

SHIRE
OF

CUBALLING

COUNCIL MEETING
HELD ON 19 JUNE 2014

MINUTES

These minutes were confirmed at a meeting on.....
Signed.....
Presiding Person at the meeting at which the minutes were confirmed
Date:.....

SHIRE OF CUBALLING

COUNCIL MEETING THURSDAY 19 JUNE 2014

AGENDA

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Nil
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Nil
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 - 11.1.55 *Building Surveyor*
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1. **OPENING - ANNOUNCEMENT OF VISITORS**

The meeting commenced at 3.15pm

2. **ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE**

Cr Mark Conley	President
Cr Roger Newman	Deputy President
Cr Tim Haslam	
Cr Scott Ballantyne	
Cr Eliza Dowling	
Cr D Bradford	
Mrs Eva Haydon	Chief Executive Officer
Mr Tom Wittwer	

3. **PUBLIC QUESTION TIME**

Mr Tom Wittwer expressed his appreciation of the Awarding of his Freeman award.

Mr Wittwer departed the chambers at 3.20pm

4. **STANDING ORDERS**

COUNCIL DECISION:

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

Moved: Cr Ballantyne

Seconded: Cr Haslam

Carried 6/0

5. **APPLICATIONS FOR LEAVE OF ABSENCE:**

Cr Bradford requested leave of Absence for the July Ordinary Meeting of Council.

COUNCIL DECISION:

That Cr Bradford be granted a leave of absence for the July Ordinary Meeting of Council

Moved: Cr Haslam

Seconded: Cr Newman

Carried 5/0

6. **MINUTES**

6.1 CONFIRMATION OF 15 MAY 2014 ORDINARY MEETING OF COUNCIL

COUNCIL DECISION

That the minutes (as circulated) of the ordinary meeting of the Shire of Cuballing held in the Council Chambers on 15 May 2014 be confirmed.

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 6/0

7. **PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS**

8. **DISCLOSURES OF INTEREST**

Councillors' and Employees' Disclosures of Interest.

8.1 **DISCLOSURE OF FINANCIAL INTEREST AND PROXIMITY INTEREST**

Members must disclose the nature of their interest in matters to be discussed at the meeting.

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting.

Cr Bradford declared a financial interest in item 11.1.54

8.2 **DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY**

Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the Member or employee has given or will give advice.

9.1 REPORTS – FINANCE AND ADMINISTRATION
9.1.71 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – MAY 2014

Location/Address: Not applicable
Date: 05/06/2014
Reporting Officer: Nichole Gould, Admin Officer
Enabling Legislation: Local Government (Financial Management) Regulations 1996
Council Policy: Register Delegated Authority
Budget Implications: Nil
File Reference: CMR 7
Voting Requirements: Simple Majority

Background

Council is supplied with a list of payments for consideration.

Comment

A copy of the list of payments made from each of Council's bank accounts is attached to this item.

COUNCIL DECISION:

That Council:

Approve for payment the list of Creditors paid from the Municipal fund, as detailed below, totalling: \$85245.75

Electronic Fund Transfers/Chq: \$84,175.47
Credit Card: \$1070.28

Trust

Electronic Funds Transfers \$35,010.20

Moved: Cr Ballantyne Seconded: Cr Newman

Carried 6/0

LIST OF ACCOUNTS DUE AND SUBMITTED TO COUNCIL

Date	Name	Description	Amount
01/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-757.80
15/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1750.45
16/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-620.70
01/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-10.00
19/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1085.80
20/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1690.90
21/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-206.75
27/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-21985.65
29/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1302.60
30/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-79.50
21/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	206.75
02/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1055.45
21/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-206.75
05/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-444.15
06/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-235.45
07/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-779.20
08/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-24.00
09/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1450.70
12/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-550.65
13/05/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-980.45
07/05/2014	All Services Roads	bridges 4865, 4866	-4785.00
07/05/2014	BEAUREPAIRES	repair tyres	-235.47
07/05/2014	CUBY ROADHOUSE	April monthly account	-206.60
07/05/2014	EDWARDS MOTORS PTY LTD	75000 CEO Vehicle	-257.50
07/05/2014	FUJI XEROX	photocopy charges and toner	-985.84
07/05/2014	Komatsu	hydraulic oil and elements graders and backing for slope meters	-515.30
07/05/2014	LANDGATE	interim valuations	-75.10
07/05/2014	LRA Civil Pty Ltd	Hire of water pump for de-watering	-825.00
07/05/2014	MAKIT NARROGIN HARDWARE	various items - May account	-169.20

07/05/2014	Murray House Resource Centre	Occupational Health and Safety Course	-890.00
07/05/2014	NARROGIN AUTO ELECTRICS	globes	-62.00
07/05/2014	NARROGIN BEARING SERVICES	AF 9 pce jumbo spanner set	-179.95
07/05/2014	NARROGIN TOYOTA	Check turbo and service CN1557	-475.00
07/05/2014	Nicholls Bus and Coach Service	coach hire road inspections	-250.00
07/05/2014	PAGE TRUCK HIRE	pushing of Popo tip	-880.00
07/05/2014	RS Walker Contracting	Colour Town Planning Maps and gas fuse stickers	-441.40
07/05/2014	Shire of Wagin	Regional Refuse Group Contribution	-5500.00
07/05/2014	TOLL IPEC (COURIER AUSTRALIA)	freight parts	-22.00
07/05/2014	CHILD SUPPORT AGENCY	Payroll deductions	-322.82
16/05/2014	Accidental Health and Safety	first aid kits replenished	-1122.23
16/05/2014	Air Liquide PTY LTD	gas rental hire	-102.60
16/05/2014	Avon Waste	Bulk bin service and rent	-1270.92
16/05/2014	BEAUREPAIRES	tyre repairs and purchase new tyres	-2609.72
16/05/2014	Corporate Health Professionals	Workover hearing test	-927.30
16/05/2014	Cuby Tavern	council meeting	-243.65
16/05/2014	FARMWORKS RURALCO	spraying roads	-415.80
16/05/2014	FUJI XEROX	toner cartridges	-771.45
16/05/2014	GREAT SOUTHERN FUEL SUPPLIES	April fuel	-11752.70
16/05/2014	KEL'S TYRES	4 tyres	-360.00
16/05/2014	Kenyon & Company	Bushfire LED Beacons	-1122.00
16/05/2014	LANDGATE	Land enquiry	-24.00
16/05/2014	Modus Australia	CLGF Funding Toilet Popo	-16500.00
16/05/2014	NARROGIN FRUIT MARKET	lunches and refreshments	-81.30
16/05/2014	Narrogin Boilermakers	protective clothing	-602.00
16/05/2014	Narrogin Pumps Solar and Spraying	various parts/repairs	-2827.06
16/05/2014	SOS Office Equipment	photocopy charges	-303.52
16/05/2014	Shire of Narrogin	Hire of float loader for J516	-201.30
16/05/2014	TOLL IPEC (COURIER AUSTRALIA)	freight	-52.54
21/05/2014	CHILD SUPPORT AGENCY	Payroll deductions	-322.82
06/05/2014	10 - ANNITTEL	ANNITTEL	-116.49
16/05/2014	13 - ATO CLEARING ACCOUNT BAS	ATO CLEARING ACCOUNT BAS	-10032.00
15/05/2014	10 - ANNITTEL	ANNITTEL	-116.49

07/05/2014 1.1 - INTEREST ON GRADERS	INTEREST ON GRADERS	-1083.27
01/05/2014 WA Local Government Super Plan	Superannuation contributions	-7027.03
01/05/2014 HOSTPLUS SUPER	Superannuation contributions	-376.80
01/05/2014 MATRIX SUPERANNUATION	Superannuation contributions	-194.86
01/05/2014 Westscheme	Superannuation contributions	-176.51
01/05/2014 Westscheme	Superannuation contributions	-166.27
01/05/2014 Westscheme	Superannuation contributions	-80.11
01/05/2014 Westscheme	Superannuation contributions	-166.27
07/05/2014 Telstra	MOBILE PHONE BILLS	-450.04
08/05/2014 PRIME SUPER	Superannuation contributions	-303.95
16/05/2014 SYNERGY	various	-3223.70
16/05/2014 Telstra	phone charges	-433.93
16/05/2014 Water Corporation	water charges	-1536.66
	Municipal	-84175.47
	Trust	-35010.20
	Credit Card	1070.28
	Total	-119185.67

9.1.72 STATEMENT OF FINANCIAL ACTIVITY

Location/Address: Not applicable
Date: 03/06/2014
Reporting Officer: Clare Thomson
Enabling Legislation: Local Government (Financial Management) Regulations 1996
Council Policy: Nil
Budget Implications: Nil
File Reference: CMR 7
Voting Requirements: **Simple majority**

Background

Local Government (Financial Management) Regulations 1996, section 34, provides for monthly financial reporting requirements for local government.

Comment

Nil

COUNCIL DECISION:

That the Statement of Financial Activity, as circulated, for the Shire of Cuballing for period ending 31 May 2014, be received.

Moved: Cr Ballantyne

Seconded: Cr Dowling

Carried 6/0

Bank Reconciliation for the month of May 2014

	Municipal Fund	Trust Fund	Reserve Accts
Opening balance	\$1,091,238.29	\$29,349.31	\$ 712,379.01
Income	\$203,731.44	\$37,103.00	
Add interest	2,196.06	-	2,582.69
Adjustment	\$0.00	-	
Expenditure	-\$142,986.37	-\$33,954.75	
Closing balance	\$1,154,179.42	\$32,497.56	\$ 714,961.70
Bank account	\$207,663.52	\$32,055.56	\$ 2,903.89
Investments	\$946,207.00	0.00	\$ 712,057.81
Plus O/S deposits	308.90	442.00	
Less O/S cheques	\$0.00		
Closing balance	\$1,154,179.42	\$32,497.56	\$ 714,961.70

Investments 31 May 2014

Account Number	Maturity Date	Interest Rate	Fund/Account		
			Municipal	Trust	Reserve
24455506	Cash Deposit	2.50%	-	-	712,057.81
34681402	Cash Deposit	2.25%	300,000.00		
	Online account	2.50%	644,777.86		
Total			944,777.86	0	712,057.81

Shire of Cuballing
Notes on financial reports for 31 May 2014

General Purpose Funding

Rates

At present rates of \$917,448 have been raised with a discount of \$51,905. This discount amount is over the budgeted discount of \$45,000. Rate debtors at 30 May are \$34,432.

Governance

Contributions and Reimbursements

This includes the transfer of various trust fund accounts into Council's municipal account as approved at last Council meeting. Total transfer of funds was \$24,544.

Subscriptions

Subscriptions of \$16,105 have been paid. This comprises the following subscriptions to WALGA: Annual subscription \$6,963, Council Connect \$3,636, Members and Employee Subscription \$5,051 and Local Laws \$451.

Law Order Public Safety

Utilities Phone Rates and Taxes

This includes the purchase of the Yagi antenna to maintain communication in emergency situations.

Recreation and Culture

Halls Maintenance

This year the insurance has been allocated to relevant buildings where possible, insurance of \$6,857 has been expensed for insurances on the halls etc. In prior years this was allocation to general insurance under public works overheads.

Dryandra Regional Grants and Reimbursements

Reimbursement from the Dryandra Equestrian Association for the purchase of toilets.

Economic Services

Standpipe Expenditure

Includes \$3,432 for back flow devices that are required to be installed at standpipes.

Other Property and Services

Private Works

Private works of \$191,864 have been carried which includes \$12,600 for Department of Parks and Wildlife for the grading of Dryandra and \$10,600 to Roadwest Engineering for embankment widening and \$12,090 for the sand pad of the Equestrian Clubrooms and roadworks of \$111,589 for the Shire of Narrogin.

Staff Training

This includes dogman tickets \$3,244, metro traffic course \$550, worksite traffic m/ment course \$4,827. Guys wages also allocated to this account when attending courses.

Parts and Repairs

Items of plant have had repair work undertaken, the main ones include seat and seatbelt for the roller of \$899, sundry plant of \$1,364, new shaft and bearing for the grader \$1,964, other work undertaken on the multi tyre roller of \$2,444. In October the main items for parts and repairs included work carried out to the loader to the

Shire of Cuballing
Notes on financial reports for 31 May 2014

value of \$3,920 for repairing the hydraulic valve, supply of parts and travel to and from the job, grader blades of \$1,380, service of the loader \$2,548, and services on the two trucks at a cost of \$1,111, repairs to the water pump of \$1,260.

Other

Capital Items

Expenditure on capital items includes the following:

- Roads \$1,158,234
- Graders 618,800
- Equestrian Centre 290,071
- Council Chairs 4,904
- Upgrade to Cemeteries 8,813
- Mens shed 2,640
- Rec centre 9,463
- Halls 3,797
- Tourist precinct 1,290
- Photocopier 7,352
- Popanyinning Tennis 18,092

SHIRE OF CUBALLING
MONTHLY STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

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SHIRE OF CUBALLING
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

	NOTE	31-May 2014 Actual \$	31-May 2014 Y-T-D Budget \$	2013/2014 Budget \$	Variances Budget to Actual Y-T-D %
<u>Operating</u>					
Revenues/Sources					
Governance		32,587	6,500	5,300	(401.35%)
General Purpose Funding		350,374	333,961	333,961	(4.91%)
Law, Order, Public Safety		24,526	23,000	30,940	(6.63%)
Health		1,459	1,000	1,000	(45.90%)
Education and Welfare		-	-	-	
Housing		-	-	-	
Community Amenities		3,366	3,000	3,000	(12.19%)
Recreation and Culture		20,813	17,200	17,200	(21.00%)
Transport		965,481	905,251	905,251	(6.65%)
Economic Services		17,739	16,500	23,260	(7.51%)
Other Property and Services		331,580	208,552	208,552	(58.99%)
		<u>1,747,925</u>	<u>1,514,964</u>	<u>1,528,464</u>	
(Expenses)/(Applications)					
Governance		(146,671)	(145,000)	(160,119)	(1.15%)
General Purpose Funding		(41,826)	(40,500)	(69,422)	(3.27%)
Law, Order, Public Safety		(114,972)	(110,000)	(141,470)	(4.52%)
Health		(26,280)	(24,500)	(35,550)	(7.27%)
Education and Welfare		(7,912)	(4,000)	(12,000)	(97.81%)
Housing		(16,907)	(14,500)	(15,200)	(16.60%)
Community Amenities		(118,280)	(114,500)	(181,310)	(3.30%)
Recreation & Culture		(195,829)	(160,169)	(160,169)	(22.26%)
Transport		(1,877,748)	(1,800,000)	(2,110,822)	(4.32%)
Economic Services		(65,897)	(63,500)	(98,872)	(3.77%)
Other Property and Services		(124,202)	(95,500)	(98,846)	(30.05%)
		<u>(2,736,524)</u>	<u>(2,572,169)</u>	<u>(3,083,780)</u>	
<u>Adjustments for Non-Cash</u>					
<u>(Revenue) and Expenditure</u>					
(Profit)/Loss on Asset Disposals		(105,999)	(87,052)	(87,052)	
Depreciation on Assets		878,076	813,360	813,360	
Movement current leave entitlements		-	-	-	
<u>Capital Revenue and (Expenditure)</u>					
Purchase Land Held for Resale		-	-	-	
Purchase Land and Buildings		(332,532)	(332,532)	(441,985)	
Purchase Infrastructure Assets - Roads & Footpaths, Other		(1,161,048)	(1,161,048)	(1,360,704)	
Other		(2)	-	-	
Purchase Plant and Equipment		(618,800)	(618,800)	(636,000)	
Purchase Furniture and Equipment		(13,547)	(13,547)	(12,000)	
Proceeds from Disposal of Assets		172,000	172,000	180,000	
Repayment of Debentures		(23,962)	(23,962)	(65,539)	
Repayment of Debentures		(10,505)	(10,505)		
Proceeds from New Debentures		300,000	300,000	300,000	
Transfers to Reserves (Restricted Assets)		(15,927)	(15,927)	(120,000)	
Transfers from Reserves (Restricted Assets)		-	-	100,000	
Transfer from Restricted Cash		1,473,882	1,473,882	1,457,248	
ADD Net Current Assets July 1 B/Fwd		888,795	888,795	580,215	
LESS Net Current Assets Year to Date		(1,307,376)	(1,185,737)	-	
Amount Raised from Rates		<u><u>(865,543)</u></u>	<u><u>(847,772)</u></u>	<u><u>(847,772)</u></u>	

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

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

	31-May	30-Jun
3. ACQUISITION OF ASSETS	Actual	Budget
	\$	\$
The following assets have been acquired during the period under review:		
<u>By Program</u>		
Governance	12,256	12,000
Community Amenities	13,144	35,000
Recreation and Culture	321,350	406,985
Transport	1,778,208	1,996,701
Economic Services	969	-
	2,125,927	2,450,686
<u>By Class</u>		
Land and Buildings	332,532	441,985
Infrastructure Assets	1,161,048	1,360,701
Plant and Equipment	618,800	636,000
Furniture and fittings	13,547	12,000
	2,125,927	2,450,686

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

4. DISPOSALS OF ASSETS

<u>By Program</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	31-May 2014 Actual \$	31-May 2014 Actual \$	31-May 2014 Actual \$
Transport			
Caterpillar 120 H Motor Grader	52,840	85,000	32,160
Caterpillar 120 H Motor Grader	13,163	87,000	73,837
			-
	66,003	172,000	105,997

<u>By Class</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	31-May 2014 Actual \$	31-May 2014 Actual \$	31-May 2014 Actual \$
Plant and Equipment			
Caterpillar 120 H Motor Grader	52,840	85,000	32,160
Caterpillar 120 H Motor Grader	13,163	87,000	73,837
			-
			-
			-
			-
	66,003	172,000	105,997

<u>Summary</u>	31-May 2014 Actual \$
Profit on Asset Disposals	105,997
Loss on Asset Disposals	
	<u>105,997</u>

SHIRE OF CUBALLING
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

5. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Loan Date	Years	Principal 1-Jul-13	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
					Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Recreation & Culture										
Loan #61 Change Rooms	31/10/2005	10	22,326		7,132	9,575	15,194	12,751	844	1,058
Transport										
Loan #62 - Loader	11/08/2008	10	150,064	300,000	19,471	26,178	130,593	123,886	7,185	9,362
Loan#63 - Graders	7/02/2014	8			7,864	29,784	292,136	270,216	3,278	10,349
			172,390	300,000	34,467	65,537	437,923	406,853	11,307	20,769

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

Particulars Purpose	Amount Borrowed \$	Institution	Loan Type	Term (Years)	Total Interest and Charges	Interest Rate %	Amount Used \$	Balance Unspent \$
Loan #63 Graders	300,000	WATC	Debenture	8	51,522	3.9400	300,000	-

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

	31-May 2014 Actual \$	2013/14 Budget \$
6. RESERVES		
Cash Backed Reserves		
(a) Plant and Equipment Reserve		
Opening Balance	197,786	197,781
Amount Set Aside / Transfer to Reserve	4,537	5,658
Amount Used / Transfer from Reserve	-	(100,000)
	<u>202,323</u>	<u>103,439</u>
(b) IT and Office Equipment Reserve		
Opening Balance	9,023	9,023
Amount Set Aside / Transfer to Reserve	-	258
Amount Used / Transfer from Reserve	195	-
	<u>9,218</u>	<u>9,281</u>
(c) Employee Entitlements Reserve		
Opening Balance	116,019	116,019
Amount Set Aside / Transfer to Reserve	2,639	3,319
Amount Used / Transfer from Reserve	-	-
	<u>118,658</u>	<u>119,338</u>
(d) Housing Reserve		
Opening Balance	7,435	7,435
Amount Set Aside / Transfer to Reserve	167	216
Amount Used / Transfer from Reserve	-	-
	<u>7,602</u>	<u>7,651</u>
(e) Recreation and Community Facility Res		
Opening Balance	285,345	285,345
Amount Set Aside / Transfer to Reserve	6,507	8,163
Amount Used / Transfer from Reserve	-	-
	<u>291,852</u>	<u>293,508</u>
(f) Refuse Site Reserve		
Opening Balance	57,119	57,119
Amount Set Aside / Transfer to Reserve	1,291	1,634
Amount Used / Transfer from Reserve	-	-
	<u>58,410</u>	<u>58,753</u>
(g) Grain Freight Reserve		
Opening Balance	26,313	26,313
Amount Set Aside / Transfer to Reserve	591	752
Amount Used / Transfer from Reserve	-	-
	<u>26,904</u>	<u>27,065</u>
(h) Equestrian Reserve		
Opening Balance	-	-
Amount Set Aside / Transfer to Reserve	-	2,000
Amount Used / Transfer from Reserve	-	-
	<u>-</u>	<u>2,000</u>

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

6. RESERVES	31-May 2014 Actual \$	2013/14 Budget \$
Cash Backed Reserves continued		
(i) General Purpose Reserve		
Opening Balance	-	-
Amount Set Aside / Transfer to Reserve	-	98,000
Amount Used / Transfer from Reserve	-	-
	<u>-</u>	<u>98,000</u>
Total Cash Backed Reserves	<u>714,967</u>	<u>719,035</u>

All of the above reserve accounts are supported by money held in financial institutions.

6. RESERVES (Continued)	31-May 2014 Actual \$	2013/14 Budget \$
Summary of Transfers To Cash Backed Reserves		
Transfers to Reserves		
Plant and Equipment Reserve	4,537	5,658
Office Equipment Reserve	195	258
Employee Entitlement Reserve	2,639	3,319
Housing Reserve	167	216
Recreation and Community Facility Reserve	6,507	8,163
Refuse Site Reserve	1,291	1,634
Grain Freight Reserve	591	752
Equestrian Reserve	-	2,000
General Purpose Reserve	-	98,000
	<u>15,927</u>	<u>120,000</u>
Transfers from Reserves		
Plant and Equipment Reserve	-	(100,000)
IT and Office Equipment Reserve	-	-
Employee Entitlements Reserve	-	-
Housing Reserve	-	-
Recreation and Community Facility Reserve	-	-
Refuse Site Reserve	-	-
Grain Freight Reserve	-	-
Equestrian Reserve	-	-
General Purpose Reserve	-	-
	<u>-</u>	<u>(100,000)</u>
Total Transfer to/(from) Reserves	<u>15,927</u>	<u>20,000</u>

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 30 APRIL 2014

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Plant and Equipment Reserve

- to be used for the purchase and replacement of major items..

IT and Office Equipment Reserve

- to be used for the purchase of new and/or replacement of office equipment or furniture items.

Long Service Leave Reserve

- to be used to fund long service leave requirements.

Housing Reserve

- to be used to fund the construction of new shire housing.

Recreation and Community Facility Reserve

- to be used to fund the upgrade of the oval and associated facilities.

Refuse Site Reserve

- to be used to fund the upgrade of the refuse site.

Grain Freight Reserve

- to be used to maintain the grain freight route through the district.

Equestrian Reserve

- to be used for the maintenance and upkeep of the equestrian centre.

General Purpose Reserve

- to be used to maintain/fund various facilities throughout the district.

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

	31-May 2014 Actual \$	Brought Forward 1-Jul \$
7. NET CURRENT ASSETS		
Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash - Unrestricted	1,154,694	900,984
Cash - Restricted Reserves	714,967	699,028
Cash - Restricted Cash	-	1,473,882
Receivables	187,327	181,530
Inventories	4,728	4,728
	<u>2,061,716</u>	<u>3,260,152</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	<u>(39,372)</u>	<u>(198,447)</u>
NET CURRENT ASSET POSITION	2,022,344	3,061,705
Less: Cash - Reserves - Restricted	(714,967)	(699,028)
Less: Cash - Restricted Municipal	-	(1,473,882)
NET CURRENT ASSET POSITION	<u>1,307,377</u>	<u>888,795</u>
Surplus used for budget purposes difference		580,215
Cash on hand		54,296
Receivables		44,036
Stock on hand		228
Decrease in creditors and provisions		210,020
Actual 30 June Surplus carried forward		<u>888,795</u>

Also Restricted Cash increased by \$16,634 but as this is taken off available funds to calculate the surplus it has no impact on the end result.

SHIRE OF CUBALLING
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

8. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2013/2014 Rate Revenue \$	2013/2014 Interim Rates \$	2013/2014 Back Rates \$	2013/2014 Total Revenue \$	2013/2014 Budget \$
General Rate								
UV - Cuballing	0.620600	224	100,766,999	618,117	-	-	618,117	633,479
GRV Cuballing	0.670440	172	178,987	124,464	150	-	124,614	116,143
Sub-Totals		396	100,945,986	742,581	150	-	742,731	749,622
Minimum Rates								
UV - Cuballing	700	122	9,857,405	87,500	3,617	-	91,117	54,600
GRV Cuballing	550	158	2,307,546	83,600	-	-	83,600	88,550
Sub-Totals		280	12,164,951	171,100	3,617	-	174,717	143,150
Ex gratia rates Specified Area Rates								
							917,448	892,772
Discounts								
							917,448	892,772
							(51,905)	(45,000)
Totals							865,543	847,772

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

The general rates detailed above for the 20012/13 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

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

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014

9. TRUST FUNDS

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

Detail	Balance 1-Jul-13 \$	Amounts Received \$	Amounts Paid (\$)	Balance \$
Badminton Club	232	-	(232)	-
Bonds - Building	6,839	7,550	-	14,389
Bonds - Hall Hire	1,050	100	(100)	1,050
Children Recycling Fund	1,418	-	(1,418)	-
Cuballing Progress	-	300	(300)	-
Commodine Tennis Club	3,190	-	(100)	3,090
Cuballing Country Festival	1,099	-	-	1,099
Cuballing Cricket Club	200	-	-	200
Cuballing Fire Brigade	3,286	-	(3,286)	-
Cuballing Football Asson	2,566	-	(2,000)	566
Environment and Townscape Trust Fund	5,713	-	-	5,713
LCDC East Yornaning	1,360	-	(1,360)	-
Police Licensing	2,933	241,684	(239,752)	4,865
Reimbursements	8,962	-	(8,962)	-
Swipe cards	1,090	455	(20)	1,525
Upper Hotham Project	15,027	-	(15,027)	-
	<u>54,965</u>			<u>32,497</u>

10. SUPPLEMENTARY INFORMATION

May include (not exhaustive) the following:

- Operating Statement;
- Balance Sheet;
- Debtors listings;
- Creditors listings;
- Cash/Investment summaries;
- Plant reports;
- Ratio analysis; and
- Other information considered relevant.

9.1.73 AUDIT COMMITTEE MINUTES

Location/Address: Whole of shire
Reporting Officer: Clare Thomson - Accountant
Enabling Legislation: Local Government Act 1995as amended
Council Policy:
Budget Implications: Budget Provision Can be made
File Reference:
Voting Requirements: **Absolute** Majority

Background

Council received the minutes and adopted the decisions of the Audit Committee Minutes of June 2014.

Comment

COUNCIL DECISION:

That Council receive the minutes of the Audit Committee held 19 June 2014 and adopt the decisions therein.

Moved: Cr Haslam

Seconded: Cr Bradford

Carried 6/0



**MINUTES OF THE SHIRE OF CUBALLING AUDIT COMMITTEE MEETING BE IN
THE COUNCIL CHAMBER ON THURSDAY 19 JUNE 2014, COMMENCING AT
2:40 PM**

1. OPENING - ANNOUNCEMENT OF VISITORS

Meeting commenced at 2.45pm

2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

Cr S Ballantyne	Chair
Cr M Conley	President
Cr R Newman	Deputy President
Cr T Haslam	
Cr E Dowling	
Cr D Bradford	
Mrs Eva Haydon	Chief Executive Officer
Mrs Clare Thomson	Accountant

3. PUBLIC QUESTION TIME

No public present

4. MINUTES

Confirmation of Audit Committee Minutes of 27 March 2014
(as circulated)

Moved: Cr Dowling

Seconded: Cr Conley

Carried 6/0

5. PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS

Cr Ballantyne declared a financial interest in item 6.1. as he is an employee of RSM Bird Cameron – Narrogin (The Audit quote was provided by RSM Bird Cameron – Bunbury).

COUNCIL DECISION:

That due to the insignificant nature of the interest declared by Cr Ballantyne and his potential input as a practising accountant, he should remain to chair the meeting and be permitted to vote.

Moved: Cr Conley

Seconded: Cr Newman

Carried by absolute majority 5/0

Cr Ballantyne then declared an impartiality interest and read aloud the declaration.

6. APPOINTMENT OF AUDITOR

6.1 AUDIT CONTRACT

Location/Address:	Whole of shire
Reporting Officer:	Clare Thomson – Accountant
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Provided for in annual budget
File Reference:	
Voting Requirements:	Absolute Majority
Attachment:	Anderson Munro & Wyllie, Butler Settineri, RSM Bird Cameron, UHY Haines Norton

Background

The Audit contract with Anderson Munro & Wyllie ceases at 30 June 2014 and expressions of interest were sent to four accounting firms who carry out local government audits. Attached are copies of their quotes to undertake Council's audit for a three year term commencing with 2014/2015 year.

Comment

OFFICER RECOMMENDATION:

For Committee consideration.

Moved

Seconded

COUNCIL DECISION:

That Marius van der Merwe and Lucy Gardner of Butler Settineri be appointed as Council Auditors for a three year term commencing with the 2014/15 financial year.

Moved Cr Conley

Seconded: Cr Bradford

Carried by Absolute Majority 6/0

7. CLOSURE OF MEETING

There being no further business, the meeting closed at 3.05pm

9.1.74 LONG TERM FINANCIAL PLAN

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995as amended
Date:	26 May 2014
Council Policy:	Nil
Budget Implications:	Nil – to be amended
File Reference:	
Voting Requirements:	Absolute Majority

Background

Council received funding from the Local Government Department whilst a member of the Cuballing, Narrogin, Wickopin Regional Transitional Group. A portion of this funding was provided to produce a Long Term Financial Plan, Strategic Community Plan, Workforce Plan and Asset Management Plan.

The initial Long Term Financial Plan was not adopted by Council and has subsequently been amended by the Contracted provider.

Comment

Council's Strategic Community Plan has been distributed to all ratepayers for public comment and it is expected that amendments will be required to the attached Long Term Financial Plan as a consequence of community vision and priorities provided as a result of the public consultation period.

In order to acquit the funding received for the Long Term Financial Plan, it is necessary that Council adopt the plan.

COUNCIL DECISION:

That the attached Long Term Financial Plan be adopted with the understanding that following the current community consultation period, the plan will be amended to reflect the Shire of Cuballing community priorities provided and considered by Council at the conclusion of the consultation period.

Moved: Cr Newman

Seconded: Cr Haslam

Carried by Absolute Majority 6/0

9.1.75 WRITE OFF OF OUTSTANDING DEBTORS

Location/Address:	Whole of Shire
Reporting Officer:	Leanne Shields – Administration Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	2.4
Budget Implications:	Yes, Outstanding amounts be written off
File Reference:	Finance 13
Voting Requirements:	Absolute Majority

Background

Local Government Act 1995, clause 6.12 provides for the power to defer, grant discounts, waive or write off debts, as follows:.

(1) Subject to subsection (2) and any other written law, a local government may —

- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
- (b) waive or grant concessions in relation to any amount of money; or*
- (c) write off any amount of money,*

which is owed to the local government.

**Absolute majority required.*

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Mike Shipley Invoice#1492 Totalling \$66.00 (inc GST)

This invoice was for the hire of the Popanyinning Hall for the wake of his late father Harold Shipley. This account has been outstanding since February 2011 with multiple attempts to recover the outstanding amount has been unsuccessful. The only form of contact for Mr Shipley is via his email address which seems to be incorrect.

Richard Barrie Invoice#2286 Totalling \$82.50 (inc GST)

This invoice was for private works - hire of grader and operator to grade driveway at the property which he resides at. He is renting this residence that is owned by Mr Rob Melchoirre who gave no authorised action for this to happen. With multiple attempts to recover the amount since July 2013 from Mr Barrie has resulted unsuccessfully for he believes the account is not his to pay.

Rebecca Spencer Invoice#1951 Totalling \$566.72 (inc GST)

This invoice was for the Town of Narrogin Ranger to remove and euthanize the dog she owned due to a livestock attack. Ms Spencer request this be carried out at the time of the event then refused to pay the account. The refusal was due to what she believed to be an extortionate invoice amount. The account was only invoiced for an at cost basis. This account has been outstanding since September 2012 with several attempts to recover. Ms Spencer has since moved out of the area with no forwarding address.

Comment

Given the amounts outstanding, the absence of current address details for future correspondence, and the cost to pursue the recovery of outstanding monies, it is being recommended to Council that the outstanding debtors be written off.

OFFICER'S RECOMMENDATION

That the following outstanding invoices be written off:

Invoice # 1492 Dated 9 February 2011 Mike Shipley Totalling \$66.00 (GST inclusive); and

Invoice # 2286 Dated 5 July 2013 Richard Barrie Totalling \$82.50 (GST inclusive); and

Invoice # 1951 Dated 30 August 2012 Rebecca Spencer Totalling \$566.72 (GST inclusive)

Moved: Cr Haslam

Seconded: Cr Ballantyne

Carried by Absolute Majority 6/0

9.1.76 ADOPTION OF FAIR VALUE FOR ASSETS

Location/Address:	Whole of shire
Reporting Officer:	Clare Thomson - Accountant Eva Haydon
Enabling Legislation:	Local Government (Financial Management) Regulations 1996
Council Policy:	Nil
Budget Implications:	Nil
Voting Requirements:	Absolute Majority

Background

Local Governments in WA are required to prepare financial statements in accordance with the Local Government Act 1995, Local Government (Financial Management) Regulations 1996, AASBs and Australian Interpretations.

Under the Act, Local Governments are now required to record assets at fair value. Implementation has been carried out in a phased in approach over three years with full implementation required by 30 June 2015. Local governments had the option to revalue land and buildings, plant, furniture and equipment and infrastructure assets in alternative years so that these asset classes could be revalued in either 2012/2013, 2013/2014 or 2014/2015.

Land and buildings were revalued in 2012/2013, 2013/2014 will see the revaluation of plant, furniture and equipment whilst 2014/2015 will see the revaluation of Council's infrastructure assets.

In conjunction with Council's Works Manager, Council's plant, furniture and equipment has been reviewed and a list of the items that are required to be revalued is attached. No item with an historical cost value of \$2,000 or below will be revalued as that is below Council's capitalisation threshold.

Comment

The result of adopting the fair value amounts for assets will result in transactions to an asset revaluation reserve (non cash backed) in the annual financial statements.

This may be an opportune time to review the capitalisation threshold for fixed assets. The value is currently \$2,000. A figure of \$5,000 is commonly used in local government and would be more realistic for the 21st century. All assets regardless of value would be placed on the asset register for control purposes and to ensure their inclusion in Council's insurance cover.

COUNCIL DECISION:

That Council adopt:

- 1 The fair value amounts for assets as prepared in the attached report, in order to comply with the Local Government Act 1995, Local Government (Financial Management) Regulations 1996, AASBs and Australian Interpretations; and**
- 2 A fixed asset threshold of \$5,000, providing all assets under the threshold are recorded for control purposes.**

Moved: Cr Dowling

Seconded: Cr Newman

Carried by Absolute Majority 6/0

Shire of Cuballing
2014 Revaluation of Plant, Furniture and Equipment to Fair Value

Asset No	Description	Historical Cost	WDV	Revaluation	Revaluation Devaluation
		\$	\$	\$	\$
10033	Metrocount Traffic Counter	2,116	-	2,000	2,000
10037	Metrocount 5600 Plus Traffic Counter	3,425	-	3,000	3,000
10046	Vermeer Woodchipper	53,550	-	8,500	8,500
10050	CN 272 Isuzu Tiptruck	127,194	-	43,000	43,000
10051	Bomag BW211D3VIB Roller	118,625	-	38,000	38,000
10052	Veneri Front End Loader	189,084	-	25,000	25,000
10054	CN151 Multipac VP2400 Multityre Roller	146,373	24,462	45,000	20,538
10056	CN1552 John Deere 4720 Tractor	67,681	-	36,000	36,000
10058	10000S Kevrek Crane	6,850	3,138	3,000	- 138
10059	550s Kevrek Crane	4,850	2,225	1,800	- 425
10061	CN157 Toyota Hilux	30,180	-	6,000	6,000
10062	CN2 Isuzu truck	56,669	20,439	28,000	7,561
10063	CN92 Caterpillar 930G Wheel Loader	273,850	72,304	145,000	72,696
10071	0CN Holden Berlina	35,836	11,605	16,000	4,395
10072	Tree rake and grab	17,365	11,897	9,000	- 2,897
10073	CN026 UD Nissan Truck	184,482	124,488	145,000	20,512
10074	CN047 UD Nissan Truck	184,482	124,488	145,000	20,512
10076	CN1 Holden Colorado Dual Cab	34,616	17,310	26,000	8,690
10077	Holden Colorado Tray Top	36,412	18,207	26,000	7,793
10078	CN1557 Mazada Tray Top	19,933	9,967	16,000	6,033
10080	CN1806 John Deere Tractor	65,971	53,862	52,000	- 1,862
10082	Cable Locator	3,500	3,178	2,600	- 578
10083	Metrotraffic counter	3,834	3,482	2,000	- 1,482
13027	Council Chambers Furniture	7,482	15	7,580	7,565
13037	CEOs desk	2,160	-	1,195	1,195
		1,676,520	501,067	832,675	331,608

9.2.113 DELEGATION REGISTER REVIEW

Location/Address: Whole of shire
Reporting Officer: Eva Haydon – Chief Executive Officer
Date: 7 May 2014
Enabling Legislation: Local Government Act 1995as amended
Council Policy: Nil
Budget Implications: Nil
File Reference:
Voting Requirements: **Absolute** Majority

Background

The current delegation register has been reviewed and is submitted for Council consideration. Items to be removed are highlighted in yellow, items amended have amendments highlighted in green.

Comment

Nil

COUNCIL DECISION:

That the Shire of Cuballing Delegation Register, as amended in the financial year ended 30 June 2014, be adopted.

Moved: Cr Dowling

Seconded: Cr Newman

Carried by Absolute Majority 6/0

SHIRE OF CUBALLING Register of Delegations

This document is the Register of Delegations for the Shire of Cuballing, and meets the requirements of Section 5.46(1) of the *Local Government Act 1995*.

This Register outlines those functions which have been specifically delegated by the Council to the CEO, or by the CEO to another Officer and sets out the conditions applying to the exercise of the delegation.

Sections 5.42 and 5.43 of the *Local Government Act 1995* quantifies the power to delegate, the limits of those delegations and in the main reflects those powers and duties which require either an absolute, or special, majority vote. Actual decisions relating to the matter delegated shall be made by the person nominated in the delegation, notwithstanding that other staff may undertake research and technical work relating to that delegation.

Adequate record is to be kept of the exercise of the delegation through the recording of the delegation reference number, the date of the decision in regard to the delegation, and the people of whom are affected by the decision. The following pro-forma may be used as an attachment to relevant documentation.

Delegations Register Number	
Date decision exercised	
Those affected	
Details of decision	
Action required to be taken	

BACKGROUND

The *Local Government Act* requires local governments to review their delegation of powers/authority to the Chief Executive Officer at least once in every twelve months and then for the Chief Executive Officer to review his/her delegation of authority within the same review period.

STATUTORY IMPLICATIONS

Section 5.42 provides that:

- (1) A local government may delegate (by Absolute Majority) to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Section 5.43 provides that a local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

Section 5.44 provides that:

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) "conditions" includes qualifications, limitations or exceptions.

Section 5.45 provides that:

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

Section 5.46(2) provides that:

- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Section 17(10) of the Bush Fires Act provides that a local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).

Section 17(7)(a) provides that subject to paragraph (b), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district the local government may, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by —

- (i) shortening, extending, suspending or reimposing a period of prohibited burning times; or
 - (ii) imposing a further period of prohibited burning times.
- (b) A variation of prohibited burning times shall not be made under this subsection if that variation would have the effect of shortening or suspending those prohibited burning times by, or for, more than 14 successive days.

Section 17(8) provides that where, under subsection (7), a local government makes a variation to the prohibited burning times in respect of its district or a part of its district the following provisions shall apply —

- (a) the local government —
- (i) shall, by the quickest means available to it and not later than 2 days before the first day affected by the variation, give notice of the variation to any local government whose district adjoins that district;
 - (ii) shall, by the quickest means available to it, give particulars of the variation to the Authority and to any Government department or instrumentality which has land in that district under its care, control and management and which has requested the local government to notify it of all variations made from time to time by the local government under this section or section 18;
 - (iii) shall, as soon as is practicable publish particulars of the variation in that district;
- (b) the Minister, on the recommendation of the Authority, may give notice in writing to the local government directing it —
- (i) to rescind the variation; or
 - (ii) to modify the variation in such manner as is specified in the notice;
- (c) on receipt of a notice given under paragraph (b) the local government shall forthwith —
- (i) rescind or modify the variation as directed in the notice; and
 - (ii) publish in that district notice of the rescission or particulars of the modification, as the case may require.

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1. DELEGATIONS – COUNCIL TO THE CHIEF EXECUTIVE OFFICER

ADMINISTRATION

C1: Legal Advice

Delegated the authority to appoint legal counsel and obtain advice, assistance and opinions as the Chief Executive officer deems necessary in the exercise of the management of the Shire of Cuballing with all legal advice received to be made available at the next Council meeting.

Reference: Local Government Act 1995 section 5.42

C2: Purchase Orders

Delegated the authority to sign purchase order forms for the purchase of goods and services within the constraints of the Budget and the Purchasing Policy

Objective: To expedite the purchasing process.

Reference: Local Government Act 1995 section 5.42

C3: Tender Invitation

Delegated the authority to call Tenders of a kind prescribed within the Tender Regulations under which another person is to supply goods and/or services for all budgeted items and to accept tenders to a value of \$100,000 in accordance with the Shire of Cuballing's Purchasing Policy.

Objective: To expedite the purchase of goods and services.

Reference: Local Government Act 1995 sections 3.57 & 5.42.
Local Government (Functions and General) Regulations regulation 11.

C4: Media

Delegated the authority for the publicity of Council activities through the media.

Reference: Local Government Act 1995 section 5.42
Shire of Cuballing Policy 1.6

C5: Common Seal

Delegated the authority to affix Common Seal (witnessed by President and CEO) to documents to be executed by the Shire of Cuballing where such documents are consistent and in accord with resolutions of Council, subject to Council being notified of executed documents in a timely manner.

Reference: Local Government Act 1995 sections 5.42, 9.49A(2) & 9.49A(4)

C8: Liquor Permits

Delegated the authority to determine applications for the consumption and sale of liquor on property under the care, control and management of the Shire of Cuballing.

Objective: To expedite the approvals process

Reference: Local Government Act 1995 section 5.42(1)
Liquor Licensing Act sections 59 & 119

C9: Impounding

Delegated the authority to exercise power in relation to the removal and impoundment of any goods which are involved in any contravention that can lead to impoundment, and to use reasonable force in the exercise of this power.

Objective: To expedite good governance.

Reference: Local Government Act 1995 section 3.39 and Part 3.

C10: Enter Land in Emergencies

Delegated the authority to enter land in emergencies.

Authority to sign and issue notice of entry.

Authority to exercise force to gain entry

Reference: Local Government Act 1995 section 5.42

C11: Appointment of Authorised Persons – Enforcement and Legal Proceedings

Delegated the authority to appoint:

- persons pursuant to section 9.29 of the Local Government Act 1995, to represent the Shire of Cuballing generally in proceedings in the court of petty sessions and Local Court.
- under section 9.10 of the Local Government Act 1995 persons or classes of persons to be authorised for the purposes of performing particular functions under sections 9.11, 9.13, 9.16, 9.17, 9.19 and 9.20 of the Act.
- under section 3.24 of the Local Government Act 1995 any person to exercise the powers given to a Local Government under Subdivision 2 of Division 3 of Part 3 of the Act.
- under section 3.39 of the Local Government Act any person to exercise the powers given to a Local Government under subdivision 4 of Division 3 of Part 3 of the Act.
- persons or classes of persons in relation to enforcement and legal proceedings.

Reference: Local Government Act 1995 section 9.16
Dog Act
Bush Fires Act
Health Act
Local Laws

C12: Execution of Documents

Delegated the authority to prepare the necessary documentation taking into account any specific or policy requirements of Council and arrange for execution of the contract documents where:

- the Council has authorised entering into a formal contract, or
- a formal contract is authorised under a delegated authority from the Council, or
- a formal contract is considered necessary by the Chief Executive Officer as part of the day to day operation of the Council;

Reference: Local Government Act 1995 section 5.42

C13: Destruction of Records

Delegated the authority to destroy old accounting books and records in accordance with statutes.

Reference: Local Government Act 1995 section 5.42
State Records Act 2000
State Records Office's General Disposal Authority for Local Government Records

Reference: Local Government Act 1995 section 5.42

C18: Industrial Representation

Delegated the authority to sign an employer's warrant for representation on industrial awards and to appear on the Shire of Cuballing's behalf.

Reference: Local Government Act 1995 sections 5.42-5.44

HEALTH AND BUILDING –

C19: Unauthorised Buildings - ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR

Delegated authority to serve notice to the owner of a property where any work or structure is constructed without proper authorisation and/or is in breach of the proper authorisation issued.

Reference: Local Government Act 1995 section 5.42
Local Government (Miscellaneous Provisions) Act 1960
Shire of Cuballing Policy 9.8

C20: Home Occupations - CEO

Delegated authority to approve the issue of Home Occupation Licence subject to compliance with Shire of Cuballing Town Planning Scheme No 2.

Reference: Local Government Act 1995 section 5.42
Shire of Cuballing Town Planning Scheme No 2

C21: Building Permits – ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR

Delegated the authority to approve or refuse to approve plans and specifications for Class 1 and 10 buildings, but where a plan and specification so submitted conforms to:

- all Local Laws and Regulations in force within the district or part of the district in respect of building matters, and the Council's pre-determined policy in respect of building matters; and
- all Local Laws and schemes in force within the district or part of the district in respect of town and regional planning matters, and the Council's predetermined policy in respect of town and regional planning matters.

The Chief Executive Officer shall not refuse to approve that plan or those specifications without first obtaining the consent of the Council.

Further, the issuing of a building licence under Section 374(1) of the Local Government Act (Miscellaneous Provisions) 1960 may be subject to such conditions as the Chief Executive Officer considers appropriate.

Objective: To expedite the issue of building approvals.

Reference: Local Government Act 1995 section 5.42(1).
Local Government (Miscellaneous Provisions) Act 1960 section 374(1b).
Shire of Cuballing Town Planning Scheme No. 2.

C22: Offences - CEO

Delegated the authority to issue/serve notices against breaches of the Local Government Act, Health Act (and associated Regulations), and Shire of Cuballing Health Local Law.

Reference: Local Government Act 1995 section 5.42
Health Act 1911
Shire of Cuballing Health Local Law 2007

C23: Itinerant Food Vendors Licence – ENVIRONMENTAL HEALTH OFFICER

Delegated the authority to issue Itinerant Food Vendors Licence in accordance with the requirements of the Health Act and Shire of Cuballing Health Local Law.

Objective: To expedite the issue of planning approval.

Reference: Local Government Act 1995 section 5.42
Health Act 1911
Shire of Cuballing Health Local Law 2007

C24: Building Licence Extension - ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR/CEO

Delegated the authority to approve of an extension of an initial building licence where it was not possible to complete the building within the period specified in the building licence for a further 6 months to allow completion of construction.

Objective: To expedite building control and regulation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 section 374(1b).

C25: Uncompleted Buildings – ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR

Delegated the authority to serve the appropriate notices and orders referred to in Section 409A of the Local Government (Miscellaneous Provisions) Act 1960 and to take all other appropriate actions to obtain compliance with Section 409A of the legislation

Objective: To expedite building control and regulation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 section 409A.

C26: Buildings - Certain Actions after Conviction - ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR

Delegated the authority to serve the appropriate notices referred to in Section 411 of the Local Government (Miscellaneous Provisions) Act 1960.

Objective: To expedite building control and regulation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 section 411.

C27: Building Notices - ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR

Delegated the authority to issue notices pursuant to Part XV of the *Local Government (Miscellaneous Provisions) Act 1960*.

Objective: To expedite building control and regulation.

Reference: Local Government Act 1995 section 3.25
Local Government (Miscellaneous Provisions) Act 1960 section 374(1b)

C28: Demolition License - ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR

Delegated the authority to approve the issue of a demolition license to take down a building or a part of a building and impose conditions as considered appropriate for the safe and proper execution of the work.

Objective: To expedite building control and regulation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 section 374A

C29: Issue of Section 401 Notices - ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR

Delegated the authority to issue notices pursuant to Section 401 of the Local Government (Miscellaneous Provisions) Act 1960 where a breach of building requirements is considered to be of a magnitude sufficient to warrant issue of a notice

Objective: To expedite building control and regulation.

D//admin/delegated register

Reference: Local Government (Miscellaneous Provisions) Act 1960 section 401.

C30: Stop Work Orders - CEO

Delegated the authority to issue stop work notices where a breach of building requirements is considered to be of a magnitude sufficient to warrant issue of a notice and to withdraw stop work notices where the breach for which the notice has been issued is corrected.

Objective: To expedite building control and regulation.

Reference: Local Government Act 1995 section 5.42(1)
Local Government (Miscellaneous Provisions) Act section 401A

C31: Dangerous Buildings- CEO

Delegated the authority, where a building is in a dangerous state, to:

- Issue a certificate which states that the subject building is in a dangerous state.
- Shore up or otherwise secure the building, as well as providing a hoarding or fence around the building to protect the public from danger.
- Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.

Objective: To expedite building control and regulation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 section 403.

C32: Removal of Neglected and Dilapidated Buildings- CEO

Delegated the authority to serve upon the owners and occupiers of neglected and dilapidated buildings the written notices required by Sections 408 and 409 of the Local Government (Miscellaneous Provisions) Act 1960, and issue of Certificates of Classification of Buildings.

Objective: To expedite building control and regulation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 sections 408-409.

C33: Licence to Deposit Materials on or Excavate Adjacent to a Street- CEO

Delegated the authority to, after satisfying himself/herself that the proposed activity will not create undue interference with the operation of the street, way or public place, issue licences to deposit materials on a street, way or other public place and to excavate on land abutting or adjoining a street, way or other public place. Licences are to be issued subject to the conditions detailed in Section 377 of the Local Government (Miscellaneous Provisions) Act 1960 and such other conditions as considered relevant

Objective: To expedite building control and regulation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 section 377

C34: Bond Refunds- CEO

Delegated the authority to refund bond monies where all conditions of approval have been met, with the aggrieved applicant having a right of appeal to Council.

Objective: To expedite the approvals process

Reference: Local Government Act 1995 section 5.42(1)

C35: Notices- CEO

Delegated the authority to issue notices to owners and occupiers of land requiring certain things to be done by the owner or occupier of that land.

Reference: Local Government Act 1995 section 3.25
Health Act Parts IV, V, VI, VII, VIIA, VIII, IX, XV

C36: Renewing Licences- CEO/ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR

Delegated the authority to renew all licences provided the circumstances of the original licence have not substantially altered.

Reference: Local Government (Miscellaneous Provisions) Act 1960

C37: Administration of Health- CEO/ENVIRONMENTAL HEALTH OFFICER BUILDING SURVEYOR

Delegated the authority to exercise and discharge the powers and functions of the Shire of Cuballing under the Health Act relating to:

- forming of opinions and making of declarations;
- the granting and issue of licenses, permits, certificates and approval;
- the issue of notices, orders and requisitions and the carrying out and putting into effect of notices, orders and requisitions;
- the ordering and authorisation of legal proceedings for breaches of the Health Act, all regulations and local laws.

Reference: Health Act 1911

TOWN PLANNING

C38: Applications for Planning Consent - CEO

Delegated the authority to issue planning consent to development applications which comply with the Shire of Cuballing's Town Planning Scheme.

Reference: Local Government Act 1995 section 5.42

C39: Subdivision Clearance- CEO

Delegated the authority to endorse subdivision referral pro-formas and to certify the compliance with subdivision conditions when satisfied that suitable arrangements have been made.

Reference: Local Government Act 1995 section 5.42
Town Planning and Development Act 1928 part III Sections 20 and 24

C40: Secondhand Fencing- CEO

Delegated the authority to approve the use of secondhand material for fencing.

Reference: Local Government Act 1995 section 5.42

C41: Private Swimming Pools- CEO

Delegated the authority to issue notices as required on the owners or occupiers of the land on which there is a swimming pool not complying with the statutory requirements for a barrier to prevent access to the swimming pool by children.

Reference: Local Government (Miscellaneous Provisions) Act 1960 section 245(a).

C42: Licences, Signs and Hoardings- CEO

Delegated the authority to approve the erection and/or licensing of signs and hoardings that comply with the Local Laws and policies of the Council. Where an application for a sign or hoarding does not comply with the Local Laws and the policies of the Council the application is to be refused.

Reference: Local Government Act 1995 section 5.42

C43: Street Appeals- CEO

Delegated the authority to determine all applications for street appeals, having regard to any Council Policy relating to street appeals.

Reference: Local Government Act 1995 section 5.42

WORKS

C44: Roadside Clearing- CEO

Delegated the authority to permit clearing of roadside vegetation subject to application complying with legislation and Council Policy.

Reference: Local Government Act 1995 section 5.42
Environmental Protection (Clearing of Native Vegetation) Regulations 2004
Shire of Cuballing Policy 5.18

C45: Road Trains/Mass Permits- CEO

D//admin/delegated register

Delegated the authority to approve rigid and articulated vehicle movements, up to a maximum 27.5m, on low volume roads within the Shire of Cuballing (ie roads not covered under the Main Roads WA Restricted Access Vehicle Network).

Reference: Local Government Act 1995 section 5.42

C46: Seed Collection- CEO

Delegated the authority to permit wildflower picking and native seed collection on Shire of Cuballing property and reserves vested in or under the control of the Shire of Cuballing, subject to and in accordance with conditions set by the Department of Environment and Conservation.

Reference: Local Government Act 1995 section 5.42

C47 Undertaking Private Works- CEO

Delegated the authority to use his/her absolute discretion in accepting or rejecting private works.

Objective: To facilitate the Works Programme

Reference: Local Government Act 1995 section 5.42(1)

C51: Temporary Road Closure- CEO

Delegated the authority to temporarily close roads during adverse weather conditions.

Objective: To minimise damage to roads

Reference: Local Government Act 1995 section 3.50

C52: Temporary Closure of Roads for Public Events- CEO

Delegated the authority to determine applications for the temporary closure of roads for public events. The determination shall be in accordance with provisions of the Road Traffic (Events on Roads) Regulations 1991 and the Local Government Act 1995 and shall, when approved by the Chief Executive Officer, contain the following conditions:

- The closure is to be advertised in a local newspaper.
- Arrangements are to be made for appropriate signposting to effect the closure.
- The applicant is to take out a Public Risk Insurance policy which indemnifies Council against any damages claims and a copy of the Policy is to be provided to Council.
- The applicant is to notify the Police and Emergency Services and ensure that whilst the event is in progress, satisfactory arrangements are made to allow access to premises by Emergency Services.

The Chief Executive Officer may determine other conditions to be imposed on any approvals issued.

Reference: Local Government Act 1995 section 3.50

C53: Tree Safety- CEO

Delegated the authority to issue an order to make a tree safe on private land and to enter that property to make a tree safe.

Reference: Local Government Act 1995 section 5.42

C54: Sale of Surplus Equipment, Materials and Scrap

Delegated the authority to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's Depot, or any other fair means, items of surplus equipment, materials, tools, etc which are no longer required, or are outmoded, or are no longer serviceable.

Reference: Local Government Act 1995 section 5.42

FIRE CONTROL

C55: Roadside Burning- CEO

Delegated the authority to approve applications for the burning of road verges subject to such application being made in accordance with Council Policy.

Reference: Local Government Act 1995 section 5.42
Shire of Cuballing Policy 6.4

C56: Use of Shire Vehicles during Fire- CEO

Delegated the authority for the use of Council plant and equipment in the event of a fire and that plant/equipment may be used by operators other than Council staff only when no staff are available, and under the direct supervision of the officer responsible.

Reference: Local Government Act 1995 section 5.42

C57: Extension/Reduction Restricted/Prohibited Burning Periods- CEO

Delegated the authority to suspend, amend or vary Prohibited and Restricted burning times.

Reference: Local Government Act 1995 section 5.42
Bush Fire Act 1954 sections 17(7)(a), 17(8), 17(10) & 18(5)(a)
Bush Fire Regulations 1954 regulation 15C

C58: Issue of Burning Permits

Delegated the authority to cause notice to be advertised for the appointment of Fire Control Officers and Shire Administration Staff as permitted officers for the issuing of Burning Permits.

Reference: Local Government Act 1995
Bush Fire Act 1954
Bush Fire Regulations 1954

C59: Control of Fires- CEO

Delegated the functions of the Shire of Cuballing as described in section 13(4) of the Bush Fires Act 1954 for use in an emergency situation and only in conjunction with the Chief Bush Fire Control Officer.

Objective: To allow the control of a fire to be transferred to a FESA officer without the need of calling a Council Meeting.

Reference: Local Government Act 1995 section 5.42(1)
Bush Fires Act 1954 section 48
Bush Fires Act 1954 section 13(4)

C60: Harvest Bans- CEO

Delegated the authority to impose harvest and vehicle movement bans.

Reference: Local Government Act 1995 section 5.42
Bush Fire Regulations 1954 regulations 38A, 38C, 39A & 39B

C61: Fires at Refuse Disposal Sites

Delegated the authority to permit persons to set fire to the green waste at the refuse disposal sites.

Reference: Local Government Act 1995 section 5.42

C62: Fire Breaks- CEO

Delegated the authority, in liaison with the Chief Bush Fire Control Officer, to resolve fire hazard problems, including where considered necessary, to forward letters demanding the construction of fire breaks and where not complied with, the issuing of contracts for the construction of the break at the land owner's expense.

Reference: Local Government Act 1995 section 5.42
Bush Fires Act 1954 sections 33 & 48

C63: Infringements- CEO

Delegated the authority to issue infringement notices.

Reference: Local Government Act 1995 section 9.16
Bush Fires Act 1954

C65: Outstanding Debt- CEO

Delegated the authority to write off uncollectable or economically uncollectable debts, excluding rates and service charges, up to \$50.00.

Objective: To provide a cost effective collection action

Reference: Local Government Act 1995 sections 5.42 & 6.12(c)

C66: Investment of Funds- CEO

Delegated the authority to invest surplus funds, Trust funds, Loan funds and Reserve funds after ensuring that sufficient working capital is to be retained, in accordance with Council Policy.

Reference: Local Government Act 1995 section 5.42, 6.14
Local Government (Financial Management) Regulations regulation 19
Shire of Cuballing Policy 2.8

C67: Payment of Accounts- CEO

Delegated the authority to pay accounts subject to a list of accounts paid being presented to the next Ordinary meeting and included in the minutes of that meeting. The vouchers, supporting invoices and other relevant documents be made available for inspection by members at the next Ordinary Council Meeting.

Reference: Local Government Act 1995 section 5.42
Local Government (Financial Management) Regulations 1996 regulation 12

C68: Electronic Funds Transfer (EFT) - CEO

Delegated the authority to EFT between bank accounts and to pay creditor accounts EFT to a limit of \$500,000.

Reference: Local Government Act 1995 s 5.42
Local Government (Financial Management) Regulations regulation 11

C69: Credit Card / Fuel Card - CEO

Delegated the authority to use the Shire of Cuballing's Credit Card and Fuel Card within the constraints of the Budget or as otherwise directed by Council.

Reference: Local Government Act 1995 section 5.42
Local Government (Financial Management) Regulations regulation 11(1)(a)

C71: Cost Recovery- CEO

Delegated the authority to instigate proceedings to recover costs in Court.

Reference: Local Government Act 1995 section 5.42

C72: Assistance to Community Organisations and Events- CEO

Delegated the authority to determine the level of assistance provided to community organisations and events. The assistance may be financial (within Budget allocations) and may include the use of Shire plant and machinery or the use of employees. In exercising this delegation, the Chief Executive Officer shall have regard to any existing Council policies.

Reference: Local Government Act 1995 section 5.42

C73: Debt Collection 

Delegated the authority to collect outstanding debts against the Shire of Cuballing, including entering into arrangements, within normal commercial parameters.

Reference: Local Government Act 1995 section 5.42

2. DELEGATIONS – CEO TO OTHER OFFICERS

O1: C2 Signing of Purchase Orders

The CEO delegates the authority to the Works Supervisor and Administration Officer to sign purchase order forms for the purchase of goods and services within the constraints of the Budget and the Purchasing Policy under the compliance of Delegation C2

Objective: To expedite the purchasing process.

Reference: Delegation C2 (Signing of Purchase Orders)
Local Government Act 1995 sections 3.18 & 5.44

O2: C7 Administration of Local Laws - Health Local Law

The CEO delegates the authority to the Environmental Health Officer/Building Surveyor authority to deal with matters associated with the Shire of Cuballing Health Local Law 2007 under the compliance of Delegation C7.

Objective: To expedite dealings with matters covered by the Local Law

Reference: Delegation C7 (Administration of Local Laws)
Local Government Act 1995 section 5.44
Shire of Cuballing Health Local Law 2007

O3: C10 Enter Land in Emergencies

The CEO delegates the authority to enter land in emergencies to the Environmental Health Officer/Building Surveyor and the Works Manager under the compliance of Delegation C10.

Objective: To expedite actions in an emergency situation

Reference: Local Government Act 1995 section 5.44

O4: C19 Unauthorised Buildings

The CEO delegates the authority to the Environmental Health Officer/Building Surveyor under the compliance of Delegation C19.

Objective: To expedite the serving of notices to property owners

Reference: Delegation C19
Local Government Act 1995 section 5.44
Local Government (Miscellaneous Provisions) Act 1960
Shire of Cuballing Policy 9.8

O5: C21 Building Permits

The CEO delegates the authority to the Environmental Health Officer/Building Surveyor authority to issue building permits under the compliance of Delegation C21.

Objective: Expedition of the issue of Building Permits

Reference: Delegation C21

O6: C30 Stop Work Orders

The CEO delegates the authority to the Environmental Health Officer/Building Surveyor **authority** to issue Stop Work Orders under the compliance of Delegation C30.

Objective: To ensure the legality of buildings

Reference: Delegation C30
Local Government Act 1995 section 5.44
Local Government (Miscellaneous Provisions) Act 1960

O7: Septic Tank Installations

Pursuant to the provisions of Section 26 of the Health Act 1911 all officers appointed and gazetted as Environmental Health Officers of the Shire of Cuballing, are authorised to exercise and discharge powers and functions conferred on Local Government for the purpose of Regulation 4 and Regulation 10(2) of the Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974.

Note: Regulation 4 relates to the approval of the construction and installation of the apparatus by Local Government

Objective: To expedite the approvals process

Reference: Local Government Act 1995 section 5.44

9.2.114 CUBALLING TENNIS CLUB

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995as amended
Date:	
Council Policy:	Nil
Budget Implications:	Dependant on Decision
File Reference:	
Voting Requirements:	Absolute Majority

Background

The Cuballing Tennis Club facilities are currently an open fronted shed with a small area covered in at the end serving as a canteen.

Member numbers have been consistent for a number of years and have increased in the last few, with several non-playing members coming along regularly for the social side of proceedings.

The author met with representatives of the Club on 22 April, to discuss possible improvements to the facility.

As a result the attached correspondence has been received.

Comment

The improvements to the hitting wall would need addressing urgently as tree roots are lifting the surface of the netball court (where the wall is located)

Prices for a transportable meeting room with a kitchen and toilet have been obtained by the club and connection to the existing septic tanks would be possible as tennis is not played at the same times as cricket matches. It is envisaged that the project would require around \$40,000 to complete. The tennis club will provide some voluntary labour.

The provision of fencing would provide a safer environment for all children using the recreation ground, as currently they are able to run across the car park. Children under 6 years of age do not generally use their peripheral vision and therefore put themselves in danger from reversing vehicles. It is envisaged that a fence could be erected to enclose the rear of the recreation centre from the edge of the building to the fence along Campbell Street.

The Hotham Cruisers motorcycle club have donated \$500 towards a fence around the lawn area to the side of the main building. Permission will be sought to put that sum towards the fencing of the area behind the main building which will provide a larger safe area.

The Recreation and Community Facility Reserve currently has a balance in excess of \$280,000.

OFFICER RECOMMENDATION:

For Council consideration

Moved

Seconded

COUNCIL DECISION:

That;

- 1. The sum of \$30,000 be provided in the 2014/15 Budget for a clubroom and Practice wall;**
- 2. Budget provision be made for fencing to ensure the safety of children at the Cuballing Rec Centre; and**
- 3. The Cuballing Tennis club be encouraged to apply for grant funding towards their Clubhouse Project.**

Moved: Cr Haslam

Seconded: Cr Ballantyne

Carried by Absolute Majority 6/0

CEO - Cuballing Shire

From: Shire of Cuballing <enquiries@cuballing.wa.gov.au>
Sent: Monday, 5 May 2014 8:19 AM
To: ceo@cuballing.wa.gov.au
Subject: FW: Cuballing Tennis Club

From: Bevan & Jodie George [<mailto:bevan.jodie@iinet.net.au>]
Sent: Saturday, 3 May 2014 11:09 AM
To: enquiries@cuballing.wa.gov.au
Subject: Cuballing Tennis Club

To the attention of Eva Haydon

Re our meeting with you on 22nd April 2014 to discuss our plans of:

1. Fence to protect children from being in car parking area and stop traffic flow through.
2. Improvements to hitting wall ie. tree removal, fencing, resurfacing and access gateway.
3. Meeting room ie. Donga 12m x 3m approx

As you are aware the recreation facilities were designed merely to service the oval but seemingly without the tennis club in mind at that stage. We estimate the total cost of these three projects to be \$40,000 and believe there is a fund set aside for projects such as this.

To have a decent clubhouse would be an asset to the club that may ensure the long term viability of the tennis club in Cuballing. We ask for your serious consideration of this request.

Kind regards,

Tim Short (President) and Jodie George (Sec/Tres)
Cuballing Tennis Club

9.2.115 AMENDED FEBRUARY 2014 MINUTES

Location/Address: Whole of shire
Reporting Officer: Eva Haydon – Chief Executive Officer
Enabling Legislation: N/A
Council Policy: Nil
Budget Implications: NIL
File Reference:
Voting Requirements: ABSOLUTE MAJORITY

Council received the minutes and adopted the decisions of the Audit Committee Minutes of February 20 2014. The decision was recorded in the CEO agenda but not in the minutes (which have now been amended)

Comment

The two items dealt with by the Audit Committee were the acceptance of the CEO's systems and procedures review and the Compliance Audit Return for the year ended 31 December 2013.

COUNCIL DECISION:

That the amendment to the 20 February 2014 ordinary council meeting minutes be amended by the addition of the following

11.1.48 AUDIT COMMITTEE MINUTES

That the Audit Committee Minutes of 20 February 2014 be received and all recommendations adopted.

Moved: Cr Haslam Cr Newman

Carried By Absolute Majority 6/0

Moved: Cr Newman

Seconded: Cr Ballantyne

Carried by Absolute Majority 6/0

9.2.116 CAMPING AT CUBALLING RECREATION GROUND

This Item has been Withdrawn.

9.2.117 APPOINTMENT OF DUAL FIRE CONTROL OFFICERS

Location/Address: Whole of shire
Reporting Officer: Eva Haydon
Date: 4 June 2014
Enabling Legislation: Local Government Act 1995as amended
Council Policy: Nil
Budget Implications: Nil
File Reference: Bushfire 5
Voting Requirements: **Absolute** Majority

Background

The Shires of Pingelly and Wickepin have written to seek the appointment of dual fire control officers for the remainder of the 2014/2015 Financial Year.

Comment

This has been a common practice in previous years.

OFFICER RECOMMENDATION:

That:

1 The following persons be appointed Dual Fire Control Officers for the Shire of Cuballing:

Rodney L Shaddick
Neville G Giles
Alan W Parsons
Anthony Turton
Robert A Kirk
Andrew A Marshall;

2 The following persons be appointed Dual Fire Control Officers for the Shires of Pingelly, Williams, Wickepin, Wandering and Narrogin

Anthony Mort
Craig Cousins
Michael Burges
Nelson Young
Robert Harris; and

3 The following persons be appointed Dual Fire Control Officers for the Shire of Cuballing:

Bruce Penny
Peter Monk

Moved: Cr Haslam

Seconded: Cr Newman

Carried 6/0

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

11. OTHER URGENT BUSINESS

OFFICER RECOMMENDATION:

That the urgent business items 11.1.54 and 11.1.55 be considered.

Moved:

Seconded:

Cr Bradford declared an interest in this item and departed the chambers at 4.46pm

11.1.54 APPLICATION FOR EXTENSION OF EXISTING USE – D.S. BRADFORD

Location/Address: Locations 13054 & 4301 Yornaning Road West
Reporting Officer: Eva Haydon – Chief Executive Officer
Enabling Legislation: Shire of Cuballing Town Planning Scheme
Date: 4 June 2014
Council Policy: Nil
Budget Implications: Nil
File Reference:
Voting Requirements: Simple Majority

Background

A building application was received from Mr D.S. Bradford several months ago. The above location has been used for intensive animal husbandry for many years prior to adoption of the Town Planning Scheme. As such, it has been dealt with as an existing use and preliminary advice indicated a development application was not required.

Comment

As it is a considerable addition to an existing use, further advice from Council's Planning Consultant indicates that it may be prudent to request a development application for extension of an existing use. The required public notice was placed on the property on 2 June 2014 and advertising in the West Australian was placed on 14 June 2014.

The development is in the General Agriculture Zone and as it was an existing use at the time of adoption of the current Planning Scheme, Council has not been required to exercise its discretion by granting planning approval in accordance with Clause 9.4.3 of the Shire of Cuballing Town Planning Scheme No 2.

The use is compatible with its current setting and Staff have been advised that there will be no impacts on the natural environment.

Access and egress from the site are adequate, as is provision for the loading, unloading, manoeuvring and parking of vehicles. It is unlikely that the amount of traffic likely to be generated by the proposal will more adversely affect the capacity of the road system or traffic flow and safety.

The proposal is not likely to cause soil erosion or land degradation and there will not be any loss of community service or benefit resulting from the planning approval as it is located on privately owned land. There are adequate public utility services available.

At the time of preparation of the agenda item, no relevant submissions have been received on the application, however one ratepayer has expressed concerns regarding intensive farming and/or animal husbandry in the General Agricultural Zone.

Comments have not been sought from any other statutory, public or planning authority as the development is subject to Department of Environmental Regulations and procedures through its approval process.

COUNCIL DECISION:

That planning approval be granted to D.S. Bradford for extensions to the existing use on Locations 13054 & 4301 Yornaning Road West subject to the following:

- 1. Payment of Item 10 on Council's Town Planning Fees provided in the 2013/2014 Annual Budget;**
- 2. Reimbursement of advertising costs; and**
- 3. Department of Environmental Regulation approval being provided to the Shire of Cuballing Building Surveyor.**

Moved: Cr Newman

Seconded: Cr Haslam

Carried 5/0

Cr Bradford returned to the Council Chambers at 4.58pm

11.1.55 BUILDING SURVEYOR

Location/Address:	Shire of Cuballing
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Date:	17 June 2014
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	
Voting Requirements:	Absolute Majority

Background

Since the resignation of Alan Ramsay the building surveyor role has been carried out by Mr Darryle Baxter on a fee per hour service through the Town of Narrogin. Mr Baxter is engaged for one day per fortnight.

Mr Steven Friend has been appointed as Environmental Health Officer through the Shire of Wagin and attends as required (maximum one day per month).

These services were negotiated for a six month period.

Comment

A number of local governments are using the Shire of Kalamunda for a building and or environmental health surveyor service, however this is not necessarily the best solution for the ratepayers.

There are several options available to cover both roles as listed below:

- 1 Continue with the Town of Narrogin service if possible and source a willing part time Environmental Health Surveyor..
- 2 Discuss the employment of an Environmental Health/Building Surveyor with neighbouring local governments
- 3 Engage a building surveyor in a full time role and contract services to neighbouring local governments.

COUNCIL DECISION:

That the Chief Executive Officer be delegated authority to negotiate the appointment of suitable persons to cover both the Environmental Health Surveyor and Building Surveyor roles.

Moved: Cr Dowling

Seconded: Cr Bradford

Carried by Absolute Majority 6/0

12. NEXT MEETING

Thursday July 17 2014, 3.00pm

13. CLOSURE OF MEETING

There being no further business the meeting closed at 5.20pm