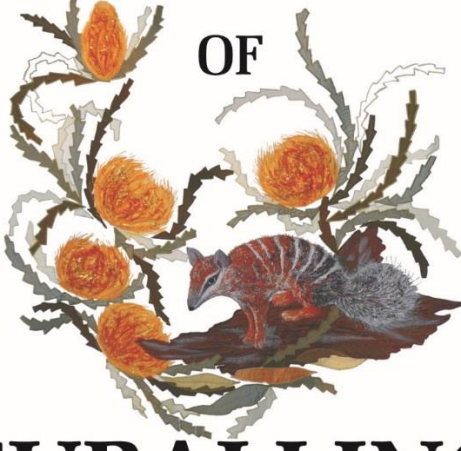


SHIRE OF CUBALLING



*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

THURSDAY 15th SEPTEMBER 2016

Shire of Cuballing
Council Chambers
Campbell Street, Cuballing

These minutes were confirmed at the Ordinary Meeting held on Thursday 20th October 2016.

Signed.....

Cr Mark Conley, Shire President

Thursday 20th October 2016

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 with derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Cuballing during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Cuballing. The Shire of Cuballing warns that anyone who has an application lodged with the Shire of Cuballing must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of that application and any conditions attaching to the decision made by the Shire of Cuballing in respect of the application.

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1. DECLARATION OF OPENING:

The Shire President, Cr Conley, declared the meeting open at 3.10pm.

Cr Conley reflected on the sad passing of former Councillor and Freeman of the Shire of Cuballing Mr Ian Watts. Ian served the Shire of Cuballing:

- as a Councillor from 1980 to 2007;
- as Deputy President – 1984 to 1990; and
- as Shire President – 1990 to 2006

Ian was heavily involved in Central Country Zone of WALGA and served the State Council of WALGA from 2001 to 2007.

In recognition of this service Council appointed Ian the first Freeman of the Shire of Cuballing on 22nd October 2007.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1 Attendance

Cr Mark Conley	President
Cr Eliza Dowling	Deputy President
Cr Scott Ballantyne	
Cr Dawson Bradford	
Cr Tim Haslam	
Cr Roger Newman	
Mr Gary Sherry	Chief Executive Officer
Ms Tonya Williams	Deputy Chief Executive Officer
Mr Bruce Brennan	Works Supervisor

2.1.2 Apologies

Nil

2.1.3 Leave of Absence

Nil

3. 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 Newman

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 Thursday 18th August 2016

COUNCIL DECISION:

That the minutes of the Ordinary Meeting of Council held on Thursday 18th August 2016 be confirmed as a true record of proceedings.

Moved: Cr Bradford

Seconded: Cr Dowling

Carried 6/0

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

Nil

8. DISCLOSURE OF FINANCIAL INTEREST:

Mr Sherry has declared a direct Financial Interest in item 12.1.1 in that he is the Officer.

Mr Sherry has declared a direct Financial Interest in item 12.1.2 in that he is the Officer.

9. REPORTS OF OFFICERS AND COMMITTEES:

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1	List of Accounts Submitted for Council Approval and Payment – August 2016
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File Ref. No: NA
Disclosure of Interest: Nil
Date: 2nd September 2016
Author: Nichole Gould
Attachments: 9.1.1A List of August 2016 Accounts

Summary

Council is to consider the August 2016 List of Accounts.

Background - Nil

Comment

Council is provided at Attachment 9.1.1A with a list of payments made from each of Council's bank accounts during the month of August 2016.

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:

That Council notes the Chief Executive Officer's List Of Accounts for August 2016 paid under Delegated Authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 included at Attachment 9.1.1A including payments from:

1. the Municipal fund totalling \$213,193.14; and
2. the Trust Fund totalling \$17,465.55.

Moved: Cr Haslam

Seconded: Cr Bradford

Carried 6/0

LIST OF ACCOUNTS DUE AND SUBMITTED TO COUNCIL – AUGUST 2016

Chq/EFT	Name	Description	Trust	Municipal
1082016	Police Licensing	Licensing Payments	1,726.70	
15082016	Police Licensing	Licensing Payments	152.95	
16082016	Police Licensing	Licensing Payments	3,742.85	
17082016	Police Licensing	Licensing Payments	1,115.70	
18082016	Police Licensing	Licensing Payments	1,326.35	
19082016	Police Licensing	Licensing Payments	408.50	
22082016	Police Licensing	Licensing Payments	157.10	
23082016	Police Licensing	Licensing Payments	198.75	
24082016	Police Licensing	Licensing Payments	354.85	
25082016	Police Licensing	Licensing Payments	73.20	
26082016	Police Licensing	Licensing Payments	1,496.55	
3082016	Police Licensing	Licensing Payments	462.50	
30082016	Police Licensing	Licensing Payments	248.90	
31082016	Police Licensing	Licensing Payments	1,692.00	
3082016	Police Licensing	Licensing Payments	462.50	
3082016	Police Licensing	Licensing Payments	58.50	
4082016	Police Licensing	Licensing Payments	1,549.80	
5082016	Police Licensing	Licensing Payments	495.70	
8082016	Police Licensing	Licensing Payments	86.10	
9082016	Police Licensing	Licensing Payments	570.40	
10082016	Police Licensing	Licensing Payments	1,364.50	
11082016	Police Licensing	Licensing Payments	646.15	
10082016	Rent for Grader Driver House	Rent for Grader Driver House		360.00
15082016	Big Air Cloud Management	Big Air Cloud Management		116.49
19082016	ATO Clearing Account BAS	ATO Clearing Account Bas		14,360.00
22082016	Rent On Forrest Street	Rent On Forrest Street		600.00
24082016	Rent for Grader Driver House	Rent for Grader Driver House		360.00
8082016	Rent On Forrest Street	Rent On Forrest Street		600.00
8082016	Interest On Graders	Interest On Graders		809.34
8082016	Loan Repayment No. 63 Graders	Loan Repayment No. 63 Graders		2,904.94
EFT2310	Ampac Debt Recovery	Legal Fees - Extra Summons Fees for A25 & A2479, Judgement Fees for A944 (PSSO)		845.48
EFT2311	Builders Registration Board Building Commission	June Building Forms		2,845.74
EFT2312	Child Support Agency	Payroll deductions		840.00
EFT2313	Nancarrow Signs	Repaint & Sign Write Entry Signs for Popanyinning Townsite		6,380.00
EFT2314	Ramm Software Pty Ltd	Roman 2 Annual Support & Maintenance Fee 2016/2017		7,067.14
EFT2315	Toll Ipec (Courier Australia)	Freight Charges - Road Signs		149.50
EFT2316	Tutt Bryant Equipment	Locking Pin		38.42
EFT2317	Australian Super	Superannuation contributions		408.90
EFT2318	Hostplus Super	Superannuation contributions		209.84
EFT2319	Matrix Superannuation	Superannuation contributions		57.78
EFT2320	WA Local Government Super Plan	Superannuation contributions		4,892.17
EFT2321	Westscheme Superannuation	Superannuation contributions		455.44
EFT2322	Adina Apartment Hotel Perth	Local Government Week Hotel Charges		5,007.00
EFT2323	Air Liquide Pty Ltd	Cylinder Fee Size G & E		260.10
EFT2324	Air Response	Inspect Air-conditioning System - Check Leaks & Ducting, Set Thermostat Schedule		298.76
EFT2325	Ampac Debt Recovery	Legal Fees - Judgement Fees for A1015 & Judgement Fees for A25		655.60
EFT2326	Argus Pest Control	Treatment of Termites		10,175.00
EFT2327	Ashley Blyth Tree Lopping	Lop Trees & Grind Stumps		1,650.00

Chq/EFT	Name	Description	Trust	Municipal
EFT2328	Avon Waste	7 x 7x4.5m ³ Bulk Cardboard Bins 6/07/16 & 6 x 2x6.0m ³ Bulk Cardboard Bins 1/07/16, 15/07/16 & 29/07/16		2,114.13
EFT2329	Beaurepaires	2 x Tyres for Truck		2,217.20
EFT2330	BHW Consulting Central Country Zone	Annual Subscription 2016/2017		4,158.00
EFT2331	Bruce Brennan	50% Reimbursement - Synergy - B Brennan		154.43
EFT2332	Builders Registration Board Building Commission	July Building Forms		324.44
EFT2333	Ballard's of Narrogin	2 x 45kg Gas Bottles		240.00
EFT2334	Child Support Agency	Payroll deductions		420.00
EFT2335	Cuby Roadhouse	Councillors Lunch		730.75
EFT2336	Claw Environmental	Removal of 1x 20L & 20x 25L Steel, 372x 20L & 944x 25L Plastic Drums from Yornaning Compound		685.80
EFT2337	Dews Mini Excavations	Excavator Hire to Dig Trench for Storm Water Pipe		275.00
EFT2338	E Fire and Safety	1 x 4.5kg ABE Fire Extinguisher, 1 x 2Ltr Wet Chem Fire Extinguisher & 1 x Fire Blanket		407.00
EFT2339	Edwards Motors Pty Ltd	New Holden Colorado 4 x 4 Crew Cab Pick Up LS 2.8L Auto Turbo Diesel Utility		23,605.15
EFT2340	Edge Planning & Property	Review of development application, submissions and preparing draft agenda report for piggery proposal; and providing the Shire advice on planning and related matters.		1,924.17
EFT2341	Farmworks Ruralco	6 x 500g Metsulfron, 2 x 15kg Bags Simanex, 20 x 20L Roundup Power Max, 2 x Respirator Cartridges		4,407.70
EFT2342	Filters Plus	2 x Fuel Filters for Roller		72.16
EFT2343	Great Southern Fuel Supplies	Fuel Charges - July 2016		8,505.66
EFT2344	Heather Mary Dowdell	2 x Jars Strawberry Jam for Popanyinning School Re-opening		11.00
EFT2345	Ingrey Ford Pty Ltd	105,000kms Service & Valve Clearances		1,058.48
EFT2346	Integral Valuations Pty Ltd	Insurance & Fair Value Valuations - Plant & Equipment, Motor Vehicle & Road Maintenance Equipment assets		5,720.00
EFT2347	Komatsu Australia Pty Limited	Grader Blades		9,458.11
EFT2348	Landgate	Rural UV's Chargeable Schedule: R2016/3		316.65
EFT2349	Local Health Authorities Analytical Committee	2016/17 Analytical Services		385.00
EFT2350	Makit Narrogin Hardware	Pop rivets, HH Teks with seal		52.40
EFT2351	Mechanical and Diesel Services	Fault Repairs to AD Blue System		591.25
EFT2352	Market Creations	Synergy Backup in Cloud - June 2016		943.80
EFT2353	Marketforce	Loc. Gov Vacancies - Advert - Grader Driver - West Australian 4/06/2016		1,336.31
EFT2354	McDougall Weldments	Draw Bar Pin for Grader		41.25
EFT2355	Melchiorre Plumbing and Gas	Unblock Drains Popo School		143.00
EFT2356	Narrogin Agricultural Repairs	Replace Assembly, Blade Holder & Bolt		133.00
EFT2357	Narrogin Auto Electrics	Fix Fault to Hoist with New Solenoid & Fuse Holder		175.00
EFT2358	Narrogin Bearing Services	Hex Key Set, Metric Hex Key Set, X Force Long Nose Pliers, Aluminium Wrench, Ball Pein Hammer, Screwdriver Set, Lock Grip Pliers, Club Hammer 1.35KG, Club Hammer 1.8kg,		757.24

Chq/EFT	Name	Description	Trust	Municipal
		wrench 18Inch 450mm, wrench 10inch 250mm, wrench 12inch 300mm, 12pce Punch & Chisel Set		
EFT2359	Narrogin Earthmoving and Concrete	Roller Hire - 13/07/2016		12,100.00
EFT2360	Narrogin Smash Repairs	Insurance Excess for Motor Vehicle Claim: 2425630		1,649.00
EFT2361	Narrogin Hire Service and Reticulation	Storm Water Pipe, Reducer & Bend		492.32
EFT2362	Narrogin Packaging	Toilet Rolls, Bin Liner & Disinfectant		205.10
EFT2363	Page Truck Hire	Loader Hire to Push Up Rubbish Popanyinning Tip 5, 12, 19 & 25 July 2016		1,320.00
EFT2364	Parry's Narrogin	1 x Pair Safety Boots D Baxter		144.45
EFT2365	PH & KE Gow	Survey Road Widening Popo West Rd, Peg Stakes & Spikes, Travel, Drafting Fees, Landgate Lodging Fees, WAPC Lodging Fees		9,308.20
EFT2366	Road Signs Australia	Arrow Signs		1,343.10
EFT2367	RSA Works	Prepare 2017/18 MCAs for Strath erne Rd & Wandering Narrogin Rd		1,210.00
EFT2368	SOS Office Equipment	Photocopier Meter Reading for DCVC4475 27/06/16 to 28/07/16		1,084.08
EFT2369	South West Print Group (Dynamic Print)	200 A5 Tip Pass Sheets		452.00
EFT2370	Security Man Pty Ltd	Quarterly Monitoring Account for Security System		110.00
EFT2371	Shire of Beverley	Alert Online Food Safety Training Shared Costs		30.00
EFT2372	Shire of Brookton	Payroll - LGIA 2010 Award Interpretation - N Gould		646.72
EFT2373	Shire of Wickiepin	50 % Reimbursement Sam Trailer Registration, Maintenance & Insurance 2015/2016		620.21
EFT2374	Shire of Williams	2016 LGIS Inter-Municipal Golf Tournament - 26/08/2016 - One Team		440.00
EFT2375	Staples Australia Pty Ltd	3 x Refill Boxes Pens, 6 x Boxes A4 Paper & Calculator		287.20
EFT2376	Toll Ipec (Courier Australia)	Freight Charges - SOS Office & South West Print		117.60
EFT2377	Tonya Williams	50% Reimbursement - Ballard's Gas - T Williams		235.63
EFT2378	Town of Narrogin	Contribution Narrogin Library 2015/16		5,500.00
EFT2379	Truck Centre (WA) Pty Ltd	Find & Fix AD Blue Fault		2,211.15
EFT2380	WA Fire Appliances	Hose, Adaptor, Nipple & Camlock		437.41
EFT2381	WA Local Government Association	Annual Membership Subscription 2016/2017		20,262.51
EFT2382	Waterman Irrigation	2 x Hours Engineering - Investigate & Rectify Card Data Issues		385.00
EFT2383	Wagin Truck Centre	Reset Computer		453.20
EFT2384	Australian Super	Superannuation contributions		408.90
EFT2385	Hostplus Super	Superannuation contributions		209.84
EFT2386	Matrix Superannuation	Superannuation contributions		65.41
EFT2387	WA Local Government Super Plan	Superannuation contributions		4,958.31
EFT2388	Westscheme Superannuation	Superannuation contributions		598.90
14839	Building & Construction Industry Training	BCITF Forms June 2016		3,386.36
14840	Shire of Cuballing	Building Services - June 2016 - Labour 23.25hrs @ \$99.00, Travel 331kms @ \$0.95		2,616.20
14841	Australian Institute of Building Surveyors	ACCR Accreditation Annual Fee		510.00

Chq/EFT	Name	Description	Trust	Municipal
14842	Building & Construction Industry Training	BCITF Forms July 2016		600.81
14843	Cuby Tavern	16/06/16 2 x Cartons Carlton Dry & Meals, 28/06/16 Half x Carton Carlton Dry & 1 x Carton Carlton Super Dry, 18/07/16 1 x Carton Carlton Dry & Meals, 27/07/16 1 x Carton Carlton Dry		503.80
14844	Shire of Kojonup	Pocket RAMM Training & Catering 23/06/16 - B Brennan		215.26
14845	Synergy	Electricity Charges - Street Lights 25/06/16 to 24/07/16		600.60
14846	Telstra	Service Charges - Shire Office		948.96
14847	Water Corporation	Water Charges - Toilets Francis St Popo		431.37
250816	Commonwealth Bank	Credit Card Aug 2016 - Bank Fees		9.99
250816	Commonwealth Bank	Credit Card Aug 2016 - CEO - Local Govt Week Dinner		281.73
250816	Commonwealth Bank	Credit Card Aug 2016 - CEO - Building Vehicle Plate Change		283.45
250816	Commonwealth Bank	Credit Card Aug 2016 - CEO - Building Vehicle Plate Change		49.60
250816	Commonwealth Bank	Credit Card Aug 2016 - CEO - Fuel		42.05
250816	Commonwealth Bank	Credit Card Aug 2016 - CEO - Fuel		41.54
250816	Commonwealth Bank	Credit Card Aug 2016 - DCEO - Anti Virus Renewal		129.99
250816	Commonwealth Bank	Credit Card Aug 2016 - DCEO - Anti Virus Renewal		129.99
250816	Commonwealth Bank	Credit Card Aug 2016 - MWS - Supervisors Conference		395.85
250816	Commonwealth Bank	Credit Card Aug 2016 - MWS - Tools		453.64
250816	Commonwealth Bank	Credit Card Aug 2016 - MWS - Toolbox Meeting		32.75
250816	Commonwealth Bank	Credit Card Aug 2016 - MWS - Toolbox Meeting		6.82
250816	Commonwealth Bank	Credit Card Aug 2016 - MWS - Toolbox Meeting		13.50
250816	Commonwealth Bank	Credit Card Aug 2016 - CEO - Building Surveyor Training		400.00
250816	Commonwealth Bank	Credit Card Aug 2016 -GST on purchases		110.92
	TOTAL		17,465.55	213,193.14

9.1.2 Statement of Financial Activity

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	1 st September 2016
Author:	Tonya Williams, Deputy Chief Executive Officer
Attachments:	9.1.2A Statement of Financial Activity

Summary

Council is to consider the Statement of Financial Activity for August 2016.

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

General Purpose Funding

Discount amount was higher than budgeted, this will result in a permanent difference to the amount of Rates available for funding projects in the year.

Governance

Asset Realisation account has a balance of \$17,815 due to the disposal of the Building Vehicle. This creates a timing difference as the disposal of the vehicle in the system does not occur until the 2015/16 Audit Report is approved.

Housing

Depreciation not yet run for 2016/2017.

Community Amenities

Maintenance costs are lower than expected. Manning of tip stations has occurred slightly later than expected, resulting in a timing difference.

Transport

Final Storm Damage claim works expenditure delayed. Depreciation not yet calculated.

Economic Services

Building Surveyor invoices for July and August were raised in September. Loss on disposal here, but it is not an accurate reflection for the loss due to incomplete Asset journals that will be corrected when the Annuals for 2015/16 are signed off.

Other Property and Services

Building invoices for July and August were raised in September, creating a timing difference.

Capital Expenditure

Minor works ongoing for Capital projects. The changeover fee for the Building vehicle was higher than expected resulting in a lower total replacement cost for the vehicle.

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

Administration Allocations done to August 2016.

Depreciation expenses calculated to June 2016. Depreciation will not be calculated until the Audit Report for the 2015/16 Financial Year has been approved.

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:

That the Statement of Financial Activity, as included at Attachment 9.1.2A for the Shire of Cuballing for period ending 31st August 2016 be received.

Moved: Cr Dowling

Seconded: Cr Haslam

Carried 6/0

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 August 2016

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

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**Shire of Cuballing
Information Summary
For the Period Ended 31 August 2016**

Key Information

Report Purpose

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

Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 31 August 2016 of \$1,331,299.

Items of Significance

The material variance adopted by the Shire of Cuballing for the 2016/17 year is \$5,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

Capital Expenditure

Land and Buildings	-\$	1,578	Minor completion works
Infrastructure - Roads	▼ -\$	9,562	Initial works started in
Plant and Equipment	▲ \$	4,730	Purchase of Building Vehicle

Capital Revenue

Grants, Subsidies and Contributions	\$3,337	No material variance - Roads
Proceeds from Disposal of Assets	(\$782)	Changeover of Building Vehicle was higher than

	Collected / Complete	Annual Budget	YTD Budget	YTD Actual
Significant Projects				
DREC Weather Shelter	0%	\$ 96,869	\$ -	\$ -
Popanyinning Transfer Station	1%	\$ 148,451	\$ -	\$ 1,578
RRG - Wandering Narrogin Road	0%	\$ 496,800	\$ -	\$ 1,100
Grants, Subsidies and Contributions				
Operating Grants, Subsidies and Contributions	29%	\$ 975,246	\$ 650,164	\$ 281,076
Non-operating Grants, Subsidies and Contributions:	18%	\$ 1,017,793	\$ 992,337	\$ 179,711
	23%	\$ 1,993,039	\$ 1,642,501	\$ 460,787
Rates Levied	99%	\$ 1,039,987	\$ 1,039,986	\$ 1,031,540

% Compares current ytd actuals to annual budget

Financial Position		Prior Year 31 July 2015	Current Year 31 July 2016
Adjusted Net Current Assets	72%	\$ 1,856,945	\$ 1,331,299
Cash and Equivalent - Unrestricted	149%	\$ 688,322	\$ 1,027,203
Cash and Equivalent - Restricted	104%	\$ 1,258,091	\$ 1,308,821
Receivables - Rates	#DIV/0!	\$ -	\$ 339,581
Receivables - Other	1%	\$ 1,263,566	\$ 14,784
Payables	74%	\$ 104,083	\$ 77,000

% Compares current ytd actuals to prior year actuals at the same time

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of

Preparation

Prepared by: Tonya Williams, DCEO

Reviewed by: Gary Sherry, CEO

Date prepared: 1st September 2016

SHIRE OF CUBALLING
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 August 2016

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)- (a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	3	169,358	169,029	169,029	0	0%	
Revenue from operating activities							
Governance		3,150	82	18,840	18,758	22876%	▲
General Purpose Funding	9	1,639,907	1,187,874	1,165,603	(22,271)	(2%)	
Law, Order and Public Safety		26,400	0	100	100		
Health		1,500	571	978	407	71%	
Education and Welfare		0	0	0	0		
Housing		4,680	780	0	(780)	(100%)	
Community Amenities		58,350	57,184	61,534	4,350	8%	
Recreation and Culture		9,795	7,579	7,805	226	3%	
Transport		477,157	202,520	202,813	293	0%	
Economic Services		65,000	8,032	13,154	5,122	64%	▲
Other Property and Services		258,000	41,451	(15,545)	(56,996)	(138%)	▼
		2,543,939	1,506,073	1,455,281			
Expenditure from operating activities							
Governance		(126,635)	(42,800)	(43,674)	(874)	(2%)	
General Purpose Funding		(59,356)	(8,590)	(7,094)	1,496	17%	▲
Law, Order and Public Safety		(131,070)	(25,936)	(19,446)	6,490	25%	▲
Health		(40,339)	(6,558)	(6,587)	(29)	(0%)	
Education and Welfare		(54,439)	(1,988)	(1,791)	197	10%	
Housing		(51,022)	(8,484)	(6,293)	2,191	26%	▲
Community Amenities		(369,431)	(52,757)	(29,943)	22,814	43%	▲
Recreation and Culture		(283,284)	(53,918)	(33,313)	20,605	38%	▲
Transport		(2,043,332)	(360,818)	(173,452)	187,366	52%	▲
Economic Services		(145,495)	(21,120)	(14,247)	6,873	33%	▲
Other Property and Services		(224,687)	(86,901)	(32,608)	54,293	62%	▲
		(3,529,090)	(669,869)	(368,447)			
Operating activities excluded from budget							
Add back Depreciation		1,274,700	212,436	0	(212,436)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	1,541	1,541	(17,815)	(19,356)	(1256%)	▼
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		291,090	1,050,181	1,069,019			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	11	940,255	132,480	135,817	3,337	3%	
Proceeds from Disposal of Assets	8	18,597	18,597	17,815	(782)	(4%)	
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(291,390)	0	(1,578)	(1,578)		
Infrastructure Assets	13	(1,092,512)	0	(9,562)	(9,562)		▼
Plant and Equipment	13	(113,000)	(43,000)	(38,270)	4,730	11%	▲
Furniture and Equipment	13	0	0	0	0		
Amount attributable to investing activities		(538,050)	108,077	104,222			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	7	250,470	0	0	0		
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(67,368)	(5,799)	(5,799)	0	0%	
Transfer to Reserves	7	(105,500)	(5,171)	(5,171)	0	0%	
Amount attributable to financing activities		77,602	(10,970)	(10,970)			
Closing Funding Surplus(Deficit)	3	0	1,316,317	1,331,299			

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

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

SHIRE OF CUBALLING
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 August 2016

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	3	169,358	169,029	169,029	0	0%	
Revenue from operating activities							
Rates	9	1,039,987	1,039,986	1,031,540	(8,446)	(1%)	
Operating Grants, Subsidies and Contributions	11	1,066,508	343,964	282,101	(61,864)	(18%)	▼
Fees and Charges		383,945	113,785	133,793	20,008	18%	▲
Service Charges		0	0	0	0		
Interest Earnings		34,500	5,881	6,162	281	5%	
Other Revenue		19,000	3,998	1,685	(2,313)	(58%)	
Profit on Disposal of Assets	8	0	0	17,815			
		2,543,940	1,507,614	1,473,096			
Expenditure from operating activities							
Employee Costs		(823,752)	(128,305)	(182,019)	(53,714)	(42%)	▼
Materials and Contracts		(1,183,409)	(220,520)	(95,091)	125,428	57%	▲
Utility Charges		(44,470)	(5,604)	(4,754)	850	15%	▲
Depreciation on Non-Current Assets		(1,274,700)	(212,436)	0	212,436	100%	▲
Interest Expenses		(12,746)	(1,611)	(1,629)	(18)	(1%)	
Insurance Expenses		(125,274)	(80,451)	(74,433)	6,017	7%	
Other Expenditure		(63,200)	(20,943)	(28,336)	(7,393)	(35%)	▼
Loss on Disposal of Assets	8	(1,541)	(1,541)	0			
		(3,529,091)	(671,410)	(386,262)			
Operating activities excluded from budget							
Add back Depreciation		1,274,700	212,436	0	(212,436)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	1,541	1,541	(17,815)	(19,356)	(1256%)	▼
Amount attributable to operating activities		291,090	1,050,181	1,069,019			
Investing activities							
Grants, Subsidies and Contributions	11	940,255	132,480	135,817	3,337	3%	
Proceeds from Disposal of Assets	8	18,597	18,597	17,815	(782)	(4%)	
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(291,390)	0	(1,578)	(1,578)		
Infrastructure Assets	13	(1,092,512)	0	(9,562)	(9,562)		▼
Plant and Equipment	13	(113,000)	(43,000)	(38,270)	4,730	11%	▲
Furniture and Equipment	13	0	0	0	0		
Amount attributable to investing activities		(538,050)	108,077	104,222			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	7	250,470	0	0	0		
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(67,368)	(5,799)	(5,799)	0	0%	
Transfer to Reserves	7	(105,500)	(5,171)	(5,171)	0	0%	
Amount attributable to financing activities		77,602	(10,970)	(10,970)			
Closing Funding Surplus (Deficit)	3	0	1,316,317	1,331,299	14,982	1%	

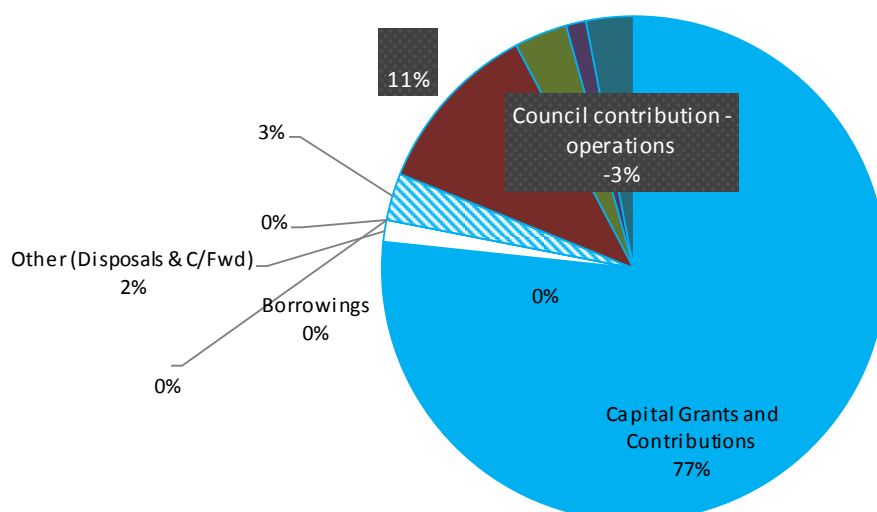
Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

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

SHIRE OF CUBALLING
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 August 2016

Capital Acquisitions

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Budget (d)	Annual Budget	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	0	0	0	291,390	1,578	1,578
Infrastructure Assets	13	0	0	0	1,092,512	9,562	9,562
Plant and Equipment	13	0	0	43,000	113,000	38,270	(4,730)
Capital Expenditure Totals		0	0	43,000	1,496,902	49,410	6,410
Capital acquisitions funded by:							
Capital Grants and Contributions				992,337	1,017,793	179,711	
Borrowings				0	0	0	
Other (Disposals & C/Fwd)				18,597	18,597	17,815	
Council contribution - Cash Backed Reserves				0	250,470	0	
Plant and Equipment Reserve				0	0	0	
Administration Building and Office Equipment Reserve				0	0	0	
Housing Reserve				0	40,000	0	
Recreation and Community Facility Reserve				0	0	0	
Refuse Site Reserve				0	148,451	0	
Grain Freight Reserve				0	45,019	0	
Equestrian Reserve				0	17,000	0	
Council contribution - operations				(967,933)	(40,428)	(148,116)	
Capital Funding Total				43,000	1,246,432	49,410	

Budgeted Capital Acquisitions Funding

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 1: Significant Accounting Policies**(a) Basis of Accounting**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

(c) Rounding Off Figures

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

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) 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

(f) Cash and Cash Equivalents

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

(g) Trade and Other Receivables

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

(h) Inventories**General**

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

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Asset	Years
Buildings	30 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Sealed roads and streets	
formation	not depreciated
pavement	50 years
seal	
bituminous seals	20 years
asphalt surfaces	25 years
Gravel Roads	
formation	not depreciated
pavement	50 years
gravel sheet	12 years
Formed roads	
formation	not depreciated
pavement	50 years
Footpaths - slab	20 years

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council 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.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

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.

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for

(p) Nature or Type Classifications**Rates**

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

Operating Grants, Subsidies and Contributions

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

Non-Operating Grants, Subsidies and Contributions

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

Profit on Asset Disposal

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

Fees and Charges

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

Service Charges

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

Interest Earnings

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

Other Revenue / Income

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

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax,

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

(r) Program Classifications (Function/Activity)

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

GOVERNANCE**Objective:**

To provide a decision making process for the efficient allocation of scarce resources.

Activities:

Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern specific council services.

GENERAL PURPOSE FUNDING**Objective:**

To collect revenue to allow for the provision of services.

Activities:

Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY**Objective:**

To provide services to help ensure a safer and environmentally conscious community.

Activities:

Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.

HEALTH**Objective:**

To provide an operational framework for environmental and community health.

Activities:

Inspection of food outlets and their control, provision of meat inspection services, noise control and waste disposal

EDUCATION AND WELFARE**Objective:**

To provide services to disadvantaged persons, the elderly, children and youth.

Activities:

Maintenance of child minding centre, playgroup centre, senior citizen centre and aged care centre. Provision and maintenance of home and community care programs and youth services.

HOUSING**Objective:**

To provide and maintain elderly residents housing.

Activities:

Provision and maintenance of elderly residents housing.

COMMUNITY AMENITIES**Objective:**

To provide services required by the community.

Activities:

Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery

RECREATION AND CULTURE**Objective:**

To establish and effectively manage infrastructure and resource which will help the social well being of the

Activities:

Maintenance of public halls, civic centres, aquatic centre, beaches, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, museum and other

TRANSPORT**Objective:**

To provide safe, effective and efficient transport services to the community.

Activities:

Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.

ECONOMIC SERVICES**Objective:**

To help promote the shire and its economic wellbeing.

Activities:

Tourism and area promotion including the maintenance and operation of a caravan park. Provision of rural services including weed control, vermin control and standpipes. Building Control.

OTHER PROPERTY AND SERVICES**Objective:**

To monitor and control City/Town/Shire overheads operating accounts.

Activities:

Private works operation, plant repair and operation costs and engineering operation costs.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2016/17 year is \$5,000 or 10% whichever is the greater.

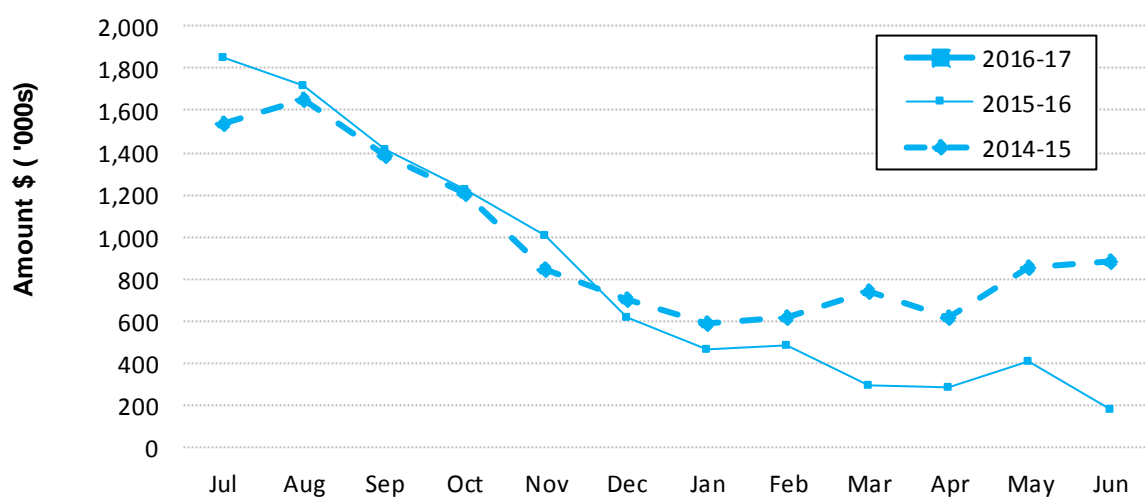
Reporting Program	Var. \$	Var. %	Variance	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
General Purpose Funding	(22,271)	(2%)		Permanent	Discount amount higher than budgeted Asset Realisation account has a balance of \$17,815 due to the disposal of the Building Vehicle. This creates a timing difference as the disposal of the vehicle in the system does not occur until the 2015/16 Audit Report is approved.
Governance	18,758	22876%	▲	Timing	No salary sacrifice for Grader Driver House, as no employee payroll till Spet
Housing	(780)	(100%)		Timing	Additional Planning Application fees received
Community Amenities	4,350	8%		Timing	Invoices raised in August not July for annual recreation centre charges and the Equestrian Centre lease
Recreation and Culture	226	3%		Timing	No material variance
Transport	293	0%			
Economic Services	5,122	64%	▲	Timing	Additional Building Licence fees received Building Surveyor invoices for July and August were raised in September. Loss on disposal here, but it is not an accurate reflection for the loss due to incomplete Asset journals that will be corrected when the Annuals for 2015/16 are signed off.
Other Property and Services	(56,996)	(138%)	▼	Timing	
Operating Expense					
General Purpose Funding	1,496	17%	▲	Timing	Legal fees to be moved onto the Assessment for recovery, journal not yet completed. Ranger costs lower than expected (no contract Ranger engaged yet). Community Safety Wages lower than budgeted.
Law, Order and Public Safety	6,490	25%	▲		
Health	(29)	(0%)		Timing	No material variance
Housing	2,191	26%	▲	Timing	Depreciation not yet run for 2016/17
Community Amenities	22,814	43%	▲	Timing	Tip maintenance costs lower than expected as manning of top stations started later than budgeted.
Recreation and Culture	20,605	38%	▲	Timing	Depreciation not yet run for 2016/17. Maintenance costs lower than expected
Transport	187,366	52%	▲	Timing	Expenditure on final storm damage works delayed, depreciation not yet calculated
Economic Services	6,873	33%	▲	Timing	Shire of Cuballing Building Services for July and August invoiced in September. Community Functions payments expected August rather than July
Other Property and Services	54,293	62%	▲	Permanent	Private works and Building expenditure less than expected. Loss on disposal here, but it is not an accurate reflection for the loss due to incomplete Asset journals that will be corrected when the Annuals for 2015/16 are signed off.
Capital Revenues					
Grants, Subsidies and Contributions	3,337	3%			No material variance - Roads to Recovery Quarter 4 2015/16 remainder payment made
Proceeds from Disposal of Assets	(782)	(4%)		Timing	Changeover of Building Vehicle was higher than budgeted
Capital Expenses					
Land and Buildings	(1,578)			Timing	Minor completion works undertaken at the Cuballing Transfer Station
Infrastructure - Roads	(9,562)		▼	Timing	Initial works started in preparation for the Capital Works program over Summer
Plant and Equipment	4,730	11%	▲	Timing	Purchase of Building Vehicle budgeted for July, will take place early August
Furniture and Equipment	0				No material variance
Financing					
Loan Principal	0	0%			No material variance

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 3: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	This Time Last Year	Current
	Note	30 June 2016	31 Aug 2015	31 Aug 2016
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	129,820	618,047	1,027,203
Cash Restricted	11	0	70,275	0
Cash Reserves	4	1,303,650	1,258,091	1,308,821
Receivables - Rates	6	41,871	0	339,581
Receivables - Other	6	97,802	1,263,566	14,784
Interest / ATO Receivable/Trust		0	0	23,112
Inventories		3,619	11,032	3,619
		1,576,762	3,221,011	2,717,120
Less: Current Liabilities				
Payables and Provisions		(104,083)	(105,975)	(77,000)
		(104,083)	(105,975)	(77,000)
Less: Cash Reserves	7	(1,303,650)	(1,258,091)	(1,308,821)
Net Current Funding Position		169,029	1,856,945	1,331,299

Note 3 - Liquidity Over the Year**Comments - Net Current Funding Position**

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	76,670			76,670	CBA	0.00%	At Call
Investment Account	949,833			949,833	CBA	1.75%	At Call
Trust Bank Account			21,888	21,888	CBA	0.00%	At Call
Cash On Hand	700			700	N/A	Nil	On Hand
Reserves Account		2,904		2,904	CBA	0.00%	At Call
(b) Term Deposits							
Reserves Term Deposit 1		429,692		429,692	CBA	2.55%	07-Aug-16
Reserves Term Deposit 2		429,732		429,732	CBA	2.73%	07-Sep-16
Reserves Term Deposit 3		446,493		446,493	CBA	2.76%	07-Oct-16
Total	1,027,203	1,308,821	21,888	2,357,911			

Comments/Notes - Investments

Reserve Funds are on a rolling maturity schedule to maximise interest, linked to a Reserve transaction account.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 5: 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						0
	Permanent Changes						0
							0
	Changes Due to Timing						0
							0
				0	0	0	

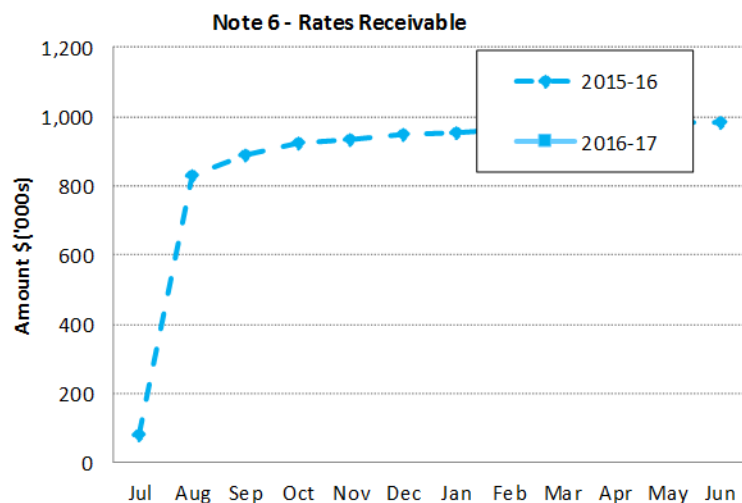
SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 31 August 2016

Note 6: Receivables

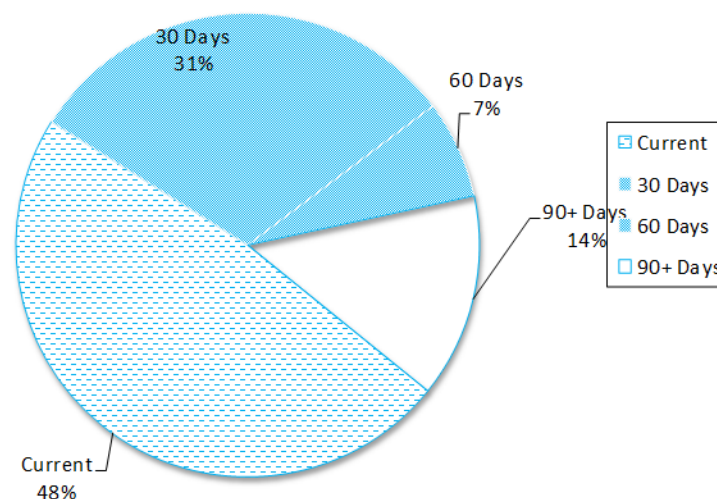
Receivables - Rates Receivable	31 Aug 2016	30 June 2016
	\$	\$
Opening Arrears Previous Years	47,139	39,377
Levied this year	1,031,540	996,640
Less Collections to date	(807,564)	(988,878)
Equals Current Outstanding	271,115	47,139
Net Rates Collectable	271,115	47,139
% Collected	74.87%	95.45%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	7,111	4,557	1,010	2,106	14,784
Balance per Trial Balance					
Sundry Debtors					14,784
Receivables - Other					23,112
Total Receivables General Outstanding					37,896

Amounts shown above include GST (where applicable)



Note 6 - Accounts Receivable (non-rates)



Comments/Notes - Receivables Rates

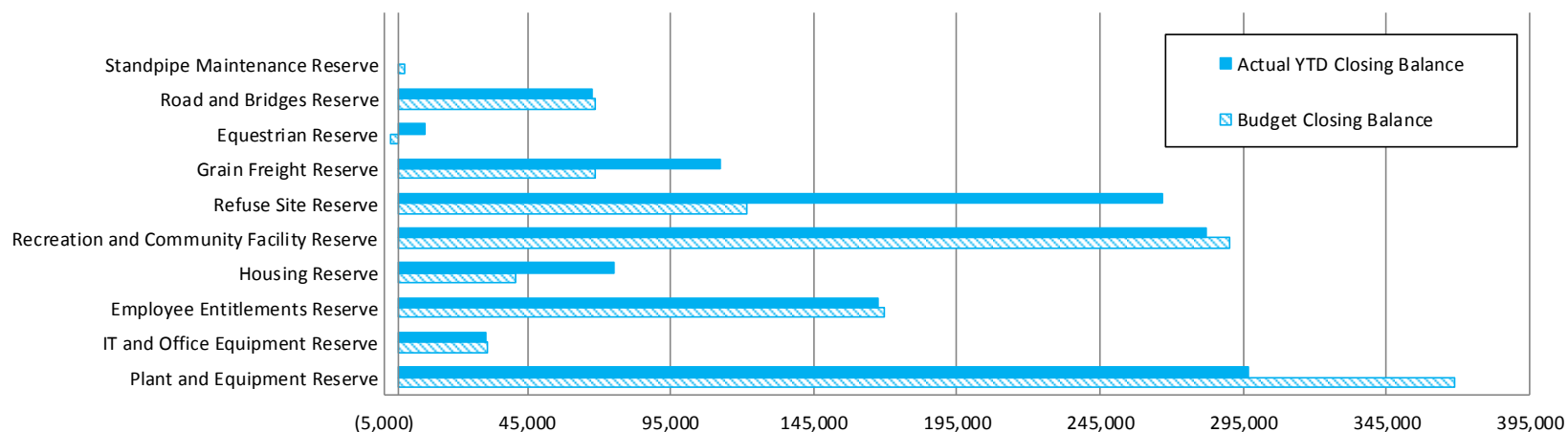
Rates Issue Date - 5th August 2016
 Discount Period Ends - 26 August 2016
 Rates Due - 9 September 2016

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 7: Cash Backed Reserve

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant and Equipment Reserve	295,806	4,538	1,173	68,500	0	0	0	368,844	296,979
IT and Office Equipment Reserve	30,555	469	121	0	0	0	0	31,024	30,676
Employee Entitlements Reserve	166,928	2,561	662	0	0	0	0	169,489	167,590
Housing Reserve	74,799	1,148	297	5,000	0	(40,000)	0	40,947	75,096
Recreation and Community Facility Reserve	281,087	4,312	1,115	5,000	0	0	0	290,399	282,202
Refuse Site Reserve	265,878	4,079	1,055	0	0	(148,451)	0	121,506	266,932
Grain Freight Reserve	111,783	1,715	443	0	0	(45,019)	0	68,479	112,227
Equestrian Reserve	9,288	142	37	5,000	0	(17,000)	0	(2,570)	9,324
Road and Bridges Reserve	67,527	1,036	268	0	0	0	0	68,563	67,794
Standpipe Maintenance Reserve	0	0	0	2,000	0	0	0	2,000	0
	1,303,650	20,000	5,171	85,500	0	(250,470)	0	1,158,680	1,308,821

Note 7 - Year To Date Reserve Balance to End of Year Estimate



SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 8: Disposal of Assets

Asset Number	Asset Description	YTD Actual				Amended Budget			
		Net Book Value	Proceeds	Profit (Loss)	Net Book Value	Proceeds	Profit (Loss)		
		\$	\$	\$	\$	\$	\$	\$	
	Plant and Equipment								
3	CN027 Mitsubishi Triton (Building)	20,137	17,815	(2,322)	20,137	18,597	0	(1,541)	
		20,137	17,815	0	20,137	18,597	0	(1,541)	

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 9: Rating Information

	Rate in	Number of Properties	Rateable Value	YTD Actual			Amended Budget				
				Rate Revenue	Interim Rates	Back Rates	Total Revenue	Rate Revenue	Interim Rate	Back Rate	Total Revenue
RATE TYPE	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV	6.9560	166	2,122,347	147,630	208	0	147,839	147,630	0	0	147,630
UV	0.7078	216	103,735,000	734,236	(1,291)	0	732,945	734,236	0	0	734,236
Sub-Totals		382	105,857,347	881,867	(1,083)	0	880,785	881,866	0	0	881,867
Minimum Payment	\$										
GRV	660.00	162	768,488	106,920	0	0	106,920	106,920	0	0	106,920
UV	840.00	130	11,239,152	109,200	0	0	109,200	109,200	0	0	109,200
Sub-Totals		292	12,007,640	216,120	0	0	216,120	216,120	0	0	216,120
		674	117,864,987	1,097,987	(1,083)	0	1,096,905	1,097,986	0	0	1,097,987
Discount							(65,365)				(58,000)
Amount from General Rates							1,031,540				1,039,987
Ex-Gratia Rates							0				0
Specified Area Rates							0				0
Totals							1,031,540				1,039,987

Comments - Rating Information

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 2016/17 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 THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 10: Information on Borrowings

(a) Debenture Repayments

Particulars	Loan Date	Years	Principal at 1/07/2016	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
					Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
					\$	\$	\$	\$	\$	\$
Transport										
Loan 62 - Loader	11/08/2008	10	66,034		-	31,925	66,034	34,109	-	3,617
Loan 63 - Graders	7/02/2014	8	223,124		5,799	35,442	217,325	187,682	1,629	9,129
			289,158	0	5,799	67,368	283,359	221,790	1,629	12,746

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

Note 11: Grants and Contributions

	Grant Provider	Type	Opening Balance (a)	Budget Operating	Capital	YTD Budget	Annual Budget (d)	Post Variations (e)	Expected (d)+(e)	YTD Actual Revenue	
				\$	\$	\$				\$	
General Purpose Funding											
	Grants Commission - General	WALGGC	Operating	0	562,527	0	375,018	562,527	562,527	127,501	
	Grants Commission - Roads	WALGGC	Operating	0	313,774	0	209,183	313,774	313,774	78,530	
Law, Order and Public Safety											
	DFES Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Operating	0	21,900	0	14,600	21,900	21,900	0	
Recreation and Culture											
	Grants - Kidsport	Dept. of Communities	Operating	0	1,000	0	667	1,000	1,000	0	
	DREC Weather Shelter	R4R, Lotterywest, Contributions	Non-operating	0	0	76,369	50,913	76,369	76,369	0	
Transport											
	Direct Grant - Main Roads	Main Roads WA	Operating	0	75,045	0	50,030	75,045	75,045	75,045	
	Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	500,820	500,820	500,820	500,820	0	
	RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	331,200	331,200	331,200	331,200	132,480	
	Blackspot Grant Funding	Main Roads WA	Non-operating	0	0	31,866	31,866	31,866	31,866	0	
	WANDRRA Storm Damage Funding	Main Roads WA	Non-operating	0	0	77,538	77,538	77,538	77,538	47,231	
Economic Services											
	Youth Day Grant	Dept. of Communities	Operating	0	1,000	0	667	1,000	1,000	0	
	Volunteer Day Grant	Dept. of Communities	Operating	0	1,000	0	667	1,000	1,000	0	
TOTALS				0	976,246	1,017,793	1,643,167	1,994,039	0	1,994,039	460,787
SUMMARY											
	Operating	Operating Grants, Subsidies and Contributions		0	975,246	0	650,164	975,246	0	975,246	281,076
	Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	0	0	0	0	0	0	0
	Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	1,017,793	992,337	1,017,793	0	1,017,793	179,711
TOTALS				0	975,246	1,017,793	1,642,501	1,993,039	0	1,993,039	460,787

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2016

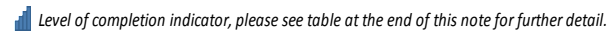
























Note 12: Trust Fund

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

Description	Opening Balance 01 Jul 2016	Amount Received	Amount Paid	Closing Balance 31 Aug 2016
	\$	\$	\$	\$
Bonds - Building	14,389	0	0	14,389
Bonds - Hall Hire	1,050	200	(200)	1,050
Commodine Tennis Club	3,090	0	0	3,090
Cuballing Country Festival	1,099	0	0	1,099
Cuballing Cricket Club	200	0	0	200
Popo Plates	0	0	0	0
Cuballing Football Association	566	0	0	566
Environment and Townscape Trust Fund	5,713	0	0	5,713
Police Licensing	5,148	37,863	(39,144)	3,867
Swipe Cards	1,545	0	0	1,545
Reimbursements	0	0	0	0
	32,800	38,063	(39,344)	31,519

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2016

Note 13: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Strategic Reference / Comment
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
								
Land & Buildings								
Governance								
 Shire Office Upgrade	04261	0	0	0	(21,250)	0	0	
Governance Total		0	0	0	(21,250)	0	0	
Recreation And Culture								
 Skate Park Toilet Upgrade	11315	0	0	0	(24,820)	0	0	
 DREC Weather Shelter	11310	0	0	0	(96,869)	0	0	
Recreation And Culture Total		0	0	0	(121,689)	0	0	
Community Amenities								
 Popanyinning Transfer Station	10742	0	0	(1,578)	(148,451)	0	(1,578)	
Community Amenities Total		0	0	(1,578)	(148,451)	0	(1,578)	
Land & Buildings Total		0	0	(1,578)	(291,390)	0	(1,578)	
Plant , Equip. & Vehicles								
Economic Services								
 Building Vehicle	13600	0	0	(38,270)	(43,000)	43,000	(81,270)	Budget - trade July
Recreation And Culture Total		0	0	(38,270)	(43,000)	43,000	(81,270)	
Transport								
 Mower	12420	0	0	0	(20,000)	0	0	Budget - purchase Sept
 Machinery Float	12422	0	0	0	(50,000)	0	0	Budget - purchase Sept
Transport Total		0	0	0	(70,000)	0	0	
Plant , Equip. & Vehicles Total		0	0	(38,270)	(113,000)	43,000	(81,270)	
Roads								
Transport								
 RRG - Wandering Narrogin Road	12115	0	0	(1,100)	(496,800)	0	(1,100)	J600
 R2R - Yornaning West Cement Stabilisation	12120	0	0	0	(71,895)	0	0	R005
 R2R - Victoria Road Sealing	12120	0	0	0	(68,720)	0	0	R122
 R2R - Popanyinning West Cement Stabilisation	12120	0	0	0	(68,021)	0	0	R002A
 R2R - Popanyinning West Road Realignment	12120	0	0	(8,462)	(244,096)	0	(8,462)	R002B
 R2R - Popanyinning West Reseals	12120	0	0	0	(54,013)	0	0	R002C
 R2R - Yornaning West Reseal	12120	0	0	0	(7,366)	0	0	R005A
 GFR - Cuballing East Cement Stabilisation	12115	0	0	0	(45,019)	0	0	J149 - Grain Freight Reserve
 BS - Stratherence Road/ Kerruish Road	12125	0	0	0	(14,149)	0	0	B064
 BS - Yornaning West Road	12125	0	0	0	(22,433)	0	0	B005
Transport Total		0	0	(9,562)	(1,092,512)	0	(9,562)	
Roads Total		0	0	(9,562)	(1,092,512)	0	(9,562)	
Capital Expenditure Total		0	0	(49,410)	(1,496,902)	43,000	(92,410)	
Level of Completion Indicators								
 0%								
 20%								
 40%								
 60%								
 80%								
 100%								
 Over 100%								
Percentage YTD Actual to Annual Budget Expenditure over budget highlighted in red.								

9.1.3 Additional Fees & Charges

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	31 st August 2016
Author:	Tonya Williams, Deputy CEO
Attachments:	Nil

Summary

Council is to consider setting an additional charge for a yearly 240L bin service, a weekend Private Works operator rate and a usage charge for the Popanyinning School.

Background

As part of the 2016/2017 Budget process, Council adopted the Fees & Charges for the new financial year. Staff have now identified some additional Fees & Charges that need to be added.

Comment

Council has provided a bin collection service to the Cuballing and Popanyinning towns for \$250 (\$50 discount for Pensioners). As part of the Budget process, Council also adopted a fee to provide a replacement bin and to provide an additional service. An additional service consisted of the general waste bin and recycling bin collections.

An additional service for one bin has been requested by rate payers, which would incur a different cost to Council than an additional service. As such, a new fee is needed to accurately reflect the cost recovery of this service for an individual 240L bin, as opposed to the two bin service provided to town site residents. It is believed that this service would be utilised by local businesses.

As part of Fees & Charges Council also has set fees for work conducted by staff members as part of Private Works. The employee charge rate is based on the hourly pay rate of a Works Crew employee during standard operating hours. It does not allow for weekend or overtime rates.

Council employees have recently conducted Private Works outside of normal operating times and as such Council has had to pay them overtime or weekend penalty rates. This results in a higher employee base pay rate than what has been included in the original standard fee.

The overhead and plant rate does not change based on overtime, the impact is only on the hourly rate for the operator. It is proposed to add an additional \$15 per hour for time charged at 1.5 overtime, and \$30 per hour for double time. This change would ensure that costs to Council for Private Works are accurately recouped.

The repairs to the Popanyinning School building have made the building safe for public use. The Popanyinning Craft Group has requested use of the building for its meetings. Council currently has no set fee to use this facility and a charge brings it into line with all other public building usage in the Shire.

Strategic Implications - Nil

Statutory Environment

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

* Absolute majority required.

- (2) A fee or charge may be imposed for the following —
- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

* Absolute majority required.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications - Nil

Financial Implications

There will be a cost to Council for providing the additional bin service and the fee will provide a cost recovery option for those businesses wanting an extra bin (and collection) without requiring a full additional service of two bins at \$275 (incl GST) to be charged.

The additional rate for Private Works will ensure cost recovery on all Private Works jobs, rather than the cost being absorbed by Council. There will be a higher cost on the invoice, however this will be included as part of all quotes for works where applicable.

The Popanyinning School hire fee would generate unbudgeted income for the Shire that can help offset maintenance costs to the building.

Economic Implications - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. the Officer's Recommendation with alternative pricing; or
3. to not adopt the new fees and charges.

Voting Requirements – Simple Majority

COUNCIL DECISION:

That Council:

1. charge a fee of \$130 (including GST) for an additional 240L bin and service upon request;
2. charge an additional fee of \$15 per hour for employee hours charged at 1.5 overtime for Private Works conducted after hours and on weekends;
3. charge an additional fee of \$30 per hour for employee hours charged at double overtime for Private Works conducted after hours and on weekends;
4. charge a fee of \$10 per use for Community Groups for the Popanyinning School Building; and
5. give local public notice of their intention to adopt the new charges on Monday 3rd September 2016.

Moved: Cr Ballantyne

Seconded: Cr Haslam

Carried 6/0

9.2 CHIEF EXECUTIVE OFFICER:

9.2.1 Shire of Cuballing Community Engagement Plan

Applicant:	N/A
File Ref. No:	ADM
Disclosure of Interest:	Nil
Date:	9 th September 2016
Author:	Gary Sherry
Attachments:	9.2.1A Draft Shire of Cuballing Community Engagement Plan

Summary

Council is to consider adoption of a draft Community Engagement Plan.

Background

The introduction and use of an endorsed Community Engagement Plan, with guidelines and checklists for use by Shire staff, will ensure that the community is informed, consulted, involved and / or collaborated with during the decision making process in relation to Council and Shire services, events, strategic plans, issues and projects. These may be proposed new or alterations to existing services, events, strategic plans, issues and projects.

Comment

The Shire of Cuballing Community Engagement Plan will ensure that Council has the opportunity to consider input from a wide range of community members and key stakeholders before making decisions. Community members will always be informed and given the opportunity to contribute to the planning/development process.

The plan will establish a standard process for community engagement thereby ensuring that inclusive and efficient consultation is undertaken at all times. The community will be confident that it is kept informed of decisions emanating from community engagement and will become familiar with the methods/processes engaged.

Strategic Implications - Nil

Statutory Environment

Community consultation and engagement is an ongoing process at the Shire of Cuballing and serves to guide Council's decision-making. With the implementation of a Community Engagement Plan this process will be carried across all areas of consultation.

Policy Implications – Nil

Financial Implications

There are no direct budget implications in adopting the Plan. Each engagement relating to proposed new or alterations to Council and Shire services, events, strategic plans, issues and projects will be factored into that project's individual budget.

Economic Implications

There are no known significant economic implications associated with this proposal.

Social Implications

An engaged community adds value to the community planning process and is a key underlying resource for both community and economic development

Environmental Considerations

There are no known significant environmental implications associated with this proposal.

Consultation - Nil

Options

The Council can resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation;
3. to not adopt the draft Shire of Cuballing Community Engagement Plan and seek additional information or consideration from staff.

Voting Requirements – Simple Majority

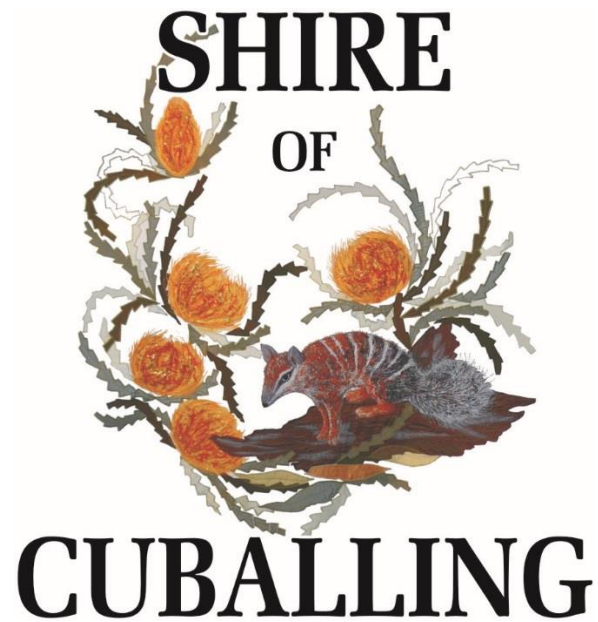
COUNCIL DECISION:

That Council adopts the Shire of Cuballing Community Engagement Plan included at Attachment 9.21A.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0



Community Engagement Plan 2016

Draft 2

Contents

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Introduction

Community is made up of the people who live, work, visit or invest in the Shire of Cuballing Local Government Area. Community Engagement is the process through which the Community are informed about and/or invited to contribute to proposals relating to Shire events, issues, plans, projects and services.

Purpose

The Shire of Cuballing Community Engagement Plan will ensure that:

- Community members are given the opportunity to contribute to processes.
- Council has the opportunity to consider Community input before making decisions;

A Community Engagement Plan will:

- Establish a standard process for community engagement;
- Ensure that the process is implemented by Shire staff and external consultants;
- Ensure that inclusive and efficient consultation is undertaken at all times;
- Ensure that the Community is kept informed of decisions.

The Shire of Cuballing Community Engagement Plan contains three key strategies:

1. Inform
2. Consult
3. Involve

Each strategy has a specific goal, a commitment to the Community and a set of methodologies.

Scope

This Community Engagement Plan relates to many activities undertaken by the Shire of Cuballing with the exception of notifications in relation to statutory notifications. Where legislative requirements exist which address specific information / consultation processes, the legislative requirements take precedence.

Benefits

There are a number of benefits from having a Community Engagement Plan, including:

- Committing the Shire and Council to being open and accountable;
- Assisting the Shire and Council to plan services that continue to meet Community needs;
- Enabling the Shire and Council to prioritise services and make better use of resources;
- Allowing the broadest range of views to be expressed;
- Ensuring the maximum amount of information is gathered prior to making decisions;
- Seeing the Shire, Council and Community working together to achieve balanced decisions;
- Offering opportunities for the Community to contribute to and influence outcomes which directly affect their lives;
- Ensuring an open and familiar process which becomes easier for Community members to participate in.

The Community is consulted about a wide variety of issues by a range of people in many ways. The Shire recognises this and so as not to over consult (we hear you – “we have already told you what we want, why are you asking us again?”) existing timely research and findings of other consultations that the Shire or other agencies have recently conducted, may be utilised.

Community Engagement Strategy 1: Inform

Information dissemination is the primary form of community engagement. In order to be able to actively engage in their community and in the Shire's decision making processes, the community requires information in a variety of ways to reach all sections of the community.

Goal

To provide the Community with appropriate information regarding Shire events, issues, plans, projects and services to ensure that they understand the problems, alternatives, opportunities and / or solutions.

Commitment to the Community

"We will keep you informed, ensuring that information is accessible, relevant and easy to understand"

Methodology:

How

By ensuring that up-to-date information is available on the Shire's processes, meeting agendas / minutes, services, projects and on how residents may provide feedback on issues, concerns and suggestions for service improvements.

- **Interviews** – as major events, issues, plans, projects and service initiatives arise.
- **Advertising - Newspapers** - both local and state. Other publications can be considered dependent on the target group.
- **Advertising - Newsletters** - including the Cuballing News newsletter.
- **Advertising - Radio** - both local and regional.
- **Email Notification** - to Shire lists, including but not limited to; Progress Associations (for posting on locality notice boards), the Chamber of Commerce, Community Groups and identified Stakeholders.
- **Flyers (Brochures / Reports)** - available in person from Shire facilities or via mail upon request.
- **Posters** - at Shire facilities and public notice boards
- **Public Meetings / Forums** - at various locations / localities, as appropriate.
- **Contribution to Cuballing News** - available monthly in local newspapers, on the Shire website and via email subscription.
- **SMS** - subscribed list for emergency information.
- **Website** - www.cuballing.wa.gov.au, an up-to-date source of information on Shire services, events, strategic plans, issues and projects.
- **Facebook** - provide notifications on Shire events, issues, plans, projects and services and directions for further information

Consideration needs to be given to successfully informing the Indigenous and culturally and linguistically diverse (CALD) community members.

When

Ongoing, as Shire events, issues, plans, projects and services arise or are scheduled.

Who

Entire Community, noting that Community members need to be aware of the methods used.

Evaluation and Accountability

Community Engagement will be monitored on an ongoing basis by the Chief Executive Officer

Community Engagement Strategy 2: Consult

Consultation takes place when feedback is required in relation to:

- The development of new strategies and plans;
- The review and evaluation of existing strategies and plans;
- The planning and development of new services and infrastructure;
- The review and evaluation of existing services and infrastructure;
- Issues which impact on or are of concern to the Community, including:
 - Broad community issues ie. Community Safety;
 - Specific community issues ie. Seniors and Youth; and
 - Area issues ie. traffic management and land use changes.

Goal

To capture Community input on strategic plans, directions, issues, priorities and projects.

Commitment to the Community

"We will listen to you, consider your ideas and keep you informed about the input received, the consideration of this input and the final decision/s reached"

Methodology:

How

Community consultation techniques will vary depending on who is being consulted and the nature / complexity of the issue. Available resources will also determine the type of techniques that can be utilised ie. the timeframe, funds and staff available.

In addition to the information techniques one of the following consultation techniques could be utilised;

- **Consultative Workshops / Public Meetings / Forums:** open to the community with the aim of briefing interested residents on specific projects and getting their feedback.
- **Focus Groups:** open by invitation to specific groups with relevant experience of the issue at hand.
- **Online Comment:** through the Shire web page, email and Facebook
- **Information Stalls:** staffed displays at local 'hubs', markets and/or festival days. The Community can drop in at their convenience to peruse information and have their questions answered by, and/or provide feedback to, Shire staff.
- **Surveys / Questionnaires:** a series of relevant questions with the collated replies available for consideration and distribution. These may be conducted via mail, email / web or in person, for example venues could include but are not limited to homes / businesses / community meetings to ensure the inclusion of Community members who may not normally be able to participate in community engagement.

When

The Shire and Council will ensure that the Community is consulted on issues which impact on or are of concern to the Community in a timely manner to allow adequate comment to occur and be analysed in order to inform decision making processes.

Who

All Community members who are identified as being directly impacted will be consulted, with the whole community being informed. Stakeholders will vary according to the issue, but could include residents, ratepayers, businesses, volunteers, those who visit or work in the municipality, other service providers/agencies, community groups, other levels of government, peak bodies, etc. It could also include particular groups within the Community, ie. older people, families, children, youth, different ethnic groups, business people, people with a disability, etc.

Evaluation and Accountability

Community Engagement will be monitored on an ongoing basis by the Chief Executive Officer

Community Engagement Strategy 3: Involve

Community involvement enables the community to provide ongoing and in-depth input into community planning and into the development of solutions and resources that are best able to meet the community's needs. It also enables the community and service users to have substantial input into the development of services. Community engagement has the potential to empower communities and to enable community members to gain skills in community participation. In turn they provide for ongoing dialogue with Shire and the potential for higher quality and specialist input into Shire's planning and decision making processes.

Goal

To work on an ongoing basis with the Community to ensure that ideas, concerns and aspirations are listened to and understood and that Community knowledge is harnessed for the benefit of all.

Commitment to the Community

We will work with you on an ongoing basis to ensure that your ideas, concerns and aspirations are considered, we will provide feedback on Shire decisions

Methodology

How

Community involvement techniques will vary depending on who is being involved and the nature / complexity of the issue. Available resources will also determine the type of techniques that can be utilised ie. the timeframe, funds and staff available.

In addition to the information and consultation techniques one of the following involvement techniques could be utilised;

- **Focus Groups:** open by invitation to specific groups with relevant experience of the issue.
- **Referendum / Community Ballots:** a single question is posed, with the option to vote "YES" or "NO", with a clear explanation of the outcomes pertaining to each selection.
- **Workshops:** open to the Community with the aim of briefing interested Community members and receiving their feedback.
- **Council Committees:** established by Council through invitation and expressions of interest (advertised). Composition as per legislative requirements. Currently established Committees of Shire include;
 - Audit Committee
 - Bush Fire Advisory Committee
 - Local Emergency Management Committee
- **Working Groups:** established by the Shire to focus on particular issues. The composition of a Working Group would be determined by the Shire together with specific terms of reference and reporting mechanisms. The Group would cease to function once their work was complete.
- **User Groups:** may be facilitated by the Shire or self-forming and are supported by volunteers. An example of a User Group would be the Dryandra Regional Equestrian Centre Management Committee

When

The Shire will ensure that the Community is involved on issues which impact on and / or are of concern to the Community or to any group within the Community in a timely manner to allow adequate involvement to occur and be analysed in order to inform decision making processes.

Who

Community members who are impacted will be invited to be involved. Stakeholders will vary according to the issue, but could include residents, ratepayers, businesses, volunteers, those who visit or work in the area, other service providers/agencies, community groups, other levels of government, peak bodies, etc. It could also include particular groups within the Community,

ie. older people, families, children, youth, different ethnic groups, business people, people with a disability, etc.

Evaluation and Accountability

Community Engagement will be monitored on an ongoing basis by the Chief Executive Officer

Levels of Engagement

The level of engagement undertaken will relate to the extent of community impact or interest associated with the proposed Shire events, issues, plans, projects and services.

Level 0 – No Engagement:

No specific action is required when:

- No impact on the Community or locality is likely; or
- Consultation is precluded under relevant legislation; or
- Consultation has previously occurred.

Level 1 – Inform:

This level of engagement will be utilised where:

- Community members are not likely to be detrimentally impacted by the proposed event, issue, plan, project or service; or
- Statutory requirements for notification exist; or
- Consultation has previously occurred and minor modifications to address previous concerns raised are proposed.

This level of engagement will raise awareness about the proposed event, issue, plan, project or service, establish communication links with the Community, encourage active participation and build trust and confidence between the Council, the Shire and the Community.

Level 2 – Consult:

This level of engagement will be utilised where:

- Community members are likely to be impacted by the proposed event, issue, plan, project or service; or
- Statutory requirements for consultation exist.

In addition to Level 1 this level of engagement will collect views, opinions and ideas and foster community pride.

Level 3 – Involve:

This level of engagement will be utilised where:

- Community members are likely to be majorly / detrimentally impacted by the proposed event, issue, plan, project or service; or
- Statutory requirements for involvement exist.

In addition to Levels 1 and 2 this level of engagement will encourage active participation and foster community support.

Acknowledgement of Feedback

General feedback will be summarised as part of the evaluation process.

Where written submissions are called for the submitter will receive acknowledgement of their submission and advice as to when all submissions will be considered. All submissions received will be summarised and when a decision has been made the submission summary will be made available directly to all submitters and via the previously detailed communication channels to the Community.

Guideline to Proposed Levels of Engagement

COMMUNITY SERVICES		
Committees of Council	0	*
Annual Electors Meeting	2	*
Council Meetings – Ordinary	1	*
Council Meetings – Special Meetings	1	*
Shire service provision changes (<i>ie Waste Disposal Site opening times</i>)	1	
Community Consultation Plan	2	
Burning Restrictions and Harvest Bans	1	*~
Events – to participate in / attend	1	
Firebreak Notification	1	
Grant Opportunities	1	
Shire Newsletter	1	~
CORPORATE SERVICES		
Community Strategic Plan	3	
Corporate Business Plan	1	
Asset Management Planning	2	
Long Term Financial Planning	1	
Local Law Development	2	*
Policy Development – Administration procedures	0	
Policy Development – Shire procedures	1	
Policy Development – involves specific user groups	2	^
Policy Development – major Shire / Regional / State impact	3	
Rates - new structure or format	3	*
DEVELOPMENT SERVICES		
Building Applications (<i>engagement is during planning process</i>)	0	
Subdivision Referrals	1	
Food Business Education and Training	1	^
Planning Application (including demolition of a building)	1	^
Planning Application (including demolition) <i>building is on the Municipal Inventory</i>	3	#
Planning Application (including demolition) <i>building is on the State Heritage List</i>	3	#
Planning Application for a Building Envelope Variation	1	
Planning Application for a Setback Variation	1	
Planning Application for Development - A uses, not in zoning table	2	
Planning Application for Development - D uses	1	
Planning Application for Development - P or X uses	0	
Planning Application for Signage – Note only applicable if non-conforming	1	
Scheme Amendment	3	*
Development Plans and Structure Plans	3	
Local Planning Scheme Review	3	*
Swimming Pool Inspections - 4 year, statutory	1	^

ENGINEERING SERVICES		
Footpath - Construction	1	^
Forward Infrastructure Management Programs	2	
Road – Maintenance / Upgrading	1	^
Road Closure – Festivals and Events	1	
Road Closure – Permanent	3	*
Road Closure – Temporary	2	*
Street Tree - Removal / Planting	1	^

- * Consultation Procedures are already set out by Local Law, existing legislation (Local Government Act 1995, Land Administration Act, Town Planning Scheme, Residential Planning Codes, Road Traffic Code, etc).
- # Includes consultation with a Heritage Advisor or the State Heritage Council
- ^ Mailed letter to affected resident/s, ratepayer/s, businesses and / or group/s
- ~ Subscribed emergency list

9.2.2 RAV Vehicle Access to Local Roads

Applicant:	N/A
File Ref. No:	ADM
Disclosure of Interest:	Nil
Date:	8 th September 2016
Author:	Gary Sherry
Attachments:	9.2.2A List of RAV Approved Shire of Cuballing Local Roads 9.2.2B draft amended Council RAV Access Policy

Summary

Council is to consider amendments to policy that seeks to control access of Restricted Access Vehicles to Shire of Cuballing local roads.

Background

A Restricted Access Vehicle, as distinct from a General Access Vehicle, is a vehicle that exceeds one or more of the following limits:

- Mass limit prescribed in Part 3 of the Road Traffic (Vehicle Standards) Regulations 2002, or one of the following dimension limits:
- A width of 2.5 metres
- A height of 4.3 metres
- A length of 12.5 metres in the case of a motor vehicle that is not part of a combination, or
- A length of 19 metres in the case of a combination
- Any other dimension specified in the Road Traffic (Vehicle Standards) Regulations 2002 or Road Traffic (Vehicle Standards) Rule 2002.

A General Access Vehicle is any vehicle that is not a Restricted Access Vehicle, for example, rigid trucks and semi trailers. These vehicles generally do not require any permits or exemptions from regulatory requirements.

Permits are required to operate RAV's in WA and are an instrument issued by the Commissioner of Main Roads Western Australia to grant access to these vehicles to certain parts of the road network under specific operating conditions.

For this purpose MRWA has divided the West Australian Road Network into ten heavy vehicle road networks (RAV Network). Network 1 is the largest and covers all roads state wide with a list of exceptions. Networks 2 to 10 progressively become more and more restricted. Network 10 is the smallest and covers road train combinations between 36.5 and 53.5 metres in length.

A RAV network number corresponds to the RAV Vehicle Category number that identifies the vehicle types that may operate under permit on that network, subject to permit conditions.

The roads within the Shire of Cuballing that have any level of current permit are included at Attachment 9.2.2A.

Comment

It is widely held that most farmers are accessing their properties with RAV4 class vehicles. With some exceptions, most of these journeys are to access their properties with agricultural commodities and actually involve relatively few trips with most undertaken at certain times of the year.

The approved list of Shire of Cuballing roads includes a number of roads with only RAV3 rating. Users of these roads with a RAV class vehicle greater than the Main Roads WA approved RAV rating commit an offence and are liable in civil court for any damage they cause.

Council's policy on RAV vehicle access is different to Main Roads WA's approved list. Staff are seeking to have Main Roads amend their RAV rated roads to fit with Council's policy. This may or may not occur, according to Main Roads criteria for such roads.

Main Roads WA have advised another Wheatbelt local government of their willingness to upgrade roads with a RAV2 and RAV3 rating to a RAV4 rating. This upgrade was subject to a prerequisite of checking whether any bridges/structures on the local roads that might be impacted by the increased weight of RAV4 vehicles travelling on those local roads. That local governments RAV2 and RAV3 roads were upgraded to RAV4 last week.

This report seeks to amend Council's policy *5.10 Heavy Vehicle Operations* to

- Have all roads at RAV4 rating;
- Adopt the standardised Main Roads WA condition for conditional access. This was an area of difference between Council's policy and Main Roads WA's standard approval. Adoption by Council will simplify the Main Roads WA process.

The standard conditions are:

1. "Type A" Low Volume roads:
 - Current written approval from the Shire of Cuballing, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request;
 - Operation is not permitted while the school bus is operating on the particular road.
 - Operators must contact the relevant schools directly for school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs / pick-ups have been completed on the particular road;
 - Headlights must be switched on at all times;
 - Operation only during daylight hours;
 - No operation on unsealed road segment when visibly wet, without Road Owner's
 - approval; and
 - Direct radio contact must be maintained with other RAV's to establish their position on or near the road (UHF channel 40).
 2. "Type B" Low Volume roads:
 - All conditions stipulated in "Type A" Low Volume roads apply; and
 - For a single lane road, the road must not to be entered until the driver has established via radio contact that there is no other RAV on the road travelling in the oncoming direction, and
 - The RAV must not exceed a speed of 40 km/h.
- Have all roads that Council is not willing to have used as through routes by haulage contractors (eg CBH or the like) have a condition that requires local government

approval for RAV access. Only Cuballing East and Wandering Narrogin Road are suggested to not require Shire approval for RAV access;

The amended policy is shown at Attachment 9.2.2B with new components of the policy included in red. Staff will seek to implement this policy if approved and have spoken with Main Roads WA about this process.

The process for approval by the Shire will involve local property owners seeking permission by email or correspondence or by request in person to the Shire Office. Staff will provide the landowner with correspondence that includes the approval. Property owners will be able to carry this permission in their vehicle or copy and provide this permission to contractors accessing their property as required. Permissions would be time limited to one year and require an annual renewal. This process will be publicised locally.

Strategic Implications

Access to Council's road by long vehicles to allow economic transportation of these vehicles will be an issue of increasing importance requiring a strategic approach from Council

Statutory Environment

Main Roads WA control licensing of vehicles and access permit system. Local Government has input into this system by advising of the status of each route and the requirements for use. MRWA then provide this information to the transport industry.

Policy Implications

Adoption of a Council policy position in relation to Restricted Access Vehicles will allow staff to seek to implement that position with Main Roads WA.

Financial Implications

Nil at this time, however Council will bear the financial cost for any additional road maintenance required from traffic of long vehicles.\

Council staff will also have increased compliance cost in providing permissions to local property owners.

Economic Implications

The transport and haulage of the product of local industries such as agriculture and forestry, all require the use of long vehicles to cost effectively move their product.

Social Implications

Local roads are a vital social link for local residents. The impact of heavy haulage on these roads, both real and presumed, has a strong resonance in the community.

Environmental Considerations – Nil

Consultation

Mr Richard Bain, Main Roads WA Heavy Vehicle Office
Shire of Kondinin

Options

The Council can resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation;
3. to not seek to make any changes to Council's RAV Policy at this time.

Voting Requirements – Simple Majority

OFFICER RECOMMENDATION:

That Council adopt the amended policy 5.10 Heavy Vehicle Operations included at Attachment 9.2.2B.

COUNCIL DECISION:

That Council adopt amendments to Policy 5.10 Heavy Vehicle Operations included at Attachment 9.2.2B with the amendment that:

1. **The conditions for Type A low volume roads include only;**
 - **Not to be used as a through route. For local delivery and pickup only;**
 - **Direct radio contact must be maintained with other RAV's to establish their position on or near the road (suggested UHF channel 40).**
 - **Current written approval from the Shire of Cuballing, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request;**
2. **The conditions for Type B low volume roads include only**
 - **Not to be used as a through route. For local delivery and pickup only;**
 - **Current written approval from the Shire of Cuballing, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request.**
 - **Headlights must be switched on at all times.**
 - **Direct radio contact must be maintained with other RAV's to establish their position on or near the road (suggested UHF channel 40).**
 - **Road not to be entered until driver has established by radio contact that there is no other RAV on the road travelling in the oncoming direction**
 - **The RAV must not exceed a speed of 40 km/h; and**
3. **Walsh Road and Halls Road become Type A low volume roads**

Moved: Cr Newman

Seconded: Cr Bradford

Carried 5/1

Road Name	RAV Class	Intersection From	Intersection To	Conditions
Campbell St	6	Cuballing West Rd & Dungog St	Northam - Cranbrook Rd & Cuballing East Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup Headlights to be switched on at all times Speed Conditions Maximum speed 50 km/h through town of Cuballing Operation only during daylight hours. School bus curfew 07:30-09:00 & 15:30-16:30 school days.
Cuballing East Rd	6	Campbell St	Wickepin Boundary	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup Headlights to be switched on at all times Speed Conditions Maximum speed 50 km/h Operation only during daylight hours. School bus curfew 07:30-09:00 & 15:30-16:30 school days.
Cuballing West Rd	6	Campbell St & Dungog St	Wandering - Narrogin Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup Headlights to be switched on at all times Speed Conditions Maximum speed 50 km/h Operation only during daylight hours. School bus curfew 07:30-09:00 & 15:30-16:30 school days.
Campbell St	5	Cuballing West Rd & Dungog St	Northam - Cranbrook Rd & Cuballing East Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup
Cuballing East Rd	5	Campbell St	Wickepin Boundary	No Shire of Cuballing Restrictions
Cuballing West Rd	5	Campbell St & Dungog St	Wandering - Narrogin Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet

				<ul style="list-style-type: none"> • Not to be used as a through route. • For local delivery and pickup only. • Driver must carry documentation as proof of local delivery or pickup
Brands Rd	4	Wandering - Narrogin Rd	Stevens Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions
Dents Rd	4	Northam - Cranbrook (M031)	0.75km East of Youngs St	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions
Campbell St	4	Cuballing West Rd & Dungog St	Northam - Cranbrook Rd & Cuballing East Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> • No operation on unsealed road segment when visibly wet • Not to be used as a through route. • For local delivery and pickup only. • Driver must carry documentation as proof of local delivery or pickup
Dews Rd	4	Bunmulling Rd	Stratherne Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions
Dixons Rd	4	Stratherne Rd	Nottles Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions • Intersection Nottles Rd & Dixons Rd: No Access To Or From Nottles Road
Forestry Rd	4	Yornaning West Rd	Pennys Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions • Intersection Pennys Rd & Forestry Rd: No Access To Or From Pennys Road
Gaths Rd	4	Stratherne Rd	Murbys Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type A in the Operating Conditions • Speed Conditions Maximum speed 40 km/h
Grout Rd	4	Springhill Rd	Cuballing West Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions
Halls Rd	4	Wardering Rd	Narrogin - Kondinin (M038)	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions • Intersection Wardering Rd & Halls Rd: No Access To Or From Wardering Road
Kerruish Rd	4	Pingelly - Wickepin Rd	Townsend Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions
Leesons Rd	4	Pauley Rd	Modra Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions
Melchiorre Rd	4	Congelin - Narrogin Rd	For 4.35 Km	<p>Network Conditions</p> <ul style="list-style-type: none"> • See Low Volume Condition Type B in the Operating Conditions

Modra Rd	4	Leeson Rd & Leeson Rd	Pauley Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions Intersection Leeson Rd & Modra Rd: No Access To Or From Leeson Road
Murbys Rd	4	Pauley Rd	Nottles Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type A in the Operating Conditions Speed Conditions Maximum speed 40 km/h
Nottles Rd	4	Wickepin LGA Boundary	Stratherne Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions
Parsons Rd	4	Stratherne Rd	Cuballing East Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions Intersection Cuballing East Rd & Parson Rd: No Access To Or From Cuballing East Road
Pauley Rd	4	Cuballing East Rd	Wickepin Bdry	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type A in the Operating Conditions Speed Conditions Maximum speed 40 km/h
Popanyinning West Rd	4	Northam - Cranbrook (M031)	Wandering LGA Boundary	Network Conditions <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet
Reeds Rd	4	Popanyinning East Rd	Pingelly LGA Boundary	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions
Schoolars Rd	4	Northam - Cranbrook (M031)	1.75 Km Past Water Supply Schoolars	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions
Shaddicks Rd	4	Popanyinning East Rd	Gravel Pit 2.5km South Of Popanyinning East Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions
Short Rd	4	Cuballing East Rd	For 3.07 Km	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions
Springhill Rd	4	Bow St & Darcy St	Wandering - Narrogin Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions Speed Conditions Maximum speed 40 km/h
Strahans Rd	4	Cuballing East Rd	Leeson Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions
Stratherne Rd	4	Northam - Cranbrook (M031)	Kerruish Rd	Network Conditions <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet
Taylor's Rd	4	Stratherne Rd	For 2.55 Km	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions

Wades Rd	4	Wardering Rd	Narrogin - Kondinin (M038)	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions
Walsh Rd	4	Pauley Rd	Gaths Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions
Wandering - Narrogin Rd	4	Wandering LGA Boundary	Narrogin LGA Boundary	No Shire of Cuballing Restrictions
Wardering Rd	4	Cuballing East Rd - 5.5 Km East From Parsons Rd	Cuballing East Rd (Wickepin LGA Boundary)	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type A in the Operating Conditions Speed Conditions Maximum speed 40 km/h
Webbs Rd	4	Stratherne Rd	Yornaning East Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type A in the Operating Conditions Speed Conditions Maximum speed 40 km/h
Yornaning East Rd	4	Northam - Cranbrook (M031)	Stratherne Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type A in the Operating Conditions Speed Conditions Maximum speed 40 km/h
Yornaning West Rd	4	Cowcher St No 21	Wandering - Narrogin Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type A in the Operating Conditions Intersection Yornaning West Rd & Wandering - Narrogin Rd: No Access To Or From Northam-Cranbrook Road Speed Conditions Maximum speed 40 km/h
Youngs St	4	Yornaning East Rd	Dents Rd	Network Conditions <ul style="list-style-type: none"> See Low Volume Condition Type B in the Operating Conditions
Batts Rd	3	Pennys Rd	Williams Rd	Network Conditions <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup
Congelin - Narrogin Rd	3	Nebrikinning Rd	Williams LGA Boundary	Network Conditions <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Maximum speed 60 km/h. No operation during school bus times on school days
Merwanga Rd	3	Williams Rd	Pingelly LGA Boundary	Network Conditions <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup

Napping Pool Rd	3	Pingelly LGA Boundary	Popanyinning West Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup
Neamutin Rd	3	Chopping Rd & Nyamutin Rd	Stratherne Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup
Nebrikinning Rd	3	Wandering - Narrogin Rd	Congelin - Narrogin Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup Maximum speed 60 km/h No operation during school bus times on school days
Popanyinning East Rd	3	Bunmulling Road	Francis Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> See Low Volume Condition Type A in the Operating Conditions No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup
Pennys Rd	3	Wandering - Narrogin Rd	Popanyinning West Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup
Stevens Rd	3	Wandering - Narrogin Rd	Wandering LGA Boundary	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup
Tanners Road	2	Pingelly LGA Boundary	Popanyinning East Rd	<p>Network Conditions</p> <ul style="list-style-type: none"> No operation on unsealed road segment when visibly wet Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup

5.10 Heavy Vehicle Operations

Policy Statement:

That Council supports Restricted Access Vehicles, including road trains and B Doubles, to service local industry throughout the Shire of Cuballing provided the roads to be used are deemed suitable.

Council will support the following access to roads with the Shire of Cuballing

Road Name	RAV Class	Intersection From	Intersection To	Conditions
Cuballing East Rd	6	Campbell St	Wickepin Boundary	Unconditional Access
Wandering - Narrogin Rd	4	Wandering LGA Boundary	Narrogin LGA Boundary	Unconditional Access
Cuballing West Rd	4	Campbell St & Dungog St	Wandering - Narrogin Rd	"Type A" Low Volume Road:
Campbell St	4	Cuballing West Rd & Dungog St	Northam - Cranbrook Rd & Cuballing East Rd	"Type A" Low Volume Road:
Gaths Rd	4	Stratherne Rd	Murbys Rd	"Type A" Low Volume Road:
Murbys Rd	4	Pauley Rd	Nottles Rd	"Type A" Low Volume Road:
Pauley Rd	4	Cuballing East Rd	Wickepin LGA Boundary	"Type A" Low Volume Road:
Popanyinning West Rd	4	Batt Road	Wandering LGA Boundary	"Type A" Low Volume Road:
Popanyinning West Rd	5	Northam - Cranbrook	Batt Road	"Type A" Low Volume Road:
Popanyinning East Rd	4	Reed Road	Wickepin LGA Boundary	"Type A" Low Volume Road:
Springhill Rd	4	Bow St & Darcy St	Wandering - Narrogin Rd	"Type A" Low Volume Road:
Stratherne Rd	4	Northam - Cranbrook Rd	Wickepin LGA Boundary	"Type A" Low Volume Road:
Wardering Rd	4	Cuballing East Rd	Wickepin LGA Boundary	"Type A" Low Volume Road:
Webbs Rd	4	Stratherne Rd	Yornaning East Rd	"Type A" Low Volume Road:
Yornaning East Rd	4	Northam - Cranbrook	Stratherne Rd	"Type A" Low Volume Road:
Yornaning West Rd	4	Cowcher St No 21	Wandering - Narrogin Rd	"Type A" Low Volume Road:
Congelin - Narrogin Rd	4	Nebrikinning Rd	Williams LGA Boundary	"Type A" Low Volume Road:
Williams Rd	4	Northam - Cranbrook	Wandering - Narrogin Rd	"Type A" Low Volume Road:
Austral Street	4	Campbell St	Brundell Street	"Type A" Low Volume Road:
Cowcher Street	4	Northam - Cranbrook	For 0.75km	"Type A" Low Volume Road:
Darcy Street	4	Springhill Rd	Northam - Cranbrook	"Type A" Low Volume Road:
Batts Rd	4	Oakleigh Road	Williams Rd	"Type B" Low Volume Road:
Batts Rd	5	Pennys Rd	Williams Rd	"Type B" Low Volume Road:
Batts Rd	4	Pennys Rd	Popanyinning Road	"Type B" Low Volume Road:
Brands Rd	4	Wandering - Narrogin Rd	Stevens Rd	"Type B" Low Volume Road:
Dents Rd	4	Northam - Cranbrook	0.75km East Of Youngs Rd	"Type B" Low Volume Road:
Dews Rd	4	Bunmulling Rd	Stratherne Rd	"Type B" Low Volume Road:

Forestry Rd	4	Yornaning West Rd	Pennys Rd	"Type B" Low Volume Road:
Grout Rd	4	Springhill Rd	Cuballing West Rd	"Type B" Low Volume Road:
Kerruish Rd	4	Pingelly - Wickepin Rd	Townsend Rd	"Type B" Low Volume Road:
Road Name	RAV Class	Intersection From	Intersection To	Conditions
Leesons Rd	4	Pauley Rd	Modra Rd	"Type B" Low Volume Road:
Melchiorre Rd	4	Congelin - Narrogin Rd	For 4.35 Km	"Type B" Low Volume Road:
Merwanga Rd	4	Williams Rd	Pingelly LGA Boundary	"Type B" Low Volume Road:
Napping Pool Rd	4	Pingelly LGA Boundary	Popanyinning West Rd	"Type B" Low Volume Road:
Neamutin Rd	4	Chopping Rd	Stratherne Rd	"Type B" Low Volume Road:
Nebrikinning Rd	4	Wandering - Narrogin Rd	Congelin - Narrogin Rd	"Type B" Low Volume Road:
Nottles Rd	4	Wickepin LGA Boundary	Stratherne Rd	"Type B" Low Volume Road:
Pennys Rd	4	Wandering - Narrogin Rd	Popanyinning West Rd	"Type B" Low Volume Road:
Reeds Rd	4	Popanyinning East Rd	Pingelly LGA Boundary	"Type B" Low Volume Road:
Schoolars Rd	4	Northam - Cranbrook	For 1.75 Km	"Type B" Low Volume Road:
Shaddicks Rd	4	Popanyinning East Rd	Bunmulling Rd	"Type B" Low Volume Road:
Short Rd	4	Cuballing East Rd	For 3.07 Km	"Type B" Low Volume Road:
Stevens Rd	4	Wandering - Narrogin Rd	Wandering LGA Boundary	"Type B" Low Volume Road:
Strahans Rd	4	Cuballing East Rd	Leesons Rd	"Type B" Low Volume Road:
Tanners Rd	4	Pingelly LGA Boundary	Popanyinning East Rd	"Type B" Low Volume Road:
Taylors Rd	4	Stratherne Rd	For 2.55 Km	"Type B" Low Volume Road:
Wades Rd	4	Wardering Rd	Narrogin - Kondinin	"Type B" Low Volume Road:
Walsh Rd	4	Pauley Rd	Gaths Rd	"Type B" Low Volume Road:
Youngs St	4	Yornaning East Rd	Dents Rd	"Type B" Low Volume Road:
Dixons Rd	4	Stratherne Rd	Nottles Rd	"Type B" Low Volume Road:
Halls Rd	4	Wardering Rd	Narrogin - Kondinin	"Type B" Low Volume Road:
Modra Rd	4	Leeson Rd & Leesons Rd	Pauley Rd	"Type B" Low Volume Road:
Parsons Rd	4	Stratherne Rd	Cuballing East Rd	"Type B" Low Volume Road:

Conditions of Use on Local Roads

The conditions that Council will seek to impose on use of local roads will be:

1. Unconditional access. Roads with these conditions would be of the higher standard and good condition. These routes would be made available to all vehicles and should be expected to be used as through routes for vehicles from outside the shire;
2. ~~Low Volume Conditional Access Type 1.~~ "Type A" Low Volume roads:

These roads would be of a decent standards and relatively good condition. It is Council's desire to have these roads made available for local traffic to allow economic freight use by local residents and ratepayers. The conditions for use of these roads include:

- ~~Not to be used as a through route. For local delivery and pickup only;~~
- ~~Driver must carry documentation as proof of local delivery or pickup and produced on demand;~~

- ~~Direct radio contact must be maintained with other RAV's to establish their position on or near the road (suggested UHF channel 40).~~
- Current written approval from the Shire of Cuballing, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request;
- Operation is not permitted while the school bus is operating on the particular road.
- Operators must contact the relevant schools directly for school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs / pick-ups have been completed on the particular road;
- Headlights must be switched on at all times;
- Operation only during daylight hours;
- No operation on unsealed road segment when visibly wet, without Road Owner's approval; and
- Direct radio contact must be maintained with other RAV's to establish their position on or near the road (UHF channel 40).

3. ~~Low Volume Condition Type 2.~~ "Type B" Low Volume roads:

These roads can be of a low standard. It is Council's desire to have these roads made available for local traffic to allow economic freight use by local residents and ratepayers. The conditions for use of these roads include:

- ~~Not to be used as a through route. For local delivery and pickup only;~~
- ~~Driver must carry documentation as proof of local delivery or pickup and produced on demand;~~
- ~~Current written approval from Local Government, permitting use of the road, must be carried.~~
- ~~Headlights must be switched on at all times.~~
- ~~Operation only during daylight hours.~~
- ~~Direct radio contact must be maintained with other RAV's to establish their position on or near the road (suggested UHF channel 40).~~
- ~~Road not to be entered until driver has established by radio contact that there is no other RAV on the road travelling in the oncoming direction~~
- All conditions stipulated in "Type A" Low Volume roads apply; and
- For a single lane road, the road must not be entered until the driver has established via radio contact that there is no other RAV on the road travelling in the oncoming direction, and
- The RAV must not exceed a speed of 40 km/h.

Objective:

To control the use of local roads by Restricted Access Vehicles so as to limit damage to roads and to ensure the safety of road users where possible.

9.2.3 Rail Interface Agreement

Applicant:	N/A
File Ref. No:	ADM218
Disclosure of Interest:	Nil
Date:	8 th September 2016
Author:	Gary Sherry
Attachments:	9.2.31A draft Interface Agreement

Summary

Council is to consider entering an Interface Agreement with Brookfield Rail and Main Roads Western Australia to comply with national legislation.

Background

The Rail Safety National Law (WA) Act 2015 - section 107(2) requires Road Managers and Rail Infrastructure Managers to enter into an Interface Agreement for all road/rail interfaces.

In November 2015 the Rail Safety Act 2010 was repealed and replaced by the National Rail Safety Law (WA) Act 2015. The new Act established the position of the National Rail Safety Regulator (based in Adelaide) who has the jurisdiction to administer, monitor and enforce the Act in States and Territories in Australia including WA

Council did agree to enter into an interface agreement at the March 2013 Ordinary Meeting of Council. However this agreement was to update in 2014 to take account of the new law changes, but this has not occurred.

For the past 3 years local governments have been negotiating with Brookfield Rail and the National Rail Safety Authority to complete rail interface agreements. 80 Local Governments are required to sign Interface Agreements with Brookfield Rail and currently 39 Local Governments are yet to sign Agreements.

For the past 12 months WALGA has been completing the negotiations for local governments including the Shire of Cuballing.

The most significant disagreement was over the ability of one party to incur expense for another party. Specifically, that was how Brookfield Rail could complete works on a local government road in the rail corridor and charge the cost to the local government.

Comment

The draft Interface Agreement is included at Attachment 9.2.3A.

The agreement is between the

- Shire of Cuballing, being the road manager;
- Main Roads WA being responsible for regulatory signage on roads within the Shire of Cuballing;
- Brookfield Rail as the rail network manager.

The agreement broadly seeks to establish a framework for the purpose of managing risks to safety associated with road and rail interfaces. The agreement has a term of 5 years.

Under the agreement the following parties have responsibility:

- Main Roads WA will install and maintain the appropriate regulatory signs, warning signs, road markings and advance flashing warning panels on Public Road approaches to Level Crossings – excludes signage affixed to railway hardware.
- Shire of Cuballing will maintain the Road approaches up to three metres (3m) either side from the outside running rail. This includes vegetation clearing, notifying Brookfield Rail of any road works in the vicinity of a crossing and reporting to Main Roads WA any damaged and unserviceable line marking and signage.
- Brookfield Rail will install and maintain flashing lights, boom barriers, warning bells and advance warning sign control devices and undertake and maintain any vegetation clearing within the rail corridor.

Because only accredited personnel holding a Track Access Permit are permitted to perform certain work within the rail corridor works within the corridor will generally be undertaken by the Brookfield Rail. However subject to the necessary approvals from the Brookfield Rail works may be undertaken by the Shire of Cuballing.

Therefore, Brookfield Rail will, at the cost of either the Shire of Cuballing or Main Roads WA:

- Level Crossings - Maintain the roadway within three metres (3m) of the outside running rails at level crossings; and
- Install and maintain flashing lights, warning bells, pedestrian mazes, gates and crossing paths at Pedestrian Crossings -
- Install and maintain flashing lights, warning bells, pedestrian mazes, gates and crossing paths at Mid-block Crossings -

Brookfield Rail will complete these activities at the cost of either the Local Government or Main Roads WA subject to prior written agreement as required each party.

The agreement includes a dispute resolution process.

Strategic Implications - Nil

Statutory Environment

Rail Safety National Law (WA) Act 2015 - section 107(2)

- (2) The road manager of a public road must —
- (a) identify and assess, so far as is reasonably practicable, risks to safety that may arise from the existence or use of any rail or road crossing that is part of the road infrastructure of the road because of, or partly because of —
 - (i) the existence of road infrastructure of a prescribed public road; or
 - (ii) the existence or use of any rail or road crossing that is part of the road infrastructure of a public road;
 and
 - (b) determine measures to manage, so far as is reasonably practicable, those risks; and
 - (c) for the purpose of managing those risks — seek to enter into an interface agreement with the rail infrastructure manager of the rail infrastructure.

Policy Implications – Nil

Financial Implications

Whilst there are no known financial implications in relation to signing the Agreement, there was potential for long term issues in the previous forms of the Interface Agreement with Council being responsible for works authorised on behalf of Brookfield Rail without consultation with the Shire.

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations – Nil

Consultation - Nil

WALGA has completed significant consultation with other local governments and with Brookfield Rail, Main Roads WA and the National Rail Safety Authority.

Options

The Council can resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation;
3. to defer consideration of the Interface Agreement in order to obtain additional information.

Voting Requirements – Simple Majority

COUNCIL DECISION:

That Council:

1. **Endorse the general provisions of the draft Interface Agreement included at Attachment 9.2.3A;**
2. **with confirmation of the agreement to the Interface Agreement by Brookfield Rail Pty Ltd and Main Roads WA, Council authorise the Shire President and the Chief Executive Officer to execute the Agreement and affix the Common Seal the signing with minor amendment if required.**

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

Interface Agreement

Rail Safety National Law (WA) Act 2015

Public Road and Rail Crossing At Grade Interfaces

BETWEEN

Brookfield Rail Pty Ltd

AND

The Shire/City of XXXXX

AND

The Commissioner of Main Roads/

Main Roads Western Australia

xx/08/2016

DOCUMENT CONTROL

Version	Date	Amended By	Details of Amendment
1.0	xx/xx/2013	Not Applicable	Original Issue
2.0	20/01/2014	Brookfield Rail	General revision. Responsibilities clarified. Background information added. Demarcation diagram revised. Reformatted.
2.1	xx/04/2014	Brookfield Rail	Insertion of definition for Non-Operational Line. Amendment to the clauses 1.4, 5.2 & 13.5. Insertion of additional clause as 9.4 and consequential numbering amendments.
2.2	xx/04/2016	Brookfield Rail	Amended to incorporate changes to legislation
2.3	xx/07/2016	Brookfield Rail	General revision. Further clarifications added to clause 5.

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INTERFACE AGREEMENT

Between the parties

BR	<p>Brookfield Rail Pty Ltd ABN 42 094 721 301 of 2-10 Adams Drive, Welshpool, Western Australia 6106</p>
Shire/City	<p>Shire/City of XXXXX ABN XXXXX of XXXXX</p>
MRWA	<p>Commissioner of Main Roads/Main Roads Western Australia ABN 50 860 676 021 of Waterloo Crescent, East Perth, Western Australia 6004</p>
Background	<ol style="list-style-type: none"> 1. Brookfield Rail Pty Ltd (BR) is the Rail Infrastructure Manager for the freight rail network in the southern part of Western Australia and is accredited for this purpose pursuant to Schedule Part 3 Division 4 of the Act. 2. The Shire/City of XXXX is the local government body having charge of the roads and streets in its district and as such is the Road Manager of the local Public Roads (defined as secondary roads for the purposes of the <i>Main Roads Act 1930</i>) within its district. 3. The Commissioner of Main Roads has charge of main roads and highways (as defined in the <i>Main Roads Act 1930</i>) in Western Australia and as such is the Road Manager of main roads and highways. The Commissioner of Main Roads also has certain powers under the <i>Road Traffic Code 2000</i> with respect to the erection of traffic control signals and road signs (includes road markings), and additionally has agreements in place with local governments for certain maintenance aspects referred to in this Agreement. 4. Clause 107 of the Act requires the Road Managers of Public Roads and Rail Infrastructure Managers to identify and assess risks to safety associated with road and rail interfaces and to seek to enter into an Interface Agreement for the purpose of managing those risks. 5. This Agreement comprises the Interface Agreement between the parties.

The parties agree as follows:

1. PURPOSE

- 1.1 Public Road Managers and Rail Infrastructure Managers are required under clause 107 of the Act to identify and assess risks to safety associated with road and rail interfaces and to seek to enter into an Interface Agreement for the purpose of managing those risks.
- 1.2 The parties to this Interface Agreement recognise the need for an open and collaborative approach to identify, assess and manage risks to safety associated with road and rail interfaces, and commit to fully co-operate in all aspects of that need.
- 1.3 This Agreement:
- (a) Provides a framework within which the parties commit to co-operatively manage the identified safety risks;
 - (b) Sets out and describes the responsibilities of the respective parties to this Agreement relating to the Interfaces specified in Schedule 1; and
 - (c) Provides the mechanism to jointly manage risks for the safe operation of rail and road movements at the Interfaces specified in Schedule 1.
- 1.4 This Agreement primarily relates to the responsibilities of each party in managing the safety risks at the Interfaces identified in Schedule 1 of this Agreement as amended from time to time. It is not intended to address cost, or cost distribution of compliance. To the extent that any cost is referred to in this Agreement, it is for general guidance only. Existing agreements relating to liability for cost remain unchanged.
- 1.5 This Agreement relates to At Grade Crossing Interfaces only. Where a grade separated Interface exists (i.e. where a Road or Footpath crosses over or passes under any railway by means of a bridge, overpass, tunnel or subway), this will be dealt with by a separate Interface Agreement.
- 1.6 This Agreement relates to Public Roads only. Where an Interface exists with a road other than a Public Road, a separate Interface Agreement may be entered into with the Road Manager of that private road under clause 108 of the Act.

2. DEFINITIONS

The meanings of the terms used in this Agreement are set out below:

Term	Meaning
Act	<i>Rail Safety National Law (WA) Act 2015</i> (as amended from time to time).
Agreement	This document including any schedules and annexures.
ALCAM	Australian Level Crossing Assessment Model – a tool used in the risk assessment of a Level Crossing.
At Grade Crossing	Where a Road or Footpath crosses a rail line at the same level.

Carriageway	The trafficable surface of a Road, ordinarily used for vehicular traffic.
Corrective Action Report	A report or similar that details specific actions designed to reinstate or maintain safety at a crossing and which identifies the entity responsible for the actions.
Danger Zone	The area encompassing the rail lines and extending 3 metres horizontally either side from the outer rails, including any distance above or below this area.
Disused (Non-Operational) Line	A railway line with rail infrastructure that remains in place which under current network operations no rail traffic is expected but which may carry machines, vehicles and equipment for minimal railway maintenance and/or inspection.
Dormant (Non-Operational) Line	A railway line with rail infrastructure that remains in place which under current network operations does not carry routine freight or passenger rail traffic but which does regularly carry machines, vehicles and equipment for railway maintenance and/or inspection.
Footpath	An area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians. This includes, but is not limited to, a shared path, dual use path and bicycle path.
Incident	An occurrence at or affecting an Interface, which has the potential to adversely impact or has resulted in an adverse impact to the safety of persons or infrastructure or Road or train operations.
Inspection	An inspection carried out by a party based on their responsibility towards the Interface, as deemed appropriate by the party and in accordance with their processes or procedures.
Interface	The location where a rail line intersects or interacts with a Road or Footpath. For the purposes of this Agreement, this includes Level Crossings, Pedestrian Crossings and Mid-block Crossings.
Interface Agreement	<p>An agreement in writing about managing risks to safety identified and assessed under Schedule Part 3 Division 6 Subdivision 2 of the Act that includes provisions for –</p> <ul style="list-style-type: none"> (a) implementing and maintaining measures to manage those risks; and (b) the evaluation, testing and, where appropriate, revision of those measures; and (c) the respective roles and responsibilities of each party to the agreement in relation to those measures; and (d) procedures by which each party to the agreement will monitor compliance with the obligations under the agreement; and

	(e) a process for keeping the agreement under review and its revision.
Level Crossing	An area where a Road and a railway meet at substantially the same level, whether or not there is a "level crossing" sign on the road at all or any of the entrances to the area.
Mid-block Crossing	An area where a Footpath crosses a railway not adjacent to a Level Crossing that includes a Carriageway.
Pedestrian Crossing	An area where a Footpath crosses a railway adjacent to a Level Crossing that includes a Carriageway.
Public Road	A Road as defined below.
Rail Infrastructure	The facilities that are necessary to enable a railway to operate safely and includes, but is not limited to – <ul style="list-style-type: none"> (a) railway tracks, and associated track structures; or (b) service roads, signalling systems, communication systems, rolling stock control systems and data management systems; or (c) notices and signs; or (d) electrical power supply and electric traction systems; or (e) associated buildings, workshops, depots and yards.
Rail Infrastructure Manager	In relation to rail infrastructure of a railway, means the person who has effective management and control of the rail infrastructure, whether or not the person – <ul style="list-style-type: none"> (a) owns the rail infrastructure; or (b) has a statutory or contractual right to use the rail infrastructure or to control, or provide, access to it.
Road	Any highway, road or street open to, or used by, the public and includes every carriageway, footway, reservation, median strip and traffic island thereon.
Road Infrastructure	<ul style="list-style-type: none"> (a) the infrastructure which forms part of a road, footpath or shoulder, including – <ul style="list-style-type: none"> (i) structures forming part of the road, footpath or shoulder; or (ii) materials from which a road, footpath or shoulder is made. (b) the road-related infrastructure including infrastructure which is installed or constructed to – <ul style="list-style-type: none"> (i) facilitate the operation or use of the road or footpath; or (ii) support or protect the road or footpath; (c) all bridges, viaducts, tunnels, culverts, grids, approaches and other things appurtenant to the road or footpath or used in connection with the road or footpath.

Road Manager In relation to a Public Road means a Local Government or the Commissioner of Main Roads. For the purposes of this Agreement, the Road Manager means that party identified as the Road Manager of each Interface set out in Schedule 1.

3. SCOPE OF THE AGREEMENT

3.1 This Agreement applies to the management of risks at the Interfaces specified in Schedule 1 and includes provision for the requirements of clause 107 of the Act.

4. TERM OF INTERFACE AGREEMENT

4.1 This Agreement will commence on the date of execution by the last party.

4.2 This Agreement will be reviewed by the parties upon the earlier of:

- (a) a change in circumstance occurring in relation to any of the Interfaces specified in Schedule 1; or
 - (b) the 5 year anniversary of the date of commencement of this Agreement,
- and in any event will be subject to ongoing review at least once every 5 years.

5. RESPONSIBILITIES OF PARTIES

5.1 Primary sources of responsibility

In addition to the Act, the parties to this Agreement have responsibilities for Interfaces which are derived from various sources and which include:

Railway Crossing Protection in Western Australia – Policy and Guidelines

This document (prepared by Main Roads WA) outlines the level of control required at all railway Level Crossings in Western Australia.

Public Works Act 1902 (WA)

Maintenance of public roads at railway crossings and near railway stations

Section 103(1) of the *Public Works Act 1902* provides that where a road or street crosses a railway on the level, the local authority having charge of the roads or streets in the district shall maintain the road and crossing on the railway, and for a distance on each side of 10 metres outside the railway.

Road Traffic Code 2000 (WA)

Power to erect traffic-control signals and road signs

Regulation 297(1) of the *Road Traffic Code 2000 (WA)* empowers the Commissioner of Main Roads to *erect, establish or display, and alter or take down any road sign, road marking or traffic control signal on a Public Road.*

In the context of a Level Crossing, this includes approval for the level of control of:

- the regulatory GIVE WAY and STOP signs at passive crossings;
- regulatory traffic control signals including flashlights or boom barriers at active crossings;
- all warning signs including static and active advance warning signs;
- all road markings including holding lines, barrier centre lines and yellow box markings; and
- other complimentary signage such as speed zones, adjacent regulatory signs or traffic signals on roads.

Local Government Act 1995

Notices requiring certain things to be done by the owner or occupier of land

Section 3.25 of the Local Government Act 1995 empowers a Local Government to give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that is prescribed in Schedule 3.1, Division 1.

Rail Safety National Law (WA) Act 2015

Rail Safety National Law (WA) Regulations 2015

Rail Safety National Law (WA) (Alcohol and Drug Testing) Regulations 2015

Safety management system

BR is an accredited rail transport operator under the Act and as such has statutory obligations under the Act and Regulations, including responsibility for ensuring the compliance of all rail related works on corridor land with the Act and Regulations. BR's activities are regulated by the Office of the National Rail Safety Regulator. In accordance with clause 99 of the Act, BR has in place a safety management system in respect of its railway operations. It is a requirement of that safety management system that, where necessary, persons carrying out rail safety work on corridor land are required to hold a Track Access Permit.

5.2 Allocation of specific actions and activities

Where not otherwise subject to separate agreement, the parties agree that each party to this Agreement will undertake the following actions/activities in respect of the Interfaces specified in Schedule 1:

Main Roads Western Australia/Commissioner of Main Roads (MRWA)

- Install and maintain the appropriate regulatory signs, warning signs, road markings and advance flashing warning panels on Public Road approaches to Level Crossings – excludes signage affixed to railway hardware.

Road Manager – Local Government

- Maintain the Road approaches up to three metres (3m) either side from the outside running rail.
- Arrange, undertake and maintain any vegetation clearing and/or removal of other physical obstructions on Roads to provide requisite driver visibility sightlines on the approaches to Level Crossings (including any negotiations with private property owners if required)
- Notify the Rail Infrastructure Manager of any road works planned, either of a temporary or permanent nature, in the vicinity of a crossing. (See section 9 of this Agreement)
- Notify the Rail Infrastructure Manager of any change in land use adjacent to an Interface or any change in Level Crossing use.
- Report to MRWA any damaged and unserviceable line marking and signage associated with a Level Crossing identified during inspection of the local road network in accordance with normal maintenance regimes.

Rail Infrastructure Manager

- Arrange and coordinate installation of flashing lights, boom barriers, warning bells and advance warning sign control devices (in accordance with MRWA's renewal and upgrade programme).
- Maintenance of above equipment and devices in conjunction with MRWA.
- Undertake and maintain any vegetation clearing and/or removal of other physical obstructions within the rail corridor to provide adequate visibility on the approaches to Level Crossings.

Only accredited personnel holding a Track Access Permit are permitted to perform certain work within the rail corridor or within the Danger Zone (see diagram annexed as Appendix B). Works within the Danger Zone are generally undertaken by the Rail Infrastructure Manager due to the rail safety risks associated with works within the Danger Zone however subject to the necessary approvals from the Rail Infrastructure Manager works may be undertaken by the Road Manager. Accordingly, unless otherwise agreed and subject to prior written agreement between and as required by the parties, the following activities are carried out by the Rail Infrastructure Manager at the cost of either the Local Government or MRWA as indicated in brackets below¹:

- Level Crossings - Maintain the roadway within three metres (3m) of the outside running rails. (Local Government)
- Pedestrian Crossings - Install and maintain flashing lights, warning bells, pedestrian mazes, gates and crossing paths (not approach paths) as applicable, including any signage affixed to these devices. (MRWA or Local Government in accordance with renewal and upgrade programme).²

¹ The indication of party responsible for cost should be used as a general guide only. All works are site and case specific.

² There may be instances where the distinction between Pedestrian and Midblock Crossings is unclear, in such cases works required and division of cost must be negotiated and agreed between the Local Government and MRWA prior to the works being undertaken.

- Mid-block Crossings - Install and maintain flashing lights, warning bells, pedestrian mazes, gates and crossing paths (not approach paths) as applicable, including any signage affixed to these devices. (Local Government).²
- Crossing Control Upgrades – Installation of flashing lights, boom barriers, warning bells and advanced warning sign control devices (MRWA in accordance with MRWA's renewal and upgrade programme).

Reciprocal action for all parties

- Notify each other party of material changes to usage of an Interface of which a party is aware. These changes may arise from things such as higher speed rail or road traffic, increased volume of rail or road traffic (for example arising from a change in land usage or development) or change of road vehicle types or change to road designation (for example to an oversize vehicle route). If the parties identify a new risk (or increased level of an existing risk), the parties must, as appropriate reassess and manage these risks so far as is reasonably practicable.

6. AGREEMENT OF PARTIES

6.1 Each party agrees to:

- Commit to the highest standards of safety in performing its functions or conducting its business so far as is reasonably practicable;
- Work co-operatively with the other parties, and with third party entities whose activities may give rise to risks at or near an Interface, to identify and assess risks at Interfaces and develop, implement and monitor measures to manage the risks;
- Carry out the identification, assessment, allocation and management of risk in accordance with accepted risk management practice;
- Commit to continued management of the Interface; and
- Conform to the appropriate standards, policies and guidelines relevant to their respective operations.

7. IDENTIFICATION, ASSESSMENT AND MANAGEMENT OF RISK

7.1 The Rail Infrastructure Manager and Road Manager have an ongoing obligation to identify and assess, so far as is reasonably practicable, risks to safety that may arise in relation to the Interfaces the subject of this Agreement.

7.2 Clause 109 of the Act provides that for the purpose of identifying and assessing the risks to safety at an Interface, a party may:

- by itself identify and assess those risks; or
- identify and assess those risks jointly with another party; or
- adopt the identification and assessment of those risks carried out by another party to this Agreement.

- 7.3 As a minimum, the following must be carried out in respect of each Interface:
- Identify the type of Interface;
 - Identify the location of the Interface;
 - Identify the risks to safety at each Interface;
 - Determine measures to manage, so far as is reasonable practicable, those risks; and
 - Assign responsibility for the management measures determined to the appropriate party.
- 7.4 ALCAM has been designed for and is used as a tool for risk assessment of Level Crossings. Each crossing is assessed uniformly using a standardised procedure to gather crossing data. The model then provides a risk score for each Level Crossing which enables the comparison of relative risk across all crossings within a given group (locality/line etc.). This model has been or will be used to assess risks at Interfaces the subject of this Agreement.
- 7.5 Where there has been a material change in relation to an Interface and such change is likely to affect the ALCAM assessment obtained in respect of an Interface, then the parties must arrange for the Interface to be re-assessed.
- 7.6 Either party may, by notice in writing to the other, instigate a re-assessment where it is deemed necessary.
- 7.7 Following an ALCAM assessment, if any corrective action is required in respect of an Interface, a Corrective Action Report (or similar) may be prepared. This will outline the action required for mitigation or elimination of unacceptable risks identified and the party responsible for carrying out the action.

8. INCIDENT MANAGEMENT

- 8.1 Rail Infrastructure Managers and Road Managers shall manage incidents wholly within their area of responsibility in accordance with each party's incident management plan.
- 8.2 Incidents affecting both Rail Infrastructure and Road Infrastructure across an Interface should be managed jointly and cooperatively by the parties.
- 8.3 The established information sharing protocols shall be followed during an emergency incident.
- 8.4 Unless required by law or to ensure safety, the parties shall not engage in any conduct that is likely to prejudice an investigation into an Incident and reserve the right to undertake timely inspection of any Rail or Road Infrastructure, rolling stock or other property of the respective parties damaged as a result of an Incident.
- 8.5 The Rail Infrastructure Manager shall report rail safety Incidents to the National Rail Safety Regulator under the terms of its accreditation.

- 8.6 In the case of major Incidents involving serious injury or death, the activities of the parties may come under the control of emergency services organisation as detailed in BR's Westplan.
- 8.7 BR's Westplan (State Emergency Management Plan for BR Emergencies) is available on BR's website (www.brookfieldrail.com) and at the State Emergency Management Committee website (www.semc.wa.gov.au).

9. WORKS

- 9.1 The parties acknowledge that any road or other works conducted in the vicinity of Interfaces can adversely affect the level of safety at that Interface.
- 9.2 In any case where any road or other works are likely to impact on the safety of rail operations, the Road Manager shall notify the Rail Infrastructure Manager of works planned, either of a temporary or permanent nature, in the vicinity of an Interface.
- 9.3 The need for such notification will depend on the level of risk of the work to be undertaken and the proximity of the work activity to the Interface. As a general guide, the table below shows the minimum distances from the railway within which any road or other works should not proceed without prior notification to the Rail Infrastructure Manager. Contact details are provided in the Rail Infrastructure Manager Details section of this Agreement.

Speed Limit Km/h	Distance from railway (m)
<70	150
70 to 90	200
>90	300

- 9.4 In any case where rail works are likely to impact on the safety of road operations, the Rail Infrastructure Manager shall notify the Road Manager of works planned, either of a temporary or permanent nature, in the vicinity of an Interface.
- 9.5 Emergency maintenance works

The parties will work cooperatively to minimise response times where emergency maintenance works are required to be undertaken at an Interface. Contact details of the applicable emergency contact personnel for each party is to be maintained by the respective parties in Appendix A.

10. PERSONNEL MANAGEMENT

10.1 Competency

Each party shall ensure that its workers carrying out activities in or about the Interface comply with the relevant safe working procedures, rules and policies developed by the party or as detailed in their organisation specific conditions. Such procedures, rules and policies must be consistent with the party's obligations under all applicable Law.

10.2 Safe Access by other parties

Each party may make use of third parties under contract or otherwise to deliver any aspect of its operational or infrastructure obligations at or affecting the Interface.

The party engaging the service of a third party shall ensure that any personnel working in or about an interface is fully informed as to the requirements of working in such a locality including any required accreditation, documentation, training, site induction or similar provisions.

The parties will ensure that their respective contractors and subcontractors will comply with this Agreement when engaged in works to which this Agreement relates. In particular third parties must be made aware of the requirements relating to working in the "Danger Zone" as shown in Appendix B.

11. AMENDMENT

11.1 The parties may without formal amendment to this Agreement, amend Schedule 1 from time to time by written agreement to allow for Interfaces to be added or removed as required. An updated Schedule becomes effective when it is dated and signed by all parties.

11.2 The parties may without formal amendment to this Agreement, amend Appendix A as per Clause 14.3.

12. CHANGE OF OWNERSHIP

12.1 A party to this Agreement undergoing a change in ownership shall notify the other parties as soon as practicable. Contact details for each party are as specified in this Agreement.

12.2 The change of ownership of either a Rail Infrastructure Manager or Road Manager shall require the re-negotiation of this Agreement to identify the new owners and inform them of their responsibilities.

12.3 Rail Infrastructure Managers are obliged to meet all regulatory requirements for transfer or assignment of accreditation, including clauses 79 and 80 of the Act.

13. AUDITING AND COMPLIANCE

13.1 Maintaining and Monitoring Compliance

- (a) The parties shall be jointly responsible through their nominated representatives for maintaining and monitoring compliance with this Agreement.
- (b) In the event of an emergency, and it is not possible to comply with this Agreement, every effort shall be made by the non-complying party to consult with other parties to the Agreement to determine the best course of action to ensure the safest conduct of activities at the Interface.

13.2 Register of Interface Agreements

In accordance with clause 111 of the Act, each party shall maintain a register of the Interface Agreements to which they are a party using their existing internal information and/or document management systems.

13.3 Record of Corrective Action Reports

The parties shall keep a record of all Corrective Action Reports.

13.4 Reporting Instances of Non-Compliance

Instances of non-compliance shall be brought to the attention of relevant compliance officers of each party to be dealt with in accordance with their internal procedures.

13.5 Safety Auditing Compliance

- (a) The Rail Infrastructure Manager shall conduct regular Inspections.
- (b) The Road Manager shall conduct regular Inspections to ensure the safety performance of the approach roads to an Interface are assessed as part of maintenance responsibilities in the context of the Local Government's road network.
- (c) The parties shall jointly reassess the risk to safety of an Interface after a major Incident.
- (d) Should a party discover a defect in another party's infrastructure, the party making the discovery will use best endeavours to share the relevant details with the other party as soon as is reasonably practicable.

13.6 Reciprocal Inspections and Audits

In the event the parties agree there is an issue adversely affecting Interface safety, the parties shall allow the conduct of relevant reciprocal inspections or audits to facilitate remedial action.

14. COMMUNICATIONS

- 14.1 The parties shall promptly notify each other of any occurrence or Incident which affects the responsibilities of any of the other parties to this Agreement in respect of an Interface.
- 14.2 Contact details for each party as identified in Appendix A are to be used in emergency situations or during normal course of business as appropriate.
- 14.3 All parties agree to regularly update Appendix A as changes occur. Updating of Appendix A can be carried out at any time by any Party for its own organisation without requiring approval from the other parties. The party amending its contact details shall forward to the other parties updated copies of Appendix A ensuring the Appendix A - Document Control table is appropriately updated prior to forwarding.

15. DISPUTE RESOLUTION

- 15.1 The parties agree to resolve all disputes in good faith.
- 15.2 Should a dispute arise between the parties in connection to this Agreement, a party may issue a written notice of dispute to the other party or parties.
- 15.3 Within 14 days, or as otherwise agreed by the parties, of receipt of a dispute notice, senior officers of each party shall meet or communicate to resolve the dispute.
- 15.4 If the senior officers are unable to resolve the dispute, Chief Executive Officers of the parties shall meet or communicate as soon as is practicable to attempt to resolve the dispute.
- 15.5 If the dispute is not resolved, then either party may refer the dispute to mediation by a single mediator by giving notice in writing to the other party or parties. If the parties are unable to agree upon the mediator and the mediator's remuneration, the mediator will be the person appointed by and the remuneration of the mediator is the amount determined by, the President of the Institute of Arbitrators & Mediators Australia (WA Chapter). Each party will bear its own costs relating to preparation and attendance at mediation, with the costs of the mediator being borne equally by the parties.
- 15.6 Failing resolution of the dispute at mediation, it will be open to any party to the dispute to commence legal proceedings.

EXECUTION PAGE

This Interface Agreement is signed and witnessed on behalf of Brookfield Rail Pty Ltd by the following authorised representative:

SIGNED: _____	WITNESSED: _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

This Interface Agreement is signed and witnessed on behalf of the **Shire/City** of **XXXXXX** by the following authorised representative:

SIGNED: _____	WITNESSED: _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

This Interface Agreement is signed and witnessed on behalf of Main Roads Western Australia by the following authorised representative:

SIGNED: _____	WITNESSED: _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

SCHEDULE 1 - LIST OF RAIL AND ROAD INTERFACES

No	Name	Type of Interface	Road number	Rail Line and kms from datum of the Level Crossing	Description of Crossing control	Rail Infrastructure Manager responsible	Road Manager responsible
1	Readheads Road	Road/Rail crossing	XXX XXXX	Line X – 68.162km	Flashlights	Brookfield Rail	Shire/ City of XXX
2	xxxxx			Line 77 - 51.2km*			
3							
4							
5							
6							
7							
8							
9							
10							

*This section of rail line currently Dormant (Non-Operational)

**This section of rail line is currently Disused (Non-Operational)

APPENDIX A – CONTACT DETAILS

RAIL INFRASTRUCTURE MANAGER DETAILS

Brookfield Rail Pty Ltd
 2-10 Adams Drive
 WELSHPOOL WA 6106

General: 08 9212 2800
 Emergency: 1300 xxx xxx (BR Train Control)
 OHS: (08) 9212 2933 (Safety & Environment Co-Ordinator)

ROAD MANAGER DETAILS

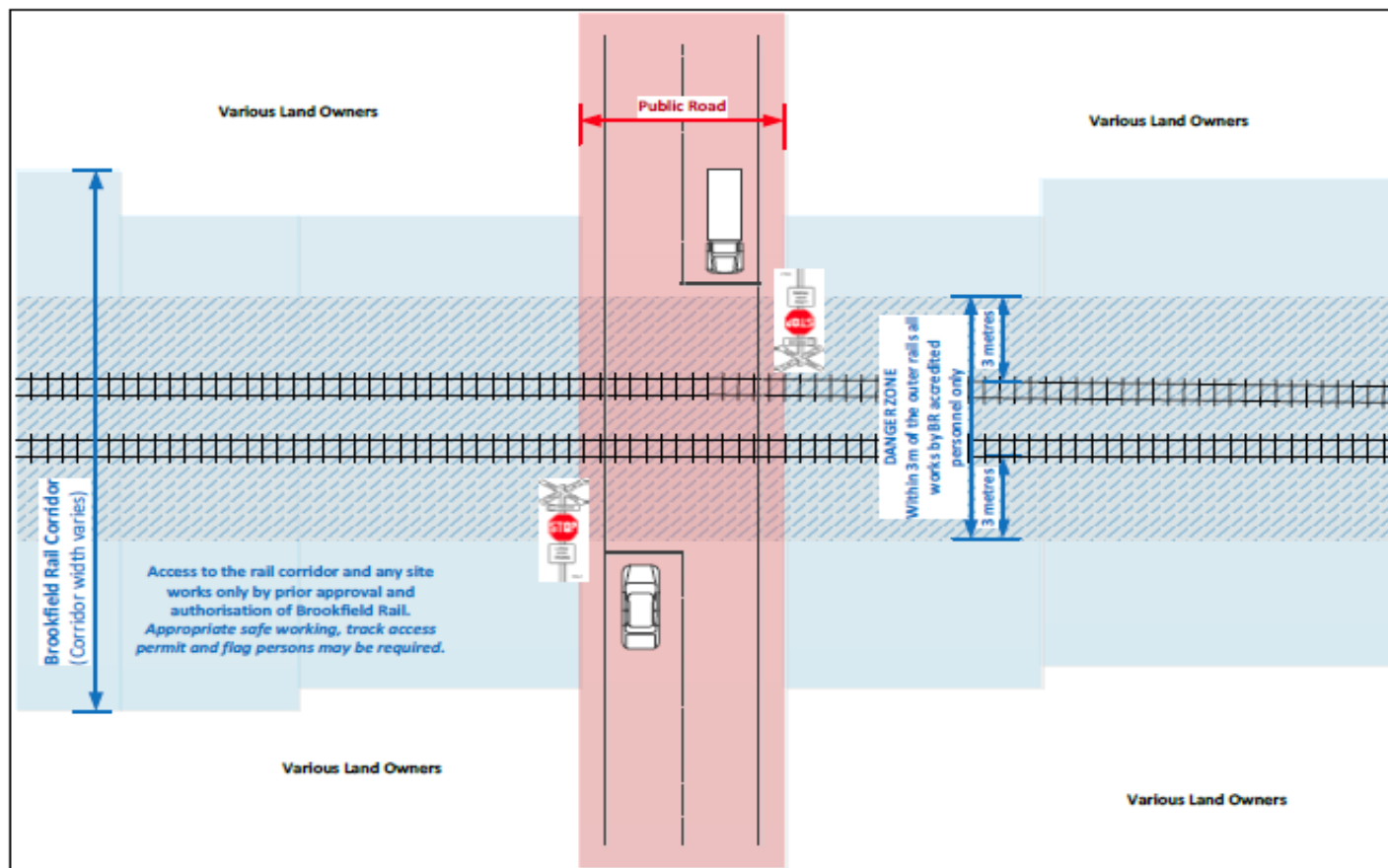
The Shire/ City of XXXXXX
 XXX
 XXXXXXX WA
 General: 08 XXXX XXXX
 Emergency: 08 XXXX XXXX

MRWA DETAILS

Main Roads Western Australia
 Waterloo Crescent
 EAST PERTH WA 6004
 General: 13 81 38
 Emergency: 13 81 38

Appendix A – Document control		
Amended by	Date	Distributed to the following contacts of other parties

APPENDIX B - AREAS OF DEMARCATION



For the purposes of this Interface Agreement, at a typical Level Crossing

The road reserve as shown in red.

The rail corridor as shown in blue.

Within 3 metres of the outer rail all work must be carried out by Brookfield Rail accredited personnel. (area shown hatched, the "Danger Zone").

APPENDIX C - REFERENCE DOCUMENTS

Reference documents include:

Rail Safety National Law (WA) Act 2015
Rail Safety National Law (WA) Regulations 2015
Rail Safety National Law (WA) (Alcohol and Drug Testing) Regulations 2015
AS1742.7: 2007 – Manual of Uniform Traffic Control Devices - Railway Crossings
AS 1742.3: 2009 – Manual of Uniform Traffic Control Devices – Traffic control for works on roads
AS 4292.2: 2006 – Railway Safety Management – track, civil and electrical infrastructure
Main Roads WA – Railway Crossing Protection in WA – Policy and Guidelines
Road Traffic Code 2000
Road Traffic Act 1974
Main Roads Act 1930
Public Works Act 1902
Local Government Act 1995
AS/NZS ISO 31000: 2009 – Risk Management – Principles and guidelines
AS/NZISO 4801:2001 - OSH
Main Roads WA – Traffic Management for Works on Roads – Code of Practice
Rail Infrastructure Manager Operating Rules
Westplan: State Emergency Management Plan for Brookfield Rail Emergencies – Version September 2011, Review date December 2013

Copies of most documents are available from the State Law Publisher website or from the Road Safety Branch, MRWA – phone 9323 4111.

9.2.4 Tree Pruning – Ridley Street Cuballing

Applicant:	N/A
File Ref. No:	ADM218
Disclosure of Interest:	Nil
Date:	9 th October 2016
Author:	Gary Sherry
Attachments:	9.2.4A Photographs of Identified Trees on Ridley Street Cuballing

Summary

Council is to consider advising Main Roads WA on vegetation control inside the Cuballing townsite.

Background

Ridley Street in Cuballing forms part of the Northam Cranbrook Road, colloquially known as the Great Southern Highway, through the town of Cuballing.

In most townsites the local government is responsible for all the roadside assets, including footpaths, parking lanes, street trees and drainage. This is the case in Francis Street running through Popanyinning. However in Cuballing, Main Roads WA is the responsible land manager for the entire Ridley Street Road reserve.

In Cuballing, Shire staff do assist Main Roads WA by doing minor works that generally improve the streetscape, such as mowing, spraying weeds or raking sticks and leaves. However for any significant improvement, such as installing the recent town entry statement, permission is required from Main Roads WA.

Comment

In the recent past a local Cuballing townsite resident who has a residential property adjacent to the Cuballing railway reserve, has had issues with limbs and leaf matter from two large sugar gums falling into their property and damaging their fence. These two substantial trees are also very close to the road and are expected to have white ants in the trees. Site photographs of the trees are included at attachment 9.2.4A.

As the responsible land manager, Main Roads WA have the responsibility to manage the impact of the roadside vegetation. The local Roadside Management Officer - Wheatbelt Region has advised Council that Main Road WA are considering two courses of action being:

Option 1.

Give the tree a general prune to tidy it up. Prune the limbs which are hanging out over the residents fence from the tree at a growth point, prune off the dead wood hanging above the road to prevent it falling onto the road.

The Main Roads WA vegetation control crew to carry out the required works will be accompanied by an arborist. The crew can be requested to make the necessary cuts to reduce the amount of timber being carried above the road and fence to reduce some of the risk of falling limbs.

Main Roads WA do not believe the termites that have inhabited the tree will cause the tree to become unstable in the foreseeable future.

Option 2.

Remove the tree completely and grind the stump to below ground level, preventing any further damage to the fence below due to falling limbs.

The nature of Sugar Gums is to drop limbs over time, known as self pruning. Self pruning will be an ongoing issue for the fence below, it may happen again next week, next year, or not for 10 years.

Main Roads WA don't believe that the Sugar Gum on the south side requires removal but it can be pruned while the EWP is set up and the site is under traffic control.

Shire administration believe that because:

1. the proximity of the trees to the road causing a road hazard;
2. the potential of the trees to self prune causing both a road hazard and a hazard to the nearby residence;
3. the impact of white ants increasing the potential for the trees to increasingly self prune;
4. the build up of leaf and bark litter in the horizontal drainage along Ridley Street and in the yard of the residence;
5. a sustainable long term solution needs to be implemented;

that both trees should be removed. This report recommends that Council put this view to Main Roads WA.

The draft Community Engagement Plan, due for consideration at this Council Meeting suggests that Council would advise affected local residents, community groups and the like of the intention to remove significant trees. It is suggested, and fits with Main Roads WA's time line, for Council to seek community input prior to finalising a position to put to Main Roads WA.

Strategic Implications - Nil

Statutory Environment

Main Roads WA is responsible for the entire road reserve through the Cuballing townsite.

Policy Implications – Nil

Financial Implications

As the current land manager, Main Roads WA is responsible for the expense of managing the roadside vegetation in Cuballing townsite.

In the past, Main Roads WA have looked to the Shire to fix the issues created by these trees (remove fallen limbs, repair damaged fences, etc), because they are unwilling or unable to adequately provide these services in Cuballing.

If the land management was to shift from Main Roads WA to the Shire of Cuballing, Council will be responsible for the ongoing management expenses.

Economic Implications - Nil

Social Implications

While these trees have little direct social value in that because of their position so close to a busy road, Cuballing residents cannot use their shade or recreate around them. However they have been in a prominent position in the local streetscape for a considerable time.

Environmental Considerations

The two trees are sugar gums and are not native to the region.

Consultation

The Officer has recommended community consultation in Cuballing. This would occur with a letter to nearby residents and in local publications, on social media and local Cuballing noticeboards.

Options

The Council can resolve:

1. the Officer's Recommendation;
2. to make a recommendation to Main Roads WA without public consultation;
3. to advise Main Roads WA that Council does not have a position and they should take whatever action they deem appropriate.

Voting Requirements – Simple Majority

COUNCIL DECISION:

That Council seek community input on the proposal for Main Roads WA to remove the two sugar gums identified in photographs at Attachment 9.2.4 on Ridley Street Cuballing prior to make a final recommendation to Main Roads WA.

Moved: Cr Ballantyne

Seconded: Cr Newman

Carried 6/0





9.3 WORKS MANAGER:

Nil

9.4 ENVIRONMENTAL HEALTH OFFICER:

Nil

9.5 BUILDING OFFICER:

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:

11.1.1 Urgent Business – Fire Control Officers – Annual Fire Break Notice

Disclosure of Interest: Nil
Date: 15th September 2016
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider reviewing urgent business relating to the appointment of Fire Control Officers and the declaration of the Annual Fire Break Notice.

Background - Nil

Comment

Staff are attempting to have the Agenda prepared at least a week before each Council Meeting. In completing this schedule, business of an urgent nature will arise from time to time in particular where commercial activities within the district would be delayed by Council not considering the item.

Statutory Environment

Shire of Cuballing – Standing Orders Local Law 1999 – Section 3.10:

3.10 Urgent Business Approved By the Person Presiding or by Decision

In cases of extreme urgency or other special circumstance, matters may, with the consent of the person presiding, or by decision of the members present, be raised without notice and decided by the meeting.

Strategic Implications - Nil

Policy Implications - Nil

Financial Implications - Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. to not consider the urgent business.

Voting Requirements – Simple Majority

COUNCIL DECISION:

That Council consider the urgent business relating to the appointment of Fire Control Officers and the declaration of the Annual Fire Break Notice.

Moved: Cr Newman

Seconded: Cr Dowling

Carried 6/0

11.1.2 2016/17 Firebreak Notice

Applicant:	N/A
File Ref. No:	ADM213
Disclosure of Interest:	Nil
Date:	15 th September 2016
Author:	Gary Sherry
Attachments:	11.1.2A Bush Fire Advisory Committee Minutes 11.1.2B draft Firebreak Notice 2016/17

Summary

That Council consider the recommendations of the Bushfire Advisory Committee to adopt the draft Firebreak Order 2016/17.

Background

The Shire of Cuballing's Bushfire Advisory Committee held a meeting on Wednesday 14th September 2016. Unconfirmed minutes of that meeting are included at Attachment 11.1.2A. This meeting endorsed the contents of an extended Firebreak notice that will be made publicly available.

Comment

The Firebreak Notice 2016/17 is Council's declaration of the conditions required for compliance by landowners for this forthcoming fire season.

The draft Firebreak Notice 2016/17, included at Attachment 11.1.2B, is very similar to that from previous years.

Upon approval by Council the draft Firebreak Notice 2016/17 will be:

1. made publicly available on Council's website;
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;
 - c. from the Shire Office counter.

The 2016/17 pamphlet will look very similar to the those issued in previous years.

Strategic Implications - Nil

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.

[Section 33 amended by No. 11 of 1963 s. 15; No. 113 of 1965 s. 8(1); No. 65 of 1977 s. 32 and 48; No. 51 of 1979 s. 3 and 5; No. 8 of 1987 s. 8; No. 14 of 1996 s. 4; No. 38 of 2002 s. 28 and 39; No. 70 of 2003 s. 7; No. 19 of 2010 s. 52(4).]

Policy Implications – Nil at this time

Financial Implications

Council will print the Fire Break Notice into a pamphlet with other fire prevention information able to be distributed.

Economic Implication - Nil

Environmental Considerations - Nil

Social Implications

Fire is a considerable community risk for local communities.

Consultation

Shire of Cuballing Bush Fire Advisory Committee

Options

Council can resolve:

1. the Officer's Recommendation;
2. an amended resolution with amended/alterred conditions included in the draft Firebreak Notice 2016/17.

Voting Requirements – Simple Majority

COUNCIL DECISION:

That Council adopt the draft Firebreak Order 2016/17 as included at Attachment 11.1.2B.

Moved: Cr Haslam

Seconded: Cr Dowling

Carried 6/0

**SHIRE OF CUBALLING
BUSH FIRE ADVISORY COMMITTEE
Cuballing Shire Administration Office
Wednesday 14th September 2016.**

Minutes

1. OPENING

The meeting commenced at 7:03pm

2. ATTENDANCE AND APOLOGIES

Anthony Mort	Chief Bush Fire Control Officer
Graeme Dent	Deputy Chief Fire Control Officer
Gary Sherry	Chief Executive Officer
Bruce Brennan	Manager of Works & Services
Paul Blechynden	Department of Fire and Emergency Services
Cr Tim Haslam	Councillor
Rob Harris	Fire Control Officer
Justin Page	Fire Control Officer
Mike Burges	Fire Control Officer
Nelson Young	Fire Control Officer
Fred Chapman	Popanyinning Brigade
Craig Cousins (From 7.17pm)	Fire Control Officer

Apologies

Clayton Reed Cuballing Brigade

3. CONFIRMATION OF MINUTES

Moved: Graeme Dent	Seconded: Bruce Brennan
That the minutes of the BFAC meeting held on 6th April 2016 are a true and correct record.	

Carried

4. REPORTS

4.1 Chief Bush Fire Control Officer

Very quiet at the moment with plenty of rain and cold weather, no seems to be very active.

All four fire vehicles are currently being serviced at WA Appliances (Popanyinning Town and Cuballing Town).

Membership in both Cuballing and Popanyinning are holding in numbers, new members are always needed.

Firebreaks in Popanyinning Town and Cuballing Town are in the process of being upgraded with some help from DFES Funding

With Fuel levels being tipped to be high this summer I wish everyone good harvest without incident.

4.2 Deputy Chief Bush Fire Control Officer

Nothing to report
Popanyinning Tip Site

4.3 Fire Control Officers

Justin Page nothing to report
Fred Chapman nothing to report
Nelson young nothing to report
• House fire in the Shire of Narrogin
Craig Cousins nothing to report
Rob Harris Reported

- Fire Breaks look good
- Still relatively dry
- Esperance fires – ban place to late

Mike Burges Reported

- House Fire east of Cuballing – Andrew Grieve's property.

4.4 Department of Fire and Emergency Services

4.4.1 Training Courses being run:

- Shire Office staff at Brookton
- Structural Fire Introduction
- Fire Weather Officers course on 27/09/2016
- Water Bombers
- Introduction to Fire Fighting.

4.4.2 UCL Land Fire Load Management

4.4.3 Happy to work with local brigades

- Narrogin Shire – Escalation of fire scenario

4.4.4 Ferguson Report

- Recommendations and opportunities
- State Government response to report expected to be released this month.
- Operational Recommendations
 - Preformed Teams
 - Incident Controllers
 - Operations Staff
 - Travelling to any event in the state.

4.4.5 Crew Protection

- Trucks having protection installed
- Trucks will be replaced
- Take of optional/local extras

4.4.6 Crown Land (DPAW)

- We can chase fires on Crown Land

5. GENERAL BUSINESS

5.1 Recommendation for FCO for Popanyinning Town

A Mort nominated F Chapman – accepted

5.2 Review of the 2016/17 Bush Fire Notice

Agreed to the Attached Draft

5.3 Restricted and Prohibited Burning Period Discussion

Restricted

1st October 2016 to 31st October 2016

2nd March 2017 to 19th April 2017

Prohibited

1st November 2016 to 1st March 2017

5.4 FCO WAERN Radio Maintenance Requirements

- CBFCO has arranged for DFES to visit the Shire to repair radio equipment.
- Any others notify CBFCO
 - Burges
 - Dent
- Repeater site set at Mount Shaddick
 - New equipment for the Shire of Pingelly and Police
 - No change for Shire of Cuballing

5.5 Large Fire Issues

- Meeting discussed priorities of Incident Controller that may arise in the event of a large fire
- To be discussed in great depth at scenario exercise to be held at Cuballing Recreation Centre, 4pm Tuesday 20th September 2016.

6. NEXT MEETING

The next meeting of the Shire of Cuballing Bush Fire Advisory Committee is to be held at the Shire Council Chambers on Wednesday 5th April 2017, commencing at 7:00 pm.

7. CLOSE

There being no further business, the meeting closed at 8.36pm.

SHIRE OF CUBALLING

Draft FIREBREAK ORDER 2016/17

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 31 October 2016 or within 14 days of becoming the owner or occupier, should this be after that date, and kept maintained throughout the summer months until 15 May 2017.

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 17 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;
2. An operational fire fighting unit having a capacity of not less than 650 litres; and
3. Permits to burn may be required. Contact your Fire Control Officer for details.

TOWNSITES AND RURAL RESIDENTIAL LAND

All town lots under 2024 square metres (1/2 acre) 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.

By order of the Council

11.2.3 Appointment of Fire Control Officers

Applicant: N/A
File Ref. No: ADM81
Disclosure of Interest: Nil
Date: 15th September 2016
Author: Gary Sherry
Attachments: 11.2.3A Bush Fire Advisory Committee Meeting – Unconfirmed
Minutes – Meeting 6th April 2016

Summary

Council is to consider the recommendations of the Bushfire Advisory Committee to:

- 1. appoint a Chief Bush Fire Control Officer (CBFCO);**
- 2. appoint a Deputy Chief Bush Fire Control Officer (DCBFCO); and**
- 3. appoint Fire Control Officers for the 2016/17 season.**

Background

The Shire of Cuballing considers annually the appointment of Fire Control Officers recommended by the Bush Fire Advisory Committee.

Comment

The Shire of Cuballing's Bushfire Advisory Committee held a meeting on Wednesday 6th April 2016. Minutes of that meeting are included at Attachment 11.1.3A. The meeting decided to recommend the following appointments:

1. Anthony Mort as Chief Bushfire Control Officer (CBFCO).
Mr Mort was elected into the role of CBFCO in 2011, and has been involved with the Cuballing Town Volunteer Bush Fire Brigade for a number of years.
2. Graeme Dent as Deputy Chief Bushfire Control Officer (DCBFCO).
Mr Dent was elected to the role of DCBFCO in 2011 and has been involved with the Yornaning area for many years.
3. The meeting recommended the following persons be appointed as Fire Control Officers for the Shire of Cuballing for the 2016/17 bush fire season:

Popanyinning East:	Justin Page
Popanyinning West:	Craig Cousins
Cuballing East:	Mike Burges and Rob Harris
Cuballing West:	Nelson Young
Shire of Cuballing:	Gary Sherry & Bruce Brennan

The long time Popanyinning Town Fire Control Officer, Mr Wayne Bird, advised that he did not wish to continue in that position. The meeting did not recommend a replacement appointment at that time.

At the Shire of Cuballing's Bushfire Advisory Committee meeting held on Wednesday 14th September 2016, the meeting recommended that Fred be appointed as Fire Control Officers for the Shire of Cuballing for the Popanyinning Town district. The minutes of this meeting are included at Attachment 11.2.2A.

4. The meeting also recommended that Council seek to have the neighbouring Council's appoint the following persons as Dual Fire Control Officers for the 2016/17 bush fire season with the authority to act in fire situations that cross or are located just across the Shire boundary.

Shire of Narrogin:	Rob Harris
Shire of Wickepin:	Mike Burges
Shire of Pingelly:	Graeme Dent
Shire of Wandering:	Craig Cousins
Shires of Williams:	Nelson Young

5. The meeting recommended that Council appoint the Chief Bush FCO and Shire CEO as Clover Burn Permit Officers. Clover burns are normally conducted during the prohibited burning period and because of the increased risk, a lesser number of authorised officers are normally appointed.

Strategic Implications - Nil

Statutory Environment

Bush Fires Act 1954

S 38. Local government may appoint Bush Fire Control Officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2) (a) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
- (b) *[deleted]*
- (c) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the Authority may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
- (d) Where a local government that has been served with a notice pursuant to paragraph (c) fails or neglects to comply with the requirements of that notice, the Authority may appoint a person to the vacant office.
- (e) A bushfire control officer appointed under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the Authority, by the Authority.
- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- (4) A bushfire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for

- (a) carrying out normal brigade activities;
 - (b) [deleted]
 - (c) [deleted]
 - (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
 - (e) procuring the due observance by all persons of the provision of Part III.
- (5) (a) A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to the provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.
- (b) The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions so issued carry out the directions but subject to the provisions of this Act.
- (c) The provisions of this subsection are not in derogation of those of subsection (4).

Bush Fire Regulations 1954

Policy Implications - Nil

Financial Implications – Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. an amended resolution with different appointments.

Voting Requirements – Simple Majority

COUNCIL DECISION:

That Council:

1. **adopt the Shire of Cuballing Bushfire Advisory Committee's Recommendations to appoint:**
 - a. **Anthony Mort as Chief Bush Fire Control Officer for 2016/17; and**
 - b. **Graeme Dent as Deputy Chief Bush Fire Control Officer for 2016/17;**
2. **appoint the following persons as Fire Control Officers for the Shire of Cuballing for the 2016/17 bush fire season:**

CBFCO	Anthony Mort
DCBFCO	Graeme Dent
Popanyinning East:	Justin Page
Popanyinning Town:	Wayne Bird
Popanyinning West:	Craig Cousins
Cuballing East:	Mike Burges and Rob Harris

Cuballing West: Nelson Young
Shire of Cuballing: Gary Sherry and Bruce Brennan

- 3. seek to have neighbouring Council's appoint the following persons as Dual Fire Control Officers for the 2016/17 bush fire season:**

Shire of Narrogin: Rob Harris
Shire of Wickopin: Mike Burges
Shire of Pingelly: Graeme Dent
Shire of Wandering: Craig Cousins
Shire of Williams: Nelson Young

- 4. adopt the Shire of Cuballing Bushfire Advisory Committee's Recommendation to appoint Anthony Mort and Gary Sherry as Clover Burning Permit Officers.**

Moved: Cr Bradford

Seconded: Cr Haslam

Carried 6/0

**SHIRE OF CUBALLING
BUSH FIRE ADVISORY COMMITTEE
Cuballing Shire Administration Office
Wednesday 6th April 2016.**

MINUTES

1. OPENING

The meeting commenced at 7:06pm

2. ATTENDANCE AND APOLOGIES

Anthony Mort	Chief Bush Fire Control Officer
Graeme Dent	Deputy Chief Fire Control Officer
Gary Sherry	Chief Executive Officer
Bruce Brennan	Manager of Works & Services
Paul Blechynden (from 7.11pm)	Department of Fire and Emergency Services
Cr Tim Haslam	Councillor
Rob Harris	Fire Control Officer
Justin Page	Fire Control Officer
Mike Burges	Fire Control Officer
Nelson Young	Fire Control Officer
Chris Stewart	Department of Parks & Wildlife
Wayne Bird	Popanyinning Brigade

Apologies

Fred Chapman	Popanyinning Brigade
Craig Cousins	Fire Control Officer

3. CONFIRMATION OF MINUTES

Moved: Graeme Dent	Seconded: Bruce Brennan
That the minutes of the BFAC meeting held on 2nd September 2015 are a true and correct record.	

Carried

4. ELECTION OF OFFICERS

4.1 CHIEF BUSH FIRE CONTROL OFFICER

Graeme Dent nominated Anthony Mort, who accepted

There being no further nominations A Mort was elected to the position of Chief Bush Fire Control Officer for the Shire of Cuballing for 2016/17.

4.2 DEPUTY CHIEF BUSH FIRE CONTROL OFFICER

Mike Burges nominated Graeme Dent, who accepted

There being no further nominations G Dent was elected to the position of Chief Bush Fire Control Officer for the Shire of Cuballing for 2016/17.

4.3 FIRE CONTROL OFFICER FOR SHIRE OF CUBALLING

Cuballing East Brigade Chief

- Mike Burges nominated Rob Harris, who accepted

Cuballing East Brigade Deputy

- Rob Harris nominated Mike Burges, who accepted

Cuballing West Brigade Chief

- Mike Burges nominated Nelson Young, who accepted

Popanyinning Town Brigade Chief

- Wayne Bird informed the meeting of his intentions to stand down as Popanyinning Town Brigade Chief and not seek re-election. The Chief Bush Fire Control Officer thanked Wayne Bird for his service.

Popanyinning East Brigade Chief

- Mike Burges nominated Graeme Dent, who accepted

Popanyinning East Brigade Deputy

- Mike Burges nominated Justin Page, who accepted

Popanyinning West Brigade Chief

- Anthony Mort nominated Craig Cousins, who accepted by mobile text message

DUAL FIRE CONTROL OFFICERS

Shires of Cuballing/Narrogin:	R Harris
Shires of Cuballing/Wickepin:	M Burges
Shires of Cuballing/Pingelly:	G Dent
Shires of Cuballing/Wandering:	C Cousins
Shires of Cuballing/Williams:	N Young

CLOVER BURN PERMIT OFFICERS Chief Bush FCO and Shire CEO

5. REPORTS

5.1 Chief Bush Fire Control Officer

DOAC Report to be emailed.

5.2 Deputy Chief Bush Fire Control Officer

Lightning strikes prior to Christmas and no issues for Yornaning Dam this year.

5.3 Fire Control Officers

Justin Page nothing to report

Wayne Bird Reported

- Not many fires

Nelson young nothing to report

Rob Harris Reported

- A vote of thanks to the Chief Bush Fire Control Officer
- Quiet season for fires
- Esperance fires – ban place to late
- SMS works well
- Permits – farmers being responsible but could be more polite

Mike Burges Reported

- Burning earlier

5.2.1 Department of Fire and Emergency Services

5.2.2 Large Fires

- Esperance, Waroona & Mount Solus
- We provided resources from the region.

5.3.2 Incident Reviews

- Northcliffe and Boddington
- Esperance by DFES
- Waroona ongoing expected early May 16

5.2.3 Fire Control Officer's Course in Popanyinning

- Busy but went well

5.2.4 Training

- This year have regular calendar
- Ground Controller – Water Bombers – used in August at the Boddington Fires, 18th August Brookton Fire and twenty eight other places. Put forward interests to DFES.

5.2.5 Haslam Power Lines Fire

5.3 Department of Parks and Wildlife

5.3.1 Busy for DPAW with six fires in the region and appreciation to Shires for helping out.

5.3.2 DPAW will run a water bomber course and may have places to offer.

5.3.3 Protocols of DPAW action on crown land

- Farmers can access crown land for reasonable fire suppression activities
- In Cuballing DPAW would probably attend.
- Fire brigades to attend fires and contact DPAW
- DPAW have large equipment retained for use on DPAW land and DPAW fires.

6. GENERAL BUSINESS

- 6.1 Working in a Harvest Ban - Western Power access to paddocks
Western Power unable to gain access to paddocks. The use of drones to check power lines.
- 6.2 Burning Permits – notification requirements to DPAW if close to their land
Need to notify DPAW
- 6.3 Fire Breaks in rural/farm land
Refer to meeting in 2013
Lit from DFES
Booklet on fire brigades
Inspections by ballot – what pat is decided by Council
- 6.4 Storage of 20 litre oil drums (chip fat) at Cuballing properties
Oil drums used for bio diverse making. What planning requirements are required by Council, dangerous goods and environmental protection act.
- 6.5 Control of Large Fires
Discussed
- 6.6 Popanyinning Brigade election of Chief
- 6.7 Radio repairs
Email to CBFCO and wait for later in the year or prior to season.

7. NEXT MEETING

The next meeting of the Shire of Cuballing Bush Fire Advisory Committee is to be held at the Shire Council Chambers on Wednesday 7th September 2016, commencing at 7:00 pm.

8. CLOSE

There being no further business, the meeting closed at 9.20 pm.

12. CONFIDENTIAL ITEMS:

12.1.1 Chief Executive Officer – Performance and Salary Review

COUNCIL DECISION:

That Council:

- 1. adopt the 2015 Chief Executive Officer’s Performance Review Report included at Attachment 12.1.1B;**
- 2. adopt the Chief Executive Officer’s 2016 Performance KPI’S included at Attachment 12.1.1C; and**
- 3. adopt the Chief Executive Officer’s Salary Review included at Attachment 12.1.1D.**

Moved: Cr Dowling

Seconded: Cr Haslam

Carried 6/0

12.1.2 Long Service Leave – Gary Sherry

COUNCIL DECISION:

That Council approves:

- 1. Paying out Mr Gary Sherry's Long Service Leave entitlement; and**
- 2. That the Shire President and Chief Executive Officer be authorised to sign and seal the Deed of Agreement between Mr Gary Sherry and the Shire of Cuballing as included at Attachment 12.1.2B.**

Moved: Cr Bradford

Seconded: Cr Dowling

Carried 6/0

13. NEXT MEETING

3pm, Thursday 20th October 2016 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

14. CLOSURE OF MEETING:

There being no further business, the Shire President, Cr Conley, closed the meeting at 5.33pm.