

- (1) Subject to subsection (2) a local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the Government Gazette and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the notice to do or to commence to do at a time so specified all or any of the following things —
- (a) to plough, cultivate, scarify, burn or otherwise clear upon the land fire breaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the fire breaks clear of inflammable matter;
 - (b) to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire,
- and the notice may require the owner or occupier to do so —
- (c) as a separate operation, or in co ordination with any other person, carrying out a similar operation on adjoining or neighbouring land; and
 - (d) in any event, to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice.
- (2) A notice in writing under subsection (1) may be given to an owner or occupier of land by posting it to him at his last postal address known to the local government and may be given to an owner of land by posting it to him at the address shown in the rate record kept by the local government pursuant to the Local Government Act 1995, as his address for the service of rate notices.
- (2a) The provisions of subsection (2) are in addition to and not in derogation of those of sections 75 and 76 of the Interpretation Act 1984.
- (3) The owner or occupier of land to whom a notice has been given under subsection (1) and who fails or neglects in any respect duly to comply with the requisitions of the notice is guilty of an offence.
- Penalty: \$5 000.
- (4) Where an owner or occupier of land who has received notice under subsection (1) fails or neglects to comply with the requisitions of the notice within the time specified in the notice —
- (a) the local government may direct its bush fire control officer, or any other officer of the local government, to enter upon the land of the owner or occupier and to carry out the requisitions of the notice which have not been complied with; and
 - (b) the bush fire control officer or other officer may, in pursuance of the direction, enter upon the land of the owner or occupier with such servants, workmen, or

contractors, and with such vehicles, machinery, and appliances as he deems fit, and may do such acts, matters and things as may be necessary to carry out the requisitions of the notice.

- (5) The amount of any costs and expenses incurred by the bush fire control officer or other officer in doing the acts, matters, or things provided for in subsection (4) —
 - (a) shall be ascertained and fixed by the local government and a certificate signed by the mayor or president of the local government shall be prima facie evidence of the amount; and
 - (b) may be recovered by the local government in any court of competent jurisdiction as a debt due from the owner or occupier of land to the local government.
- (5a) A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 —
 - (a) requiring owners and occupiers of land in its district to clear fire breaks in such manner, at such places, at such times, of such dimensions and to such number, and whether in parallel or otherwise, as are specified in the local laws and to maintain the fire breaks clear of inflammable matter;
 - (b) providing that things required by the local laws to be done shall be done to the satisfaction of the local government or its duly authorised officer.
- (5b) Where an owner or occupier of land fails or neglects in any respect to comply with the requirements of local laws made under subsection (5a) the provisions of subsections (3), (4) and (5) apply mutatis mutandis as if those requirements were the requisitions of a notice given under subsection (1).
- (5c) Nothing in subsection (5a) affects the power of a local government to give notice under subsection (1) nor its duty to do so if so required by the Minister.
- (5d) Where the provisions of local laws made under subsection (5a) are inconsistent with those of a notice given under subsection (1) or under section 34 or 35, the provisions of that notice shall, to the extent of the inconsistency, prevail.
- (6) A local government may, at the request of the owner or occupier of land within its district, carry out on the land, at the expense of the owner or occupier, any works for the removal or abatement of a fire danger, and the amount of the expense, if not paid on demand, may be recovered from the owner or occupier by the local government in a court of competent jurisdiction as a debt due from the owner or occupier to the local government.
- (7) Nothing in this section authorises a local government —
 - (a) to set fire to the bush, or to require an owner or occupier of land to set fire to the bush, contrary to the provisions of section 17; or
 - (b) to make local laws authorising or requiring bush to be set on fire contrary to the provisions of section 17.
- (8) Any amount recoverable by a local government under this section as a debt due from the owner or occupier of land is, until paid in full —
 - (a) a debt due from each subsequent owner in succession; and
 - (b) a charge against the land with the same consequences as if it were a charge under the Local Government Act 1995 for unpaid rates; and
 - (c) recoverable by the local government in the same manner as rates imposed in respect of the land are recoverable under that Act.
- (9) In this section —

owner or occupier of land includes a prescribed department of the Public Service that occupies land or a prescribed State agency or instrumentality that owns or occupies land.

Policy Implications – Nil

Financial Implications

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

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

Economic Implication

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

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

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

Given the extensive impact of the East Narrogin fire in February we are hoping there will be a heightened awareness and compliance with obligations as a result.

Social Implication

Fire is a significant community risk for local communities.

Environmental Considerations

Fire is a significant risk for the local environment.

Consultation

Council's BFAC have considered the draft Firebreak Order 2022/23.

The Shire will extensively advertise the adopted Fire Break Order 2022/23

Options

Council may resolve:

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

Voting Requirements – Simple Majority

COUNCIL DECISION 2022/104

That Council adopt the draft Firebreak Order 2022/23 as included at Attachment 9.2.6A.

Moved Cr Bradford

Seconded Cr Christensen

Carried 6/0

SHIRE OF CUBALLING

Draft FIREBREAK ORDER 2022/23

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

This work must be carried out by 31st October 2022, or within 14 days of becoming the owner or occupier should this be after that date, and kept maintained throughout the summer months until 15th May 2023.

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

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

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

RURAL LANDS

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

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

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

BUILDING AND HAYSTACKS:

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

BULLDOZED BUSH:

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

STATIONARY PUMPS/MOTORS:

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

HARVESTING OPERATIONS:

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

HARVEST BANS AND OTHER BANS:

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

OPERATION OF PLANT AND MACHINERY:

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

PADDOCK BURNS:

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

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

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

TOWNSITES AND RURAL RESIDENTIAL LAND

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

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

9.3 MANAGER OF WORKS AND SERVICES:

Nil

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

Nil

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

Nil

12. CONFIDENTIAL MATTERS:

Nil

13. NEXT MEETING:

Ordinary Council Meeting, 2.00pm. Wednesday 19th October 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 3.44pm.