

*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

2PM, THURSDAY 21st JUNE 2018

Shire of Cuballing
Council Chambers
Campbell Street, Cuballing

DISCLAIMER

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1. DECLARATION OF OPENING:

The Shire President, Cr Conley, declared the meeting open at 2:02pm.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1 Attendance

Cr Mark Conley	President
Cr Eliza Dowling	Deputy President
Cr Scott Ballantyne	
Cr Roger Newman	
Cr Tim Haslam	
Cr Dawson Bradford	
Mr Gary Sherry	Chief Executive Officer
Mr Richard Pares	Deputy Chief Executive Officer
Mr Bruce Brennan	Manager of Works & Services
Gordon McDougall	
Paul Lewis	
Wendy Gilmore	
Brian McDowell	
Michael Traill	Narrogin Observer
Carol McDougall	
Helen Elliot	
Sandy Patterson	
Kim Patterson	
Graeme Smith	
Barbara Smith	
Don Barber	
Neill Robertson	
Val Robertson	
Henry Rozmianiec	
John Robertson	
Phillip Williams	
Brian Harwood	

2.1.2 Apologies

Nil

2.1.3 Leave of Absence

Nil

3. STANDING ORDERS:

COUNCIL DECISION – 2018/48:

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

Moved: Cr Dowling

Seconded: Cr Haslam

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:

4.3.1 Application for Development Approval – 74 Austral Street, Cuballing

Mr Neil Robertson asked about the lack of detailed design included in the Shire of Cuballing's Planning Application. In Mr Robertson's experience, development and building applications were required to include detailed drawings and specifications the planning application had none of this information.

The Chief Executive Officer, Mr Sherry, noted that the proposal was a relatively simple one and in keeping with the standard of development applications historically received by the Shire of Cuballing. Mr Sherry believed there to be a good understanding of the detail of the proposal. Mr Sherry noted that building applications normally did include more detail, however this development application did not involve building any structures that would require a building licence.

4.3.2 Application for Development Approval – 74 Austral Street, Cuballing

Ms Jan Smith expressed concern in the recent "President's Pen" column published in the Cuby News newsletter. Ms Smith believed that this misrepresented the tone of the concerns expressed by local residents at the May 2018 Council Meeting. In Ms Smith's opinion the Shire should call an extraordinary meeting to allow more members of the community to attend and state their opposition to the proposal.

Ms Smith stated her concerns that the proposed Shire depot at 74 Austral Street would degrade the area and particularly her residence on Austral Street. Ms Smith believed that this proposal was a fait accompli.

The Shire President, Cr Conley, advised that it was not his intention for the President's Pen column to be dismissive Ms Smith's concerns. Cr Conley noted that Council had not anticipated the negative comment from Ms Smith and other residents in the proposal to shift the Shire activity from 52 Austral Street to 74 Austral Street. In the five or so years that the Shire had been operating from the 52 Austral Street site, no negative feedback had been received.

Cr Conley advised that he didn't believe the proposal was a fait accompli and noted that from the development application process the Council had provided opportunities for concerned residents to provide feedback including the presentation of a petition, formal written comments and the public questions of the gallery.

4.3.3 Application for Development Approval – 74 Austral Street, Cuballing

Mr Kim Patterson noted that the Shire had not received any complaints about the Shires activity at the 52 Austral Street site because he was of the understanding the move was always temporary and that the Shire would shift operations to the Cuballing Waste Disposal Site.

The Shire President, Cr Conley, responded that it was his understanding that the Council never had any plans to move operations to Cuballing Waste Disposal Site. Cr Conley noted that these opportunities to comment were not provided to local residents when the Shire commenced operating from the 52 Austral Street site.

4.3.4 Application for Development Approval – 74 Austral Street, Cuballing

Mr Graeme Smith believed the Shire of Cuballing had not completed real consultation and rather had already decided. Mr Smith noted that he had visited the Cuballing Transfer Station site and believed that there was plenty of room and this was a preferable option to 74 Austral Street.

Mr Smith believed that in attracting industrial activity the Shire was focusing on the wrong type of economic development. Mr Smith believed that tourism and a focus on the natural environment was a more appropriate Council development focus. Mr Smith believed that the character of the town of Cuballing would attract residents. Mr Smith believed the Shire should not just focus on what was legally possible.

The Shire President, Cr Conley, noted the comments of Mr Smith and advised that the proposal to relocate the Shire activity from 74 Austral Street to the Cuballing Transfer Station site may be the transferring the concerns raised by Mr Smith to other residents.

4.3.5 Application for Development Approval – 74 Austral Street, Cuballing

Ms Carol McDougall noted that the Shire of Cuballing's Strategic Plan focuses on tourism and she believes that the proposed development at 74 Austral Street is not in keeping with this. Ms McDougall asked what other town had the Shire depot located in the centre of the town because Ms McDougall was not aware of any.

The Shire President, Cr Conley, noted this comment.

4.3.6 Application for Development Approval – 74 Austral Street, Cuballing

Mr Paul Lewis noted that in his 18 years in Cuballing the 74 Austral Street site had been an eyesore and the proposed development would be an improvement. Mr Lewis noted that the development was shifting next door to the current operation.

Mr Lewis noted the reduction in trucks and cars accessing the Cuballing Waste Transfer Station site past his house and expressed concern that moving the Shire operations to this site would again bring increased traffic.

The Shire President, Cr Conley, noted this comment.

4.3.7 Application for Development Approval – 74 Austral Street, Cuballing

Ms Helen Elliott noted that the comment that no formal complaint about the Shire Depot had been received did not mean there was no issue. Ms Elliott has ongoing issue with the Shire Depot at the rear of her property and the continuous drainage and amenity issues. The previous CEO had erected shade cloth on the fence to attempt to improve the amenity.

The Shire President, Cr Conley, noted this comment.

4.3.8 Application for Development Approval – 74 Austral Street, Cuballing

Mr John Robertson noted the submission to Council of a petition signed by 81 residents of Cuballing. Mr Robertson noted the lack of consultation by the Shire. Mr Robertson regularly brings issues to the Shire but the Shire and Councillors have never met with Mr Robertson to note his concerns.

Mr Robertson noted that the Cuballing Transfer Station site was very large and had the capacity to handle the proposed Shire activity. The Shire could improve the access road from the Campbell Street and Shire heavy plant could access the site from here.

The Shire President, Cr Conley, noted this comment.

4.3.9 Application for Development Approval – 74 Austral Street, Cuballing

Mr Graeme Smith believed that the Cuballing Transfer Station site was the best site with no houses nearby and no traffic concerns. Mr Smith believed that this would overcome the issues that residents have with the proposal at 74 Austral Street.

The Shire President, Cr Conley, advised that the application for the 74 Austral Street before Council will be considered by Council at this time and the concerns of residents addressed. Any other proposals or possibilities will be addressed separately at a later date.

Mr Brian McDowell left the meeting at 2.45pm.

4.3.10 Application for Development Approval – 74 Austral Street, Cuballing

Cr McDougall asked how the 74 Austral Street property had been made available for sale given the recent passing of the previous owner.

The Shire President, Cr Conley, advised that this was responsibility of the vendor and not the Shire of Cuballing.

4.3.11 Application for Development Approval – 74 Austral Street, Cuballing

Mr Neil Robertson advised that he believed that the Shire's Development Application was a use contrary to the Shire of Cuballing's Town Planning Scheme. Mr Robertson believed that the Council should obtain professional advice on the proposal.

The Chief Executive Officer, Mr Sherry, advised that the proposed use of "Storage" was a possible use in the Rural Townsite zone but required Council's approval. In the Shire's zoning table there are four types of uses in any zone, being:

- 'P' uses. This is a use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme. A residence is the most common P use;
- 'D' use. This means that the use is not permitted unless the local government has exercised its discretion by granting planning approval. Some 'D' uses are relatively simple and, given the size of the development, only minimal consultation may be undertaken;
- 'A' use. This means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving specific, special notice; and
- 'X' use meaning that the is not permitted by the Scheme.

Storage is a D use in the Shire of Cuballing Town Planning Scheme for the Rural Townsite zone.

4.3.12 Application for Development Approval – 74 Austral Street, Cuballing

Henry Rozmianiec advised that he believed the community and Council needed to work together through issues. Mr Rozmianiec recounted the decision over amalgamation and the community uproar at that time. While supporting amalgamation at the time, Mr Rozmianiec now believed the correct decision had been made.

Mr Rozmianiec asked that Councillors consider the dust and noise issues and vote in a positive manner.

The Shire President, Cr Conley, noted this comment.

4.3.13 Application for Development Approval – 74 Austral Street, Cuballing

Ms Wendy Gilmour has moved to Cuballing and renovated her property in Austral Street. Ms Gilmour believes that the consideration of the Development Application was a moral issue and nobody would want to live next door to this proposal.

The Shire President, Cr Conley, noted this comment.

4.3.14 Application for Development Approval – 74 Austral Street, Cuballing

Mr Kim Patterson noted that the proposal was wasting valuable serviced residential land in Cuballing. Mr Patterson believed that houses should be built on this land and not industrial activities.

The Shire President, Cr Conley, noted this comment.

4.3.14 Application for Development Approval – 74 Austral Street, Cuballing

Ms Sandra Patterson asked who would like to live next door to the proposed activity. Ms Patterson believes that nobody would choose to do that.

The Shire President, Cr Conley, noted this comment.

4.3.14 Application for Development Approval – 74 Austral Street, Cuballing

Ms Carol McDougall advised that she believed that this proposal would devalue property in Cuballing. Ms McDougall asked if properties were devalued would Council rates also fall.

The Shire President, Cr Conley, noted this comment.

4.3.14 Application for Development Approval – 74 Austral Street, Cuballing

Ms Jan Smith advised that she believed that the decision before Council was one of valuing people or valuing stuff. Ms Smith thought the moral decision would be to support people.

The Shire President, Cr Conley, noted this comment.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Thursday 17th May 2018

COUNCIL DECISION – 2018/49:

That the minutes of the Ordinary Meeting of Council held on Thursday 17th May 2018 be confirmed as a true record of proceedings.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

7. PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:

7.1.1 Petition – Application for Development Approval – Shire Depot (Storage Use): Lot 92 Austral Street and Lot 9 Alton Street, Cuballing

File Ref. No: NA
Disclosure of Interest: Nil
Date: 6th June 2018
Author: Gary Sherry
Attachments: 7.1.1A Petition

Background:

Petitions inform the Council, in a public way, of the views of a section of the community and serve as one means of placing community concerns before Council.

Statutory Environment:

The Shire of Cuballing Standing Orders Local Laws provide that

3.4 Petitions

A petition, in order to be effective, is to –

- (a) be addressed to the President;
- (b) be made by electors of the district;
- (c) state the request on each page of the petition;
- (d) contain the names, addresses and signatures of the electors making the request, and the date each elector signed;
- (e) contain a summary of the reasons for the request;
- (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;
- (g) be in the form prescribed by the Act and Local Government (Constitution) Regulations 1996 if it is –

- (i) a proposal to change the method of filling the office of President;
- (ii) a proposal to create a new district or the boundaries of the Local Government;
- (iii) a request for a poll on a recommended amalgamation;
- (iv) a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.

Petition

We the undersigned all being electors of the Shire of Cuballing in Western Australia do respectfully request that the Council take notice that we:-

1. Reject Council's intention to place industrial sites in the Cuballing Town Centre.
2. Say no to Dust and Noise in the Cuballing Town Centre
3. Support local residents by ensuring their lifestyle and property is not devalued by the Cuballing Council's decision.
4. Request that Councillors work with ratepayers to find a Storage area away from the Cuballing Town Centre.

The petition was signed by 81 electors of the Shire of Cuballing.

Options

Council may resolve:

1. the Officer's Recommendation; or
2. an alternative resolution.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/50:

That Council receive the petition and that it be referred to the Chief Executive Officer for action.

Moved: Cr Dowling

Seconded: Cr Newman

Carried 6/0

CUBALLING PETITION

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NAME	ADDRESS	SIGNATURE	DATE
ANNORAY WILSON	171 CAMPBELL ST cuballing	<i>[Signature]</i>	29-5-18
Adriana Rowland	89 Alton st Cuballing	<i>[Signature]</i>	30-5-18
Brian Nyko	89 Hilton St CUB	<i>[Signature]</i>	30-5-18
Cada PARSONS	89 Hilton St CUB	<i>[Signature]</i>	30-5-18
Helen Elliott	195 Campbell St Cuballing	<i>[Signature]</i>	30/5/18
NEIL ROBERTSON	10 ROW STREET CUBALLING	<i>[Signature]</i>	31/5/18
VALERIE ROBERTSON	10 ROW STREET CUBALLING	<i>[Signature]</i>	31/5/18
PETER DENTON	109 RIDLEY ST. CUBALLING	<i>[Signature]</i>	1-06-2018
Rob Kendall	18 Beeston St, CUBALLING	<i>[Signature]</i>	1-6-2018
Mary Kittow	28 Brundell St. CUBALLING	<i>[Signature]</i>	1/6/2018
DAVE GARRETT	60 COLIN ST CUBALLING	<i>[Signature]</i>	7/6/2018
MARSH GARRETT	60 Colin St CUBALLING	<i>[Signature]</i>	7/6/2018
WENDY GUNNORF	13 AUSTRALIAN CUBALLING	<i>[Signature]</i>	

Correspondence relating to this petition should be addressed to John Robertson PO Box 117 Cuballing 6311 .Phone 08 988 36 172

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CUBALLING PETITION

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4. Councillors to work with ratepayers to find a better location away from the Cuballing Town Centre.

NAME	ADDRESS	SIGNATURE	DATE
Cindy Tyler	36 Carton St Cuballing	Cindy Tyler	8/6

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NAME	ADDRESS	SIGNATURE	DATE
John Robertson	397 Beeston St. Cuballing	[Signature]	26/05/18
Carol Bergas	79 ALTON ST CUBALLING	[Signature]	26/5/18
Jan Smith	61 Austral St CUBALLING	[Signature]	26/5/18
GRAHAM SMITH	61 AUSTRAL ST CUBALLING	[Signature]	26/5/18
M. CALLAGHAN	14. BEESTON ST	[Signature]	26/5/18.
D BARBER	4 BRUNDELL ST.	[Signature]	27/5/18
COLIN FORRELL	LOT 2 BRUNDELL ST.	[Signature]	27/5/18
ARTHUR THOMPSON	PO Box 89 CUBALLING 634	[Signature]	27 May 18
YVONNE WILLIAMS	RAILWAY HOUSE CUBALLING	[Signature]	28/5/18
PHILIP WILLIAMS	RAILWAY HOUSE CUBALLING	[Signature]	28/5/18
GARETH WILLIAMS		[Signature]	
DENNIS FARALL	BRUNDELL ST	[Signature]	28/5/18
MERVIN J. FERRER	" "	[Signature]	28/5/18
David Kitchow	28 BRUNDELL ST	[Signature]	28/5/18
K. HANCOCK	39 BEESTON	[Signature]	28/5/18
BSP KITOW	44 BRUNDELL ST	[Signature]	28/5/18
Naomi Kitchow	44 BrundeLL St	[Signature]	28/5/18

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NAME	ADDRESS	SIGNATURE	DATE
Henry Rozmianiec	79 Russek St Cuballing 6311	[Signature]	29.05.18
PAUL FENNEL	105 Bullara St	[Signature]	30/05/18
Joanne Tapper	105 Bullara St.	[Signature]	30/05/18
Carla Vella	60 Carbon St Cuballing	[Signature]	31/5/18
WESTER GREEN	LOT 32 AUSTRAL	[Signature]	31/5/18
Christine Ward	225 East Cuballing Rd Cuballing	[Signature]	31/5/18
Allan Griffiths	35 Hotham St. Cuballing	[Signature]	1/6/18
Richard Grundy	50 Colin St Cuballing.	[Signature]	1/6/18.
Michelle FORBES J	50 Colin St Cuballing 6311	[Signature]	1/06/2018.
CAROLINE SMITH	70 Ross ST Cuballing 6311	[Signature]	1-6-18
JA HART	24 Knight St Cuballing	[Signature]	1-6-18
J Lawson	Dryandra Village	[Signature]	2-6-18
R. Smith	Popanyinning	[Signature]	5-6-18
J. hand	95 Clifford St Cub	[Signature]	5-6-18
J Strach	101 Ricca's Rd Popo	[Signature]	7-6-18
Nicholas	40 Colin Cuballing	[Signature]	7-6-18.

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(17)

CUBALLING PETITION

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NAME	ADDRESS	SIGNATURE	DATE
May Griffiths.	33 Hotham St Cuballing		

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(1)

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NAME	ADDRESS	SIGNATURE	DATE
ANDREW McDONALD	LOT 110 BULARA ST		29/5/18
TERKI BROWNING	LOT 110 BULARA ST		29/5/18
JOEL MORRIS	2 CUBALLING ST CUBALLING		29/5/18
BLAIR	BAYNE ST		29/5
McDonald.	2 CUBALLING ST CUBALLING		
M CROWE	LOT 1580 MARRO ST CUBA		6/6
D NEWSOME	99 MARRO ST CUBA		6/6
SANDRA PATTERSON	65 AVIAR ST CUBALLING 654		6/6
DEMENT PATTERSON	65 AVIAR ST CUBALLING		5/6
SANDRA PATTERSON	25 RIDLEY ST CUBALLING		5/6
DASITON PATTERSON			

Correspondence relating to this petition should be addressed to John Robertson PO Box 117 Cuballing 6311 .Phone 08 988 36 172



(10)

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NAME	ADDRESS	SIGNATURE	DATE
Deb HOPPER	34 Francis Rd, Popanyinning		27/5/18
BARRY WOOD	34 Francis Rd, Popanyinning		27/5/18

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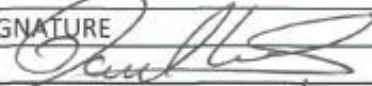

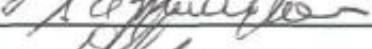




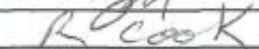
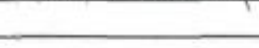

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NAME	ADDRESS	SIGNATURE	DATE
PAUL COOK	BUNMULLING POPO		26/5/18.
Judy Hempself	Lazeaway Popanyinning		26.5.18.
STEVEN MAUGHAN	8 Francis Popanyinning		26/5/18
D J & TERESA ELMS	49 YORK RD, POPANYINNING		26/5/18.
LES BAKER	102 FRANCIS POPANYINNING		29-05-18.
Tania Cunningham	7 FRANCIS ST, POPO		30.5.18
Steven Cunningham	7 FRANCIS ST, POPO		30.5.18
Lynne Jones	East Popo		1-6-18
Geoff McDonald	126 Francis St Popo		1/6/18
ROSEMARY COOK	226 BUNMULLING POPO		

Correspondence relating to this petition should be addressed to John Robertson PO Box 117 Cuballing 6311 .Phone 08 988 36 172

(10)

CUBALLING PETITION

To the President of the Shire of Cuballing Council, Mr Mark Conley and Councillors

We the undersigned all being electors of the Shire of Cuballing in Western Australia, do respectfully request that Council take notice that we:-

1. Reject Council 's intention to place Industrial sites in the Cuballing Town Centre.
2. Say no to Dust and Noise in the Cuballing Town Centre
3. Support local residents by ensuring their lifestyle and property is not devalued by the Cuballing Council's decision.
4. Request that Councillors work with ratepayers to find a Storage area away from the Cuballing Town Centre.

NAME	ADDRESS	SIGNATURE	DATE
DALE RUSSELL	AUSTRAL ST	<i>[Signature]</i>	27.5.18
Jean Russell	51 FOX ST NARROGIN	<i>[Signature]</i>	27-5-18
LAROL McDougall	RUSSELL ST CUBALLING	<i>[Signature]</i>	27.5.18
JOHN DALTON	LOT 144 CAMPBELL ST CUBALLING	<i>[Signature]</i>	28/5/18
MONIQUE D'ALTON	LOT 144 CAMPBELL ST CUBALLING	<i>[Signature]</i>	28/5/18
A-CLARK	65 RUSSELL ST CUBALLING	<i>[Signature]</i>	30/5/18
JANE ROZMIANIEC	79 RUSSELL ST CUBALLING	<i>[Signature]</i>	31/5/18
Cathy PHILLIPS	82 RUSSELL ST CUBALLING	<i>[Signature]</i>	7/6/18
RON PHILLIPS	82 RUSSELL ST CUBALLING	<i>[Signature]</i>	7/6/18
MELIOSA CLOWE	MUNRO ST W34	<i>[Signature]</i>	8/6/18
DIBBIE NEWSON	MUNRO ST W34	<i>[Signature]</i>	8/6/18

Correspondence relating to this petition should be addressed to John Robertson PO Box 117 Cuballing 6311 .Phone 08 988 36 172

(11)

8. DISCLOSURE OF FINANCIAL INTEREST:

Nil

9. REPORTS OF OFFICERS AND COMMITTEES:

The Shire President Cr Conley advised of a change in the order of proceedings and requested that Council consider Agenda Item 9.2.1 at this time.

9.2.1	Application for Development Approval – Shire Depot (Storage Use): Lot 92 Austral Street and Lot 9 Alton Street, Cuballing
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Location:	Lot 92 (No. 66) Austral Street and Lot 9 (No. 121) Alton Street, Cuballing
Applicant:	Shire of Cuballing
Landowner:	Mr Vaurm Cornish
File Ref. No:	A29
Disclosure of Interest:	The author is an employee at the Shire
Date:	12 th June 2018
Author:	Gary Sherry
Attachments	9.2.1A Information from applicant 9.2.1B Location plan 9.2.1C Submissions 9.2.1D Development Table – General (from Town Planning Scheme No. 2) 9.2.1E <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> extract 9.2.1F Alternative Location Plan

Summary

Development approval is recommended for a Shire Depot (storage) at Lot 92 Austral Street and Lot 9 Alton Street, Cuballing.

Background

1. *The application*

The applicant seeks development approval for a Shire depot (storage). The applicant advises this is not the main depot yard, but rather the spill over space to store gravel, sand and blue metal stockpiles, store large materials (e.g. culvert pipes) and store securely bulky materials such as abandoned vehicles.

Details submitted by the applicant are set out in Attachment 9.2.1A. This provides background information which is generally not repeated in this report. The site plan shows a central gravelled driveway connecting Austral Street and Alton Street, double gates at both access points, proposed landscaping on the Austral Street and Alton Street frontages, stockpile areas and a laydown area. The depot has been designed to minimise the clearing of trees.

2. *Previous Council resolution*

The Council, at its meeting on 23rd April 2015, considered the matter of potentially purchasing adjoining 58 Austral Street (Lot 56) which contains the current Shire depot. 58 Austral Street was previously the Dryandra Timber Products Yard. The Council, in part, resolved to “Investigate alternative sites to relocate Shire operations currently conducted on 58 Austral Street.”

3. *Application site*

The site's location is outlined in Attachment 9.2.1B. Lot 92 Austral Street is 3,524m² in area, while Lot 9 Alton Street is 3,086m² in area. The site is gently sloping, contains no buildings and has some native vegetation generally on the edge of the site.

The Shire has negotiated to purchase the application site (two titles) in the 2018-19 financial year. Subject to gaining development approval, it is expected the Shire will initially lease the site in order to gain access prior to the purchase being finalised.

4. *Public consultation*

The Shire administration undertook extensive consultation, in inviting public comment on the Development Application, for a 29 day period through writing to 24 adjoining/nearby landowners, placing notices and including information in Cuby News, placing notices in the Narrogin Observer, having details on the Shire website and placing details on the Shire's Facebook page.

The Shire received 12 submissions on the Development Application and these are provided in Attachment 9.2.1C. All 12 submissions objected or raised issues with the application while no submission supported the application.

The main issues and objections raised in the submissions include:

- negative impacts on the rural amenity of the Cuballing townsite; and
- impacts on human health, particularly dust and noise;
- a preference for the land to be used for strictly residential purposes;
- the proposed use not being compliant with the Local Planning Strategy or Town Planning Scheme;
- negative impacts of traffic accessing the site;
- negative impacts on property values;
- preferences for other locations within Cuballing townsite and the Shire of Cuballing; and
- possible pollution arising from the use of the site.

5. *Planning context*

5A) *Shire of Cuballing Town Planning Scheme No. 2*

The site is zoned "Rural Townsite" in the *Shire of Cuballing Town Planning Scheme No. 2* (TPS2). A wide range of uses can be considered in the Rural Townsite Zone including commercial, industrial and storage activities.

The proposed use is best defined in TPS2 as "storage" which "means premises for the storage of goods, equipment, plant or materials". Storage is a "D" use in the Rural Townsite Zone (means that the use is not permitted unless the local government has exercised its discretion by granting development approval).

Clause 4.2 of TPS2 sets out the following objectives for the Rural Townsite Zone:

- To provide for a range of compatible uses within the town sites for a range of services, residential types, community and recreational facilities that may be found in a small country town;
- To encourage land uses which may positively affect the living and visual amenity on local amenities;

- To provide for the protection of the natural environment;
- To protect or enhance any local reserves;
- To encourage the modification/restoration of existing buildings in a manner which is compatible with the existing streetscape;
- To support commercial and industrial use in areas where the predominant established use is for residential purposes provided residential areas can be adequately buffered from any impacts.

The above objectives set out what the Council is seeking to achieve and guidance on the types of development which may or may not be suitable in the Rural Townsite Zone.

Attachment 9.2.1D shows the Development Table – General from TPS2. As “storage” is not set out under the Rural Townsite Zone, the use is classified as “All other Permitted Uses”. Accordingly, the Council can assess setbacks and other requirements such as landscaping as listed in the schedule or as determined by Council. Considerations include the Council being satisfied that the application is consistent with the orderly and proper planning of the locality and retaining the area’s amenity. While noting a “Storage” use will have less impacts than “Light/Service Industry”, Development Table – General sets a standard of a 11 metre front setback, a 7.5 metre rear setback and a 5 metre setback on one side for “Light/Service Industry”.

5B) Shire of Cuballing Local Planning Strategy (endorsed in December 2004)

The Local Planning Strategy seeks to broaden the local economy. The Strategy:

- has an aim “To provide employment opportunities for local residents” (page 16);
- has a strategy “To encourage the consolidation of existing industrial uses and ensure the provision of the Town Planning Scheme provide protection to the residential area” (page 16); and
- has an action “To provide greater flexibility for proposed land uses within the Rural Townsite zone” (page 16).

5C) Draft Shire of Cuballing Local Planning Strategy (currently out for public comment)

Building on the vision set out in Strategic Community Plan, the draft Local Planning Strategy:

- has an objective to “ensure that future subdivision and development within and near the Cuballing and Popanyinning townsites provides a broad range of housing and lifestyle choices that enhance the character, environment and amenity of the townsites” (page 16);
- has an objective to “assist with growing the district’s economic and employment base by encouraging greater diversification and promoting a resilient and increasingly robust economy” (page 16);
- has a strategy to “Support non-residential land uses in residential areas, provided they complement (and are compatible with) residential development and are of a scale and design that respects the area’s amenity” (page 17);
- has an action “To continue to provide flexibility for proposed land uses within the Rural Townsite zone” (page 22); and
- identifies an industrial investigation area, to the north of Cuballing, on Strategy Plan – Cuballing townsite and surrounds.

5D) *Guidance Statement No. 3 Separation Distances between Industrial and Sensitive Land Uses*

This Environmental Protection Authority document provides generic buffer (separation) distances for a range of activities that need separation from “sensitive” uses. The document does not however address light industrial and low-key storage uses.

5E) *Planning and Development (Local Planning Schemes) Regulations 2015*

Attachment 9.2.1E sets out an extract from the *Planning and Development (Local Planning Schemes) Regulations 2015* relating to matters to be considered by the local government in determining Development Application and options in determining applications. The Regulations include deemed provisions for local planning schemes which replace relevant clauses in local planning schemes in Western Australia including TPS2.

5F) *Bush Fire Prone Area*

Like most of the Cuballing townsite, the site is classified as a Bush Fire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>.

Comment

A) *Overview*

While appreciating the number of submissions and the matters raised which object to the application, it is recommended that Council conditionally approve the Development Application for a Shire Depot (Storage). This follows assessment of the application against TPS2, the Local Planning Strategy, other relevant planning documents, information provided by the applicant, considering the views of the submitters and site characteristics.

Conditional approval is recommended for reasons including:

- it is consistent with existing development on the adjoining and established Shire depot site which has operated on the site for at least 5 years without creating recorded concerns to neighbours;
- there is wide-spread community acceptance of the current Shire depot at 58 Austral Street Cuballing. Based on Shire records, there have been no written complaints dating back to 2014;
- the site is intended to be used for storage and not fabricating. Expected off-site impacts of storage are considered to be manageable. This includes that vehicles can drive in and out of the depot without a need to reverse and this should limit the associated noise of reversing beepers;
- minimal clearing of native vegetation is proposed, with storage focused on cleared land;
- it will provide an important community benefit that supports local infrastructure and in-turn support social and economic development;
- the application is consistent with the planning framework including that there are suitable setbacks to off-site dwellings;

- there are limited traffic impacts and the adjoining road system has sufficient capacity to handle traffic generation associated with the proposed storage use;
- there are limited landscape impact implications given the site is effectively screened from tourist traffic on Ridley Street / Great Southern Highway;
- the applicant has selected this site for reasons including appropriate size, consistency with the planning framework, minimising the number of adjoining dwellings, appropriate tenure (not impacted by the South West Native Title Settlement), landowner willingness to sell, two-way access and seeking to minimise the clearing of native vegetation;
- development (planning) conditions can assist to minimise impacts and enhance amenity; and
- if this Development Application was submitted by a private business and not the Shire, it is suggested there are not strong planning grounds to refuse the Development Application or strong grounds to defend an appeal at the State Administrative Tribunal.

While noting the above, there are various issues associated with the proposed storage use which should be considered by the Council in determining the Development Application including matters outlined in Attachment 9.2.1E.

B) Key issues

The key issues with the application are summarised below:

- setbacks/buffers – there are expected to be manageable off-site impacts from the proposed storage use. As outlined in the above “Planning context” section, it is suggested there is no need for buffers between a low-key storage use and off-site dwellings. Instead, if the proposed storage use is effectively managed on an on-going basis, it is suggested that standard Town Planning Scheme setbacks should apply. The proposed setbacks are considered appropriate noting the railway to the east, the existing depot and likely future business use to the south and a landscaping area plus the Austral Street reserve to the west. The suggested main impact is to the north on 74 Austral Street.
- managing dust – it is suggested the key matter to address is the stockpile of sand when an easterly is blowing. This could be assisting in swapping the location of the blue metal and sand stockpile locations, placing the sand in concrete bunds or similar and watering down as required;
- fire management – the risks are considered low especially as there are no plans to store mulch on the site and the Shire manages fuel loads in the understorey. A development condition is recommended to prepare and implement a Bushfire Management Plan which will include outlining water and other assets;
- drainage/stormwater management - there is a need to ensure that drainage/run-off is appropriately designed and controlled which can be achieved through various measures. A development condition is recommended to address stormwater management;
- hours of operation - the proposed hours of operation are the same as the existing Shire depot on the adjoining property. While noting this, it is suggested that no work commences on the application site before 7.00am throughout the year. Any work on the site is also subject to ongoing compliance with the *Environmental Protection (Noise) Regulations 1997*; and

- on-going management and safety - the Shire and any contractors will need to address these matters including through restricting access to unauthorised persons through fencing, gates and signage.

C) *Flexible Shire of Cuballing Town Planning Scheme No. 2*

As outlined in the above "Planning context" section, TPS2 is intended to be flexible to meet the needs of small country towns and a predominately farming district. A flexible TPS2 was outlined in the endorsed Local Planning Strategy in 2004 and this carries through to today. TPS2 provides for the Council to consider a wide range of uses, especially in the Rural Townsite and General Farming zones, without the requirement for a proponent or the Shire going through a lengthy and costly scheme amendment process. While TPS2 is flexible and simple compared to Local Planning Schemes in metropolitan areas and in larger regional centres, there is still a requirement for the Council to manage competing requirements and to address the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The draft Local Planning Strategy also seeks to retain a flexible approach in a future review of TPS2. Comments on the appropriateness of this flexible approach, and other matters raised in the draft Local Planning Strategy, are now subject to community and stakeholder comment.

D) *Alternative Operations*

The Shire of Cuballing currently leases 58 Austral Street to provide:

1. Storage of road building/construction materials including sand, gravel and blue metal. The Shire accesses these stockpiles as part of Shire operations but also to provide small quantities of commercial earthmoving services including the supply and delivery of gravel, sand and blue metal to local residents;
2. Storage of culvert pipes, headwalls and other road building construction materials; and
3. Storage of other bulky materials. In the past this has included abandoned vehicles.

The Shire is seeking to replicate the current activities on 58 Austral Street on the adjoining portion of 74 Austral Street so as not to change the current Shire operations. The Development Application would provide that continuity.

While this Officer's Report suggests that there are not strong planning grounds to refuse the Development Application or strong grounds to defend an appeal at the State Administrative Tribunal, it is open to Council to modify or withdraw the application if they choose. Any such a decision will have impacts on the Shire's operations.

Council could choose to reduce the footprint of the Development Application by locating the storage operations on Lot 9 Alton Street and provide increased landscaped screening on Lot 92 Austral Street in a manner similar to Attachment 9.2.1F. This option does not include the stockpiles of gravel and sand. While this activity would reduce dust coming from the site, the Shire would not be able to provide the small commercial sand and gravel supplies to local residents.

Council could also choose to investigate alternative sites, such as the Cuballing Transfer Station. In doing so, Council should:

- Consider the impacts of the activities on neighbours, both at the site and along the streets between the Shire Depot and any alternative site;
- Complete a development application to allow for neighbours and other electors or residents potentially impacted by such operations to provide Council with comment.

Such an investigation will extend past the end of Council's lease on 52 Austral Street on 30th June 2018.

Strategic Implications

The Shire depot provides an important base to store materials which are required to maintain community infrastructure and facilities.

While noting the proposed storage use is low-key and is compatible with a residential area, in-time, it is suggested there will be a need for an industrial estate in Cuballing. The proposed industrial estate is expected to accommodate development which requires buffers to “sensitive uses” and/or which require additional space which is not available in the townsites. The draft Shire of Cuballing Local Planning Strategy identifies an industrial investigation area, to the north of Cuballing, as set out on Strategy Plan – Cuballing townsite and surrounds. Even with landowner, community and stakeholder support, it is expected that it will be a number of years before the industrial estate is approved and then created. Key considerations include:

- feasibility;
- identifying a developer and/or securing a partnership with LandCorp or similar;
- gaining necessary approvals;
- servicing (possible upgrades or extensions may be required); and
- determining the Shire’s role in the project other than as facilitator and as one of the assessing decision-makers and referral agencies.

Statutory Environment

Planning and Development Act 2005, TPS2 and Planning and Development (Local Planning Schemes) Regulations 2015.

Policy Implications - Nil

Financial Implications

All costs associated with the development will be borne by the applicant.

Economic Implications

The development, if approved and implemented, will provide a base to assist in maintaining Shire infrastructure and facilities.

Social Implications

Various objections were received from community members and a range of social impacts have been raised. It is suggested that some issues are appropriately addressed by the recommended development conditions. Some issues are however outside the scope of planning legislation and the planning system. The Development Application is expected to have minimal social impacts on the surrounding area and have impacts no greater than the Shire’s current depot on adjoining 78 Austral Street.

Environmental Considerations

It is suggested there are limited environmental issues given the storage is essentially located on cleared land. Provided the Shire effectively manages noise and dust, on an on-going basis, the development should have minimal off-site impacts.

Consultation

Adjoining/nearby landowners and the community were invited to make comment on the Development Application.

Options

The Council can:

1. approve the Development Application with no conditions;
2. approve the Development Application with conditions. Such conditions may include a reduced footprint or restriction on activities ;
3. withdraw the Council's Development Application and investigating alternative operations involving a future Development Application;
4. refuse the Development Application (providing reasons); or
5. defer and seek additional information.

Voting Requirements - Simple Majority

OFFICER'S RECOMMENDATION

That the Council approve the Development Application for a Shire Depot (Storage) at Lot 92 on Plan 222342 (No. 66) Austral Street, Cuballing and Lot 9 on Plan 222342 (No. 121) Alton Street, Cuballing subject to the following conditions:

1. the development hereby approved must be carried out in accordance with the plans and specifications submitted with the application (addressing all conditions) or otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government;
2. this approval shall expire if the development hereby approved has not been substantially commenced within a period of two years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the development approval has lapsed, no further development is to be carried out;
3. the provision of details prior to occupation as to how stormwater will be addressed for the proposed development to the satisfaction of the local government. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government;
4. the planting of a minimum 5 metre wide landscaping strip adjoining the western boundary, and the planting of a minimum 3 metre wide landscaping strip adjoining northern and eastern boundaries, prior to occupation to the satisfaction of the local government;
5. the landscaped and planted area shall be maintained to the satisfaction of the local government at all times;
6. the applicant is to implement dust control measures to the satisfaction of local government on an on-going basis;

7. a Bushfire Management Plan to be prepared and implemented to the satisfaction of the local government prior to occupation. Thereafter, the approved Bushfire Management Plan shall be subsequently maintained to the satisfaction of the local government;
8. the vehicular crossover onto Austral Street and the vehicle crossover onto Alton Street are to be designed, constructed, sealed and drained to the satisfaction of the local government prior to 31st December 2018;
9. the depot's operating hours are between 7.00am and 4.30pm throughout the year; and
10. the site shall be fenced, gated and sign-posted against unauthorised entry, and such features shall thereafter be permanently maintained to the satisfaction of the local government.

ADVICE:

- A) The applicant is to ensure that noise levels are considerate of adjoining and nearby properties at all times which comply with the Environmental Protection (Noise) Regulations 1997 (and any associated amendments).
- B) The applicant should ensure that any gates are off-set to ensure vehicles do not block the roads when vehicles enter the site.
- C) The applicant is encouraged to prepare and implement a Works Safety Plan prior to the commencement of operations.
- D) If the applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

COUNCIL DECISION – 2018/51:

That Council withdraw the Council's Development Application for a Shire Depot (Storage) at Lot 92 on Plan 222342 (No. 66) Austral Street, Cuballing and Lot 9 on Plan 222342 (No. 121) Alton Street.

Moved: Cr Haslam

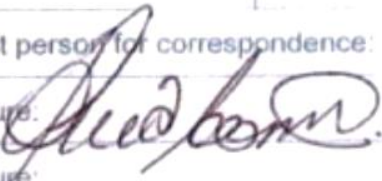
Seconded: Cr Newman

Carried 6/0

Cr Conley adjourned the meeting at 3.23pm.

17 members of the public gallery left the Council meeting at 3.23pm.

APPLICATION FOR DEVELOPMENT APPROVAL

Owner Details		
Name: Vaurn Cornish		
ABN (if applicable)		
Address: 7 AUSTRALIA ST CUBALLING		Postcode 6311
Phone: Work: 0817998211	Fax:	Email: SOLICENTRAL@11NET.NET.AU
Home:		
Mobile:		
Contact person for correspondence:		
Signature: 	Date: 8/05/2018	
Signature:	Date:	
<i>The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2).</i>		

Applicant Details (if different from owner)		
Name: Shire of Cuballing		
Address: PO Box 13 Cuballing WA		Postcode: 6311
Phone: Work: 08 9883 6031	Fax:	Email: enquiries@cuballing.wa.gov.au
Home:		
Mobile: 0427 836 031		
Contact person for correspondence: Gary Sherry		
The information and plans provided with this application may be made available by the local government for public viewing in connection with the application. <input type="checkbox"/> Yes <input type="checkbox"/> No		
Signature: 	Date: 4 th May 2018	

Property Details		
Lot No: 9 and 92	House/Street No: 74 Austral Street	Location No:
Diagram or Plan No: 222342	Certificate of Title Vol. No: 1152	Folio: 303
Title encumbrances (e.g. easements, restrictive covenants): Nil		
Street name: 74 Austral Street	Suburb: Cuballing	
Nearest street intersection: Brundell Street		

Proposed Development	
Nature of development:	<input type="checkbox"/> Works <input type="checkbox"/> Use <input checked="" type="checkbox"/> Works and use
Is an exemption from development claimed for part of the development?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, is the exemption for:	<input type="checkbox"/> Works <input type="checkbox"/> Use
Description of proposed works and/or land use: Uses as per attached information	
Description of exemption claimed (if relevant):	
Nature of any existing buildings and/or land use: vacant lots	
Approximate cost of proposed development: \$37,000	
Estimated time of completion: ... 30 June 2018	

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

Proposed Depot Site at Lot 92 Austral Street and Lot 9 Alton Street

The Shire of Cuballing currently leases 58 Austral Street. This lease will expire on 30 June 2018.

The Shire would like to replicate the current activities on 58 Austral Street on the adjoining portion of 74 Austral Street. The only lots proposed this activity are Lot 92 Austral Street and Lot 9 Alton Street. These lots adjoin the current site on 58 Austral Street.

The proposal is to use Lot 92 Austral Street and Lot 9 Alton Street as a Shire Works Depot including activities of:

1. Storage of road building/construction materials. Specifically this includes sand and gravel stockpile and road 10mm and 5mm blue metal;
2. Storage of culvert pipes, headwalls and other road building construction materials; and
3. Storage of materials. In the past this has included abandoned vehicles other materials.

The Shire does not intend to access the site every day, but rather when building up stockpiles/unloading materials or delivering stored materials. Normally this activity will include:

- Building up stockpiles of sand and gravel on about a monthly basis. This activity can occur for a whole day;
- Delivering small loads of gravel and sand to local residents and for use for small the Shire's Cuballing town maintenance purposes. This is the most common type of uses and would normally occur on a twice weekly basis for relatively short periods;
- Building up stockpiles of road building materials including blue metal and culvert pipes/headwalls. These activities occur all day for several days each year.
- Deliver of road building materials to road construction projects. These deliveries occur all day, several times in a year.

From time to time unscheduled use of the site will occur for other activities.

Shire access of the site will occur during the Shire of Cuballing's Works Department normal operating hours. The normal hours are week days between 7am and 4.30pm during winter and between 6am and 3.30pm during summer. Some weekend access may be required in an emergency, but this would be for very short periods and not a planned regular activity.

A 1.8 metre high chain link fence will be built around the exterior of Lot 92 Austral Street and Lot 9 Alton Street with 1.8 metre high double gates on entrances from Austral and Alton Streets.

Large trees on Lot 92 Austral Street and Lot 9 Alton Street are to be retained where possible. Vegetation will be removed to provide crossovers. Smaller vegetation will be removed on the site of stockpiles.

Landscaping is proposed at the boundary with Austral and Alton Street. This landscaping will be screening shrubs – bottlebrushes and the like.



Helen Elliott
PO Box 195
CUBALLING WA 6311

A29
25 MAY 2018

Shire of Cuballing
Campbell Street
CUBALLING WA 6311

Dear Councillors,

PLANNING APPLICATION-SHIRE WORKS DEPOT-PORION OF 74 AUSTRAL STREET, CUBALLING

I strongly object to the proposed usage of the above site and feel you should be working towards decreasing the industrial aspect not increasing it.

I have read your proposed Strategy and Local Planning Scheme and find that the above proposal is not consistent with that strategy.

3.3.2(j) Contradicts itself because you are planning to put commercial or industrial development in a residential area.

There are 5 Heritage buildings which border on the proposed development.

I fail to see how putting an industrial area behind them and (in the case of the church) adjacent to them is going to enhance their 'visual amenity'.

The impact of increased traffic will also degrade the heritage structures by increased dust and vibration.

This will have a greater impact on the residents adjacent to the proposal with increased dust, vibration and noise pollution which will ultimately devalue their properties.

I fail to see that any benefit, financial or otherwise is to be gained from this proposal and I am alarmed that such a proposal has gone ahead without consultation with those it will affect directly.

See attached: References to the Strategy and Local Planning Scheme

Yours sincerely



18th May 2018

Shire of Cuballing proposed Strategy and Local Planning Scheme

References:

2.2.3 (ii) Key Settlement Issues Attracting growth to the Cuballing and Popanyinning townsites will require maintaining elements of the existing townsite character, improving services and infrastructure, and achieving a high level of residential amenity, including protection from non-compatible land uses.

2.4.4 Tourism

To attract tourists, a number of matters need to be considered, for example, visual amenity, townscape, heritage and planning controls. The conservation and enhancement of the environment and landscape is essential.

2.7.3 (iii) Key Heritage Issues The need for streetscape/townscape improvements, which are complemented by conserving and enhancing heritage buildings and places.

3.3.2(j) Residential Development

Prevent commercial or industrial development which is better suited to the town centre or industrial areas, from occurring in residential areas.

3.5.2 Industry

However, those activities should not have a detrimental impact on the amenity of adjacent areas.

Actions

The Shire of Cuballing will:

- (a) Liaise with relevant stakeholders to identify and provide suitably located and serviced industrial land within the district.

3.6.1 (b)(c) Environment and Conservation

Ensure that development reflects and enhances the district's natural, cultural, visual and built character.

Protect and enhance landscapes and their visual amenity, as well as the character of 'view-sheds' associated with main roads and tourist routes.

3.8 (a) (c) (d) Heritage

Protect and conserve sites of significant heritage and cultural value.

Have due regard for policies relating to the protection and conservation of heritage sites when assessing and determining development proposals.

Have due regard for the potential heritage implications of a development proposal when assessing and determining the proposal

Nicole Gould

From: Peter Denton <chedoona58@gmail.com>
Sent: Wednesday, 30 May 2018 11:24 AM
To: Shire of Cuballing Enquiries
Subject: P. Denton Re Proposed new Shire Depot.

Attention Gary Sherry; CEO Cuballing Shire.

Hi Gary.

I have heard through the grapevine that Council is proposing to utilize land of the deceased estate of Jan Cornish as a material storage and general transfer site.

The usage of the proposed site I question even though it does not impact on me directly.

The current situation of where the actual depot and storage site is located makes sense for proximity to the Council office and general accessibility.

The question I would ask is whether the current site [Old Dryandra Timber Products] could be still used rather than have to expand. As a timber yard many "older" residents can well recall the odours of creosote and associated pollution run off when the industry was active.

My concern would be that this may reoccur with pollution from activities such as metal precoating and asphalt dumping by contractors and general construction activities, which would be of some concern to neighbouring households. Along with this, noise and dust will be an ongoing factor during council work times.

I personally do not have a problem with our Councils general governance, but do question why this particular site is being considered.

Can Council look into other possible sites suitable for the long term, rather than the current proposal which will impact on many residents.

Please circulate this to all councillors.

Kind Regards
Peter Denton.

[PS On a good note congratulations to all concerned with our new entry statements!]

6 June 2018

Gary Sherry
Shire of Cuballing
PO Box 13
Cuballing WA 6311

Dear Gary

Re: Planning Proposal for Austral St and Alton St

In relation to the planning proposal for the storage facility between Austral Street and Alton Street, my only question is, is there way that an entry and exit could both come off Alton Street, leaving no entry/exit of Austral Street. Perhaps by having a curved driveway from the northern boundary down to the southern boundary.

The reason for this suggestion is that it would then allow more vegetation to be planted on the Austral Street face of the block, appeasing residents who live directly opposite the blocks, and 'hiding' it from other residents/visitors to the area who may use Austral Street. It would also decrease the traffic on the corner of Austral and Campbell Street which already has significant traffic from the works depot.

Just a thought.

Regards,

A handwritten signature in black ink, appearing to read 'James Perren', is written over a diagonal line that extends from the top of the signature area down towards the bottom left of the page.

James Perren

6th June 2018

**Gary Sherry
Chief Executive Officer
SHIRE OF CUBALLING
PO Box 13
Cuballing WA 6311**

Dear Mr Sherry,

I am writing to you in response to the Application for Development Approval Request for the property at Lot 92 Austral Street and Lot 9 Alton Road, Cuballing.

My husband and I are the owners of the property at 61 (Lot 419) Austral Street, Cuballing. We have considered the proposed application and how it will impact on our property and the quiet enjoyment of the local community. We believe that there are sufficient reasons for why the development should not proceed.

We believe the development will impact negatively on the main centre of town, neighbouring residents including us, with increased dust and noise with the works at the site. The proposed development effectively borders and is directly across the road from residences such as ours and thus we are in the immediate area that is likely to be affected by the noise of machines and trucks as well as dust overflow from the trucks delivering, moving and loading various building materials such as sand, gravel and blue metal.

As we understand this area is zoned residential, we are unsure how this proposal can even be considered as a viable option for the community. We understand the works depot is there to serve the needs of the community but there is no point having a works depot, if there are no residents around to serve.

This expansion is likely to impact negatively on our quiet enjoyment, reduce our amenity and will subsequently decrease our property values. We would ask that you consider an alternative site for such a development that will not take away from the unique sense of community and the living enjoyment we have in this area.

We respectfully request that the Shire give consideration to these issues when making their decision on this development proposal.

Yours sincerely

Erin and Mike Burns

Contact Email: erinburns1974@gmail.com

AZ9
07 JUN 2018

CUBALLING SHIRE COUNCIL

Please find attached 3 submissions in opposition for planning approval 74 Austral St, Cuballing.

- 1 Initial letter I circulated to 320 mail boxes in Cuballing Shire. 4th May 2018
- 2 Letter sent to me from concerned resident. 10th May 2018
- 3 Planning Submission objection. 7th June 2018

John Robertson. PO Box 117 Cuballing. 6311

07 JUN 2018

To the Residents of Cuballing Shire.

Five months ago at the Cuballing Shires AGM the President Mark Conely informed all those present that the Shire was short of money and the projects that were budgeted for this financial year would not be going ahead. This sounded reasonable as we were short of funds. It was therefore astonishing to me to find in the March minutes under the heading CONFIDENTIAL MATTERS that the council intended to purchase 6 lots at 74 Austral St, Cuballing for 160,000 dollars, that being the former residence of the recently deceased Jan Cornish.

After becoming aware of this item I attended the 19th April Council meeting. On asking what was council's intention with these blocks, I was told that they could not tell me much because it was confidential. I suggested that for council to purchase these blocks without any consultation with the ratepayers was not transparent and I failed to see what was confidential about committing to spend a large sum of money secretly. I was aware that council had been leasing the property of Dryandra Timber Products in lieu of rates and there had been a change of ownership recently. After probing Council they informed me that their lease was going to be terminated shortly and they would have to move. This block has been used to stockpile roadwork material.

The stockpile consists of sand, blue metal, gravel, clay, old cars, culverts, pipes, bush logs ect. Trucks are dumping these materials and reloading them with the front end loader. Road contractors are also using the block to stockpile material.

I reminded council that in the past when the stockpile was on the old tennis courts it was moved because of complaints about dust and noise. Since then it has been moved further down the road to the leased block and the stockpile is now twenty times bigger than it ever was. The council is now going to buy the blocks next door to this site. Trucks/ road trains/ front end loaders will be operating on this site close to people's residences creating unnecessary dust and noise for them. Is the middle of town the appropriate place to stock pile this? To date no residents have been consulted and the deal is nearly done.

I asked the councillors, would you appreciate this type of industry at your front door. There was no reply.

I am not against development; however I am against the potential of 6 rateable blocks being used for industrial purposes in the centre of town. I believe most people would prefer in time that either houses or low impact businesses be there rather than a dirty heavy industry that will be there for ever with inevitable dust and noise problems. It is short sighted and has been rushed through council without studying any other options. These type of industries need to be in an industrial area not in the centre of town.

What is our Town Planning Scheme in relation to Industrial land?

Land was identified at Yornaning for future industrial use by the council several years ago. The main water pipe and power supply are there. It is also located on the major highway servicing the wheatbelt area. Two businesses are already located there. There is minimal impact to housing. Maybe money would be better spent by council developing land there as a future plan for developing industrial lots. A depot there would be more central to the whole shire with the sand and gravel quarries close by.

Another option is they could stockpile their material at the Cuballing Transfer station on land adjacent. The land at the tip is already fenced and would only require the trees being removed. Trucks could enter on the right hand side of the Transfer Station and exit on the left hand side, all that would be required is to clean up the perimeter of this site. There is a tract of land to the south which could be used. This site is close to town with very little impact to residents and just up the road from their proposed site. Also it is free!

The best outcome would be for the community and the council to work together to identify locations that may be more suitable and away from the centre of town. It is not just up to council staff to identify one site and us to follow suit.

In regard to the blocks council has offered to purchase for \$160,000 lets do the sums, add on stamp duty/ conveyance. There is an asbestos clad house on the block. The asbestos will have to be removed before the house is removed/demolished, another cost. The dam will have to be filled in. Drainage will have to be installed to alleviate the stream that feeds the dam. Clearing of the blocks, fill, removal of rubbish and out buildings, cross overs for the heavy vehicles and fencing of the block. The true cost is closer to \$250,000.

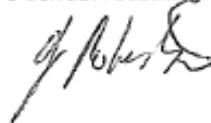
Is this the most sensible option financially and the best outcome for residents?
I believe that council has been too hasty in its decision to buy these blocks with out studying all its options. It has chosen to be secretive by not consulting residents in the shire. They have taken it upon themselves to make the choice for us. There has been no community engagement on such a large acquisition. Why no consultation and transparency?

I have no personal agenda in writing this outline of events. It was done to inform the general public and residents of what has been happening behind closed doors. I love my town and shire and only want the best for it and its residents.

If you are annoyed like I am in the manner we have been left uninformed and railroaded into this deal, let your councillors know, contact them and let them know your concerns. Turn up to the next council meeting on the 17th May at 2.00pm and have your say and get the decision overturned if you don't feel it is right.

People power is the only way to change it!

John Robertson. PO Box 117. Cuballing. Ph 98836172 4th May 2018



07 JUN 2018

Regarding the purchase of land for the stockpile

To: Cuballing Shire

May 10, 2018

To Whom it May Concern

I am a Cuballing resident and I write to voice my disgust that the councillors have had a private meeting and decided to spend \$160,000 of rate payer's money without public consultation.

I find it a gross misuse of their positions that the council say we have no money for events and then have a private meeting and secretly decide to purchase the late Jan Cornish's blocks for the use of a stockpile, which has been moved already due to dust and noise.

If the Shire does not want this brought to the attention of more of the state media I suggest they rethink this decision. The ACCC is extremely interested in the type activity from local government, and I will have no issue reporting it if it goes ahead.

The stockpile is an eyesore and the decision to centre it in Cuballing is shortsighted and questionable, given the way in which the decision was taken: by closed door meeting.

I demand the council rethink this plan of action, and consider another location, akin to Yornaning.

I am making this complaint anonymously because I fear speaking out against the councillors and Shire will adversely affect my dealings with them in the future. While I have been assured that a complaint will not result in any kind of retribution, that has not been my experience in the past.

Concerned Cuballing rate paying resident

cc: Kate Emery, The West Australian

07 JUN 2018

To the Cuballing Shire,

RE: PLANNING SUBMISSION ALTON/AUSTRAL ST

I object totally to Councils planning decision to place a stockpile of sand, gravel, blue metal, old cars, culverts, pipes, tree limbs, ect in the centre of Cuballing. It defies its own draft future planning scheme. It will be an eye sore with associated future noise and dust problems that will continue well into the future.

People move to Cuballing for the lifestyle, tranquillity and ambiance of the town, escaping the city or larger towns for the peace and quite of rural residential living. It goes against the amenity of town when you propose to change six rateable blocks to an industrial/commercial area in the town centre.

Personally I don't believe that any councillor is listening to what the town residents are saying; they have not got their finger on the pulse of the town and don't understand the dynamics of the town. Not one of the councillors resides in town as they all live out on farming properties. I feel that their major concerns centre on rural activities, not the residential concerns of the towns people. I have lived in town for 26 years and during that time not one councillor has ever come to see me, yet I have been to the council over many years on many issues. Unfortunately, I feel that it is always an US and THEM mentality.

When I came to town 26 years ago there were four businesses in the town centre, Mc Dougall Weldments, Cuballing Roadhouse, Cuballing Hotel and Dryandra Timber products, Dryandra timber product has since ceased. Over that period of 26 years two other businesses have started up, namely Cuballing Concrete and Cuballing Building Company. Both of these premises are located on the major highway in town as is the roadhouse and are demographically placed to take advantage of the passing trade, a smart move and it complies with the future draft planning act which sets out to allow future commercial development along the Great Southern Highway. This is what planners refer to as the ribbon effect. It has limited impact to residents as it is already on a noisy highway. Why would the council try to replicate this in a residential area? It doesn't make sense?

In regard to the stockpile there is no legitimate reason why it cannot be moved close by to the transfer station which is already fenced. There are 10 acres of land on that site and is not used as land fill any more. We have mapped the entire site and there is more than ample room to relocate the stockpile close to town. Council have stated that there is not enough room to turn a truck around which is completely absurd. There is abundant room if any one cares to check. Council should also consider stockpiling a percentage of its road works material at the Popanyinning Transfer station which is also fenced. This would alleviate extra cartage from its solitary Cuballing stockpile and be beneficial to the people of Popanyinning and for those rate payers who want sand or blue metal. I believe this would be a sensible outcome also.

In regard to the sale of the Cornish blocks it is the buy of the century. Six large blocks with an old house and shed for \$160,000 is ridiculously cheap, makes you wonder what the vendor was thinking. That sale has lowered the value of all blocks in town.

My concern is not so much the cost of the land as that is easily recoverable. It is the proposed land use and its impact on the residents and the amenity of the town. People have not moved here for commercial or industrial interests they are more intent on living in a peaceful and relaxing environment. Rural residential, that's our greatest asset.

I believe that Council has made a rash decision and are stubbornly trying to defending the indefensible. It makes no sense, you have been elected to represent the peoples concerns and at present you are bulldozing your own personal agenda without any community consultation to date.

We are only 13 kilometres/ 10 minutes from Narrogin; take a look at the decline in their commercial centre. In Cuballing is it viable to have a commercial/industrial area tucked away off the main road amongst housing.

As Council has foolishly committed us to a contract of buying this land from Mr Cornish we find ourselves in the awkward predicament of borrowing \$160,000 with interest for a land use most people find questionable. Maybe a better option would be for Council to clean up these blocks, supply power and water and sell these blocks at a reasonable price to encourage new families to Cuballing town centre. Hopefully, we can regain our money and do something constructive out of something that was initially a bad policy.

I would suggest that the Council could sell these blocks for more money than we paid for them. If council was proactive and serious about an industrial area they could use the profit to start the industrial area that is identified in their draft planning policy on the corner of Great Southern Highway and Stratherne Road. How serious are they or have they just taken the soft option?

To date I have tried to be proactive and put forward positive alternative solutions to this issue, not just criticise and be negative. I hope council will treat this matter similarly and objectively think how it can be a win for all parties concerned and not negate ratepayers concerns. There are solutions were everyone can save face.

Yours Honestly,

John Robertson

PO Box 117 Cuballing, 6311. WA

7th June 2018



07 JUN 2018

Garry Sherry

C.E.O Cuballing Shire

Garry , We have owned and lived at 65 Austral St Cuballing for 17 years and are writing to lodge our objection to the relocation of the Shire dumping yard to Austral and Alton Streets.

This site would be detrimental to us as it would seriously devalue our land . I feel the value has already dropped by you purchasing the land to be used for the site at the undervalued price. The noise of machinery and vehicles would be a problem as my wife works shift work. The dust from the vehicles would be unbearable. We have taken photos of the current site and the huge amount of dust coming from this area when there is work in the current yard. We purchased our house knowing the shire yard was in the street. We did not have the option to object when the dumping yard was put in the Dryandra Timber yard. I feel strongly about this move as we purchased in a rural residential area and feel you are being underhand in slowly moving down the street .with your shire yard. It is not pleasing to the eye and I cannot see how we would be able to sell to anyone with a shire dumping yard at our doorstep.

There is no reason to make the centre of our town any more of an eyesore than it already is with the shire yard already in the middle of it.

We also own a property we rent in Ridley st right opposite where you plan to put this yard and it would not be appreciated by the tenants to have the dust and noise so close to this house either.

We do not need an industrial area in the centre of our town. Im sure the land could be used to encourage families to the town with small building lots making more rates.

I don't think you have given any consideration to us as residents in this area and we strongly object to your planning proposal.



Desmond Patterson

Sandra Patterson

June 2018-06-06

Cc Shire President and councillors.

65 AUSTRAL ST CUBALLING
25 RIDLEY ST CUBALLING

Mark Conley
The President
SHIRE OF CUBALLING
PO Box 13
CUBALLING WA 6311

7 June 2018

Dear Sir

Re: Planned Development of lots 92 Austral St and Lot 9 Alton St, Cuballing.

As a resident of Cuballing who will be directly affected by Council's intention to site a storage depot and dumping ground a few metres from my home in the residential area of Cuballing, I take issue with your dismissal of our very real concerns, in your "President's Pen" article in the June Cuby News as being those of hard to please residents.

In your reporting of the meeting we attended at the Shire on 17th May, you give the impression that some people were for the proposal when that is not the case; there was not a single assenting voice – all were opposed to residential land in the middle of town being used for the purpose. I expect there would have been many more residents at the meeting had it not been held in the afternoon of a working day. If resident John Robertson had not alerted us by his careful research into the Council's actions, we might not have seen for ourselves that the mood of the crowded meeting was one of strong disapproval. You also say that the plan fits perfectly with your vision for bringing future business to the town; are we to take from this you wish to further disturb the neighbourhood by encouraging the establishment of a precinct of workshops in Austral St?

By what right do you purchase residential land, plan its exact purpose, keep that purpose quiet, send a letter of intention to develop it as a storage area where you will also keep other bulky materials (unnamed and including used cars) then declare you are acting in consultation with home-owners? There has been no consultation, just a letter stating what you have planned for that land with little regard for peoples' objections and the processes by which you are required to properly consider alternatives in the event of dispute.

You do not have the right to degrade and devalue the area where we live and to spoil the amenity of our homes.

When I asked you at the May meeting about the reasons for the need for confidentiality when the council purchased the six residential blocks

opposite us by private sale, you responded by saying you were not at liberty to say. What you have given us is a "fait accompli", a done deal without asking us how we might like the area developed for the betterment of the whole community. The fact that you were able to purchase those blocks very cheaply should have provided an opportunity for all of us, but your first thought is to cheapen and degrade the area without consideration for any other purpose for them. If they were prepared and promoted as residential blocks for instance, the Shire might grow our town and benefit from the rates collected. Any new businesses should surely be encouraged to set up in the main street and Highway where they are more likely to attract customers.

The aerial views of the town you provide us show a green and wooded hamlet with houses dotted in between and a cleared area for the excellent Equestrian Centre, sports ground and clubrooms. Then incongruously, a few metres from my home, the map shows the area where you want to put piles of roadworks material, old car bodies and unspecified objects, when we have a recently re-designed and more functional refuse site – surely the obvious place for this facility. Despite your unwillingness to entertain the idea and telling us that area is too small, we now know there is plenty of space and the only hindrance to relocating the depot/dump is Council's attitude to the change. Why would you deliberately upset the residents you are required to serve?

If you can honestly say you think this proposal is fair and reasonable for the residents here, I ask you to consider relocating it instead, a few metres from your own front door so you would be reminded every day how little your Council cares for your enjoyment of, or the value, of your home.

Jan Smith
Occupant
61 Austral Street
CUBALLING

Nicole Gould

From: Graham Smith <bluewindfisher@gmail.com>
Sent: Thursday, 7 June 2018 6:43 PM
To: Shire of Cuballing Enquiries
Subject: Objection to Proposed Development at Lot 92 Austral Street and Lot 9 Alton Street Cuballing.

Gary Sherry

Chief Executive Officer

SHIRE OF CUBALLING

PO Box 13

Cuballing WA 6311

7th June 2018

Objection to Proposed Development at Lot 92 Austral Street and Lot 9 Alton Street Cuballing.

Dear Sir,

My wife and I live at 61 Austral St directly opposite the proposed development.

We spent two years researching suitable locations for us to settle in and comfortably spend whatever remains for us in our lives.

We moved here because Cuballing represented the kind of lifestyle that suited us in our retirement years. It has a charming character, wonderful people, and provides the opportunity for many creative as well as leisure pursuits.

Most Councils make a point of locating their Depots and storage spaces outside the residential area.

The proposed location for this facility is surely an ideal location to extend the residential opportunities in town.

With the right leadership from Council, Cuballing has the potential to become an ideal lifestyle locality, attracting retirees, artists and hobby farmers into a hamlet which is close to a major amenity such as Narrogin while at the same time providing peace and solitude when wanted. It has already a top class facility in the equestrian and sports arenas. In many ways it is ideally

located for small bed and breakfast businesses catering for the ever increasing grey nomad sector.

A dump in the middle of the residential area would greatly impact on this enjoyment of the area. Not only would there be disruption in terms of noise and movements of trucks and machinery, but there is also the health considerations of dust from stock piles of road building materials and vehicle movements. In addition to this there is the practice of precoating bluemetal with diesel prior to roadworks with the potential for pollution from fumes.

This proposal would seriously affect the value of houses and blocks within the town.

Does the Council seriously think that Cuballing should be promoted as an industrial satellite to Narrogin? Surely it needs to foster the atmosphere of a small hamlet, where the preservation of lifestyle and a sense of community is of the utmost concern.

By considering this development, the Council is degrading the potential future development of this town. It is not enough to hide behind definitions of "Residential Area" and say that your actions are legal. They also need to reflect the concerns of the community you are meant to represent. These decisions will affect future residents and should have a bearing on the forward plan and visions for the potential amenity that residents will enjoy.

It is one thing to tweak the meaning of "residential area" so that you can include these activities. But any pub test would seriously question whether a residential area should include these activities, especially when there are alternative sites available. One, the tip, is already owned by the Council and has plenty of room to house the "storage" of these road building materials.

It is disappointing to note that Council have pretended to provide for consultation with the community but then we discover that the purchase of the land was a done deal and Council had no intention of changing its direction. The attitude towards consultation was also clear in the Cuballing Newsletter where, despite considerable opposition at the last Council meeting, it was portrayed as a few dissidents out of step with the majority. I suggest that this is a total misrepresentation of the facts. Perhaps future discussion at Council meetings should be recorded so that it is possible to get a true representation of what has happened at these meetings.

Please reconsider the proposal to relocate the storage dumps in the centre of town and consider the importance of future amenity for this community in the long term.

Graham Smith

Occupant

61 Austral St

Cuballing

--

0417 951 263

www.bluewindfisher.com

A29
08 JUN 2018

Carol Borgas
79 Alton Street
Cuballing 6311
6/6/2018

To the Councillors of the Cuballing Shire,;

RE Submission, regarding the blocks you have recently purchased for a Shire works site.

I would like to outline my point of view.

Firstly I would like to mention that it's very disappointing that the ratepayers were not consulted about the purchase of this land.

Having known Jan Cornish for many years she would be totally appalled at the rapid purchase post her death of the property she owned and loved to keep quiet and natural.

The use of the blocks for commercial businesses does not sound viable, knowing that Narrogin has lost many businesses recently and there are a lot of empty buildings, with this in mind why would anyone want to start a commercial business and to be off the main road to start a business in a quiet rural town.

In regard to the use of the land as an extended shire yard, there are many other suitable sites available. Not the middle of housing, where people have chosen to live here for a quiet rural lifestyle.

As a land owner I do not wish this to be in the middle of our town, I would far rather that these blocks were sold off to possibly to young families who want to raise their children in a quiet rural setting with access to the equestrian club or just a quiet lifestyle in a nice little community.

We as a community need to attract young families to Cuballing, with many other larger properties being out of their price range, to me it seems the perfect opportunity to get young families to our town, at an affordable price and young energy into our town.

Yours Truly,

Carol Borgas 8th June 2018



A29 08 JUN 2018

Submission Regarding the purchase of Six (6) Lots 74 Austral Street
Cuballing Western Australia.

I would like to object to the Shire of Cuballing proposed use for the
above mentioned property and especially lot 92 Austral Street and
Lot 9 Alton Street.

My reason for the above objections are:

1. Only one public notice was displayed on the said land...should
have been three notices, one on each road frontage.
2. No public meeting has taken place to notify town community
of the anticipated purchase and development of the above
land.
3. Fail to understand why the Cuballing Shire Council wants to
place a storage operation in the middle of town. When there is
adequate land available elsewhere, for example the current
"Tip Site".
4. The change of zoning for the land which was
Rural/Residential.
5. Devaluation of land prices in the Cuballing townsite.

Carol McDougall

7th June 2018



Shire of Cuballing Council Storage Depot

CUBALLING COUNCIL MISSION STATEMENT

The Shire of Cuballing operates in a relatively stable environment in which the expectations and requirements of the community and government, as well as environmental and economic factors impact on its activities and overall performance.

Council is committed to improve the quality of life of the residents of the Shire of Cuballing through services based on the principles of quality, equity, value and responsiveness and to ensure operations of the Shire are conducted in a cost efficient and effective manner as not to unfairly impose upon its ratepayers and residents. The objectives of Council is **to ensure that the Shire of Cuballing is a progressive, diverse and caring community**, with access to modern services and infrastructure, in a unique part of the world. By these means, the community confidence in the Shire as an efficient provider of services and an effective manager of its resources will be gained.

The preamble to Council's Minutes states:

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

**GAZETTED SHIRE OF CUBALLING TOWN PLANNING SCHEME NO 2
VERSION 1**

4.1

PART 4 - ZONES AND THE USE OF LAND

The Scheme area is classified into zones shown on the Scheme Map

The zones are delineated and depicted on the Scheme Map according to the legend

4,2 OBJECTIVES OF THE ZONES

The objectives of the zones are -

Rural Townsite Zone.

- (a) To provide for a range of compatible uses within the town sites for a range of services, residential types, community and recreational facilities that may be found in a small country town;
- (b) To encourage land uses which may positively affect the living and visual amenity on local amenities;
- (c) To provide for the protection of the natural environment
- (d) To protect or enhance any local reserves;
- (e) To encourage the modification/restoration of existing buildings in a manner which is compatible with the existing streetscape;
- (f) To support commercial and industrial use in areas where the predominant established use is for residential purposes provided residential areas can be adequately buffered from any impacts.

Shire of Cuballing Council Storage Depot

Applicant: N/A
 File Ref. No: ADM278
 Disclosure of Interest:
 Nil
 Date: 10th April 2018
 Author: Gary Sherry

Background

Attachments: 12.1.1 A Valuation of 74 Austral Street

1. Council did not formally inform Ratepayers/Residents that the Council intended to purchase the Cornish land, Lot 74 Austral Street, Lot 92 Austral Street and Lot 9 Alton Street Cuballing.
 2. Instead the Council placed the item to purchase the Cornish land at the end of the 19th April 2018 Council Agenda, which was stated Confidential.
 3. Because of hearsay a Cuballing resident attended the 19th April 2018 meeting to request the Shire of Cuballing Council inform him of the Confidential item in the 19th April 2018 Agenda relating to Council purchasing the Cornish land in Austral and Alton Street to be used for storing road making materials on the property.
 4. The Council confirmed the intent to store road making materials on the property.
 5. Because of the Council's intention to relocate the existing unsightly/untidy Shire of Cuballing storage depot to the adjoining properties in Austral and Alton Streets the Cuballing resident wrote to all the Shire of Cuballing residents informing them of the proposed Council road making metal/sand dump, ancillary drainage pipes and abandoned vehicles storage yard being relocated to the Cornish land, which will devalue their property and will financially and physically impact on their wellbeing.
 6. Because of the abovementioned correspondence several people attended the Shire of Cuballing Council's 17th May 2018 meeting, where the following questions were put to the Council and were replied to by the Shire President Mark Conley on behalf of the five Councillors attending the meeting.
 7. *The President informed the meeting that the purchase of the six blocks of land in Austral/Alton Streets has been ratified by Council and that the Council intends to proceed with relocating the existing Council storage depot to a new development at Lot 92 Austral Street and Lot 9 Alton Street, which adjoins the Council's existing storage depot 58 Austral Street.*
- Questions raised by residents:
8. Suggesting that the existing Council storage depot 58 Austral Street be relocated away from the Cuballing Township at the Yornanning Industrial property, the Council's transfer station that has a security fence and a new bitumen road to the facility and the area adjacent to Strathearn Road on the main highway
 9. *The President informed the meeting that It is not practicable to have the Council's material stock kept at the Yornanning Industrial property claiming it would be hard to secure the property.*

Shire of Cuballing Council Storage Depot

10. The Shire of Cuballing Council designated the Yornanning site to be an industrial area some years ago and now the President has decided that it is not a good location for a Council industrial storage depot.
11. The Council's transfer station is securely fenced with a 2.4metre high two and three stand barbed wire fence surrounding the property.
12. This property has ample land to store the Council's road making plant and materials.
13. *The President informed the meeting that he had visited the site to find that large articulated semi-trailer side tipping trucks would not be able to turn around at the transfer station site.*
14. On the 20th of May 2018, John Robertson, Graham Smith and Neill Robertson, carried out an inspection of Council transfer station to measure the property and assess the potential for the Council's 58 Austral Street storage facility to be relocated at Council's transfer station site.
15. The inspection revealed that the Shire of Cuballing Council's articulated semi-trailer side tipping truck had in the previous few days delivered several loads of gravel to the Council's transfer station site.
16. The Council's refusal to consider other land locations away from the Cuballing Township is the result of the Council being committed (voted (6/0) to purchase the Cornish land for \$160,000.00 to relocate the 58 Austral Street storage facility to Lot 92 Austral Street and Lot 9 Alton Street.
17. Because of the \$160,000.00 loan to purchase the Austral/Alton land the Council will raise a loan in the 2018/19 financial year to pay for the Cornish land. Therefore, the Council is bound to pay for the land and will not consider alternate sites for the Council storage depot regardless whether the Council decision is a bad Town Planning decision.
18. The Councillors are being dogged in not looking at appropriate alternate land sites away from the Cuballing Township to place the Council storage depot in a place where the storage depot will not impact on the existing residents and the Township.
19. Initially Council stockpiled the road making materials on a disused Tennis Court situated opposite the Council's work depot in Austral Street. This property abutted Town residences in Campbell Street Cuballing.
20. Because of complaints by the adjoining residential owners due to dust and noise the Council relocated the road making stockpile to a leased property 58 Austral Street that was further away from the residents that complained to resolve the dust and noise problem.
21. Council's lease with the owner of 58 Austral Street expires on the 30th of June 2018.

Comment

1. The surrounding Council's do not have a Council storage depot facility near residential properties in their Township.
2. The attached 23 coloured photos taken on Saturday 2nd of June 2018, of the 58 Austral Street Shire of Cuballing Council storage Depot facility are a record of the disgraceful condition the Council administers the facility for all to see.

Shire of Cuballing Council Storage Depot

3. The Council facility is a disgrace and should be an embarrassment to the Shire of Cuballing Councillors and Council staff who obviously have no regard for the local well-respected residents in Austral and Beeston Streets and the Cuballing Township in general.
4. Council's CEO lives in Council's Brundell Street residence a short distance from the Council storage depot 58 Austral Street.
5. The CEO passes the Council facility at least twice a day to attend Council's administration centre and home and is obviously oblivious to the disgusting visual impact the Council facility presents to the residents, visitors, Township and streetscape.
6. Relocating the Council's storage facility, one block of land along Austral Street, will now affect the residents living opposite the proposed facility in Austral Street and Beeston Street.
7. How the Cuballing Council has the audacity to persist with relocating the 58 Austral Street Council storage facility to any of the recently purchased Austral/Alton Street Lots is understandably a concern to the residents affected when considering the state of the existing 58 Austral Street storage facility.
8. An Item in Council's the Cuby News June 2018, sets out the Council's proposal for the relocated Shire Depot site.
9. The items raised as activities relating to the relocation of the Council's 58 Austral storage facility in the Newsletter does not reflect the current use and state of the 58 Austral Street storage depot which is a day to day facility as is mentioned at the bottom of the Council' Newsletter item.
10. *From time to time unscheduled use of the site will occur for other activities,*
11. While the Council has covered most of the proposed activity for the Council storage depot in the Newsletter, who would want a Council storage facility placed in front of their established property that will have heavy duty roadmaking machinery including, articulated semi-trailer trucks, frontend loaders and roadmaking machinery with their reversing horn operating every time the machine backs away, from 6:00am in the morning until 3:30pm at the end of the work day.?
12. The nearest Cuballing Councillor lives approximately two kilometres from the Cuballing Township with the others at least twenty kilometres away and the furthestmost Councillor living in Perth.
13. *Obviously, the abovementioned noise from the heavy road working vehicles movement on the existing site at 58 Austral Street commencing at 6:00am in the morning and ceasing at 3:30 in the afternoon has had no effect on any of the Councillors and their families.*
14. The Shire of Cuballing Councillors attitude to the Cuballing residents have no regard for the proposed site in Austral and Alton Street and the therefore, the Councillors dogged decision to not relocate the Council storage facility away from the Cuballing Township.
15. The Council's proposal to forcibly relocate the unsightly, noisy, potentially hazardous, 58 Austral Street Council storage depot facility in an established residential area.

Shire of Cuballing Council Storage Depot

15. The Council's proposal to forcibly relocate the unsightly, noisy, potentially hazardous, 58 Austral Street Council storage depot facility in an established residential area.
16. The Shire of Cuballing Council's Town Planning Scheme No 2 conditions for development approval and Council's Mission Statement obviously does not apply to the residents living in the Cuballing Township
17. The current zoning for the Shire of Cuballing Township Rural/Townsite allows any type of heavy industry, light industry, commercial and residential in the centre of the Cuballing Township is a ridiculous situation as shown in the above comments.
18. The Shire of Cuballing Council are making application, processing and approving their own Planning application to relocate the 58 Austral Street Council storage depot, which allows for the Council to administer bias.
19. This application should be administered by the Department of Planning and Heritage.

RECOMMENDATION TO COUNCIL

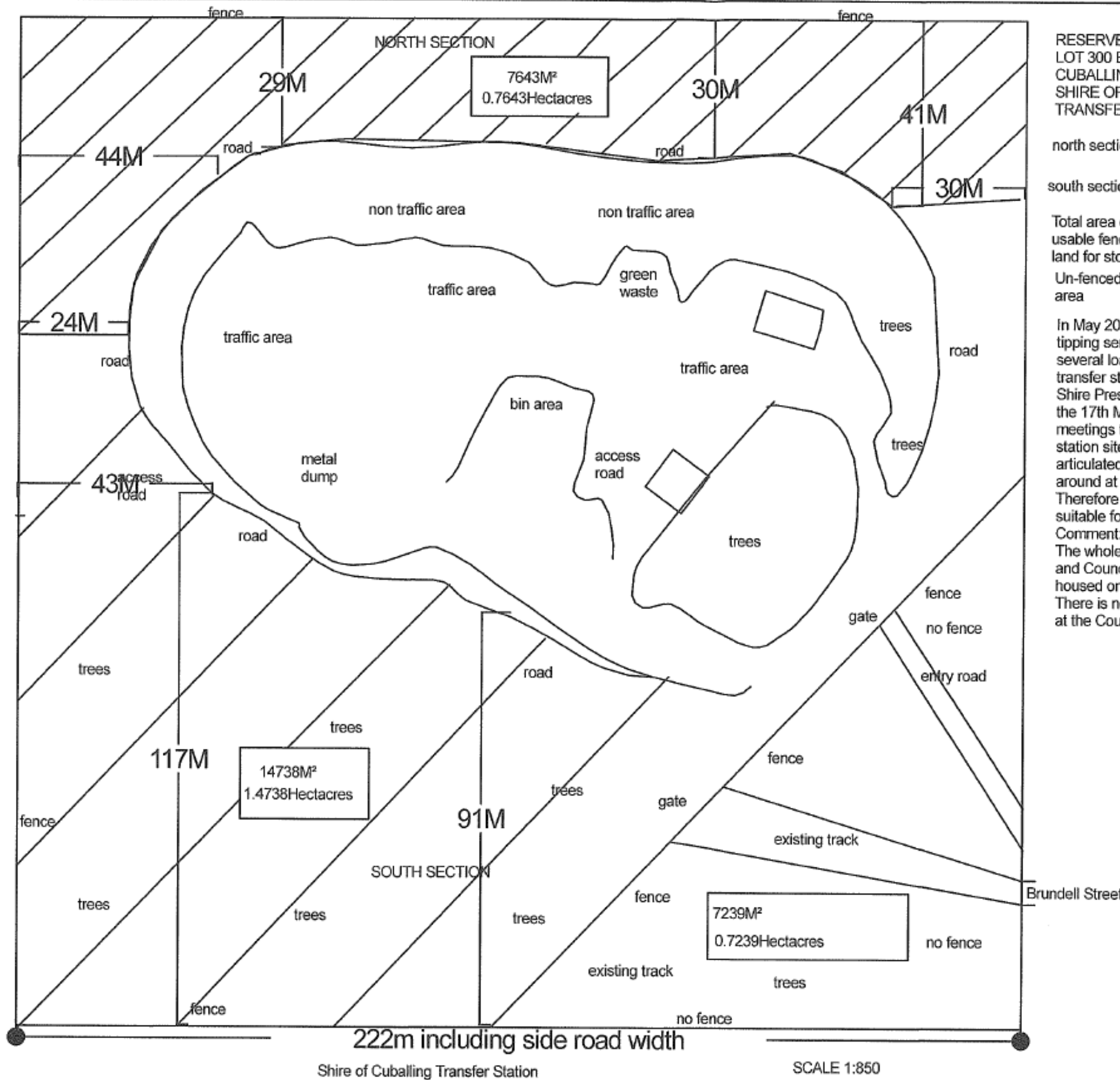
Relocate the 58 Austral Council Depot facility to Council's recycling station.



Neill Robertson
10 Bow Street
CUBALLING WA 6311

Copy of the Petition to the Councillors serving the Shire of Cuballing Council residents.

Report/Correspondence to :
The Minister for Local Government and Communities
The Minister for Planning, Lands and Heritage and the Western
Australian Planning Commission



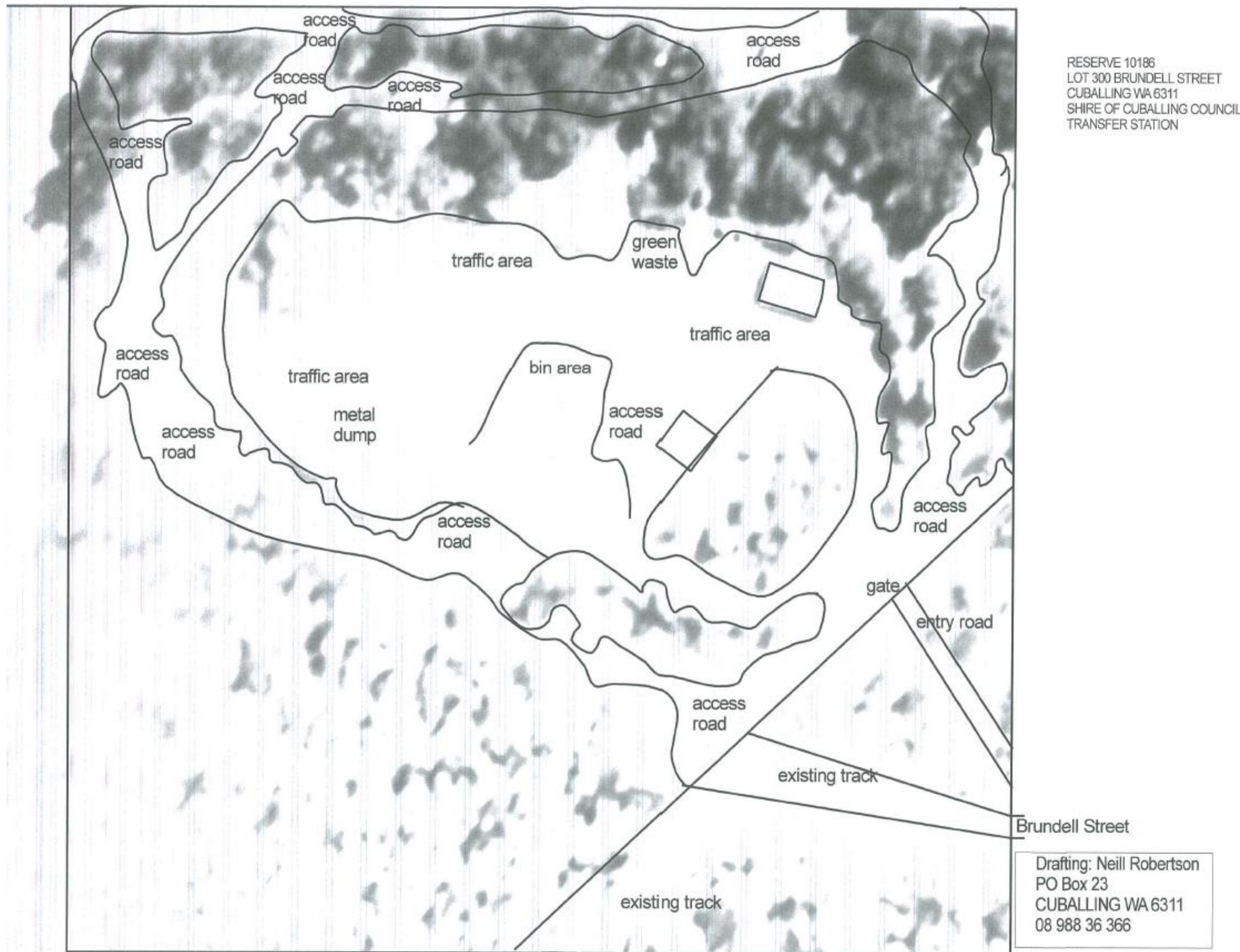
RESERVE 10186
 LOT 300 BRUNDELL STREET
 CUBALLING WA 6311
 SHIRE OF CUBALLING COUNCIL
 TRANSFER STATION

	7643M ²
north section	0.7643Hectares
	14738M ²
south section	1.4738Hectares
Total area of	23281M ²
usable fenced	
land for storage	2.3281Hectares
Un-fenced	7239M ²
area	0.7239Hectares

In May 2018 Council's articulated side tipping semi trailer truck delivered several loads of gravel to the Cuballing transfer station contrary to the Cuballing Shire President informing people attending the 17th May 2018 round of Council meetings that he had visited the transfer station site and determined that a articulated semi trailer truck could not turn around at the Cuballing transfer station. Therefore the transfer station site was not suitable for Council's storage facility..

Comment:
 The whole of the Council's Works Depot and Council's storage depot could be housed on this property. There is no need for truck turning bays at the Council's transfer station site.

Drafting: Neill Robertson
 PO Box 23
 CUBALLING WA 6311
 08 988 36 366



Gary Sherry

From: Barry Wood <bwqms@westnet.com.au>
Sent: Monday, 11 June 2018 8:24 PM
To: Gary Sherry

Dear Mr Sherry

With the shire wishing to establish a holding and a lay down area within the Cuballing town site, I wish to raise my objection to this.

I believe that the council has land available to have a laydown area that does not cause greivience to other town residences.

It would appear that the shire is rushing this through and it is in direct conflict to what the shire is proposing in its draft planning strategy for the shire. Re industrial uses in a residential area.

Kind Regards
Barry Wood
34 Francis Road
East Popanyinning
0439945453

DEVELOPMENT TABLE – GENERAL

Zone	Use	Min Lot Area (m ²)	Min Effect Frontage (m)	Min Boundary Setbacks (m)			Min Car Parking Spaces	Min Landscaping % of Site	Other Requirements
				Front	Rear	Side			
	Residential			See Residential Design Codes as listed in this Schedule or as Determined by Council					
	Commercial	-	-	15	7.5	Nil or 2m if abutting a Residential property	1 per 20m ² of gross leasable floor area		
	Shop	-	-	15	7.5	Nil or 2m if abutting a Residential property	1 per 10m ² of gross leaseable floor area		
	Office	-	-	15	7.5	Nil or 2m if abutting a residential property	1 per 20m ² of gross leasable floor area		
	Eating House			15	7.5	2m	1 per 5m ² of Public area		
	Hotel	1 ha	80	20	15	10	1 per bedroom and 1 per 5m ² of public area	25	
	Tavern	4000	40	20	15	10	1 per 5m ² of Public area	25	
	Motel	4000	80	20	15	10	1.5 per accommodation Unit	20	
	Educational Establishment	To be determined by Council	30m	20	10	5m	As determined by Council	As determined by Council	As determined by Council
	Service Station	1500 (Roadhouse 2000)	25	20	7.5	5	20	As determined by Council	Boundary setbacks apply to Pumps, Canopy, Buildings
	Place of Public Worship	2000	20	15	7.5	2	1 per 5 seats	50	
	General Industry	2000	25	20	7.5	5m on one side	As determined by Council	As determined by Council	

Zone	Use	Min Lot Area (m ²)	Min Effect Frontage (m)	Min Boundary Setbacks (m)			Min Car Parking Spaces	Min Landscaping % of Site	Other Requirements
				Front	Rear	Side			
1. Rural Townsite	Light/Service Industry	1000	25	11	7.5	5m on one side	As determined by Council	As determined by Council	
	All other Permitted Uses	As listed in this Schedule or as determined by Council							
2. Rural Residential	All other Permitted Uses	As listed in this Schedule or as determined by Council							
3. General Agricultural	Abattoir		As determined by Council	50	20	20	As determined by Council	As determined by Council	As determined by Council
	Rural Pursuit	1 ha	50m	15	15	5	As determined by Council	As determined by Council	As determined by Council
	All other Permitted Uses	As listed in this Schedule or as determined by Council							

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 Deemed provisions for local planning schemes Part 9 Procedure for dealing with applications for development approval

67. Matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (d) any environmental protection policy approved under the *Environmental Protection Act 1986* section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;

- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
 - (i) public transport services;
 - (ii) public utility services;
 - (iii) storage, management and collection of waste;
- (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (v) access by older people and people with disability;
- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.



Cr Conley resumed the meeting at 3.33pm.

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1 List of Accounts Submitted for Council Approval and Payment – May 2018

File Ref. No: NA
Disclosure of Interest: Nil
Date: 8th June 2018
Author: Nichole Gould
Attachments: 9.1.1A List of May 2018 Trust Accounts
9.1.1B List of May 2018 Municipal Accounts

Summary

Council is to consider the May 2018 List of Accounts.

Background – Nil

Comment

Council is provided at Attachments 9.1.1A and 9.1.1B with a list of payments made from each of Council's bank accounts during the month of May 2018.

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 – 2018/52:

That Council receives the List of Accounts for May 2018 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 payments including payments from Council's:

1. Trust Fund in May 2018 totalling \$30,097.10 included at Attachment 9.1.1A; and
2. Municipal Fund in May 2018 totalling \$239,509.70 included at Attachment 9.1.1B.

Moved: Cr Dowling

Seconded: Cr Haslam

Carried 6/0

**LIST OF TRUST FUND ACCOUNTS DUE AND SUBMITTED TO COUNCIL
MAY 2018**

Chq/EFT	Name	Description	Amount
20180501	Licensing Payments	Police Licensing Payments	606.00
20180502	Licensing Payments	Police Licensing Payments	159.35
20180502	Licensing Payments	Police Licensing Payments	819.95
20180502	Licensing Payments	Police Licensing Payments	- 159.35
20180504	Licensing Payments	Police Licensing Payments	205.10
20180508	Licensing Payments	Police Licensing Payments	91.65
20180509	Licensing Payments	Police Licensing Payments	3,936.00
20180510	Licensing Payments	Police Licensing Payments	739.05
20180511	Licensing Payments	Police Licensing Payments	732.20
20180515	Licensing Payments	Police Licensing Payments	1,097.50
20180516	Licensing Payments	Police Licensing Payments	1,483.90
20180517	Licensing Payments	Police Licensing Payments	170.85
20180517	Licensing Payments	Police Licensing Payments	0.10
20180518	Licensing Payments	Police Licensing Payments	1,996.35
2147	Cancer Council Western Australia Inc	Donations Made To The Biggest Morning Tea 24/05/2018	342.50
20180521	Licensing Payments	Police Licensing Payments	1,287.40
20180523	Licensing Payments	Police Licensing Payments	173.70
20180525	Licensing Payments	Police Licensing Payments	141.90
20180528	Licensing Payments	Police Licensing Payments	1,703.85
20180529	Licensing Payments	Police Licensing Payments	13,673.80
20180530	Licensing Payments	Police Licensing Payments	244.40
20180531	Licensing Payments	Police Licensing Payments	650.90
			\$30,097.10

**LIST OF MUNICIPAL FUND ACCOUNTS DUE AND SUBMITTED TO COUNCIL
MAY 2018**

Chq/EFT	Name	Description	Amount
20180507	Interest On Graders	Interest On Graders	576.72
20180507	Loan Repayment No. 63 Graders	Loan Repayment No. 63 Graders	3,137.56
20180510	Rent On Austral Street	Rent On Austral Street	660.00
20180516	Rent For Grader Driver House	Rent For Grader Driver House	360.00
20180516	Rent For Grader Driver House	Rent For Grader Driver House	360.00
20180516	Rent For Grader Driver House	Rent For Grader Driver House	360.00
20180524	Rent On Austral Street	Rent On Austral Street	660.00
20180530	Rent For Grader Driver House	Rent For Grader Driver House	360.00
20180516	ATO Clearing Account BAS	ATO Clearing Account BAS	32,035.00
EFT3520	Ausco Modular Pty Ltd	1 x Custom build Male,Female and Disabled toilet/shower Building 8.7 x 4.0m x2.4m As per quote 0260003045 revision no 5 Shire to arrange pickup	53,823.00
EFT3521	Safety Barriers WA Pty Ltd	Supply and erect Safety barriers as per Quote on Wandering Narrogin Road	21,450.00
EFT3522	Air Liquide Pty Ltd	Monthly Gas Bottle Rental Cylinder Size G & E	144.41
EFT3523	Ampac Debt Recovery	Legal Fees - WA Judgement Professional Fees	110.00
EFT3524	Beaurepaires	Fit and Balance 2x SP344 205/75R 17.5 tyres	1,172.04
EFT3525	Bill & Bens Hot Bread Shop	Cakes. Scones & Slices - Cancer Council Biggest Morning Tea Thursday 24 May 18	130.00
EFT3526	Bruce Brennan	50% Reimbursement Synergy - B Brennan	80.15
EFT3527	Builders Registration Board Building Commission	April 2018 Building Forms	927.00
EFT3528	Corsign (WA) Pty Ltd	2 x Signs Entry statements	59.40
EFT3529	Cuballing Building Company	Repair hole in ceiling Repair cornice Stabilise hand rail Replace strap bolts on doors	2,767.05
EFT3530	Cuby Roadhouse	Postage & Freight	909.44
EFT3531	Dews Mini Excavations	Excavator hire	7,678.00
EFT3532	Edwards Motors Pty Ltd	Sevice CN0 45,000km	737.25
EFT3533	Earl Street Surgery	Flu Vaccination - Terrence Clark	25.00
EFT3534	Farmworks Narrogin	350 x 175mm x 1.5m (RR7B 1.5) Pine Treated Bollards	10,395.00
EFT3535	Filters Plus	1 x Hydraulic Filter	55.44
EFT3536	Great Southern Fuel Supplies	Fuel Order Requested by Morty - 6000L	10,136.67
EFT3537	JR & A Hersey P/L	100 x Guide posts 100x Red Delinators 100 x White Delinators	2,468.29

Chq/EFT	Name	Description	Amount
		12 x Spray Mark Pain Plus Delivery	
EFT3538	Kalexpress & Quality Transport	Freight Charges - Corsign Pty Ltd	26.84
EFT3539	Knightline Computers	Dash Cam Camera	79.95
EFT3540	Komatsu Australia Pty Limited	4,000hr service Komatsu grader P261 (38) as per Quote	6,572.13
EFT3541	Local Government Professionals Australia Wa	Benchmark Performance Network - Professional Development Day	30.00
EFT3542	Lynette Blechynden	Yoga session for 'Stay on Your Feet' Expo held 13/03/2018	200.00
EFT3543	Mechanical And Diesel Services	1 x Oil Filter for NPR 300 Medium	55.00
EFT3544	Manjimup Campus South Regional TAFE	Load Restraint' short course running in Pingelly on 2nd May 2018 2018	705.60
EFT3545	Market Creations	Monthly License Charges	1,402.73
EFT3546	Marketforce	Advertisement - Notice of Public Advetisement of Planning Proposal Development Application - Lot 92 Austral Street Cuballing	343.00
EFT3547	McDougall Weldments	Post Hole Digger	253.38
EFT3548	Melchiorre Plumbing And Gas	Install Back flow RPZ for RV area Install overflow to concrete tank	1,155.66
EFT3549	Narrogin Auto Electrics	Repair fault in uhf two way radio	612.94
EFT3550	Narrogin Bearing Services	1 x 20 ton air jack 1 x 3/4 Socket set	1,507.95
EFT3551	Narrogin Earthmoving And Concrete	1 x 1200kg Bulker bag Cement	330.00
EFT3552	Narrogin Country Fresh Meats	12x Scotch Fillet Steak 12x Chicken Kebabs	102.64
EFT3553	Narrogin Packaging	1 x 20 l Pineo Clean 3 x boxes toilet rolls	361.80
EFT3554	Narrogin Petals & Bloom Florist	Large ANZAC Day Wreath (Natives) - Cuballing & Popanyinning Services	230.00
EFT3555	Patten Trading Group	Purchase of gravel 2,250 Cubic metres @ \$1.00 per m3	2,475.00
EFT3556	Primaries - Narrogin	10 x 20L Roundup Power Max, 2 x 15kg Bags Simazine, 6 x 1kg Metsulfuron, 1 x 20L Wetter	4,521.02
EFT3557	PN & AM Watts	Dozer hire push Gravel 4000m2 \$1.15	8,855.00
EFT3558	R Munns Engineering Consulting Services	Inspect and design Drainage for Popanyinning West failures	1,068.41
EFT3559	Shire Of Narrogin	Ranger Services - 4/05/18 Labour 1.75hrs @ \$82.50 per Hr & Travel 84kms @ \$1.00 per Km	1,036.38
EFT3560	SOS Office Equipment	Photocopier Monthly Meter Reading Fuji Xerox DCVC4475	1,091.99

Chq/EFT	Name	Description	Amount
EFT3561	St John Ambulance Western Australia Ltd	Snake Bite Kit Product Code KSSNAKEG	19.91
EFT3562	Sonic Health Plus Pty Ltd	Medical Inspection	2,268.93
EFT3563	Sportspower Narrogin	Ladies Razor Polo - Size 8	82.50
EFT3564	Toll Ipec (Courier Australia)	Freight Charges - FP Filters Plus	20.57
EFT3565	Total Undercar	1 x Wheel Alignment and rotate all four wheels	115.50
EFT3566	Twinkarri Tree Pruning Services	Wandering Narrogin Road Tree Mulching	14,121.80
EFT3567	Tutt Bryant Equipment	Service Bomag Roller	580.78
EFT3568	WA Local Government Association	Enviromental Planning Tool for May - June 30th 2018	366.63
EFT3569	Westrac	1 x grease line 5T - 3821 3 x female Quick coupler Fittings	401.21
EFT3570	Winc Australia Pty Limited	Manila Files A4, Date Stamp, Tape Dispenser, 12mm Black on White Tape, Stapler, Document Tray, Owl Clips	214.26
14642	Water Corporation	Water Charges - Park Ridley St Cuballing	816.53
14643	Graham Maddison	Purchase of 3,000m3 of Gravel @\$2.00per m3	6,000.00
14644	Building & Construction Industry Training	BCITF Forms April 2018	965.75
14645	Cuby Tavern	Meals - Council Meeting Thursday 19th April 2018	220.00
14646	Synergy	Electricity Charge - U 3 22 Campbell St Cuballing	3,828.00
14647	Shire of Cuballing	Building Services April 2018 - Labour 11hrs @ \$110 per Hr & Travel 102kms @ \$0.95 per km	1,306.90
14648	Taxed Pty Ltd	Fuel Tax Credits Refresher Webinar	132.00
14649	Telstra	Service Charge - Shire Office	625.32
14650	Water Corporation	Water Charge - Toilets Francis St Popanyinning	176.94
DD1580.1	Hostplus Super	Superannuation contributions	216.77
DD1580.2	WA Local Government Super Plan	Payroll deductions	4,615.73
DD1580.3	Australian Super	Superannuation contributions	422.01
DD1580.4	Westscheme Superannuation	Superannuation contributions	434.93
DD1580.5	Matrix Superannuation	Superannuation contributions	84.46
DD1580.6	DJ Superannuation	Superannuation contributions	186.47
DD1580.7	Jarneve Superannuation	Superannuation contributions	328.85
DD1580.8	Rest	Superannuation contributions	120.67
DD1591.1	Hostplus Super	Superannuation contributions	216.77
DD1591.2	WA Local Government Super Plan	Payroll deductions	4,632.82
DD1591.3	Australian Super	Superannuation contributions	422.01
DD1591.4	Westscheme Superannuation	Superannuation contributions	434.93
DD1591.5	Matrix Superannuation	Superannuation contributions	69.82
DD1591.6	DJ Superannuation	Superannuation contributions	186.47

Chq/EFT	Name	Description	Amount
DD1591.7	Jarneve Superannuation	Superannuation contributions	328.85
DD1591.8	Rest	Superannuation contributions	120.67
DD1592.1	Bigair Cloud Managed Services Pty Ltd	Monthly Internet Service	142.26
DD1600.1	Hostplus Super	Superannuation contributions	216.77
DD1600.2	WA Local Government Super Plan	Superannuation contributions	4,565.59
DD1600.3	Hesta	Superannuation contributions	32.18
DD1600.4	Australian Super	Superannuation contributions	422.01
DD1600.5	Westscheme Superannuation	Superannuation contributions	448.34
DD1600.6	Matrix Superannuation	Superannuation contributions	90.09
DD1600.7	DJ Superannuation	Superannuation contributions	186.47
DD1600.8	Jarneve Superannuation	Superannuation contributions	328.85
DD1600.9	Rest	Superannuation contributions	120.67
DD1603.1	Ilnet Limited	Monthly NBN Wireless Limitless Boost Internet Inc LNM Calls	90.29
DD1608.1	Commonwealth Bank	DCEO Credit Card - Toilet Block - Transport	3,185.58
			\$239,509.70

9.1.2 Statement of Financial Activity

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	13 th June 2018
Author:	Rick Pares, Deputy Chief Executive Officer
Attachments:	9.1.2A Statement of Financial Activity 9.1.2A

Summary

Council is to consider the Statement of Financial Activity for May 2018.

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

Governance

Permanent difference due to an incorrectly paid account that was reimbursed for \$2,659.80 and Regional Resource Sharing funds not budgeted for of \$2,962.59. Profit on asset disposal has gone here for a DFES Trade that will have no net impact.

Depreciation expenses greater than budgeted for this program by \$35,136, with the balance of excess program costs being a factor of Admin Allocations.

Law Order & Public Safety

An advance was paid in June for the Quarter 1 payment of the Emergency Services Levy Grant (\$6,875). Fortunately, there has been limited fire activity meaning less costs. Vehicle maintenance costs lower than budgeted to 31 May 2018, to fully expend ESL grant funds further costs to be incurred in June.

Community Amenities

Local Planning Strategy and Town Planning have limited expenditure recorded against them with costs to be incurred later as per budget. Tip Maintenance costs less than budgeted.

Recreation and Culture

Yornanning Dam upgrades funding \$20,000 received which explains the positive material variance in revenue.

Transport

Permanent revenue differences due to changes in Main Roads Direct Grant from budgeted \$99,902 to \$57,535.

Road depreciation is less than budgeted YTD by \$66,737. Major variances showing lower YTD costs include the bridge maintenance service contract not expended \$19,000 (timing) and under our Maintenance Roads & Streets program there are reduced YTD Material Cost \$42,095 and Service Contracts \$110,282. Our Wages cost to this program is on budget. Transport program cost overall is down by \$72,529.

Economic Services

Tourism expenses greater than budgeted as are the costs for community functions.

Other Property and Services

Workers compensation claims are also higher than budgeted, balanced by reimbursement by LGIS.

Capital Expenditure

Our Capital Revenues are very much on track with our YTD budget expectations. Capital Roads Program has been delayed due to road clearing permit difficulties and further amended to ensure programs and funding conditions are not compromised. Please refer to Note 13 giving a detailed analysis of exactly where the Capital Expenses program is at.

Permanent difference on roller changeover as it came in under budget.

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

Administration Allocations done to May 2018.

Depreciation expenses is calculated to May 2018.

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 – 2018/53:

That the Statement of Financial Activity, as included at Attachment 9.1.2A for the Shire of Cuballing for period ending 31st May 2018 be received.

Moved: Cr Ballantyne

Seconded: Cr Haslam

Carried 6/0

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 May 2018

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

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**Shire of Cuballing
Information Summary
For the Period Ended 31 May 2018**

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 May 2018 of \$715,245.

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	▼ -\$	72,806	Yornanning Dam upgrade is
Infrastructure - Roads	▼ -\$	434,168	Please see Note 13; Capital
Plant and Equipment	\$	10,000	Saving in total cost of Roller

Capital Revenue

Grants, Subsidies and Contributions		(\$1,108)	Roads to Recovery expected
Proceeds from Disposal of Assets	▲	\$35,000	No material variance.

	Collected / Complete	Annual Budget	YTD Budget	YTD Actual
Significant Projects				
DREC Weather Shelter	107%	\$ 21,182	\$ 21,182	\$ 22,744
Cuballing Transfer Station	86%	\$ 28,711	\$ 28,711	\$ 24,613
RRG - Wandering Narrogin Road 16/17	109%	\$ 140,072	\$ 60,031	\$ 153,222
Grants, Subsidies and Contributions				
Operating Grants, Subsidies and Contributions	94%	\$ 623,098	\$ 319,560	\$ 588,050
Non-operating Grants, Subsidies and Contributions:	95%	\$ 686,271	\$ 26,369	\$ 650,440
	95%	\$ 1,309,369	\$ 345,929	\$ 1,238,490
Rates Levied	100%	\$ 1,070,995	\$ 1,070,994	\$ 1,066,840

% Compares current ytd actuals to annual budget

Financial Position		Prior Year	Current Year
Adjusted Net Current Assets	96%	\$ 748,534	\$ 715,245
Cash and Equivalent - Unrestricted	80%	\$ 658,629	\$ 528,228
Cash and Equivalent - Restricted	98%	\$ 1,334,088	\$ 1,312,196
Receivables - Rates	96%	\$ 67,889	\$ 65,290
Receivables - Other	407%	\$ 24,761	\$ 100,769
Payables	6%	\$ 36,712	\$ 2,375

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

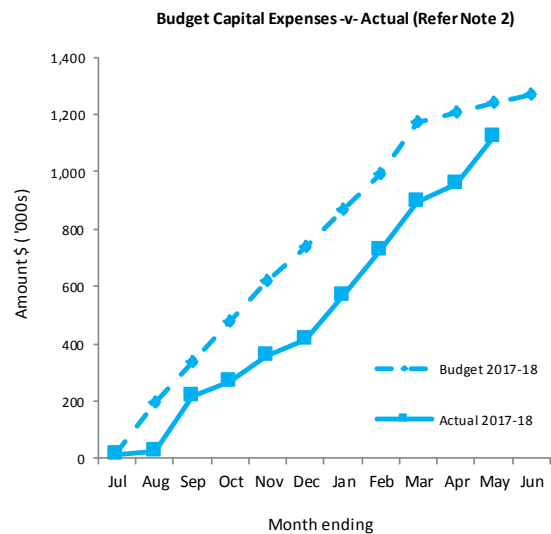
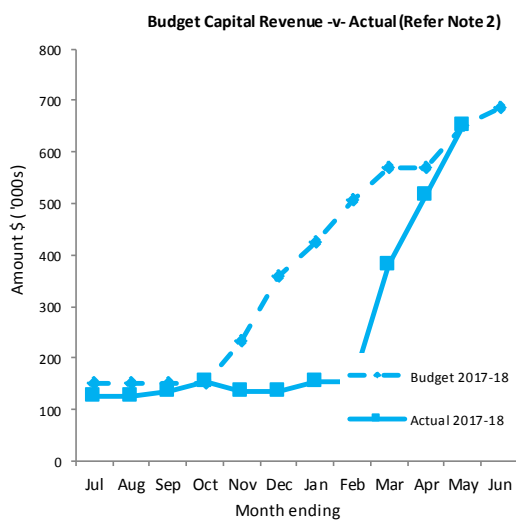
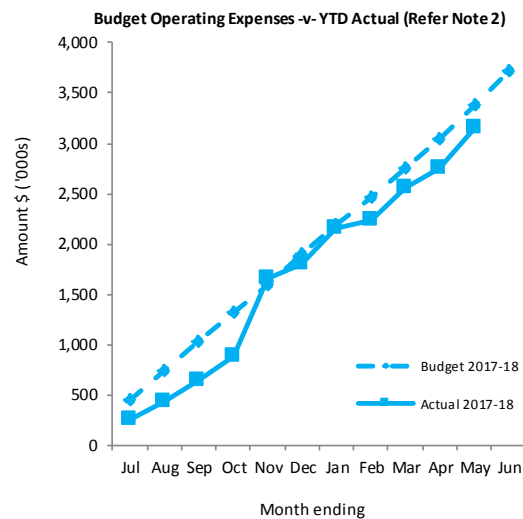
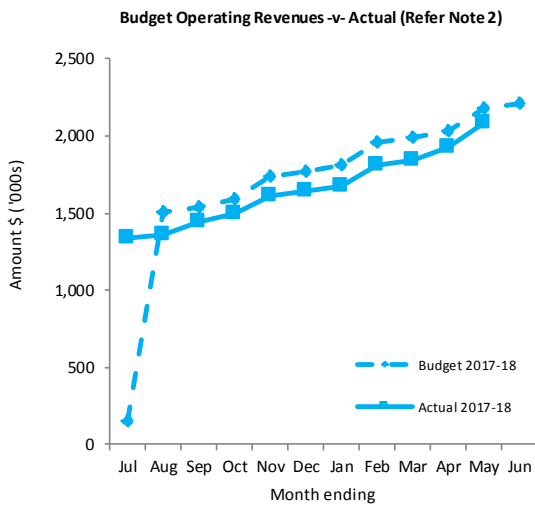
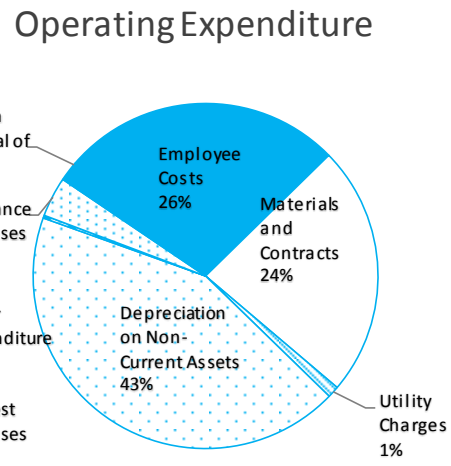
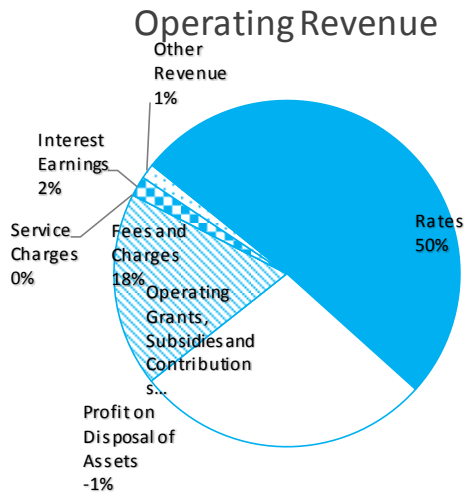
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of

Preparation

Prepared by: Richard Pares, DCEO

Reviewed by: Gary Sherry, CEO

Shire of Cuballing
Information Summary
For the Period Ended 31 May 2018



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

SHIRE OF CUBALLING
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 May 2018

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)- (a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	3	916,109	916,109	907,906	(8,203)	(1%)	
Revenue from operating activities							
Governance		1,845	1,824	8,332	6,508	357%	▲
General Purpose Funding	9	1,397,106	1,394,606	1,371,897	(22,709)	(2%)	
Law, Order and Public Safety		35,000	35,000	34,608	(392)	(1%)	
Health		1,200	900	1,274	374	42%	
Education and Welfare		0	0	1,164	1,164		
Housing		4,680	4,290	4,791	501	12%	
Community Amenities		59,100	59,063	61,934	2,871	5%	
Recreation and Culture		8,795	8,795	27,651	18,855	214%	▲
Transport		282,561	281,892	218,135	(63,758)	(23%)	▼
Economic Services		47,500	41,208	38,891	(2,317)	(6%)	
Other Property and Services		309,757	273,069	315,388	42,319	15%	▲
		2,147,545	2,100,649	2,084,065			
Expenditure from operating activities							
Governance		(134,068)	(121,865)	(226,051)	(104,187)	(85%)	▼
General Purpose Funding		(70,759)	(63,725)	(51,410)	12,315	19%	▲
Law, Order and Public Safety		(128,909)	(120,211)	(125,452)	(5,241)	(4%)	
Health		(48,935)	(44,940)	(32,438)	12,502	28%	▲
Education and Welfare		(53,073)	(12,025)	(12,469)	(444)	(4%)	
Housing		(55,115)	(50,522)	(50,894)	(371)	(1%)	
Community Amenities		(316,955)	(287,084)	(255,306)	31,778	11%	▲
Recreation and Culture		(278,481)	(250,604)	(250,716)	(112)	(0%)	
Transport		(2,219,575)	(2,034,152)	(1,961,623)	72,529	4%	
Economic Services		(167,639)	(153,679)	(142,595)	11,084	7%	
Other Property and Services		(251,711)	(241,474)	(44,560)	196,914	82%	▲
		(3,725,220)	(3,380,281)	(3,153,513)			
Operating activities excluded from budget							
Add back Depreciation		1,429,950	1,310,787	1,367,465	56,678	4%	
Adjust (Profit)/Loss on Asset Disposal	8	(11,863)	(11,863)	25,652	37,515	(316%)	
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(159,587)	19,292	323,670			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	11	686,271	651,548	650,440	(1,108)	(0%)	
Proceeds from Disposal of Assets	8	32,000	0	35,000	35,000		▲
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(241,131)	(80,967)	(153,773)	(72,806)	(90%)	▼
Infrastructure Assets	13	(864,211)	(374,885)	(809,053)	(434,168)	(116%)	▼
Plant and Equipment	13	(170,000)	(170,000)	(160,000)	10,000	6%	
Furniture and Equipment	13	0	0	0	0		
Amount attributable to investing activities		(557,071)	25,696	(437,386)			
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	152,210	152,210	0	(152,210)	(100%)	▼
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(71,146)	(59,257)	(59,257)	0	0%	
Transfer to Reserves	7	(280,515)	(19,687)	(19,687)	0	0%	
Amount attributable to financing activities		(199,451)	73,266	(78,944)			
Closing Funding Surplus(Deficit)	3	0	1,034,364	715,245			

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.

Balance to Net Current Funding Surplus (Note 3)

-0

-0

Budget opening surplus adjusted to reflect budget - EOFY changes for Actu

SHIRE OF CUBALLING
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 May 2018

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	3	916,109	916,109	907,906	(8,203)	(1%)	
Revenue from operating activities							
Rates	9	1,070,995	1,070,994	1,066,840	(4,154)	(0%)	
Operating Grants, Subsidies and Contributions	11	611,525	610,718	588,050	(22,668)	(4%)	
Fees and Charges		394,161	364,686	385,082	20,395	6%	
Service Charges		0	0	0	0		
Interest Earnings		31,000	28,500	39,755	11,255	39%	▲
Other Revenue		28,000	25,750	29,990	4,240	16%	
Profit on Disposal of Assets	8	11,863	11,863	(12,970)	(24,832)	(209%)	▼
		2,147,544	2,112,511	2,096,748			
Expenditure from operating activities							
Employee Costs		(902,102)	(831,543)	(832,084)	(541)	(0%)	
Materials and Contracts		(1,150,360)	(1,013,885)	(744,534)	269,351	27%	▲
Utility Charges		(40,508)	(37,149)	(34,483)	2,666	7%	
Depreciation on Non-Current Assets		(1,429,950)	(1,310,787)	(1,367,465)	(56,678)	(4%)	
Interest Expenses		(8,968)	(7,981)	(8,268)	(287)	(4%)	
Insurance Expenses		(118,762)	(116,893)	(118,384)	(1,491)	(1%)	
Other Expenditure		(74,570)	(62,043)	(48,295)	13,748	22%	▲
Loss on Disposal of Assets	8	0	0	(12,683)	(12,683)		▼
		(3,725,219)	(3,380,281)	(3,166,196)			
Operating activities excluded from budget							
Add back Depreciation		1,429,950	1,310,787	1,367,465	56,678	4%	
Adjust (Profit)/Loss on Asset Disposal	8	(11,863)	(11,863)	25,652	37,515	(316%)	
Amount attributable to operating activities		(159,588)	31,155	323,670			
Investing activities							
Grants, Subsidies and Contributions	11	686,271	651,548	650,440	(1,108)	(0%)	
Proceeds from Disposal of Assets	8	32,000	0	35,000	35,000		▲
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(241,131)	(80,967)	(153,773)	(72,806)	(90%)	▼
Infrastructure Assets	13	(864,211)	(374,885)	(809,053)	(434,168)	(116%)	▼
Plant and Equipment	13	(170,000)	(170,000)	(160,000)	10,000	6%	
Furniture and Equipment	13	0	0	0	0		
Amount attributable to investing activities		(557,071)	25,696	(437,386)			
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	152,210	152,210	0	(152,210)	(100%)	▼
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(71,146)	(59,257)	(59,257)	0	0%	
Transfer to Reserves	7	(280,515)	(19,687)	(19,687)	0	0%	
Amount attributable to financing activities		(199,451)	73,266	(78,944)			
Closing Funding Surplus (Deficit)	3	(0)	1,034,364	715,245	(319,119)	(31%)	▼

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.

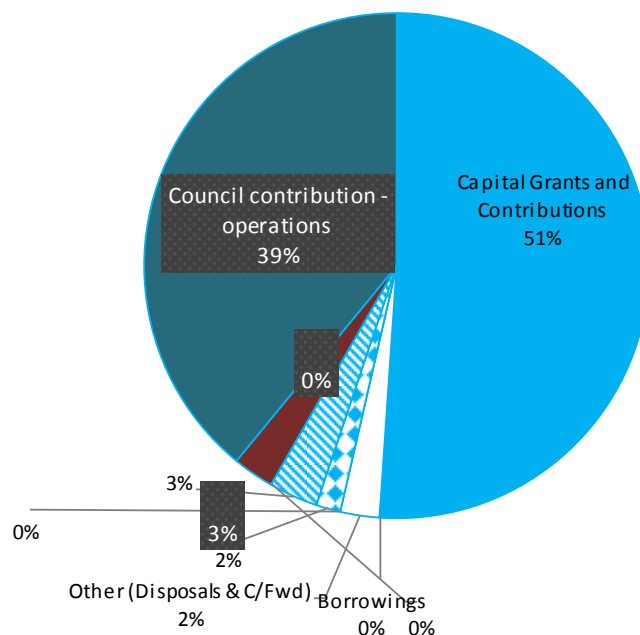
SHIRE OF CUBALLING
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 May 2018

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	80,967	241,131	153,773	72,806
Infrastructure Assets	13	0	0	374,885	864,211	809,053	434,168
Plant and Equipment	13	0	0	170,000	170,000	160,000	(10,000)
Capital Expenditure Totals		0	0	625,852	1,275,342	1,122,827	496,974

Capital acquisitions funded by:

Capital Grants and Contributions				26,369	651,548	650,440	
Borrowings				0	0	0	
Other (Disposals & C/Fwd)				0	32,000	35,000	
Council contribution - Cash Backed Reserves				0	93,695	0	
Plant and Equipment Reserve				0	0	0	
Administration Building and Office Equipment Reserve				0	19,985	0	
Housing Reserve				0	40,000	0	
Recreation and Community Facility Reserve				0	0	0	
Refuse Site Reserve				0	33,710	0	
Grain Freight Reserve				0	0	0	
Equestrian Reserve				0	0	0	
Council contribution - operations				599,483	498,099	437,386	
Capital Funding Total				625,852	1,275,342	1,122,827	

Budgeted Capital Acquisitions Funding

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2018

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 non-current assets, financial assets and liabilities.

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 presented as operating cash flows.

(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 necessary to make the sale.

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 using fair value at reporting date.

(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 resale where it is held as non-current based on Council's intentions to release for sale.

(p) Nature or Type ClassificationsRates

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

Operating Grants, Subsidies and Contributions

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

Non-Operating Grants, Subsidies and Contributions

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

Profit on Asset Disposal

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

Fees and Charges

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

Service Charges

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

Interest Earnings

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

Other Revenue / Income

Other revenue, which cannot 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, etc.

Materials and Contracts

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

Utilities (Gas, Electricity, Water, etc.)

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

Insurance

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

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

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

Other expenditure

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

(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 compliance.

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 and public conveniences.

RECREATION AND CULTURE

Objective:

To establish and effectively manage infrastructure and resource which will help the social wellbeing of the community.

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 cultural facilities.

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:

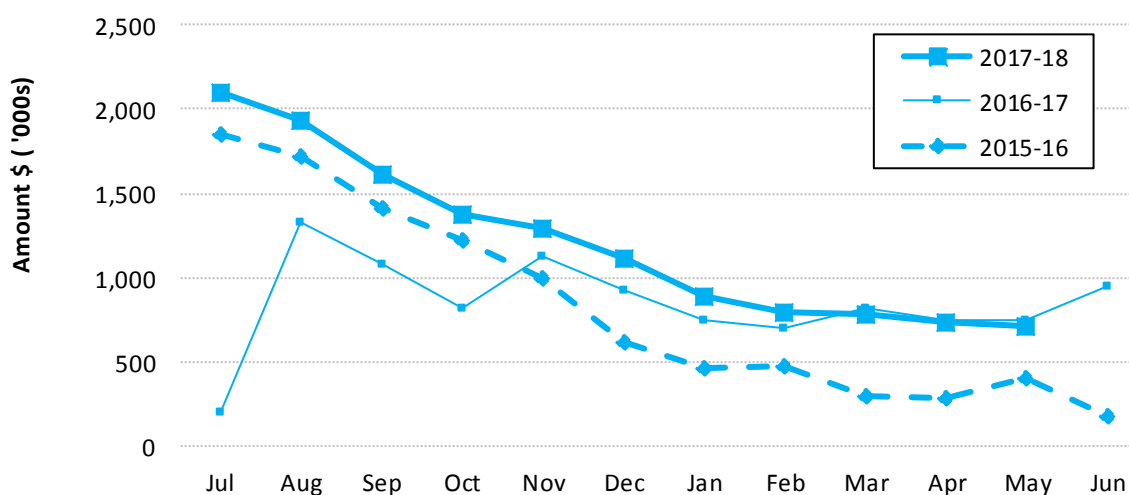
Private works operation, plant repair and operation costs and engineering operation costs.

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2018

Note 3: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	This Time Last Year	Current
	Note	30 June 2017	30 May 2017	31 May 2018
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	814,001	658,629	528,228
Cash Restricted	11	0	0	0
Cash Reserves	4	1,292,509	1,334,088	1,312,196
Receivables - Rates	6	65,448	67,889	65,290
Receivables - Other	6	57,907	24,761	100,769
Interest / ATO Receivable/Trust		0	6,928	16,069
Inventories		7,262	3,619	7,262
		2,237,126	2,095,914	2,029,815
Less: Current Liabilities				
Payables and Provisions		(36,712)	(13,292)	(2,375)
		(36,712)	(13,292)	(2,375)
Less: Cash Reserves	7	(1,292,509)	(1,334,088)	(1,312,196)
Net Current Funding Position		907,906	748,534	715,245

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

FAGS Allocation in 16/17 is paid in quarterly installments, in 15/16 there was an advance.

FAGS Allocation in 16/17 there was a 50% Advance of 17/18 payments in June 2017

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2018

Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	172,203			172,203	CBA	0.00%	At Call
Investment Account	355,325			355,325	CBA	1.25%	At Call
Trust Bank Account			26,748	26,748	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		437,564		437,564	CBA	2.08%	05-Mar-18
Reserves Term Deposit 2		435,868		435,868	CBA	1.18%	03-Apr-18
Reserves Term Deposit 3		435,860		435,860	CBA	1.18%	03-Apr-18
Total	528,228	1,312,196	26,748	1,867,172			

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 May 2018

Note 5: Budget Amendments

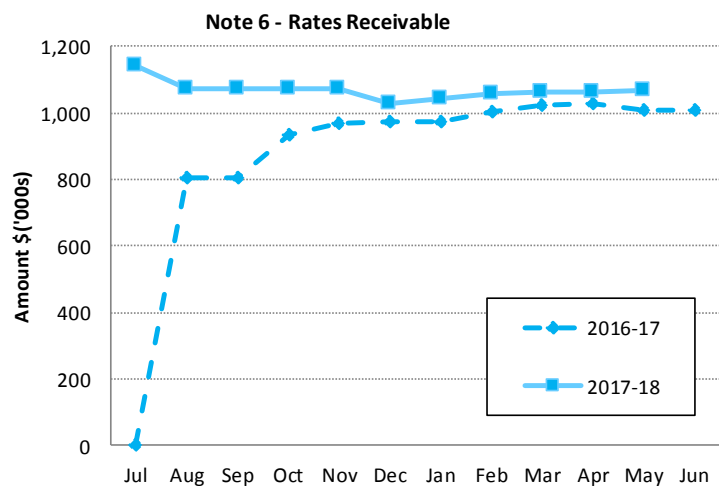
Amendments to original budget since budget adoption. Surplus/(Deficit)

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 May 2018

Note 6: Receivables

Receivables - Rates Receivable	31 May 2018	30 June 2017
	\$	\$
Opening Arrears Previous Years	70,590	47,139
Levied this year	1,066,840	1,031,115
Less Collections to date	(1,068,426)	(1,007,664)
Equals Current Outstanding	69,003	70,590
Net Rates Collectable	69,003	70,590
% Collected	93.93%	93.45%



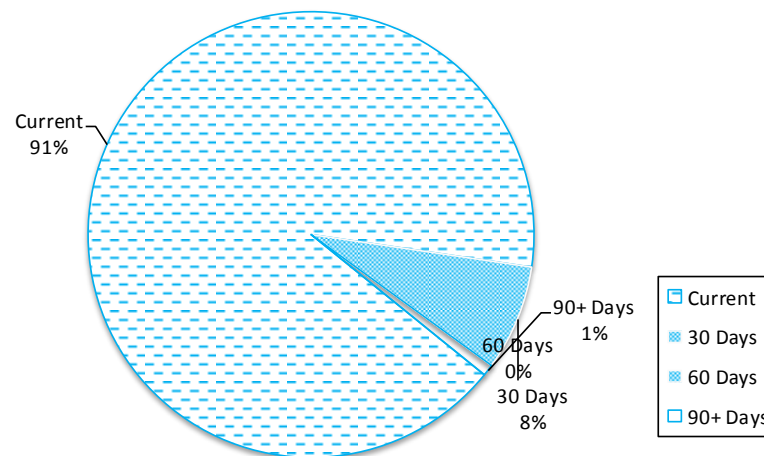
Comments/Notes - Receivables Rates

Rates Issue Date - 4 August 2016
 Discount Period Ends - 25 August 2016
 Rates Due - 8 September 2016

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	92,205	7,716	0	848	100,769
Balance per Trial Balance					
Sundry Debtors					100,769
Receivables - Other					16,069
Total Receivables General Outstanding					116,839

Amounts shown above include GST (where applicable)

Note 6 - Accounts Receivable (non-rates)

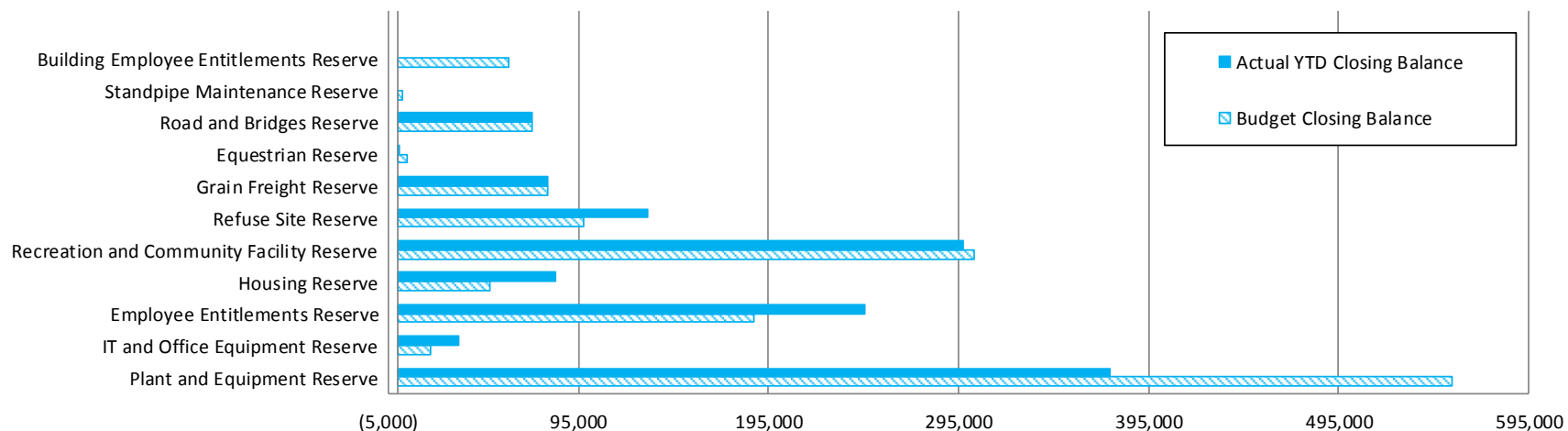


SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2018

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	368,717	5,719	5,610	180,000	0	0	0	554,436	374,327
IT and Office Equipment Reserve	31,339	486	478	5,000	0	(19,985)	0	16,840	31,817
Employee Entitlements Reserve	241,665	3,750	3,683	0	0	(58,515)	0	186,900	245,347
Housing Reserve	81,720	1,267	1,245	5,000	0	(40,000)	0	47,987	82,966
Recreation and Community Facility Reserve	293,306	4,548	4,470	5,000	0	0	0	302,854	297,776
Refuse Site Reserve	129,255	1,952	1,970	0	0	(33,710)	0	97,497	131,225
Grain Freight Reserve	77,219	1,196	1,177	0	0	0	0	78,415	78,396
Equestrian Reserve	26	8	0	5,000	0	0	0	5,034	26
Road and Bridges Reserve	69,261	1,074	1,055	0	0	0	0	70,335	70,316
Standpipe Maintenance Reserve	0	0	0	2,000	0	0	0	2,000	0
Building Employee Entitlements Reserve	0	0	0	58,515	0	0	0	58,515	0
	1,292,509	20,000	19,687	260,515	0	(152,210)	0	1,420,814	1,312,196

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 May 2018

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								
10,054	CN151 Multipac Mutli Tyre Roller	47,254	35,000	(12,254)	20,137	32,000	11,863		
11007	1CFP607 Isuzu Fire Truck	0	0						
11001	1DPW118 Toyota Landcruiser Fire	0	0						
		47,254	35,000	0 (12,254)	20,137	32,000	11,863	0	

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2018

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	7.0866	166	2,138,942	151,578	0	0	151,578	151,578	0	0	151,578
UV	0.7142	186	103,070,000	736,126	1,131	0	737,257	736,126	0	0	736,126
Sub-Totals		352	105,208,942	887,704	1,131	0	888,835	887,704	0	0	887,704
Minimum Payment	\$										
GRV	690.00	161	805,991	111,090	0	0	111,090	111,090	0	0	111,090
UV	900.00	158	14,017,700	142,200	0	0	142,200	142,200	0	0	142,200
Sub-Totals		319	14,823,691	253,290	0	0	253,290	253,290	0	0	253,290
		671	120,032,633	1,140,994	1,131	0	1,142,125	1,140,994	0	0	1,140,994
Discount							(69,001)				(70,000)
Write Off							(6,709)				0
Amount from General Rates							1,066,415				1,070,994
Ex-Gratia Rates							425				0
Specified Area Rates							0				0
Totals							1,066,840				1,070,994

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 2017/18 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 May 2018

Note 10: Information on Borrowings

(a) Debenture Repayments

Particulars	Loan Date	Years	Principal at 1/07/2017	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	34,109		25,369	34,109	8,740	0	1,288	1,434
Loan 63 - Graders	7/02/2014	8	187,681		33,888	37,037	153,793	150,644	6,969	7,534
			221,790	0	59,257	71,146	162,533	150,644	8,257	8,968

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 May 2018

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	292,191	0	292,191	292,191	292,191	260,036	
	Grants Commission - Roads	WALGGC	Operating	0	174,657	0	26,369	174,657	174,657	147,659	
	Grants - Youth Development Grant		Operating							18,500	
Law, Order and Public Safety											
	DFES Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Operating	0	20,625	0	0	20,625	20,625	30,263	
Recreation and Culture											
	Grants - Kidsport	Dept. of Communities	Operating	0	0	0	0	0	0	0	
	DREC Weather Shelter	R4R, Lotterywest, Contributions	Non-operating	0	0	26,369	26,369	26,369	26,369	26,369	
	Yornaning Dam Upgrades		Operating	0	34,723	34,723	0	34,723	34,723	20,000	
Transport											
	Direct Grant - Main Roads	Main Roads WA	Operating	0	99,902	0	0	99,902	99,902	57,535	
	Grant - MRWA Project - Bridge	Main Roads WA	Operating								
	Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	243,253	0	243,253	243,253	242,547	
	RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	381,926	0	381,926	381,926	381,524	
Economic Services											
	Youth Day Grant	Dept. of Communities	Operating	0	1,000	0	0	1,000	1,000	1,500	
	Volunteer Day Grant	Dept. of Communities	Operating	0	1,000	0	1,000	1,000	1,000	1,000	
	Kid's Day Go for 2&5	Healthways	Operating	0	0	0	0	0	0	2,500	
	Seniors Day Grant	Dept. of Communities	Operating	0	0	0	0	0	0	1,000	
	Other									48,057	
TOTALS				0	624,098	686,271	345,929	1,275,646	0	1,275,646	1,238,490
SUMMARY											
	Operating	Operating Grants, Subsidies and Contributions		0	623,098	34,723	319,560	624,098	0	589,375	588,050
		other									588,050
	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	651,548	26,369	651,548	0	651,548	650,440
TOTALS				0	623,098	686,271	345,929	1,275,646	0	1,240,923	1,238,490

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2018

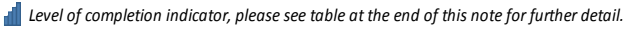





























Note 12: Trust Fund

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 2017	Amount Received	Amount Paid	Closing Balance 31 May 2018
	\$	\$	\$	\$
Bonds - Building	6,889	7,500	-7,000	7,389
Bonds - Hall Hire	1,150	0	0	1,150
Badminton Club	20	0	0	20
Commodine Tennis Club	2,990	0	0	2,990
Cuballing Country Festival	1,099	0	0	1,099
Cuballing Cricket Club	200	0	0	200
Yornaning Dam	0	0	0	0
Cuballing Football Association	566	0	0	566
Environment and Townscape Trust Fund	6,362	0	0	6,362
Police Licensing	1,573	159,051	(155,578)	5,046
Swipe Cards	1,605	0	0	1,605
Reimbursements	320	0	0	320
	22,774	166,551	(162,578)	26,747

SHIRE OF CUBALLING
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2018

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								
Recreation And Culture -Law Order & Public Safety - Governance								
 Building Renewal - Cuballing Town Hall	11048	0	0	0	(10,190)	0	0	C162
 Building Renewal - Cuballing CWA Hall	11048	0	0	0	(6,090)	0	0	C164
 Furniture & Equip - New Server	4265			(13,312)				
 Cuballing Fire Station - Toilet Block	110517			(60,626)				
 Building Renewal - Cuballing Memorial Park	11230	0	0	0	(52,948)	0	0	C176
 Building Renewal - Cuballing Recreation Centre	11230	0	0	(7,282)	(9,985)	0	(7,282)	C165
 Building Renewal - Yornaning Dam	11230	0	0	(25,197)	(80,951)	0	(25,197)	C187
 DREC Weather Shelter	11310	(22,744)	0	(22,744)	(21,182)	(21,182)	(1,562)	Final works from 2016/17
d Culture - Law Order & Public Safety - Governance Total		(22,744)	0	(129,160)	(181,346)	(21,182)	(34,041)	
Community Amenities								
Cuballing Transfer Station	10742	(28,711)	0	(24,613)	(28,711)	(28,711)	4,098	J601 - Fence
Cuballing Transfer Station	10742	(31,074)	0	0	(31,074)	(31,074)	31,074	C158 - Waste Oil Facility
Community Amenities Total		(59,785)	0	(24,613)	(59,785)	(59,785)	35,172	
Land & Buildings Total		(82,529)	0	(153,773)	(241,131)	(80,967)	1,132	
Other Infrastructure								
Economic Services								
Standpipe Upgrades	13605	0		(8,453)	(7,356)	0	(8,453)	
Popanyinning Gravel Pit	13605	0	0	(37,095)	0	0	(37,095)	
Economic Services Total		0	0	(45,548)	(7,356)	0	(45,548)	
Other Infrastructure Total		0	0	(45,548)	(7,356)	0	(45,548)	
Plant , Equip. & Vehicles								
Transport								
 Multipac Roller	12405	(170,000)	0	(160,000)	(170,000)	(170,000)	10,000	Budget - purchase Aug
Transport Total		(170,000)	0	(160,000)	(170,000)	(170,000)	10,000	
Plant , Equip. & Vehicles Total		(170,000)	0	(160,000)	(170,000)	(170,000)	10,000	
Roads								
Transport								
 RRG - Wandering Narrogin Road 16/17	12115	(60,031)	0	(153,222)	(140,072)	(60,031)	(93,191)	J600
 RRG - Wandering Narrogin Road	12115	(139,228)	0	(150,317)	(324,865)	(139,228)	(11,089)	R129
 RRG - Wandering Narrogin Road 18-19				(22,025)				R129A
 RRG - Stratherne Road	12115	(63,713)	0	(151,110)	(148,664)	(63,713)	(87,397)	R001
 RRG - Stratherne Road 18-19				(12,178)				R001A
 RRG - Grain Freight	12115			(15)	0			J149
 R2R - Popanyinning West Road Widening	12120	(72,738)	0	(19,576)	(169,721)	(72,738)	53,162	R002
 R2R - Popanyinning West Road Reseal	12120	0	(17,322)	(39,772)	(40,418)	(17,322)	(22,450)	R002C
 R2R - Yornaning West Road Reseal	12120	0	(6,531)	(14,291)	(15,239)	(6,531)	(7,760)	R005A
 R2R - Popanyinning East - Cement Stabilising	12120			(126,264)		(2,177)	(124,087)	R004A
 R2R - Popanyinning East - Gravel Sheeting	12120			(60,238)		(5,484)	(54,754)	R004B
 R2R - Cuballing East Road Reseals	12120	0	(2,177)	(3,245)	(5,080)	(2,177)	(1,068)	R006
 R2R - Victoria Road Reseal	12120	0	(5,484)	(11,252)	(12,796)	(5,484)	(5,768)	R122
Transport Total		(335,710)	(31,514)	(763,505)	(856,855)	(374,885)	(354,403)	
Roads Total		(335,710)	(31,514)	(763,505)	(856,855)	(374,885)	(354,403)	
Capital Expenditure Total		(588,239)	(31,514)	(1,122,827)	(1,275,342)	(625,852)	(388,819)	
Level of Completion Indicators								
 0%								
 20%								
 40%								
 60%								
 80%								
 100%								
 Over 100%								
Percentage YTD Actual to Annual Budget Expenditure over budget highlighted in red.								

9.2 CHIEF EXECUTIVE OFFICER:

9.2.2 Delegating Council Authority – 2018/19

Applicant:	N/A
File Ref. No:	ADM022
Disclosure of Interest:	Nil
Date:	11 th June 2018
Author:	Gary Sherry
Attachments:	9.2.2A Draft June 2018 Delegations Register

Summary

Council is to review and confirm delegation of Council authority to the Chief Executive Officer and other parties.

Background

Section 5.46 of the Local Government Act 1995 requires that the Chief Executive Officer is to keep a register of the delegations made under the Act to the Chief Executive Officer and to employees and at least once every financial year.

Council last reviewed all their delegations on Thursday 15th June 2017.

Council should note that under section 5.44 of the Local Government Act, Council can only delegate to the Chief Executive Officer and the Chief Executive Officer is able to delegate to Council employees. Therefore, although Council policy requires approval by two staff for some activities, the Council delegation is to the Chief Executive Officer and the Chief Executive Officer then on delegate, in writing, to additional staff. Some specialist delegations, particularly building and health matters, are on delegated to appropriately trained or qualified staff.

Comment

A revised draft list of Council's delegations are included at Attachment 9.2.3A, with new additions included in red and deletions struck out.

Two delegations are recommended for amendment.

Delegation A2: Purchase Orders has had the limits for delegation of the Deputy Chief Executive Officer and Manager Works and Services increased to \$15,000 from \$10,000. This is permit the Deputy Chief Executive Officer and Manager Works and Services to issue purchase orders for the purchase of fuel. Currently Council purchases diesel in amounts of approximately \$9,000 but with increases in fuel storage limits or price of diesel the cost of diesel may be larger than the delegated authority. Council will consider installation of increasing fuel capacity in 2018/19 by purchasing an above ground, self bunded fuel tank in the new financial year.

Delegation W1: Roadside Clearing adds the on delegation of Manager of Works and Services to improve efficiency in providing Council Authority.

Strategic Implications - Nil

Statutory Environment

Local Government Act 1996

5.42. Delegation of some powers and duties to Chief Executive Officer

- (1) A local government may delegate* to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to Chief Executive Officer's

A local government cannot delegate to a Chief Executive Officer any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

5.44 Chief Executive Officer may delegate powers and duties to other employees

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

5.46. Register of, and records relevant to, delegations to Chief Executive Officer's and employees

- (1) The Chief Executive Officer is to keep a register of the delegations made under this Division to the Chief Executive Officer and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Building Act 2011

127 Delegation: special permit authorities and local governments

- (1) A special permit authority or a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.
- (2) A delegation of a special permit authority's powers or duties may be only to an employee of the special permit authority, or to an employee of one of the legal entities that comprise the special permit authority.
- (3) A delegation of a local government's powers or duties may be only to a local government employee.
- (4) The delegation must be in writing executed by or on behalf of the delegator.
- (5) Except as provided for in subsection (6A), a person to whom a power or duty is delegated under this section cannot delegate that power or duty.
- (6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section but in the case of such a power or duty —
 - (a) the CEO's power under this subsection to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions, qualifications, limitations or exceptions imposed by the local government on its delegation to the CEO.
- (6) A person exercising or performing a power or duty that has been delegated to the person under this section is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown.
- (7) Nothing in this section limits the ability of the delegator to perform a function through an officer or agent.
- (8) In subsections (3) and (6A) —
CEO means chief executive officer;
local government employee, in relation to a local government, means a person employed by the local government under the Local Government Act 1995 section 5.36.

Bush Fires Act 1954

48 Delegation by Local Government

- (1) A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.
- (2) Performance by the chief executive officer of a local government of a function delegated under subsection (1) —
 - (a) is taken to be in accordance with the terms of a delegation under this section, unless the contrary is shown; and
 - (b) is to be treated as performance by the local government.
- (3) A delegation under this section does not include the power to subdelegate.
- (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.

Policy Implications

On occasions Council Policy guides or controls the use of Council's delegated authority.

Financial Implications - Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. the Officer's Recommendation with additions to, amendment of or deletion of any of the delegations shown in the attached draft delegations register.

Voting Requirements – Absolute Majority

COUNCIL DECISION – 2018/54:

That Council endorses the Shire of Cuballing Delegations Register June 2018 included at Attachment 9.2.2A Draft June 2018 Delegations Register as amended.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 6/0

SHIRE
OF



CUBALLING

Draft

DELEGATIONS
REGISTER

(To be adopted 21st June 2018)

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1. ADMINISTRATION

A1: Legal Advice

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

Guidelines

This delegation is subject to sufficient provision having been made in Council's budget for any expenses to be incurred.

Reference: Local Government Act 1995 section 5.42

A2: Purchase Orders

The Chief Executive Officer is delegated the authority to issue Purchase Orders for goods or services on behalf of the Shire of Cuballing.

Guidelines

Issuing of a Council order is only permitted where sufficient funds have been allocated in Council's budget and the mode of purchase is in accordance with Council's Purchasing Policies.

Reference: Local Government Act 1995 section 5.42

On Delegation	to the following officers in the following manner:	
	Deputy Chief Executive Officer	up to orders of \$ 15 10,000
	Manager Works & Services	up to orders of \$ 15 10,000
	Administration Officer	up to orders of \$2,000
	Works Supervisor	up to orders of \$2,000

A3: Tender Invitation

The Chief Executive Officer is delegated the authority to call Tenders to supply goods and/or services for all budgeted items.

Objective: To expedite the purchase of goods and services.

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

A4: Media

The Chief Executive Officer is delegated the authority for the publicity of Council activities through the media.

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

A5: Common Seal

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

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

A7: Permission to Conduct Activities on Council Property

The Chief Executive Officer is delegated authority to grant permission to conduct activities on Council Property.

Objective: To expedite the Council approval process

Reference: Local Government Act 1995 section 5.42(1)

On Delegation: Deputy Chief Executive Officer

A8: Liquor Permits

The Chief Executive Officer is delegated the authority to determine applications for the consumption and sale of liquor on property under the care, control and management of the Shire of Cuballing.

Objective: To expedite the Council approval process

Reference: Local Government Act 1995 section 5.42(1)
Liquor Control Act 1988 sections 59 & 119

A9: Impounding

The Chief Executive Officer is delegated the authority to exercise power in relation to the removal and impoundment of any goods which are involved in any contravention that can lead to impoundment, and to use reasonable force in the exercise of this power.

Objective: To expedite good governance.

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

A10: Enter Land in Emergencies

The Chief Executive Officer is delegated the authority to:

1. sign and issue Notices of Entry;
2. in the event of an emergency enter land, premises or thing immediately and without notice and perform any of its functions as it considers appropriate to deal with the emergency; and
3. exercise reasonable force to gain entry to land in the event of an emergency.

Reference: Local Government Act 1995 section 3.32 and 3.34

A11: Appointment of Authorised Persons – Enforcement and Legal Proceedings

The Chief Executive Officer is delegated the authority to appoint:

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

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

A12: Execution of Documents

The Chief Executive Officer is delegated the authority to prepare the necessary documentation taking into account any specific or policy requirements of Council and arrange for execution of the contract documents where:

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

Reference: Local Government Act 1995 section 5.42

A13: Destruction of Records

The Chief Executive Officer is delegated the authority to destroy records in accordance with Council's Record Keeping Plan.

Reference: Shire of Cuballing Record Keeping Plan
State Records Act 2000
State Records Office's General Disposal Authority for Local Government Records

A18: Industrial Representation

The Chief Executive Officer is delegated the authority to sign an employer's warrant for representation on industrial awards and to appear on the Shire of Cuballing's behalf.

Reference: Local Government Act 1995 sections 5.42

A19: Bond Refunds

The Chief Executive Officer is delegated the authority to refund bond monies where all conditions of approval have been met, with the aggrieved applicant having a right of appeal to Council.

Objective: To expedite the Council approval process

Reference: Local Government Act 1995 section 5.42(1)

2. BUILDING

B1: Building Permit

The Chief Executive Officer is delegated the authority to approve or refuse plans and specifications submitted under section 20 of the Building Act.

Reference: Building Act 2011 Sections 20, 22, 127

On Delegation: Building Surveyor

B2: Demolition Permit

The Chief Executive Officer is delegated the authority to approve or refuse plans and specifications submitted under section 21 of the Building Act.

Reference: Building Act 2011 Sections 21, 22, 127

On Delegation: Building Surveyor

B3: Building Orders

The Chief Executive Officer is delegated authority to:

1. make building orders pursuant to section 110 of the Building Act 2011 in relation to:
 - a. Building work;
 - b. Demolition work; or
 - c. An existing building or incidental structure; and
2. revoke building orders pursuant to section 117 of the Building Act 2011

Reference: Building Act 2011 Sections 110, 117, 127

On Delegation: Building Surveyor

B4: Extension of Period of Duration of Occupancy Permit or Building Approval Certificate

The Chief Executive Officer is delegated the authority to approve or refuse to approve applications submitted under section 65 of the Building Act

Reference: Building Act 2011 Section 65, 127

On Delegation: Building Surveyor

B5: Grant of Occupancy Permit, Building Approval Certificate

The Chief Executive Officer is delegated the authority to approve or refuse plans and specifications submitted under section 58 of the Building Act 2011.

Reference: Building Act 2011 Section 58, 127

On Delegation: Building Surveyor

3. HEALTH

H1 Offences

The Chief Executive Officer is delegated the authority to to issue notices, serve direction and take actions on behalf of Council which is authorised by the Health Act 1911 or its subordinate legislation, conditional upon such action being reported to Council at its next held full meeting.

Reference: Health Act 1911
Shire of Cuballing Health Local Law 2007

On Delegation Environmental Health Officer

H2: Itinerant Food Vendors Licence

The Chief Executive Officer is delegated the authority to issue Itinerant Food Vendors Licence in accordance with the requirements of the Health Act and Shire of Cuballing Health Local Law.

Objective: To expedite the issue of planning approval.

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

On Delegation Environmental Health Officer

H3: Septic Tank Installations

That the Chief Executive Officer is delegated the authority to approve septic tanks and other apparatus for the treatment of sewage and disposal of effluent and liquid waste.

Reference: Health Act 1911 Section 107(2)(a)

On Delegation Environmental Health Officer

H4: Notices

The Chief Executive Officer is delegated the authority to issue notices to owners and occupiers of land requiring certain things to be done by the owner or occupier of that land.

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

H5: Renewing Licences

The Chief Executive Officer is delegated the authority to renew all licences provided the circumstances of the original licence have not substantially altered.

Reference: Health Act 1911

H6: Administration of Health

The Chief Executive Officer is delegated the authority to exercise and discharge the powers and functions of the Shire of Cuballing under the Health Act 1911 relating to:

- forming of opinions and making of declarations;
- the granting and issue of licenses, permits, certificates and approval;
- the issue of notices, orders and requisitions and the carrying out and putting into effect of notices, orders and requisitions;
- the ordering and authorisation of legal proceedings for breaches of the Health Act 1911, all regulations and local laws.

Reference: Health Act 1911

On Delegation Environmental Health Officer

4. PLANNING

P1: Home Occupations

The Chief Executive Officer is delegated authority to approve the issue of Home Occupation Licence subject to compliance with Shire of Cuballing Town Planning Scheme No 2.

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

P2: Planning

The Chief Executive Officer is delegated authority for:

1. Requirements for Public Notice

- 1.1 Making a determination on the form or forms of public notice to be given of a proposed development, scheme amendment, road closure or other proposal where the Local Planning Scheme or other legislation requires that such public notice be given and give such notice.

1.2 Making a determination to require that public notice of a development to be given in accordance with Local Planning Scheme where such notice is considered to be in the public interest.

2. Approval of Permitted “P” and Incidental Uses

Making a determination on all “P” and Incidental uses where a proposed development is generally in accordance with the Local Planning Scheme, Local Planning Strategy, Council policies and is consistent with guiding precedent approvals.

3. Residential Design Code Matters

Making a determination on any matter required to be determined under the Residential Design Codes including where an exercise of discretion is required, provided that appropriate notice of the proposed development is given to adjoining properties where it is required or is considered to have the potential to adversely affect the amenity of an adjoining property.

4. Minor Modification of Planning Determinations

Making modifications to planning approvals where:

- 4.1 the modification conforms to the relevant Local Planning Scheme objectives and policies;
- 4.2 the modification does not have a detrimental effect on the amenity of the locality; and
- 4.3 the extension to a development approval is to a maximum of 2 years.

NOTES:

- Where consent of abutting landowners was required for the original application, then the modification should also be referred to abutting landowners for comment where the modification requires a substantial variation from the original application.
- Where the original application was required to be the subject of public notice under the relevant Local Planning Scheme or the Residential Design Codes, then (if the modification is considered substantial) the modification will need a new public notice readvertised in accordance with the Local Planning Scheme or the Residential Design Codes.

5. Dealing with Subdivisions

Making recommendations to the Western Australian Planning Commission in respect of applications or other matters relating to Subdivision, Boundary Adjustment, Amalgamation and Strata Titling where such matters are in accordance with the Local Planning Scheme, Local Planning Strategy, Council Policies and established precedent, including minor variations to approved subdivisions and clearance of conditions provided appropriate consultation with other Council Officer’s is carried out.

6. Dealing with Scheme Amendments

- 6.1 Requiring modifications to Local Planning Scheme Amendment documents to ensure that all documents are maintained at a consistent high quality and the information contained within the document addresses all issues considered relevant and will enable the public and referral agencies to fully understand the Amendment.
- 6.2 Accepting modifications to Local Planning Scheme Amendment documents required by the Western Australian Planning Commission or the Minister for Planning at any stage throughout the Scheme Amendment process.

6.3 Respond in writing to scheme amendment requests. Based on Council resolution, the CEO to set out that support for scheme amendment requests should cover multiple lots or a precinct compared to an individual lot, unless the site subject to the scheme amendment request is a considerable area or the applicant provides suitable justification for the proposal to the satisfaction of the Council.

7. Legal Proceedings

7.1 all matters relating to Planning Infringement Notices including sections 228, 229, 230 and 231 of the Planning and Development Act

7.2 Taking all necessary action against owners or occupiers of properties to cease illegal uses, comply with the Local Planning Scheme and/or comply with conditions of Development Approval, including instituting prosecution proceedings under the Planning and Development Act, in the Court in its summary jurisdiction.

7.3 Represent Council, or appoint appropriate representatives, where necessary at prosecutions, appeals and enquiries pertaining to the enforcement of the provisions of the Planning and Development Act and the implementation of Council's Local Planning Scheme

8. Miscellaneous Matters

8.1 Electing to return or defer consideration of incomplete and unsatisfactory applications for planning consent.

8.2 Granting variations to relevant Planning Policies and provisions of the Residential Design Codes on Building Licence applications (where the application is exempt from the requirement to gain planning approval under the Residential Design Codes and/or the Local Planning Scheme).

8.4 Provision of written and verbal responses to planning appeals, mediated settlements resulting from appeals and Western Australian Planning Commission requests for reconsideration.

8.5 Prepare submissions and correspondence to government agencies and other organisations where consistent with the Local Planning Scheme, Local Planning Strategy, Council policies and guiding precedent approvals.

9. Right to have matter heard By Council

Where an applicant disputes or has issue with a planning determination made in accordance with this delegation, it will be a matter of right for the applicant to request that the matter be reconsidered by Council, provided the exercise of such right does limit any other right of appeal that exists in Law.

10. Matters that may be of significant financial interest to Council

Despite other indications in this delegation, it is required that any planning matter that may have significant impact on Council infrastructure is to be determined by the Council.

Reference: Local Government Act 1995 section 5.42

P3: Subdivision Clearance

The Chief Executive Officer is delegated the authority to endorse subdivision referral proformas and to certify the compliance with subdivision conditions when satisfied that suitable arrangements have been made.

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

P4: Secondhand Fencing

The Chief Executive Officer is delegated the authority to approve the use of secondhand material for fencing.

Reference: Local Government Act 1995 section 5.42

5. WORKS

W1: Roadside Clearing

The Chief Executive Officer is delegated the authority to permit clearing of roadside vegetation.

Guideline Any application must comply with legislation and Council Policy.

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

On Delegation **Manager of Works & Services**

W2: Road Trains/Mass Permits

The Chief Executive Officer is delegated the authority to approve rigid and articulated vehicle movements, up to a maximum 27.5m, on low volume roads within the Shire of Cuballing.

Guideline An approval provided under this delegation must comply with Council Policy.

Reference: Local Government Act 1995 section 5.42

On Delegation **Manager Works & Services**

W3: Seed Collection

The Chief Executive Officer is delegated the authority to permit wildflower picking and native seed collection on Shire of Cuballing property and reserves vested in or under the control of the Shire of Cuballing.

Guidelines
Any permits will be subject to and in accordance with conditions set by the Department of Environment and Conservation.

Reference: Local Government Act 1995 section 5.42

On Delegation **Manager Works & Services**

W4 Undertaking Private Works

The Chief Executive Officer is delegated the authority to accepting or rejecting private works.

Reference: Local Government Act 1995 section 5.42(1)

On Delegation Manager Works & Services for Private Works that are up to one full day in length.

W5: Temporary Road Closure

The Chief Executive Officer is delegated the authority to temporarily close roads during adverse weather conditions.

Reference: Local Government Act 1995 section 3.50

On Delegation Manager Works & Services

W6: Temporary Closure of Roads for Public Events

The Chief Executive Officer is delegated the authority to determine applications for the temporary closure of roads for public events.

Guidelines

The determination shall be in accordance with provisions of the Road Traffic (Events on Roads) Regulations 1991 and the Local Government Act 1995 and shall, when approved by the Chief Executive Officer, contain the following conditions:

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

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

Reference: Local Government Act 1995 section 3.50

W6: Tree Safety

The Chief Executive Officer is delegated the authority to issue an order to make a tree safe on private land and to enter that property to make a tree safe.

Reference: Local Government Act 1995 section 5.42

On Delegation Manager Works & Services

W7: Sale of Surplus Equipment, Materials and Scrap

The Chief Executive Officer is delegated the authority to sell by the holding of a surplus goods sale at Council's Depot or any other fair means, items of surplus equipment, materials, tools, etc which are no longer required, are outmoded, or are no longer serviceable.

Guidelines

This delegation applies only to items with a sale value less than \$2,000.

Reference: Local Government Act 1995 section 5.42

6. FIRE CONTROL

BF1: Roadside Burning

The Chief Executive Officer is delegated the authority to approve applications for the burning of road verges

Guideline

Any approval will be conditional of being in accordance with Council Policy.

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

BF2: Use of Shire Vehicles during Fire

The Chief Executive Officer is delegated the authority for the use of Council plant and equipment in the event of a fire.

Reference: Local Government Act 1995 section 5.42

On Delegation Manager Works & Services

BF3: Extension/Reduction Restricted/Prohibited Burning Periods

The Chief Executive Officer is delegated the authority to suspend, amend or vary Prohibited and Restricted burning times.

Guideline

The Chief Executive Officer will exercise this delegation in consultation with the Chief Bush Fire Control Officer.

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

BF4: Control of Fires

The Chief Executive Officer is delegated the authority, where Council's volunteer bush fire brigades believe they cannot effectively or safely manage a bush fire incident, to transfer control of that incident to the Department of Fire and Emergency Services (DFES).

Guidelines

The Shire will support FESA's management of any incident with:

- At least one and preferably more senior shire bushfire control officers will be a member of the Incident Management Team to provide local knowledge and facilitate effective liaison with local firefighting resources.
- Shire bush firefighting resources, including appliances and volunteers, remain at the incident and assist in suppression activities as determined by the Incident Controller.

Reference: Bush Fires Act 1954 section 13(4)

BF5: Harvest Bans

The Chief Executive Officer is delegated the authority to impose harvest and vehicle movement bans.

Guideline

The Chief Executive Officer will exercise this delegation in consultation with the Chief Bush Fire Control Officer.

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

BF6: Fire Breaks

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

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

BF6: Infringements

The Chief Executive Officer is delegated the authority to issue infringement notices.

Guideline

The Chief Executive Officer will exercise this delegation in consultation with the Chief Bush Fire Control Officer.

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

7. FINANCE

F1: Outstanding Debtors

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

1. Where a Sundry Debtor invoice has:

- a. a value of less than two hundred and fifty dollars;
- b. has been outstanding for at least 90 days; and
- c. in the Chief Executive Officer's opinion, will not be economically practical to pursue payment of the account through the court system;

the Chief Executive Officer may approve that the invoice be written off.

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

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

F2: Investment of Funds

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

Guideline

The Chief Executive Officer will exercise this delegation in consultation with the Deputy Chief Executive Officer.

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

F3: Payment of Accounts

The Chief Executive Officer is delegated authority to make payments from all Council bank accounts.

Guidelines

Each payment is to be authorised by two members of staff including:

1. one of the Chief Executive Officer or Deputy Chief Executive Officer; and
2. one of either the Chief Executive Officer or Deputy Chief Executive Officer, Administration Officer, Rates Officer or Manager Works & Services.

Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing -

1. The payee's name;
2. The amount of the payment;
3. The date of the payment; and
4. Sufficient information to identify the transaction.

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

On Delegation Deputy Chief Executive Officer

F6: Cost Recovery

The Chief Executive Officer is delegated to instigate proceedings to recover costs in Court.

Reference: Local Government Act 1995 section 5.42

F7: Assistance to Community Organisations and Events

The Chief Executive Officer is delegated to determine the level of in-kind assistance provided to community organisations and events.

Guidelines

This assistance may include the use of Shire plant and machinery or the use of employees.

Reference: Local Government Act 1995 section 5.42

F8: Rates

The Chief Executive Officer is delegated the performance of the following functions of the Council:

1. Compile the necessary rate records as specified in Sections 6.39(1) and 6.39(2) of the Local Government Act 1995 and reassess rates payable in accordance with Section 6.40;
2. The service of Notice of Valuation and rates referred to in Section 6.41 of the LGA 1996;
3. Determine the date that a rate or service charge becomes due and payable in accordance with Section 6.50 of the Local Government Act 1995;
4. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book 6.76(4) of the LGA 1996;
5. The recovery of rates and service charges pursuant to the provisions of Sections 6.54 to 6.62 of the Local Government Act 1995;
6. Entering into a written agreement in accordance with 6.49 of the LGA 1996 for the payment of rates and service charges;
7. Lodge caveats on land where the rates are in arrears and it is considered that the interests of the Council should be protected and the subsequent withdrawal of caveats once arrears of rates have been settled in accordance with 6.64(3) of the LGA 1996;

- 8 Allow or disallow in accordance with Section 6.76(5) any objection to the rate record lodged under Section 6.76(1) and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection in accordance with Section 6.76(6); and
9. Extend the period of time for receipt of a notice under Section 6.77 and to refer notices received under Sections 6.77 and 6.78 to a Land Valuation Tribunal (Section 6.79).

Reference: Local Government Act 1995 section 5.42

F9: Insurance – Public Liability Claims

The Chief Executive Officer is delegated authority to consider claims against Council for property damage that does not exceed the insurance policy excess levels, and to accept or deny liability on behalf of Council.

Guidelines

In cases where liability is accepted, payment may only be made up to the value of Council's relevant insurance excess amount and then only upon receipt of a release form.

Reference: Local Government Act 1995 section 5.42

F10: Disposal of Impounded and Abandoned Vehicles

The Chief Executive Officer is delegated authority to sell impounded or abandoned vehicles with an estimated value less than \$10,000.

Guidelines

The sale of the vehicles impounded or abandoned vehicles will be conducted in the following manner:

Estimated Market Value	Method of Advertising	Action
\$1 - \$500	Notices seeking offers for purchases shall be displayed on the Shire of Cuballing's notice boards, Facebook and on the website.	Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.
\$501 - \$5,000	Notices seeking offers for purchases shall be advertised with local public notice and displayed on the Shire of Cuballing's notice boards, Facebook and on the website.	Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.
\$5,001 +	Items shall be tendered as per the requirements of S3.58 of the Local Government Act 1995.	Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.

All tenders/offers received shall be opened in accordance with approved tender opening procedures.

The Acceptance of tenders/offers by the Chief Executive Officer will be according to:

1. The highest tender/offer shall be accepted for any item.

2. Where two or more tenders/offers are received of equal value, the winning tender/offer shall be determined by a lottery.
3. If for any reason it is deemed necessary to vary from (a) or (b), then the matter must be referred to Council for its consideration.

Reference: Local Government Act 1995 section 5.42

8. STAFF

S1: Conferences, Seminars And Training Courses

The Chief Executive Officer is delegated authority to approve the attendance by council staff at conferences, seminars and training courses where attendance will enhance the professional development of the officer, provide benefits to Council and is relevant to the duties and responsibilities of the officer.

Guidelines

This delegation is subject to sufficient provision having been made in Council's budget for any expenses to be incurred.

On Delegation

Manager Works & Services, Deputy Chief Executive Officer for conferences, seminars and training courses that are to be attended by staff under their responsibility that does not require Council incurring accommodation expenses.

S2: Appointment of Staff

The appointment and termination of staff can only be confirmed by:

<u>Position</u>	<u>Office</u>
Chief Executive Officer	Council
Deputy Chief Executive Officer	Chief Executive Officer on recommendation to Council
Manager Works & Services	Chief Executive Officer on recommendation to Council
Building Surveyor	Chief Executive Officer
Environmental Health Officer	Chief Executive Officer
Administration Staff	Chief Executive Officer
Works Staff	Chief Executive Officer

Guidelines

All appointments and terminations will be advised to Council at the first opportunity.

S3: Authorisation to Appoint Acting Chief Executive Officer

The Chief Executive Officer is delegated the authority to appoint either the Deputy Chief Executive Officer or the Manager Works and Services to be Acting Chief Executive Officer during the absence of the Chief Executive Officer.

Objective: To expedite the Council appointment process for an Acting Chief Executive Officer.

Guidelines

1. In the event that the Chief Executive Officer cannot delegate the appointment of the Acting Chief Executive Officer position, Council will authorise the appointment.
2. Any appointment by the Chief Executive Officer of an Acting Chief Executive Officer cannot be for a period greater than four weeks.
3. Council is to be provided with prior notice when possible, or notice as soon as practicable after any appointment is made.

Reference: Local Government Act 1995 section 5.42(1)

9.2.3 2018 WALGA AGM

Applicant: N/A
File Ref. No: ADM22
Disclosure of Interest: Nil
Date: 11th June 2018
Author: Gary Sherry
Attachments: Nil

Summary

Council is to appoint delegates to the WALGA Annual General Meeting.

Background

Member Councils, such as the Shire of Cuballing, are entitled to be represented by two voting delegates at the Annual General Meeting (AGM) of the Western Australian Local Government Association (WALGA).

In the event that a voting delegate is unable to attend, provision can be made for proxy delegates to be registered.

Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of member Council's Delegates may be elected members or serving officers.

Comment

The 2018 AGM of WALGA will be held at 1.30pm on Wednesday 1st August 2018 at the Perth Convention and Exhibition Centre, 21 Mounts Bay Road, Perth. Changes to the constitution of WALGA are proposed to be included as part of the AGM's agenda.

The Shire President, Cr Conley will attend a WALGA event for Mayors and Presidents on the 31st July 2018. On Wednesday 1st August 2018 Cr Conley and the Chief Executive Officer are also attending:

- a workshop titled Beneficial Enterprises – How Local Government Can Meet Market Failure; and
 - State & Local Government Forum including meetings with staff from the Department of Transport and Department of Water and Environmental Regulation;
- prior to the WALGA AGM.

Cr Conley and the Chief Executive Officer will be attending the AGM of WALGA. Other Councillors are welcome to attend and there is not cost for attendance of the AGM.

In the event an additional Councillor wishes to attend this event, the Councillor should be appointed a delegate in front of the Chief Executive Officer. The Chief Executive Officer would then be appointed a proxy delegate in the event of one of the appointed delegates being unable to attend.

Strategic Implications – Nil

Statutory Environment

The WALGA AGM is conducted under the rules of WALGA.

Policy Implications – Nil

Financial Implications – Nil
Economic Implication – Nil
Social Implication – Nil
Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. to appoint an additional elected member as a delegate to the 2018 WALGA AGM. The resolution for this decision would be:

That Council appoint:

1. Cr Conley and Cr _____ as voting delegates at the 2018 Annual General Meeting of the Western Australian Local Government Association; and
 2. Mr Gary Sherry as the proxy delegate for both Cr Conley and Cr _____ to the 2018 Annual General Meeting of the Western Australian Local Government Association.
- or
3. to appoint alternative delegates and proxy delegates to the 2018 WALGA AGM.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/55:

That Council appoint

1. **Cr Conley and Cr Tim Haslam as voting delegates at the 2018 Annual General Meeting of the Western Australian Local Government Association; and**
2. **Mr Gary Sherry as the proxy delegate for Cr Conley and Cr Haslam to the 2018 Annual General Meeting of the Western Australian Local Government Association.**

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 6/0

9.2.4 Special Meeting of Council – Consider Draft Budget

Applicant: N/A
File Ref. No: ADM2396
Disclosure of Interest: Nil
Date: 12th June 2018
Author: Gary Sherry
Attachment: Nil

Summary

Council is to consider setting a date for a Special Council Meeting to consider a draft 2018/19 Council Budget.

Background

It is a legislative requirement for the public in general to be advised in advance of all meeting dates, place and starting times to facilitate attendance or participation in Council Meetings. Unforeseen circumstances may dictate a change to this schedule and local advertising will inform Electors accordingly.

At the December 2017 Ordinary Meeting the following meeting schedule for 2018 was adopted by Council.

Date	Type	Time
Thursday 15 February 2018	Ordinary Meeting	2:00 PM
Thursday 15 March 2018	Ordinary Meeting	2:00 PM
Thursday 19 April 2018	Ordinary Meeting	2:00 PM
Thursday 17 May 2018	Ordinary Meeting	2:00 PM
Thursday 21 June 2018	Ordinary Meeting	2:00 PM
Thursday 19 July 2018	Ordinary Meeting	2:00 PM
Thursday 16 August 2018	Ordinary Meeting	2:00 PM
Thursday 20 September 2018	Ordinary Meeting	2:00 PM
Thursday 18 October 2018	Ordinary Meeting	2:00 PM
Thursday 15 November 2018	Ordinary Meeting	2:00 PM
Thursday 15 November 2018	Annual Electors Meeting	6.30 PM
Thursday 20 December 2018	Ordinary Meeting	2:00 PM

Comment

In the recent past, Council has held a Special Meeting in June to consider a draft budget for the following year. Council has used this meeting to review the financial operations of Council and to establish a priority for discretionary expenditure to be included in the draft Budget. The priority for discretionary expenditure set by Council is then used by staff to prepare a draft budget that is presented to Council at the July Ordinary Meeting for consideration and adoption.

It is proposed to hold a Special Meeting of Council to consider the 2018/19 draft Budget at 2pm on Thursday 28th June 2018.

Strategic Implications - Nil

Statutory Environment

Local Government (Administration) Regulations 1996
12. Public notice of council or committee meetings — s. 5.25(1)(g)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.

- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

Policy Implications – Nil

Financial Implications

Local advertising in the Narrogin Observer will occur a relatively small charge that can be met with Council's budget allocation. Council will advertise a Special Meeting on local noticeboards, the Shire website and Shire social media.

Economic Implications - Nil

Social Implications

Council has had a number of local residents and interested people attend Council's meetings. Council should encourage this to occur in 2018 by advertising Special Meetings in the local community.

Environmental Considerations – Nil at this time

Consultation - Nil

Options

The Council can resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation that includes a different date or time;
3. to not hold a Special Meeting to discuss the 2018/19 Draft Budget.

Voting Requirements – Simple Majority

COUNCIL DECISION – 2018/56:

That Council conduct a Special Meeting of Council to be held in the Shire of Cuballing Council Chambers at 2pm on Thursday 28th June 2018 to consider a Draft 2018/19 Council Budget.

Moved: Cr Dowling

Seconded: Cr Newman

Carried 6/0

9.3 MANAGER OF WORKS AND SERVICES:

Nil

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

Nil

11. URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:

Nil

12. CONFIDENTIAL MATTERS:

Nil

13. NEXT MEETING

Special Council Meeting, 2.00pm, Thursday 28th June 2018 to consider a Draft 2018/19 Council Budget at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

Ordinary Council Meeting, 2.00pm, Thursday 19th July 2018 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

14. CLOSURE OF MEETING:

There being no further business, the Shire President, Cr Conley, closed the meeting at 4:22pm.