

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

AGENDA

for the

Ordinary Meeting of Council

to be held

2PM, WEDNESDAY 19th JUNE 2019

Shire of Cuballing
Council Chambers
Campbell Street, Cuballing

COUNCIL MEETING PROCEDURES

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting at “Public Question Time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the Presiding Member announces Public Question Time.
4. All other arrangements are in accordance with the Council’s standing orders, policies and decisions of the town.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Cuballing for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Cuballing disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person’s or legal entity’s own risk.

In particular, and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Cuballing during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Cuballing. The Shire of Cuballing warns that anyone who has an application lodged with the Shire of Cuballing must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of that application and any conditions attaching to the decision made by the Shire of Cuballing in respect of the application.

Contents

1.	DECLARATION OF OPENING:	2
2.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:	2
2.1.1	Attendance	2
2.1.2	Apologies	2
2.1.3	Leave of Absence	2
3.	STANDING ORDERS:	2
4.	PUBLIC QUESTION TIME:	2
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:	2
4.2	WRITTEN QUESTIONS PROVIDED IN ADVANCE:	2
4.3	PUBLIC QUESTIONS FROM THE GALLERY:	3
5.	APPLICATIONS FOR LEAVE OF ABSENCE:	3
6.	CONFIRMATION OF MINUTES:	3
6.1.1	Ordinary Meeting of Council held on Wednesday 15 th May 2019	3
7.	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:	3
7.1.1	Bushfire Risk Management Planning	3
8.	DISCLOSURE OF FINANCIAL INTEREST:	3
9.	REPORTS OF OFFICERS AND COMMITTEES:	4
9.1	DEPUTY CHIEF EXECUTIVE OFFICER:	4
9.1.1	List of Accounts Submitted for Council Approval and Payment – May 2019	4
9.1.2	Statement of Financial Activity	10
9.2	CHIEF EXECUTIVE OFFICER:	33
9.2.1	2019 WAEC Election Postal Voting	33
9.2.2	Memorandum of Understanding – Waste Transfer – Shire of Narrogin	36
9.2.3	Freedom of Information (FOI) Statement	43
9.2.4	Draft Disability Access and Inclusion Plan 2019-2024	56
9.2.5	Manager Works and Services - New Employment Contract Discussions	74
9.2.6	Delegating Council Authority – 2019/20	76
9.2.7	Bushfire Risk Management Planning Program	100
9.2.8	Cuballing War Memorial Redevelopment	130
9.3	MANAGER OF WORKS AND SERVICES:	150
10.	ELECTED MEMBERS’ MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:	150
11.	URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:	150
12.	CONFIDENTIAL MATTERS:	150
13.	NEXT MEETING	150
14.	CLOSURE OF MEETING:	150

1. DECLARATION OF OPENING:

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1 Attendance

Cr Mark Conley
Cr Eliza Dowling
Cr Scott Ballantyne
Cr Roger Newman
Cr Tim Haslam
Cr Dawson Bradford

President
Deputy President

Mr Gary Sherry
Ms Bronwyn Dew
Mr Bruce Brennan

Chief Executive Officer
Deputy Chief Executive Officer
Manager of Works and Services

2.1.2 Apologies

Nil at this time.

2.1.3 Leave of Absence

Nil

3. STANDING ORDERS:

OFFICER'S RECOMMENDATION:

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

4. PUBLIC QUESTION TIME:

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:

Nil

4.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

Nil

4.3 PUBLIC QUESTIONS FROM THE GALLERY:

Nil at this time.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil at this time.

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Wednesday 15 th May 2019
--

OFFICER'S RECOMMENDATION:

That the minutes of the Ordinary Meeting of Council held on Wednesday 15th May 2019 be confirmed as a true record of proceedings.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:

7.1.1 Bushfire Risk Management Planning
--

Ms Donna Morgan, DFES Upper Great Southern Region's Bushfire Risk Management Planning Officer of the will make a presentation on the forth coming preparation of a Bushfire Risk Management Plan for the Shire of Cuballing.

8. DISCLOSURE OF FINANCIAL INTEREST:

DISCLOSURE OF FINANCIAL INTEREST AND PROXIMITY INTEREST

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

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

DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

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

9. REPORTS OF OFFICERS AND COMMITTEES:

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1	List of Accounts Submitted for Council Approval and Payment – May 2019
--------------	---

File Ref. No:	NA
Disclosure of Interest:	Nil
Date:	12 th June 2019
Author:	Nichole Gould
Attachments:	9.1.1A List of May 2019 Trust Accounts 9.1.1B List of May 2019 Municipal Accounts

Summary

Council is to consider the May 2019 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 2019.

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

OFFICER'S RECOMMENDATION:

That Council receives the List of Accounts for May 2019 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 2019 totalling \$28,287.70 included at Attachment 9.1.1A; and**
- 2. Municipal Fund in May 2019 totalling \$257,215.23 included at Attachment 9.1.1B.**

**LIST OF TRUST FUND ACCOUNTS DUE AND SUBMITTED TO COUNCIL
MAY 2019**

Chq/EFT	Name	Description	Amount
20190501	Licensing Payments	Police Licensing Payments	1015.25
20190502	Licensing Payments	Police Licensing Payments	2491.95
20190506	Licensing Payments	Police Licensing Payments	716.00
20190507	Licensing Payments	Police Licensing Payments	620.90
20190509	Licensing Payments	Police Licensing Payments	931.55
20190513	Licensing Payments	Police Licensing Payments	220.80
20190514	Licensing Payments	Police Licensing Payments	220.40
20190515	Licensing Payments	Police Licensing Payments	338.15
20190516	Licensing Payments	Police Licensing Payments	1030.05
20190517	Licensing Payments	Police Licensing Payments	908.45
20190520	Licensing Payments	Police Licensing Payments	382.90
20190521	Licensing Payments	Police Licensing Payments	1077.85
20190522	Licensing Payments	Police Licensing Payments	375.90
20190523	Licensing Payments	Police Licensing Payments	239.00
20190524	Licensing Payments	Police Licensing Payments	13795.00
20190527	Licensing Payments	Police Licensing Payments	3412.25
20190529	Licensing Payments	Police Licensing Payments	26.85
20190530	Licensing Payments	Police Licensing Payments	112.55
20190531	Licensing Payments	Police Licensing Payments	371.90
			28287.70

**LIST OF MUNICIPAL FUND ACCOUNTS DUE AND SUBMITTED TO COUNCIL
MAY 2019**

Chq/EFT	Description	Amount
2019-05-01	Rent for Grader Driver House	360.00
2019-05-07	Interest on Graders	435.52
2019-05-07	Loan Repayment No. 63 Graders	3,278.76
2019-05-15	Rent for Grader Driver House	360.00
2019-05-20	ATO Clearing Account Bas	18,391.00
2019-05-29	Rent for Grader Driver House	360.00
EFT4316	Acetyene bottle rental	26.06
EFT4317	Catering – Biggest Morning Tea	78.75
EFT4318	Supply and Spray primer seal Wandering Narrogin Rd	28,336.00
EFT4319	Install all new power to Cuballing golf club as per quote QU - 206	5,445.95
EFT4320	Water Usage at Cuby War Memorial from October 2018 To June 2019	362.36
EFT4321	37 x 3.2l galv sign posts	1,035.98
EFT4322	CEO Fuel	617.59
EFT4323	Rapid set concrete sign & white posts	462.00
EFT4324	Fix front doors to CWA hall Replace kitchen tiles Render window sill As per Quote	2,350.00
EFT4325	2 x Blade fuse kits 1 x hat 1 x Safe Crate 3 x Dry Graphite lube 12 x safety glasses	844.58
EFT4326	Service grader	1,635.46
EFT4327	UV Schedule Revaluation 2018/19	6,409.00
EFT4328	Domain Name Computer Licenses - cuballing.wa.gov.au to 9/07/2020	398.75
EFT4329	Backflow test Cuballing East Road tank	110.00
EFT4330	5.2 m Grade 70 rated chain for ramps	216.26
EFT4331	1 x liquid refill bottle 45 kg blue top	130.00
EFT4332	12x Scotch Fillet Steak, 12 x Chicken Kebabs	107.86
EFT4333	2x Large ANZAC Day Wreaths - Natives	230.00
EFT4334	Repair light switch and power point	99.00
EFT4335	Contract Ranger Service - 15/03/2019 Travel 90kms	406.50
EFT4336	Uniforms for Bronwyn Dew	482.61
EFT4337	2x Boxes A3 Paper	76.27

Chq/EFT	Description	Amount
EFT4338	Legal Costs - Summons, PSSO & Land PSSO	93.50
EFT4339	BCITF Forms March 2019	87.75
EFT4340	Audit Final Fee - year ended 30/6/2018	9,900.00
EFT4341	Prestart booklets for plant	539.00
EFT4342	Monthly Fuel Account March 2019 - 10,000 Litres Diesel	15,143.34
EFT4343	Rubbish Removal - Household Service x 258	6,246.90
EFT4344	Freight Charges March 2019 - Corsign	777.70
EFT4345	Account for March 2019 - Youth Event - 6 x Plywood	488.00
EFT4346	Monthly Computer Licenses	1,304.25
EFT4347	Public Notices - General Meeting of Electors Narrogin Observer	179.50
EFT4348	2 x Speakers	69.90
EFT4349	1 x Bottle of One gas 52 argon CO ²	154.00
EFT4350	1 x pair boots	354.45
EFT4351	Contract Ranger Service - Labour 22/03/19 x 1hr	141.00
EFT4352	Photocopier Charges as per copies February 2019	647.75
EFT4353	Seal kit for steering ram	1,586.94
EFT4354	2 x seals for cat loader	16.41
EFT4355	A4 Boxes Paper, Correction Tape, Post it Flags, Tubeclips, erasers	319.02
EFT4356	Legal Fees - Summons Cost	1,880.88
EFT4357	Supply,spray and spread 2 coat bitumen seal as per quote 8086 Cuballing Transfer Station	9,094.09
EFT4358	Fix electrical issue	269.50
EFT4359	April 2019 Building Forms	283.25
EFT4360	Reimbursement of Internet as per contract	110.00
EFT4361	3 x rural road Numbers 15,52,80	79.20
EFT4362	1 x 1litre paint 2 x graffiti remover	103.27
EFT4363	1 x thin style windscreen wiper pkt 1 x thick style windscreen wiper pkt	78.98
EFT4364	extend shed at Cuballing transfer station with 100mm cement floor 4m x 7.5m .3.5m high	13,006.21
EFT4365	CEO Fuel	534.26

Chq/EFT	Description	Amount
EFT4366	Refreshments	332.00
EFT4367	Excavator and truck hire clean out culvert	429.00
EFT4368	Band Trip Cuballing Music Festival	300.00
EFT4369	1 x Bench seat for Russel street Bus Shelter	790.90
EFT4370	35 Bollards as per quote	1,247.68
EFT4371	Monthly Fuel Account April 2019 - 5,500 Litres Diesel	8,537.83
EFT4372	Rubbish Removal - Recycling Service x 255	7,436.70
EFT4373	Supply 180ton 10mm washed granite to MRD spec	9,770.48
EFT4374	8 x wheel chocks	541.20
EFT4375	Freight Charges - JR & A Hersey	119.52
EFT4376	GRV Schedule No G2019/1 Dated 16/06/19 to 22/03/19	673.70
EFT4377	Assist with Budget Review, Budget Preparation & Audit	2,706.00
EFT4378	Account for April 2019 - Blue Glue, Saddles, Bend, Adaptor, Pipe, Bends	127.60
EFT4379	Monthly Computer Licenses	1,708.50
EFT4380	Install tap for retic Popo toilets	250.00
EFT4381	1 x Isolator switch for Keverek Crane	38.22
EFT4382	Hire of Bomag steel drum roller 2 days	1,724.80
EFT4383	Replace windscreen cat loader	1,215.92
EFT4384	10x Black Tablecloths and modesty skirting	173.00
EFT4385	3 x boxes of toilet rolls 2 x boxes hand towels	360.95
EFT4386	Upgrade Power Distribution board to Aus standards at Cuballing Golf Club	1,320.00
EFT4387	20 x Plants for Entry Statements	130.00
EFT4388	4 x 20l Roundup power max 6 x Metsulfluron 2 x Bags Simazine	1,545.72
EFT4389	Paint CWA hall new ceiling	1,111.00
EFT4390	Contract Ranger Service - Labour 29/03/19 2hrs	937.50
EFT4391	Quarterly Alarm Monitoring	110.00
EFT4392	Photocopier Charges as per copies	645.10
EFT4393	Annual inspection of first aid kits	608.79
EFT4394	Cement Stabilisation on Wandering Narrogin road	41,706.72

Chq/EFT	Description	Amount
EFT4395	Forklift Training	265.20
EFT4396	3x Vehicle Log Books	7.95
14735	Monthly Electricity Charge Street Lightning x 42 Lights	738.15
14736	Building Services March 2019 - Labour x 29.50hrs	3,747.15
14737	Service Charge - Shire Office	564.25
14738	Water Charges - Park Ridley St Cuballing	2,265.62
14739	Monthly Electricity Charge Street Lightning x 42 Lights	622.45
14740	Building Services April 2019	1,546.85
14741	Mobile Enhanced SMS Message Harvest Ban Service	38.74
14742	Water Charges - Standpipe Ridley St Cuballing	1,675.00
14743	Groceries	491.90
DD1925.1	Superannuation contributions	224.35
DD1925.2	Payroll deductions	5,446.21
DD1925.3	Superannuation contributions	469.92
DD1925.4	Superannuation contributions	425.99
DD1925.5	Superannuation contributions	224.14
DD1925.6	Superannuation contributions	90.47
DD1925.7	Superannuation contributions	200.30
DD1938.1	Monthly Wireless Limitless Inc Calls Internet	90.29
DD1940.1	Superannuation contributions	224.35
DD1940.2	Payroll deductions	5,324.60
DD1940.3	Superannuation contributions	437.17
DD1940.4	Superannuation contributions	431.58
DD1940.5	Superannuation contributions	224.14
DD1940.6	Superannuation contributions	72.26
DD1940.7	Superannuation contributions	193.17
DD1952.1	Superannuation contributions	246.31
DD1952.2	Payroll deductions	5,478.03
DD1952.3	Superannuation contributions	437.17
DD1952.4	Superannuation contributions	437.17
DD1952.5	Superannuation contributions	241.43
DD1952.6	Superannuation contributions	129.37
DD1952.7	Superannuation contributions	193.17
DD1957.1	DCEO Credit Card - Officeworks - A3 Laminator, Pouches & Highlighters	876.24
		257,215.23

9.1.2 Statement of Financial Activity

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	7 th June 2019
Author:	Bronwyn Dew, Deputy Chief Executive Officer
Attachments:	9.1.2A Statement of Financial Activity

Summary

Council is to consider the Statement of Financial Activity for May 2019.

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

Revenue from operating activities exceeded year to date budget estimates to 31st May 2019 in a positive manner. Some key points include;

- General Purpose Funding – Rates revenue is within 1% of the budget as at 31 May 2019;
- Governance – Unbudgeted grant income for Administration Trainee (\$30,000) return of membership fees from the Great Southern Regional Business Association (\$3,373);
- Community Amenities – Received Department of Veterans Affairs grant of \$6,002;
- Transport – MRWA Direct Grant amount received \$98,183 being greater than the \$57,535 budgeted;
- Economic Services – Standpipe charges and Building Licenses and Building Surveyor fees are less than budgeted. Plus some unsuccessful grant applications budgeted for but not received, meaning projects didn't go ahead; and
- Law, Order & Public Safety – Received unbudgeted grant for Fast Fill Fire Trailer (\$6,545).

Operating Expenses – The key items of variance include:

- Overall the month expenditure is below the YTD budget.
- Recreation & Culture – showing as over budget due to cost of replacement of Golf Club Shed. This is offset in the Recreation & Culture income account with the claim receipt for the cost of the replacement shed;

- Governance – showing as overbudget due to Administration training & support. General office expenses over budget – printing, advertising, office maintenance & computer maintenance all slightly over budget.

There have been no transfers either to or from reserves to date.

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

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

OFFICER'S RECOMMENDATION:

That the Statement of Financial Activity, as included at Attachment 9.1.2A for the Shire of Cuballing for period ending 31st May 2019 be received.

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 May 2019

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

TABLE OF CONTENTS

Monthly Summary Information	2-4
Statement of Financial Activity by Program	5
Statement of Financial Activity by Nature or Type	7
Note 1 Net Current Assets	9
Note 2 Explanation of Material Variances	10
Note 3 Cash and Investments	11
Note 4 Receivables	12
Note 5 Rating Revenue	13
Note 6 Disposal of Assets	14
Note 7 Capital Acquisitions	15-17
Note 8 Borrowings	18
Note 9 Reserves	19
Note 10 Grants and Contributions	20
Note 11 Trust Fund	21
Note 12 Budget Amendments	22

MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED 31 MAY 2019

INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 31 March 2019
Prepared by: Bronwyn Dew, Deputy Chief Executive Officer
Reviewed by: Gary Sherry, Chief Executive Officer

BASIS OF PREPARATION

REPORT PURPOSE

This report is prepared to meet the requirements of Local Government (Financial Management) Regulations 1996, Regulation 34. Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

BASIS OF ACCOUNTING

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

THE LOCAL GOVERNMENT REPORTING ENTITY

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

SIGNIFICANT ACCOUNTING POLICES

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CRITICAL ACCOUNTING ESTIMATES

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

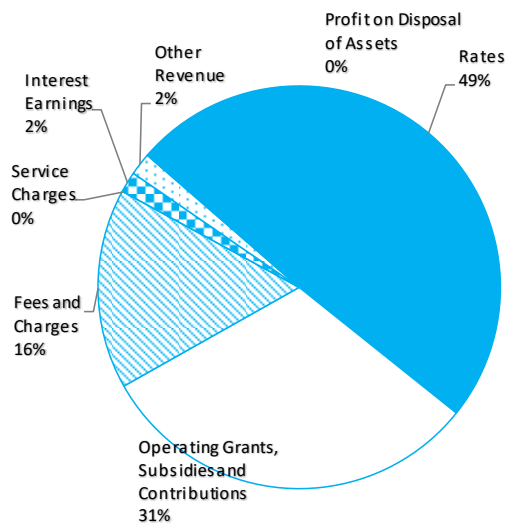
ROUNDING OFF FIGURES

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

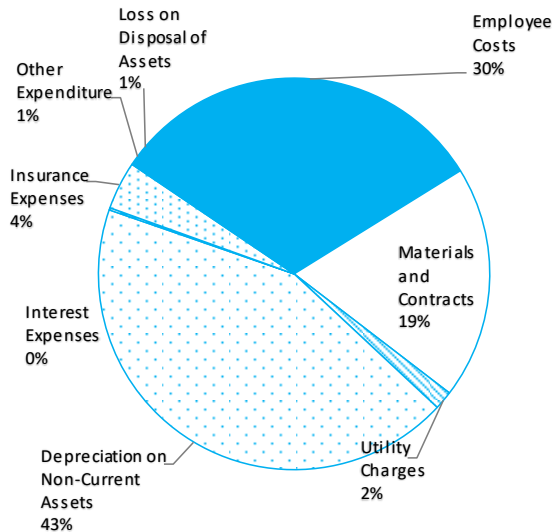
**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 MAY 2019**

SUMMARY GRAPHS

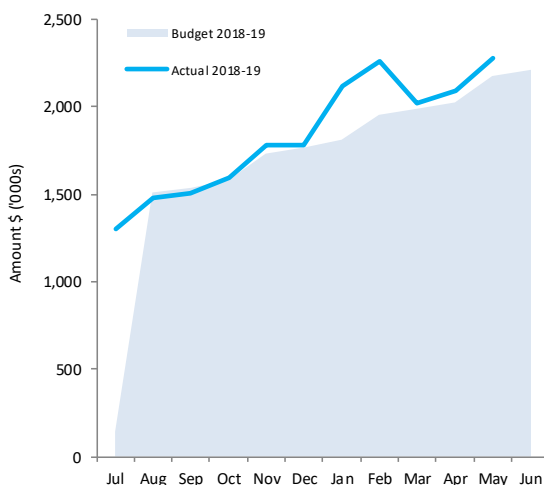
OPERATING REVENUE



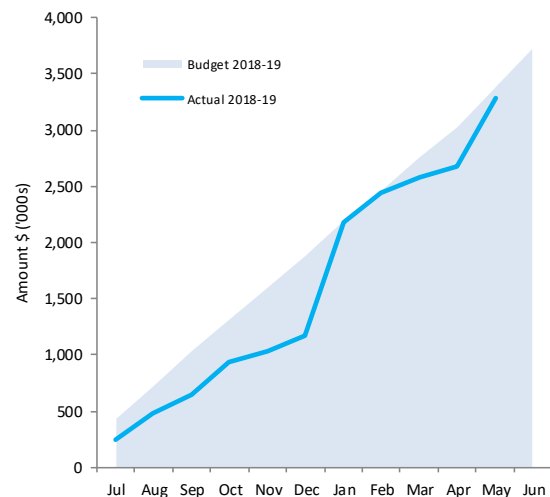
OPERATING EXPENSES



Budget Operating Revenues -v- Actual

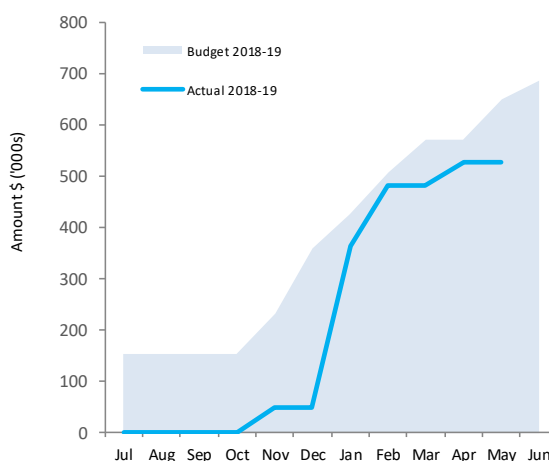


Budget Operating Expenses -v- YTD Actual



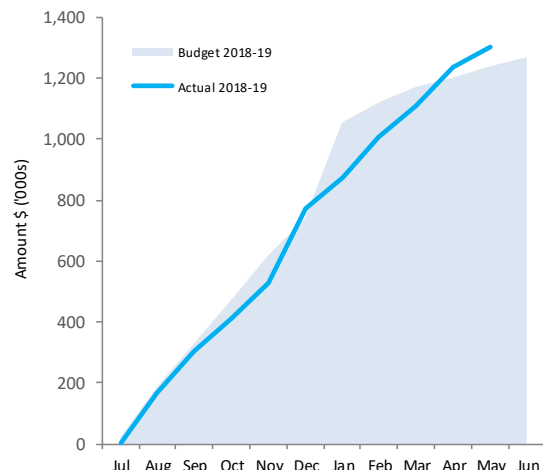
CAPITAL REVENUE

Budget Capital Revenue -v- Actual



CAPITAL EXPENSES

Budget Capital Expenses -v- Actual



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

KEY TERMS AND DESCRIPTIONS**FOR THE PERIOD ENDED 31 MAY 2019****STATUTORY REPORTING PROGRAMS**

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

PROGRAM NAME	OBJECTIVE	ACTIVITIES
GOVERNANCE	Administration and operation of facilities and services to members of council, other costs that relate to tasks of elected members and ratepayers on matters which do not concern specific council activities	Complete Council meetings, Complete all Administration activities, Lobby other levels of government to support the aims of the Shire of Cuballing
GENERAL PURPOSE FUNDING	Rates, general purpose government grants and interest revenue	Manage Rates and collection. Maintain Property Data
LAW, ORDER, PUBLIC SAFETY	Supervision of various local laws, fire prevention, emergency services and animal control.	Provide ranger service, bush fire and emergency management
HEALTH	Inspections of septs and food control	Inspect food premises.
EDUCATION AND WELFARE	Support school activities	Provide activities of support of local schools
HOUSING	Provision and maintenance of staff housing	Provide staff & other housing
COMMUNITY AMENITIES	Operation of refuse sites, noise control and administration of Town Planning Scheme	Provision of waste & recycling services including the operation of the Cuballing & Popanyinning transfer stations. Also includes the provision of town planning services.
RECREATION AND CULTURE	Maintenance of halls, recreation centre and various reserves. Support library services in Narrogin.	Maintain halls & Civic buildings, parks and gardens and recreational facilities including managing the Dryandra Equestrian Centre lease.
TRANSPORT	Construction and maintenance of streets, roads, bridges, footpaths, drainage works, traffic signs, bus shelters and depot maintenance.	Maintain and protect local environmentally significant areas including the maintenance of Council roads and footpaths. Also includes the provision of vehicle licensing services.
ECONOMIC SERVICES	The regulation and provision of tourism, area promotion, building control, noxious weeds, vermin control and standpipes.	Control of noxious weeds on council property, DrumMuster and provision of building registration services. Includes tourism and promotion and supporting the Dryandra Country Visitors Centre.
OTHER PROPERTY AND SERVICES	Private works operation, plant repairs and operation costs.	Includes private works, overhead and plant allocations and the provision of building surveying services.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019**

STATUTORY REPORTING PROGRAMS

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)	
Opening Funding Surplus(Deficit)	1(b)	\$ 660,426	\$ 660,426	\$ 618,610	\$ (41,816)	% (6%)	
Revenue from operating activities							
General Purpose Funding	5	1,447,827	1,448,344	1,446,913	(1,431)	(0%)	
Governance		3,000	2,969	36,480	33,511	1,129%	▲
Law, Order and Public Safety		33,767	33,767	40,447	6,680	20%	▲
Health		700	525	1,148	623	119%	
Education and Welfare		1,000	1,000	3,500	2,500	250%	
Housing		4,680	4,290	4,320	30	1%	
Community Amenities		60,700	60,500	68,029	7,529	12%	▲
Recreation and Culture		8,545	8,545	81,629	73,084	855%	▲
Transport		247,262	246,559	274,767	28,208	11%	▲
Economic Services		83,812	79,228	27,437	(51,791)	(65%)	▼
Other Property and Services		317,500	291,042	296,667	5,626	2%	
		2,208,794	2,176,769	2,281,338			
Expenditure from operating activities							
General Purpose Funding		(74,310)	(67,534)	(52,537)	14,997	22%	▲
Governance		(152,396)	(121,583)	(167,616)	(46,033)	(38%)	▼
Law, Order and Public Safety		(178,486)	(166,075)	(152,349)	13,727	8%	
Health		(44,733)	(41,047)	(31,763)	9,283	23%	▲
Education and Welfare		(54,551)	(49,888)	(12,041)	37,847	76%	▲
Housing		(72,294)	(66,829)	(46,465)	20,364	30%	▲
Community Amenities		(343,728)	(315,687)	(290,877)	24,810	8%	
Recreation and Culture		(258,139)	(238,096)	(333,432)	(95,336)	(40%)	▼
Transport		(2,129,780)	(1,953,429)	(1,868,208)	85,221	4%	
Economic Services		(194,289)	(178,374)	(150,313)	28,061	16%	▲
Other Property and Services		(277,051)	(257,607)	(180,554)	77,053	30%	▲
		(3,779,758)	(3,456,149)	(3,286,155)			
Operating activities excluded from budget							
Add Back Depreciation		1,491,780	1,367,465	1,424,868	57,403	4%	
Adjust (Profit)/Loss on Asset Disposal	6	12,742	12,742	16,566	3,824	30%	
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(66,442)	100,827	436,616			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	10	534,005	534,005	527,827	(6,177)	(1%)	
Proceeds from Disposal of Assets	6	36,256	36,256	48,475	12,219	34%	▲
Land Held for Resale		0	0	0	0		
Capital Acquisitions	7	(1,381,546)	(1,381,546)	(1,304,318)	77,229	6%	
Amount attributable to investing activities		(811,286)	(811,286)	(728,015)			
Financing Activities							
Proceeds from New Debentures		160,000	160,000	160,000	0	0%	
Repayment of Debentures	8	(45,566)	(35,413)	(35,413)	0	0%	
Transfer from Reserves	9	245,996	0	0	0		
Transfer to Reserves	9	(143,128)	(16,811)	(16,811)	0	0%	
Amount attributable to financing activities		217,302	107,776	107,776			
Wardering Road Bridge Widening							
Closing Funding Surplus(Deficit)	1(b)	0	57,744	434,987			

KEY INFORMATION

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

The material variance adopted by Council for the 2018/19 year is \$5,000 or 10% whichever is the greater.

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

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 31 MAY 2019

REVENUE

RATES

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

PROFIT ON ASSET DISPOSAL

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

FEES AND CHARGES

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

SERVICE CHARGES

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

INTEREST EARNINGS

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

OTHER REVENUE / INCOME

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

NATURE OR TYPE DESCRIPTIONS

EXPENSES

EMPLOYEE COSTS

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

MATERIALS AND CONTRACTS

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

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

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

INSURANCE

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

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

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

OTHER EXPENDITURE

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

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019

BY NATURE OR TYPE

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)
		\$	\$	\$	\$	%
Opening Funding Surplus (Deficit)	1(b)	660,426	660,426	618,610	(41,816)	(6%)
Revenue from operating activities						
Rates	5	1,118,672	1,122,022	1,125,658	3,636	0%
Operating Grants, Subsidies and Contributions	10	626,369	623,422	709,708	86,286	14%
Fees and Charges		400,253	372,908	366,636	(6,272)	(2%)
Interest Earnings		35,000	32,167	38,126	5,959	19%
Other Revenue		28,500	26,250	41,209	14,959	57%
Profit on Disposal of Assets	6	0	0	0	0	
		2,208,794	2,176,769	2,281,338		
Expenditure from operating activities						
Employee Costs		(1,173,545)	(1,081,789)	(978,454)	103,335	10%
Materials and Contracts		(827,595)	(738,896)	(632,329)	106,567	14%
Utility Charges		(51,290)	(47,055)	(50,544)	(3,489)	(7%)
Depreciation on Non-Current Assets		(1,491,780)	(1,367,465)	(1,424,868)	(57,403)	(4%)
Interest Expenses		(8,403)	(7,703)	(5,949)	1,754	23%
Insurance Expenses		(130,445)	(122,565)	(130,415)	(7,850)	(6%)
Other Expenditure		(83,958)	(77,935)	(47,031)	30,904	40%
Loss on Disposal of Assets	6	(12,742)	(12,742)	(16,566)	(3,824)	
		(3,779,758)	(3,456,149)	(3,286,155)		
Operating activities excluded from budget						
Add back Depreciation		1,491,780	1,367,465	1,424,868	57,403	4%
Adjust (Profit)/Loss on Asset Disposal	6	12,742	12,742	16,566	3,824	30%
Adjust Provisions and Accruals		0	0	0	0	
Amount attributable to operating activities		(66,442)	100,827	436,616		
Investing activities						
Non-operating grants, subsidies and contributions	10	534,005	534,005	527,827	(6,177)	(1%)
Proceeds from Disposal of Assets	6	36,256	36,256	48,475	12,219	34%
Land held for resale		0	0	0	0	
Capital acquisitions	7	(1,381,546)	(1,381,546)	(1,304,318)	77,229	6%
Amount attributable to investing activities		(811,286)	(811,286)	(728,015)		
Financing Activities						
Proceeds from New Debentures		160,000	160,000	160,000	0	0%
Repayment of Debentures	8	(45,566)	(35,413)	(35,413)	0	0%
Transfer from Reserves	9	245,996	0	0	0	
Transfer to Reserves	9	(143,128)	(16,811)	(16,811)	0	0%
Amount attributable to financing activities		217,302	107,776	107,776		
Closing Funding Surplus (Deficit)	1(b)	0	57,744	434,987		
KEY INFORMATION		(593,984)				

Refer to Note 2 for an explanation of the reason: Wardering Road Bridge Widening

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019**

**NOTE 1(a)
NET CURRENT ASSETS**

SIGNIFICANT ACCOUNTING POLICIES

CURRENT AND NON-CURRENT CLASSIFICATION

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

EMPLOYEE BENEFITS

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

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

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

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

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

PROVISIONS

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

INVENTORIES

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019

OPERATING ACTIVITIES
NOTE 1(b)
ADJUSTED NET CURRENT ASSETS

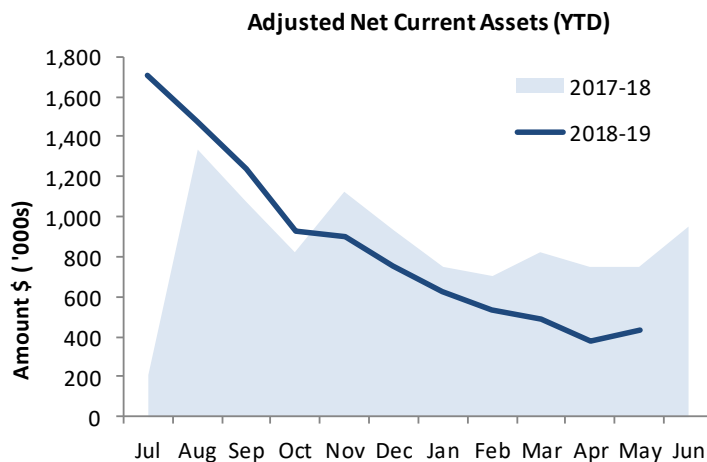
		Last Years Closing	This Time Last Year	Year to Date Actual
	Note	30 June 2018	31 May 2018	31 May 2019
Adjusted Net Current Assets		\$	\$	\$
Current Assets				
Cash Unrestricted	3	509,330	528,228	417,570
Cash Restricted	3	1,542,991	1,312,196	1,559,802
Receivables - Rates	4	51,735	65,290	64,970
Receivables - Other	4	90,790	108,335	27,886
Loans receivable		0	0	0
ATO Receivable		0	0	23,338
Inventories		8,391	7,262	8,391
Land held for resale - current		0	0	0
		2,203,237	2,021,311	2,101,957
Less: Current Liabilities				
Payables		(41,636)	14,741	(37,711)
ATO Payables		0	0	(69,457)
Provisions - employee		(246,020)	(191,753)	(246,020)
Long term borrowings		(38,715)	(11,911)	(3,302)
		(326,371)	(188,924)	(356,490)
Unadjusted Net Current Assets		1,876,866	1,832,388	1,745,467
Adjustments and exclusions permitted by FM Reg 32				
Less: Cash reserves	3	(1,542,991)	(1,312,196)	(1,559,802)
Less: Land held for resale		0	0	0
Less: Loans receivable		0	0	0
Add: Provisions - employee		246,020	191,753	246,020
Add: Long term borrowings		38,715	11,911	3,302
Adjusted Net Current Assets		618,610	723,856	434,987

SIGNIFICANT ACCOUNTING POLICIES

Please see Note 1(a) for information on significant accounting policies relating to Net Current Assets.

KEY INFORMATION

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is a negative) as presented on the Rate Setting Statement.



This Year YTD

Surplus(Deficit)

\$.43 M

Last Year YTD

Surplus(Deficit)

\$.72 M

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019**

**NOTE 2
EXPLANATION OF MATERIAL VARIANCES**

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

The material variance adopted by Council for the 2018/19 year is \$5,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Variance	Timing/ Permanent	Explanation of Variance
	\$	%			
Revenue from operating activities					
Governance	33,511	1,129%	▲	Permanent	Traineeship Grant - DPIRD (\$30,000)
General Purpose Funding	(1,431)	(0%)		Timing	Not Material
					Fire Prevention Grants & Income (Fast Fill Trailer
Law, Order and Public Safety	6,680	20%	▲	Permanent	\$6,545)
Health	623	119%		Timing	Not Material
Education and Welfare	2,500	250%		Permanent	Good Things Foundation Funding
Housing	30	1%		Timing	Not Material
Community Amenities	7,529	12%	▲	Permanent	Department of Veteran Affairs Grant (\$6,002)
Recreation and Culture	73,084	855%	▲	Permanent	Budget Profiling - Yornaning Dam Grant and Golf Club Insurance Claim Income
Transport	28,208	11%	▲	Permanent	Main Roads WA direct grant received \$98,183 (Budget \$57,535)
Economic Services	(51,791)	(65%)	▼	Permanent	Building License Fees (\$9,340). Certificate Fees (\$9,080), Surveyor Services (\$5,000), Unsuccessful Grant applications for Community Functions (\$27,236)
Other Property and Services	5,626	2%		Timing	Not Material
Expenditure from operating activities					
Governance	(46,033)	(38%)	▼	Timing	Training, Administration Support, Subscriptions,
General Purpose Funding	14,997	22%	▲	Timing	Member related expenses
Law, Order and Public Safety	13,727	8%		Timing	Bush Fire Brigade Wages & Ranger costs
Health	9,283	23%	▲	Timing	EHO/BS Expenditure
Education and Welfare	37,847	76%	▲	Permanent	Funds allocated for Aged/Seniors services, expenses not incurred
Housing	20,364	30%	▲	Timing	CEO & DCEO building maintenance costs
Community Amenities	24,810	8%		Timing	Refuse Site, Rubbish Collection, Public Toilets, Planning
Recreation and Culture	(95,336)	(40%)	▼	Permanent	Gold Club Shed Expenses (-\$50,924) Parks & Gardens, Oval
Transport	85,221	4%		Timing	Timing of Road Maintenance
Economic Services	28,061	16%	▲	Permanent	Community Functions allocation not spent due to unsuccessful grant applications
Other Property and Services	77,053	30%	▲	Timing	Plant & Overhead Allocations
Investing Activities					
Non-operating Grants, Subsidies and Contributions	(6,177)	(1%)		Permanent	Budget Profiling - Operating grants
Proceeds from Disposal of Assets	12,219	34%	▲	Permanent	Includes sale of Corolla
Land Held for Resale	0				Not Applicable
Capital Acquisitions	77,229	6%		Permanent	Budget Profiling - Acquisitions under budget
Financing Activities					
Proceeds from New Debentures	0	0%		Timing	Not material
Transfer from Reserves	0			Timing	Not material
Repayment of Debentures	0	0%		Timing	Not material
Transfer to Reserves	0	0%		Timing	Not material

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019**

**OPERATING ACTIVITIES
NOTE 3
CASH AND INVESTMENTS**

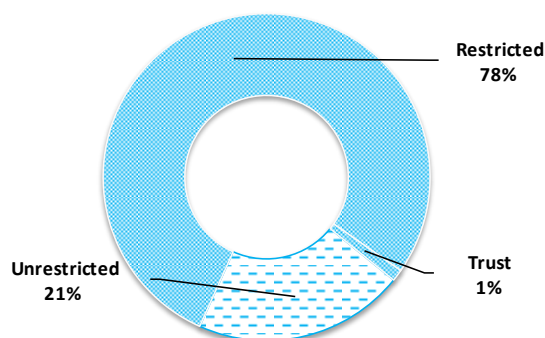
Cash and Investments	Unrestricted	Restricted	Trust	Total YTD Actual	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
Cash on Hand							
Petty Cash and Floats	413,455			413,455	CBA	1.50%	At Call
At Call Deposits							
Municipal Fund	4,115			4,115	CBA	1.90%	At Call
Trust Fund			23,017	23,017	CBA	0.00%	At Call
Term Deposits							
Reserve Funds		1,559,802		1,559,802	CBA	2.39%	21-Feb-19
Total	417,570	1,559,802	23,017	1,586,934			

SIGNIFICANT ACCOUNTING POLICIES

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

KEY INFORMATION

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



Total Cash	Unrestricted
\$1.59 M	\$.42 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

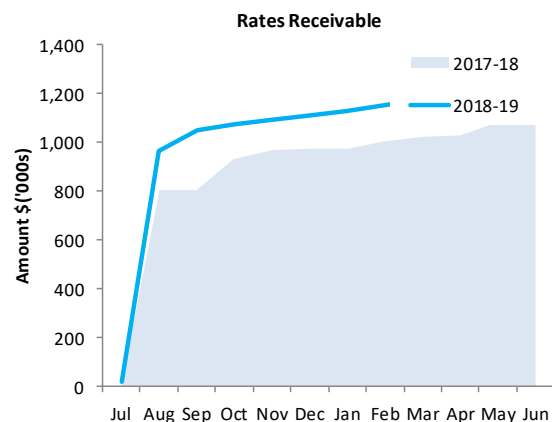
Rates Receivable	30 June 2018	31 May 19	Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$		\$	\$	\$	\$	\$
Opening Arrears Previous Year	65,448	51,735	Receivables - General	27,005	467	0	473	27,945
Levied this year	1,066,065	1,199,303	Percentage	97%	2%	0%	2%	
Less Collections to date	(1,079,778)	(1,186,068)	Balance per Trial Balance					
Equals Current Outstanding	51,735	64,970	Sundry debtors					27,886
			GST receivable					23,338
Net Rates Collectable	51,735	64,970	Total Receivables General Outstanding					51,224
% Collected	95.15%	94.58%	Amounts shown above include GST (where applicable)					

KEY INFORMATION

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

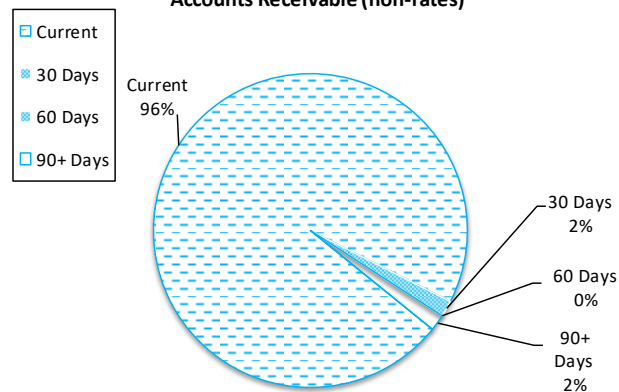
SIGNIFICANT ACCOUNTING POLICIES

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



Collected	Rates Due
95%	\$64,970

Accounts Receivable (non-rates)



Debtors Due
\$51,224
Over 30 Days
3%
Over 90 Days
2%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019

OPERATING ACTIVITIES

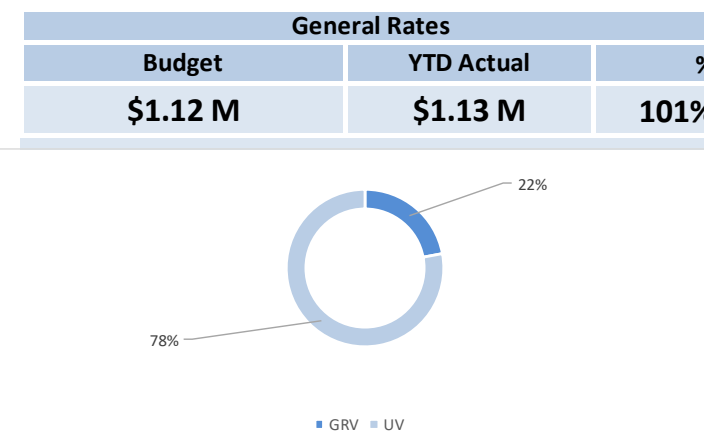
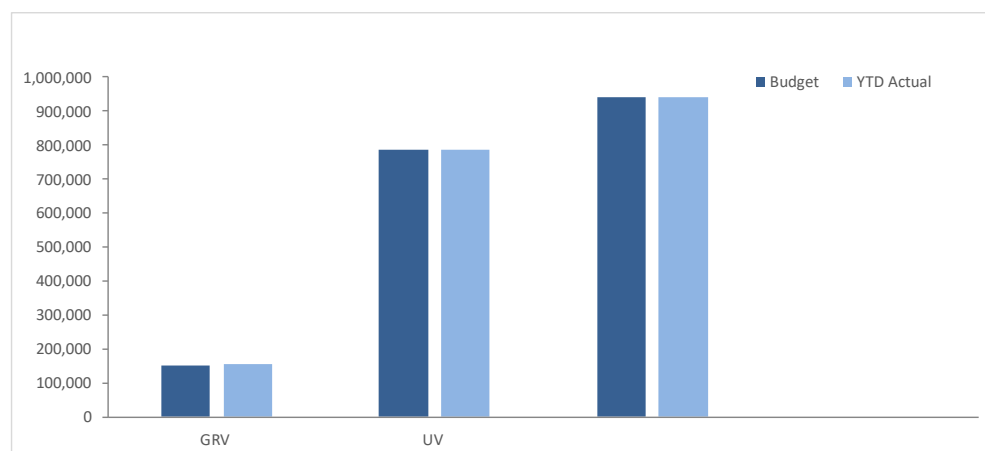
NOTE 5

RATE REVENUE

General Rate Revenue				Annual Budget				YTD Actual			
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE	\$			\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV	7.0920	167	2,164,942	152,468	0	0	152,468	153,538	0	0	153,538
UV	0.7209	186	109,263,940	787,684	0	0	787,684	787,684	51	0	787,735
Sub-total		353	111,428,882	940,152	0	0	940,152	941,221	51	0	941,273
Minimum											
	\$										0
GRV	690	161	810,568	111,780	0	0	111,780	111,090	0	0	111,090
UV	930	158	14,017,700	146,940	0	0	146,940	146,940	0	0	146,940
		319	14,828,268	258,720	0	0	258,720	258,030	0	0	258,030
Sub-Totals											
		672	126,257,150	1,198,872	0	0	1,198,872	1,199,251	51	0	1,199,303
Discount							(73,500)				(72,932)
Concession / Write Offs							(6,700)				(564)
Amount from General Rates							1,118,672	1,125,807			
Ex-Gratia Rates							0	0			
Total General Rates							1,118,672	1,125,807			

SIGNIFICANT ACCOUNTING POLICIES

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

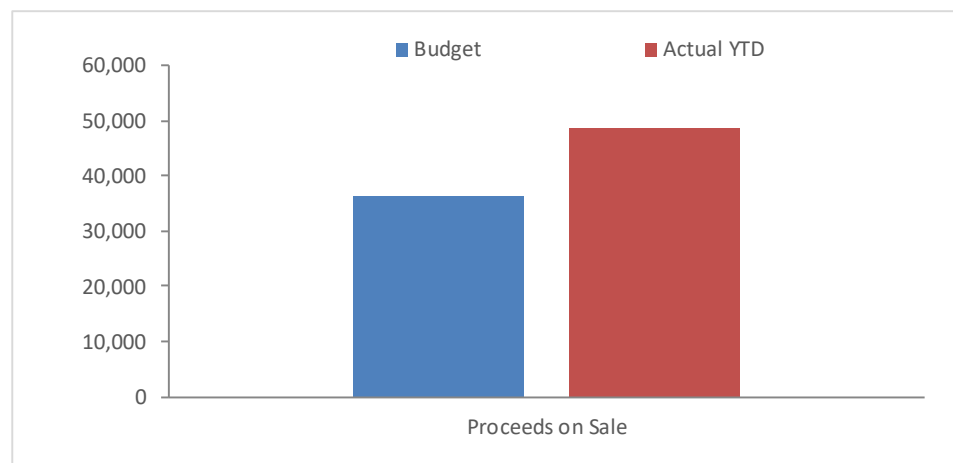


**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019**

**OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS**

Asset Ref.	Asset Description	Amended Budget				YTD Actual		
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit (Loss)
		\$	\$	\$	\$	\$	\$	\$
10087	CN1 2014 Holden Colorado Dual Cab Utility (CN 1)	18,102	17,166		(936)	18,000	17,112	(888)
10062	Isuzu NPR 300 Truck (CN 2)	22,448	12,727		(9,721)	22,400	12,727	(9,673)
10078	Mazda Traytop Utility (CN1557)	8,448	6,363		(2,085)	8,400	4,545	(3,855)
10099	Toyota Corolla (CN039)	16,241	0		(16,241)	16,241	14,091	(2,150)
		65,239	36,256	0	(28,983)	65,041	48,475	0 (16,566)

KEY INFORMATION



Proceeds on Sale			
Budget		YTD Actual	%
\$36,256		\$48,475	134%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019

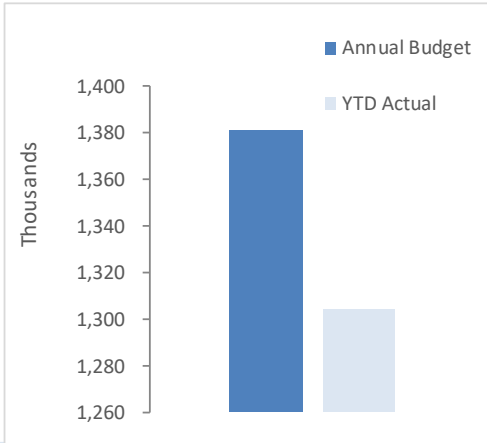
INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS

Capital Acquisitions	Amended		YTD Actual Total	YTD Budget Variance
	Annual Budget	YTD Budget		
	\$	\$	\$	\$
Land & Buildings	391,240	391,240	253,424	137,816
Plant & Equipment	176,221	176,221	167,543	8,678
Furniture & Equipment	1,800	1,800	431	1,369
Roads	805,835	805,835	878,990	(73,155)
Recreation	0	0	0	0
Parks, Gardens, Recreation Facilities	0	0	0	0
Other Infrastructure	6,450	6,450	3,929	2,521
Capital Expenditure Totals	1,381,546	1,381,546	1,304,318	77,229
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	534,005	534,005	527,827	(6,177)
Borrowings	160,000	160,000	160,000	0
Other (Disposals & C/Fwd)	36,256	36,256	48,475	12,219
Cash Backed Reserves				
Infrastructure Reserve	0	0	0	0
Pensioner Unit Maintenance Reserve	1,800	0	0	0
Plant Replacement Reserve	40,000	0	0	0
Contribution - operations	609,486	651,286	568,015	(83,271)
Capital Funding Total	1,381,546	1,381,546	1,304,318	(77,229)

SIGNIFICANT ACCOUNTING POLICIES

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

KEY INFORMATION

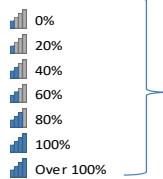


Acquisitions	Annual Budget	YTD Actual	% Spent
	\$1.38 M	\$1.3 M	94%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$.53 M	\$.53 M	99%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019

INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS (CONTINUED)

Capital Expenditure Total
Level of Completion Indicators



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

Level of completion indicator

	Acc / Job	Annual Budget	YTD Budget	YTD Actual	Variance
Capital Expenditure					
Land					
Lot 74 Austral Street Improvements	12126	183,185	183,185	174,457	8,728
Buildings					
Toilet Block Cuby Fire Station	C158	0	0	244	(244)
Toilet Block Cuby Fire Station	10517	0	0	0	0
Mens Shed	10743	0	0	159	(159)
Cuballing Transfer Station Sealing	J601	0	0	0	0
Cuballing Transfer Station Sealing	J601A	40,916	40,916	24,868	16,048
Popanyinning Shed Floor Concrete	J601B	3,960	3,960	3,240	720
Popanyinning Tip Shed Gates	J601C	3,838	3,838	750	3,088
Waste Oil Transfer Station Cuballing Relocation	J601E	31,488	31,488	15,436	16,052
Building Renewal - Cuballing Recreation Centre	C165	4,140	4,140	3,740	400
Building Renewal - Cuballing Memorial Park	C176	49,530	49,530	0	49,530
Building Renewal - Yornaning Dam	C187	12,115	12,115	441	11,674
Lions Park Shelter	C192A	6,625	6,625	7,218	(593)
Cwa Hall Works	C195A	55,443	55,443	22,870	32,573
Total Land & Buildings		391,240	391,240	253,424	137,816
Plant & Equipment					
Isuzu Hino 3.5T Truck	12405	63,900	63,900	63,300	600
ESO Dual Cab 4x4 Utility	12406	43,073	43,073	40,021	3,052
KevRek 550s Crane	12407	7,300	7,300	7,700	(400)
Solar Powered Variable Message Board	12408	23,130	23,130	21,250	1,880
Directional Signage	12409	8,000	8,000	0	8,000
4x2 Tipping Utility - with Kevrek Crane	12410	30,000	30,000	28,727	1,273
Fast Fill Fire Trailer	05198	0	0	6,545	(6,545)
VHF Radio WEARN - Hand Held (x2)	05170	818	818	0	818
Total Plant & Equipment		176,221	176,221	167,543	8,678
Furniture & Equipment					
Councillor Ipad	04265	1,800	1,800	431	1,369
Total Furniture & Equipment		1,800	1,800	431	1,369
Infrastructure - Roads					
Wandering Road Bridge Widening	B001	40,000	40,000	0	40,000
RRG - Stratherne Road 17/18	R001	0	0	0	0
RRG - Stratherne Road 18/19	R001A	135,506	135,506	164,823	(29,317)
RRG - Wandering Narrogin Road 17/18	R129	165,198	165,198	176,244	(11,046)
RRG - Wandering Narrogin 18/19	R129A	274,131	274,131	313,754	(39,623)
Popanyinning West Widening R2R	R002	0	0	0	0
Popanyinning West Road Realignment R2R 16/17	R002B	0	0	0	0
Popanyinning East Road Resealing	R004C	10,080	10,080	10,869	(789)
Popanyinning West Reconstruction	R004D	172,836	172,836	191,066	(18,230)
Reeds Road Gravel Sheetting	R004F	8,084	8,084	22,234	(14,150)
Total Road Infrastructure		805,835	805,835	878,990	(73,155)
Recreation					
Nil					
Total Recreation		0	0	0	0
Parks, Ovals & Playgrounds					
Nil					
Total Parks, Ovals & Playgrounds		0	0	0	0
Other Infrastructure					
Popanyinning Gravel Pit Fencing	C198	6,450	6,450	3,929	2,521
Total Other Infrastructure		6,450	6,450	3,929	2,521
TOTAL CAPITAL EXPENDITURE		1,381,546	1,381,546	1,304,318	77,229

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019**

FINANCING ACTIVITIES

NOTE 8

BORROWINGS

Information on Borrowings		New Loans		Principal Repayments		Principal Outstanding		Interest Repayments		
		2017/18	Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget
Particulars		\$	\$	\$	\$	\$	\$	\$	\$	
Transport										
Loan 63 - Graders		150,655	0	0	35,413	38,704	131,518	111,951 0	5,949	5,867
Economic Services										
Loan 64 - Lot 74 Austral St		0	160,000	160,000	0	6,862	0	153,138	0	2,536
Total		150,655	160,000	160,000	35,413	45,566	131,518	265,089	5,949	8,403

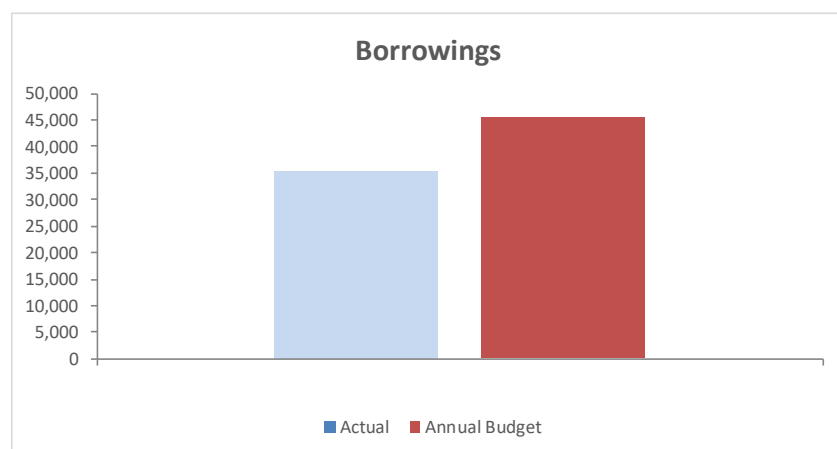
All debenture repayments were financed by general purpose revenue.

SIGNIFICANT ACCOUNTING POLICIES

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

KEY INFORMATION

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



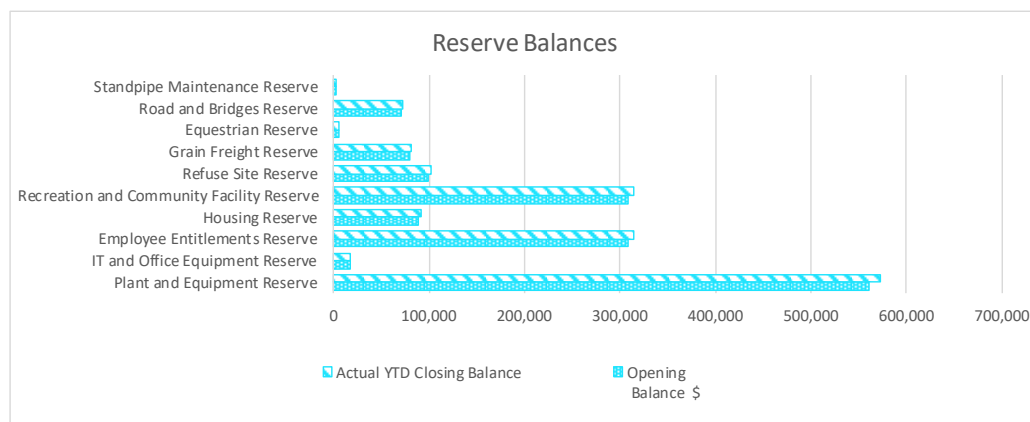
	Principal Repayments
	\$35,413
Interest Earned	Interest Expense
\$38,126	\$5,949
Reserves Bal	Loans Due
\$1.58 M	\$0.13 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019

Cash Backed Reserve

Reserve Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant and Equipment Reserve	561,189	6,547	6,115	88,362	6,115	0	0	656,098	573,419
IT and Office Equipment Reserve	17,414	203	190	5,000	190	(1,800)	0	20,817	17,794
Employee Entitlements Reserve	308,356	3,597	3,360	14,766	3,360	(27,730)	0	298,989	315,075
Housing Reserve	89,484	1,045	975	5,000	975	(40,000)	0	55,529	91,434
Recreation and Community Facility Reserve	308,226	3,595	3,358	5,000	3,358	(88,360)	0	228,461	314,941
Refuse Site Reserve	99,864	1,165	1,088	0	1,088	(43,706)	0	57,323	102,040
Grain Freight Reserve	79,829	931	870	0	870	0	0	80,760	81,569
Equestrian Reserve	5,034	59	55	5,000	55	0	0	10,093	5,144
Road and Bridges Reserve	71,603	835	780	0	22	(44,400)	0	28,038	72,406
Standpipe Maintenance Reserve	2,000	23	22	2,000	780	0	0	4,023	2,801
	1,543,000	18,000	16,811	125,128	16,811	(245,996)	0	1,440,132	1,576,621

KEY INFORMATION



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019

NOTE 10
GRANTS AND CONTRIBUTIONS

Grants and Contributions

Description	Annual Budget	YTD Budget	YTD Actual	Variance
Operating grants, subsidies and contributions				
General Purpose Funding				
Grants Commission - General Purpose	289,730	289,730	278,162	(11,568)
Governance				
Great Southern Business Development Group	0	0	3,373	3,373
Insurance & Other Reimbursements	2,880	2,859	51,894	49,035
Department Primary Industries & Regional Development	0	0	30,000	30,000
Law, Order & Public Safety				
DFES - Bush Fire Brigades	30,517	30,517	35,164	4,647
Education & Welfare				
Good Things Foundation	1,000	1,000	3,500	2,500
Housing				
Rental Income	4,680	4,290	4,320	30
Community Amenities				
Cemetery	500	500	0	(500)
Recreation & Culture				
Yornaning Dam Stage 1	0	0	12,000	12,000
Kidsport	1,000	1,000	2,500	1,500
Yornaning Dam Stage 2	0	0	9,690	9,690
Transport				
Main Roads - RRG	0	0	0	0
Main Roads - Direct Grant	57,535	57,535	98,183	40,648
Grants Commission - Roads Component	179,727	179,691	153,444	(26,247)
Reimbursement - Damage to Bridge September 2018	0	0	9,460	9,460
Economic Services				
Youth Day	1,000	1,000	0	(1,000)
Volunteers Day	1,000	1,000	0	(1,000)
Seniors Day	500	500	0	(500)
Tourism & Area Promotion	26,300	26,300	1,000	(25,300)
Other Property & Services				
Workers Compensation	30,000	27,500	17,017	(10,483)
Operating grants, subsidies and contributions Total	626,369	623,422	709,708	86,286
Non-operating grants, subsidies and contributions				
Recreation & Culture				
Wardering Road Bridge Widening	12,723	12,723	0	(12,723)
Transport				
Main Roads - RRG	330,012	330,012	330,012	0
Roads to Recovery (RTR)	191,270	191,270	191,270	0
RTR - Special Bridge Grants	0	0	0	0
Law, Order & Public Safety				
DFES - Bush Fire Brigades	0	0	6,545	0
Non-operating grants, subsidies and contributions Total	534,005	534,005	527,827	(12,723)
Grand Total	1,160,374	1,157,427	1,237,535	73,563

KEY INFORMATION

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

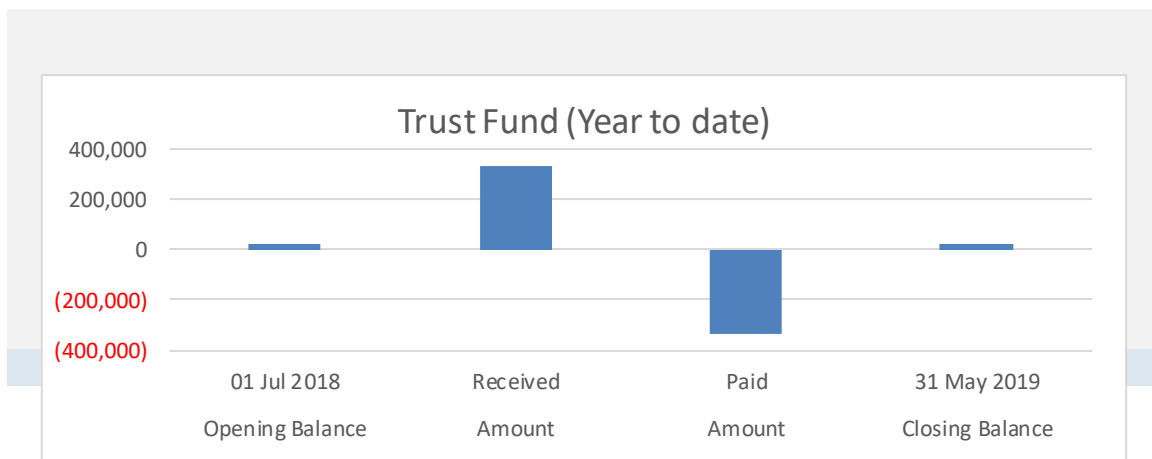
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019**

**NOTE 11
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 2018	Amount Received	Amount Paid	Closing Balance 31 May 2019
	\$	\$	\$	\$
Bonds - Building	6,889	0	0	6,889
Bonds - Hall Hire	1,150	400	(400)	1,150
Badminton Club	20	0	0	20
Commodore Tennis Club	2,990	0	(100)	2,890
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	3,487	334,077	(337,026)	538
Swipe Cards	1,605	0	0	1,605
Reimbursements	1,698	0	0	1,698
	26,067	334,477	(337,526)	23,017

KEY INFORMATION



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2019**

**NOTE 12
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		Opening Surplus				0
	Permanent Changes						
	Nil						0
	Nil						0
	Nil						0
	Nil						0
				0	0	0	

ADDITIONAL INFORMATION

Note 12 to be completed as part of budget review process and/or as per Council Resolutions during the financial year

9.2 **CHIEF EXECUTIVE OFFICER:**

9.2.1 2019 WAEC Election Postal Voting

Applicant:	N/A
File Ref. No:	ADM27
Disclosure of Interest:	Nil
Date:	31 st May 2019
Author:	Gary Sherry
Attachments:	Nil

Summary

Council is to formally consider using the WA Electoral Commission (WAEC) to conduct the October 2019 Council election.

Background

In the past Council has conducted mostly Voting in Person elections, using Shire staff. The WAEC is the only body that can hold a Postal Voting election.

In Voting in Person elections, electors can register to go on Council's postal register and receive a postal vote.

Comment

The WAEC has provided a cost estimate of \$12,500 (GST Exclusive) to conduct the October 2019 Local Government Elections on behalf of Council. The quote is based on

- 660 electors;
- a response rate of approximately 60%;
- 3 vacancies and the count to be conducted at the premises of the Shire of Cuballing;
- the appointment of a local returning officer;
- regular Australia Post delivery to apply. Council can pay an additional \$132 for the Australia Post Priority Service.

The cost estimate may change, either decrease or increase, if the parameters on which the cost is calculated change as the WAEC operate on a cost recovery basis.

The WAEC would conduct the Council election as a postal election although Council would still be required to open at least one polling booth on the day of the election and provide one member of staff to assist in the election.

Should Council choose not to conduct a Postal Voting Election, Council can complete a Voting in Person Election utilising Shire staff. The anticipated cost for Shire staff to conduct a Voting in Person Election is \$3,500.

Strategic Implications

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

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

	Strategy	Outcome
4.2	Maintain a clear, transparent and ethical decision making process.	Openness and transparency in Council decisions.
4.4	Actively engage with the community to inform decision making and improve conversations within the community.	The community have a variety of opportunities to be involved and are able to make meaningful contributions to decision making.
4.5	Be innovative in the management of Shire operations, services, staff and resources to create a resilient and financially stable Shire.	A Shire that is progressive, sustainable, resilient and adaptive to changes.
4.6	Employees actively contribute to improved operational service delivery and ensure excellent customer service.	Employees continually improve the operational service delivery and the community receives excellent customer service.

Statutory Environment

Local Government Act 1995

4.20 CEO to be returning officer unless other arrangements made

- (1) Subject to this section the CEO is the returning officer of a local government for each election.
- (2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —
 - (a) an election; or
 - (b) all elections held while the appointment of the person subsists.

* Absolute majority required.

- (3) An appointment under subsection (2) —
 - (a) is to specify the term of the person's appointment; and
 - (b) has no effect if it is made after the 80th day before an election day.
- (4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

* Absolute majority required.

- (5) A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.
- (6) A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.

Policy Implications – Nil

Financial Implications

The WAEC, quoted \$12,500 (GST Exclusive) to conduct the 2019 Local Government Ordinary Election on behalf of the Shire of Cuballing. Council will still be required to have one polling booth open on Election Day and this would be an expense Council will have to bear.

Should Council elect to hold a voting in person election conducted by Council staff the following expenses can be expected:

Statutory Advertising (GST Exclusive)	\$ 1,900
---------------------------------------	----------

Staff Election Day costs	\$ 1,500
Election Material Expenses (GST Exclusive)	\$ 100
	<u>\$ 3,500</u>

Economic Implication – Nil

Social Implication

The Postal Voting election could provide ease of voting for a larger number of electors in the Shire of Cuballing.

The Voting in Person election conducted by Shire staff will allow polling booths in both Cuballing and Popanyinning.

Environmental Considerations – Nil

Consultation

Waec have provided a quotation to complete 2019 Local Government Elections for the Shire of Cuballing.

Options

Council may resolve:

1. the Officer's Recommendation;
2. to have the WAEC conduct a Postal Voting Election

Voting Requirements

Absolute Majority is required if Council appoints the WAEC to hold Council's 2019 Local Government Election.

OFFICER'S RECOMMENDATION:

That Council:

- 1. conducts a Voting in Person election in 2019;**
- 2. does not appoint the Western Australian Electoral Commission to conduct the October 2019 election on behalf of the Shire of Cuballing; and**
- 3. appoints the Chief Executive Officer, Mr Gary Sherry, as Returning Officer for the October 2019 election.**

9.2.2	Memorandum of Understanding – Waste Transfer – Shire of Narrogin
-------	--

Applicant:	N/A
File Ref. No:	ADM209
Disclosure of Interest:	Nil
Date:	6 th June 2019
Author:	Gary Sherry
Attachments:	9.2.2A Draft MOU – Shire of Narrogin

Summary

Council is to consider entering into a Memorandum of Understanding with the Shire of Narrogin that gives direction to the Shire of Cuballing's transfer of waste to the Shire of Narrogin's waste disposal site.

Background

The Shire of Cuballing has been transferring waste to the Shire of Narrogin's waste disposal site since 2016. Council pays a per tonne fee for waste disposed.

The transferring of waste from the Shire of Cuballing to Shire of Narrogin commenced during the planning for the regional waste site in 2015 as short term measure until the regional waste site commenced operation.

The Regional Waste Site, while remaining a goal of the Great Southern Regional Waste Group, will not be operational in the short to medium term. One reason for this is that waste sites like the Shire of Narrogin's, have uncovered additional capacity to dispose of waste.

Comment

The draft Memorandum of Understanding (MOU) proposed between the Shire's of Cuballing and Narrogin is included at Attachment 9.2.2A. By and large the MOU represents the current operations of transferring waste to the Shire of Narrogin.

The draft MOU includes:

- A term of 5 years to 30 June 2024 (Clause 1);
- The Shire of Narrogin will accept waste generated in the Shire of Cuballing (Clause 3);
- The MOU only extends to the Shire of Cuballing and not to residents or businesses from the Shire of Cuballing (Clause 4);
- The Shire of Cuballing will only transfer waste from kerbside collection and from the transfer stations within the Shire of Cuballing (Clause 5);
- The Shire of Cuballing will have all vehicles carrying refuse and wastes weighed and the original weigh bridge docket being supplied to the Shire of Narrogin at the earliest opportunity or at the end of the working week (Clause 5);
- The Shire of Cuballing will not transfer waste that includes green waste, recyclables, tyres, clinical or medical waste or other hazardous waste (Clause 5);
- The Shire of Narrogin will charge the Agreed Rate set out in the Shire of Narrogin's Fees and Charges (Clause 6);
- The Shire Narrogin will charge the Shire of Cuballing on a monthly basis (Clause 7);

- The Shire of Cuballing could transfer waste to another site if the Shire of Cuballing chooses (Clause 8);
- Any disputes will be resolved by agreement between the CEO's of the Shires of Narrogin and Cuballing (Clause 10);
- The MOU can be amended by an exchange of emails between the Shires (Clause 11);
- The Shire of Cuballing can seek to extend the term of the MOU at least six months prior to the expiration of the agreement (Clause 12);
- Either party can terminate the MOU with 12 months notice (Clause 13); and
- The Shire of Cuballing will take all reasonable measures to seek to ensure that the waste types deposited at the Narrogin Waste Management Facility will comply with the Shire of Narrogin's Waste Licence as issued by the Department of Water and Environmental Regulation. Should waste from a class not permitted at Narrogin Waste Management Facility be transferred by the operations of the Shire of Cuballing to the facility, the Shire of Cuballing will consider contributing to the Shire of Narrogin some or all of the cost of remediation of that transferred waste (Clause 15).

The Shire of Williams are currently reviewing waste management options including transfer of waste to a range of waste disposal sites, including the Shire of Narrogin. Should the Shire of Williams choose the Shire of Narrogin site for waste disposal, the Shires of Narrogin and Williams are expected to enter into a similar MOU.

Strategic Implications

SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

- A safe community where residents feel secure and comfortable at home, work and play.

	Strategy	Outcome
1.7	Create and maintain a safe environment for the community.	A feeling of safety within our neighbourhoods and a sense of being looked out for.
1.8	Manage environmental health risks in the Shire.	A Shire which seeks to mitigate environmental health risks to ensure a healthy and safe community.

ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

- Community infrastructure and services delivered in a timely manner, are well utilised, effective and meet the expectations of the community.
- Promoting sustainable and diverse economic development opportunities that make the Shire of Cuballing an attractive place to live, work and visit.

	Strategy	Outcome
3.1	Deliver a diverse range of affordable services and infrastructure across the Shire.	A range of services, facilities and programs that the broadest community can access.
3.2	Ensure essential services and infrastructure are aligned to community needs now and in the future.	Services and infrastructure which meets the needs of the broadest community and responds to changing priorities.

Statutory Environment

A memorandum of understanding (MoU) is a type of agreement between two parties that seeks to express a convergence of will between the parties, indicating an intended common line of action. It is often used either in cases where parties do not wish to imply a legal commitment.

Policy Implications - Nil

Financial Implications

In 2018/19 the Shire of Cuballing has paid \$79 per tonne for waste transferred to the Shire of Narrogin. These transfers are anticipated to total \$22,000.

The cost of transfer to an alternative waste disposal site would be considerable.

Economic Implication

Local business may reduce costs or improve productivity by using efficient and cost effective waste collection services provided by Council.

Social Implication

Council provision of efficient, environmentally sustainable and cost effective waste management services is a high priority for the community of the Shire of Cuballing.

Environmental Considerations

Efficient and effective waste management practices will assist in the protection human health and the environment.

Consultation

Shire of Narrogin

Options

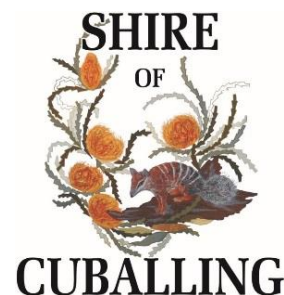
Council may resolve:

1. the Officer's Recommendation; or
2. to agree in principle to a MOU with the Shire of Narrogin but seek to make minor amendments to the draft MOU. Any amendments will need to be offered to the Shire of Narrogin for their agreement; or
3. to not enter into a MOU with the Shire Narrogin. This course of action will require Council to consider their entire waste management process and further consideration of alternative waste management options.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council endorses the Memorandum of Understanding included as Attachment 9.2.2A with the Shire of Narrogin for the disposal of waste of the Shire of Cuballing at the Shire of Narrogin's Waste Management Facility.



THIS MEMORANDUM OF UNDERSTANDING (MOU)
Is made on the day of 2019

Between:

The Shire of Narrogin
89 Earl Street
Narrogin WA 6312

And

The Shire of Cuballing
186 Campbell Street
Cuballing WA 6311

1. Term of MoU

This MoU has a term of 5 years from the 1 July 2019 and terminating on 30 June 2024.

2. Preamble

The Shire of Narrogin operates the Narrogin Waste Management Facility at 46 White Road Narrogin for the disposal of refuse, garbage and other unwanted items which are disposed onto the landfill.

The Shire of Cuballing wishes to deposit waste matter, generated within their Shire, at the Narrogin Waste Management Facility.

This MoU sets out the expectations of both parties.

3. The Shire of Narrogin:

- Will continue to operate a Waste Management Waste Facility on White Road, Narrogin;
- Will submit all required reports to government authorities as required;
- Will pay all licence fees applicable from time to time to government departments;
- Will take refuse and waste material from the Shire of Cuballing's kerbside collection programme and any transfer station operated by the Shire of Cuballing at an agreed rate;
- Has agreed to accept such wastes that are generated within the Shire of Cuballing at a charge as set by the Shire of Narrogin and as amended from time to time.

4. Exclusion

This agreement does not extend to residents of the Shire of Cuballing who use the Narrogin Waste Management Facility. Residents of the Shire of Cuballing who deposit waste material at the Narrogin Waste Management Facility do so at their own initiative and cost.

5. The Shire of Cuballing:

- Will deposit waste materials from kerbside refuse collection at the Shire of Narrogin's Waste Management Facility;
- Will deposit waste material generated at transfer stations located within the Shire of Cuballing;
- Will have all vehicles carrying refuse and wastes weighed at an approved weigh bridge and the original weigh bridge docket being supplied to the Shire of Narrogin at the earliest opportunity or at the end of the working week;
- Will pay the Agreed Rate for depositing such waste at the Narrogin Waste Management Facility;
- Will take all reasonable measures to seek to ensure that the following waste types are not deposited:
 - a) Green waste, unless by agreement;
 - b) Recyclables, unless sorted;
 - c) Tyres of any type;
 - d) Clinical/medical waste;
 - e) Hazardous wastes.

6. Agreed Rate

The Agreed Rate is as set out in the adopted Shire of Narrogin's Fees and Charges for each financial year.

The Shire of Narrogin may choose to amend the Agreed Rate from time to time.

The Shire of Narrogin will provide notice as soon as possible to the Shire of Cuballing of any change of the Agreed Fee by the Shire of Narrogin.

7. Payment

The Shire of Cuballing agrees to pay the Shire of Narrogin the Agreed Rate. The Shire of Narrogin will provide a tax invoice setting out the charge for that period. Tax invoices will be provided on a monthly basis. GST will apply to any Tax Invoice.

8. Exclusivity

There is no restriction within this MoU that prevents the Shire of Cuballing from depositing their waste at one or more Waste Management Facilities that the Shire of Cuballing wishes to use. Should the Shire of Cuballing decide to deposit waste material at another landfill site as well as at the Narrogin Waste Management Facility that is a decision for the Shire of Cuballing and no penalty will be imposed by the Shire of Narrogin should that eventuate.

9. Force Majeure

Neither party will be liable for failing to perform its obligations under this MoU as long as the failure is triggered by something beyond its control. An event that triggers a Force Majeure will be communicated to the Shire of Cuballing as soon as practicable. This MoU will be placed

on hold during that time. Once the event has ended this MoU will recommence. This clause does not prevent payment of monies due.

10. Dispute Resolution

Should a dispute arise in regard to this MoU the matter will be referred to the Executive Manager Development and Regulatory Services, Shire of Narrogin and the Chief Executive Officer, Shire of Cuballing to resolve.

In the event that the dispute is not amicably resolved the matter will be arbitrated by the Chief Executive Officer, Shire of Narrogin and the Chief Executive Officer, Shire of Cuballing for resolution.

The decision/s of the Chief Executive Officers from each Shire will be final and no further correspondence will be entered into.

11. Variations

This MoU can be amended as required from time to time. Either party can initiate the request for a review or variation. Such request is to be in writing addressed to the other parties Chief Executive Officer.

12. Extension of MoU

Should the Shire of Cuballing wish to extend the term of this MoU such request is to be in writing at least six (6) months before the expiration of this agreement, requesting an extension for a period as mutually agreed between the parties. Upon receipt of such a request for an extension to the MoU the Shire of Narrogin will advise the Shire of Cuballing, in writing, as soon as practicable whether the extension has been approved or otherwise.

13. MoU not to Commit Either Party

Nothing in this MoU commits either party, whether implied or not, to any action, financial expenditure or process unless explicitly stated in this agreement.

14. MoU Termination

This MoU can be terminated by either party by giving 12 months written notice to the other party. No reason needs to be given for such termination. No adverse comments or recriminations will be expressed by either party should this agreement be terminated prior to the 5 year term of this MoU.

15. Indemnity

The Shire of Cuballing will take all reasonable measures to seek to ensure that the waste types deposited at the Narrogin Waste Management Facility will comply with the Shire of Narrogin's Waste Licence as issued by the Department of Water and Environmental Regulation (DWER). Should the Shire of Narrogin have evidence that waste from a class not permitted at Narrogin Waste Management Facility has been transferred by the operations of the Shire of Cuballing to the facility the Shire of Cuballing agrees to review the evidence and consider contributing to the Shire of Narrogin some or all of the cost of remediation of that transferred waste.

To assist the Shire of Cuballing with the permitted and not permitted waste classes a copy of the Shire of Narrogin's waste Licence L7085/1997/13 is attached for reference.

16. Insurance

Each party is responsible for their own insurance. The Shire of Cuballing is responsible for their contractor's insurance when that contractor is transporting and/or depositing the Shire of Cuballing's waste within or at the Narrogin Waste Management Facility. It is the Shire of Cuballing's responsibility to ensure that their contractor has the necessary/required insurance/s when that contractor is on the Shire of Narrogin's property.

17. Agreement

By signing below each party is expressing agreement to proceed with this Memorandum of Understanding.

Executed for and on behalf of

The Shire of Cuballing

Name:

Position:

Signature:

Date:

Executed for and on behalf of

The Shire of Narrogin

Name:

Position:

Signature:

Date:

9.2.3 Freedom of Information (FOI) Statement

Applicant:	N/A
File Ref. No:	ADM039
Disclosure of Interest:	Nil
Date:	6 th June 2019
Author:	Gary Sherry
Attachments:	9.2.3A Draft Freedom of Information Statement

Summary

Council is to consider a revised Freedom of Information Statement.

Background

Under the requirements of the Freedom of Information Act 1992 the Shire of Cuballing adopted a Freedom of Information (FOI) Information Statement at their August 2018 Ordinary Meeting.

Local Governments are required to have an information statement made available for inspection or purchase by members of the public. Some agencies have elected to publish their information statement electronically on their website. Others have elected to have both a hard copy and a copy available on their website. Another option is to have hard copy version incorporated in the agency's annual report.

Whichever manner the agency chooses to publish its information statement in, it is required to provide a copy to the Information Commissioner.

Information statements are an important part of FOI legislation. They assist members of the public to exercise their rights under the FOI Act, by describing the information and records available, together with a summary of the responsibilities and functions carried out by each agency.

The provisions in the FOI Act concerning information statements require that subsequent republishing of the information statement occurs at intervals of not more than 12 months.

Comment

An updated draft Information Statement has been prepared and is included at Attachment 9.2.1A. In previous years the preparation of the Information Statement has been completed with the assistance of the Office of the Information Commissioner

It is a requirement of the Freedom of Information Act 1992 that an up-to-date Information Statement be published at least every 12 months.

A final, adopted Information Statement will be available on the Council website and from the Shire Administration Office

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017

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

- An independent Council that is supported by an excellent organisation.
- Governance structures that ensure accountable, transparent and ethical decision making.

	Strategy	Outcome
4.2	Maintain a clear, transparent and ethical decision making process.	Openness and transparency in Council decisions.
4.3	Ensure open and consistent communication between the Shire and the community.	The community is aware of Council decisions and activities.

Statutory Environment

Freedom of Information Act 1992
Part 5 — Publication of information about agencies

- 94. Term used: information statement
- 96. Information statement, each agency to publish annually
- 97. Information statement and internal manual, each agency to make available etc.

Policy Implications – Nil

Financial Implications – Nil

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

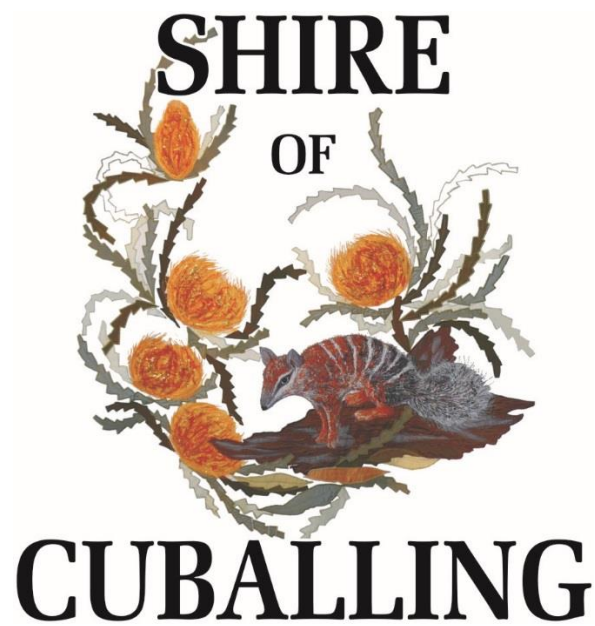
Council can resolve:

- 1. the Officer's Recommendation; or
- 2. to adopt an amended draft Information Statement; or
- 3. to complete a substantially different Information Statement for review by Council at a later time.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council adopt the Draft Information Statement included at Attachment 9.2.3A.



FREEDOM OF INFORMATION STATEMENT 2019

This Information Statement is published by the Council in accordance with the requirements of Section 96 of the Freedom of Information Act 1992 (Western Australia).

The Council is pleased to comply with the legislation and welcomes enquiries.

An updated Information Statement will be published at least every 12 months.

Date of Adoption:

Table of Contents

1.	MISSION STATEMENT	3
2.	DETAILS OF LEGISLATION ADMINISTERED	3
3.	COUNCIL STRUCTURE	3
4.	DETAIL OF DECISION MAKING PROCESS	3
4.1	MINUTES	4
5.	SHIRE OF CUBALLING SHIRE COUNCILORS	4
6.	DELEGATIONS	4
7.	SERVICES FOR THE COMMUNITY	5
8.	PUBLIC PARTICIPATION	5
8.1	COUNCIL MEETINGS	5
8.2	COMMUNITY CONSULTATION	5
9.	ACCESS TO DOCUMENTS	6
9.1	DOCUMENTS AVAILABLE FOR INSPECTION	6
10.	OTHER INFORMATION REQUESTS	6
10.1	FOI OPERATIONS:	6
10.2	FREEDOM OF INFORMATION APPLICATIONS:	6
10.3	FREEDOM OF INFORMATION CHARGES	7
11.	ACCESS ARRANGEMENTS	7
12.	NOTICE OF DECISION	8
13.	REFUSAL OF ACCESS	8
14.	ATTACHMENTS	8
	ATTACHMENT 1 - APPLICATION FOR ACCESS TO DOCUMENTS	9
	FIGURE 1 – SHIRE OF CUBALLING ORGANISATIONAL STRUCTURE AT DECEMBER 2016	31 st 11

1. 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.

2. DETAILS OF LEGISLATION ADMINISTERED

Including, yet not limited to:

- Local Government Act 1995;
- Freedom of Information Act 1992;
- Dog Act 1976;
- Planning and Development Act 2005; and
- all other legislation relevant to Local Government functions

3. COUNCIL STRUCTURE

The Shire of Cuballing consists of seven (6) Councillors including the Shire President.

Local Government Elections are held in October of every second year. Councillors are elected for a four year term with three members retiring at each election. Extraordinary elections are held to fill any vacancies which may have occurred during the year.

The President of the Council is elected by the Councillors at the first meeting following each ordinary election.

Council is the decision making body of all policy matters. The Chief Executive Officer reports to Council and the present Shire organisational structure is shown in Figure 1 (attached).

4. DETAIL OF DECISION MAKING PROCESS

Ordinary meetings of full Council are generally held on the third Wednesday of each month with exception that no meeting is held in January.

Council Meetings normally commence 2:00pm and the date and time of the meeting are advertised locally. Members of the public are welcome to attend and Public Question Time is an early item of business.

The main business of the meeting is to consider and make resolutions.

Correspondence and applications on any matters to be considered by Council must be received at the Council office at least two week prior to the week of the Council meeting if they

are to be guaranteed of being dealt with at this meeting.

4.1 Minutes

Minutes of Full Council are placed on display in Council's Library and on the Shire of Cuballing website within 10 days after Ordinary Council Meeting.

5 SHIRE OF CUBALLING SHIRE COUNCILORS

Councillor M (Mark) Conley	President	Term expires October 2021
Councillor E (Eliza) Dowling	Deputy President	Term expires October 2021
Councillor S (Scott) Ballantyne		Term expires October 2021
Councillor D (Dawson) Bradford		Term expires October 2019
Councillor TP (Tim) Haslam		Term expires October 2019
Councillor RDJ (Roger) Newman		Term expires October 2019

Council has appointed the following as members of Committees of Council and as delegates of Council to the respective committee or organisation as included in the following table:

No	Committee/Service	Delegate	Proxy
1	Audit Committee	All Councillors	N/A
2	Bush Fire Advisory Committee	Cr Haslam	Cr Newman
3	Dryandra Regional Equestrian Park Management Committee	Cr Haslam	Cr Newman
4	Dryandra Voluntary Regional Organisation of Councils (DVROC)	Cr Conley	Cr Dowling
5	Education (School Awards, etc)	Cr Bradford	Cr Dowling
6	Cuballing Wickepin Local Emergency Management Committee	Cr Conley	Cr Ballantyne
7	Popanyinning Progress Association	Cr Haslam	Cr Bradford
8	Wheatbelt South Regional Road Group	Cr Ballantyne	Cr Newman
9	Great Southern Regional Waste Alliance	Cr Conley	Cr Dowling
10	Dryandra Country Visitors Centre	Cr Bradford	Cr Dowling
11	Central Country Zone of WALGA	Cr Conley Cr Dowling	CEO
12	Development Assessment Panel	Cr Conley Cr Bradford	Cr Ballantyne Cr Newman
13	Plant Management Review Group	Cr Bradford Cr Newman	Cr Haslam
14	Wheatbelt South Aged Housing Alliance	Cr Dowling	Cr Conley

6 DELEGATIONS

The Chief Executive Officer has the delegated authority from Council to make decisions on a number of specified administrative and policy matters. These delegations are listed in Council's Delegation Register and are reviewed by Council annually. The Chief Executive Officer has the power under the Local Government Act 1995 to sub-delegate these Authorities.

In keeping with the legislative requirements:

- to determine policies to be applied by the Council in exercising its discretionary powers;
- to determine the type, range and scope of projects to be undertaken by the Council; and
- to develop comprehensive management plans, budgets, financial controls and performance objectives and indicators for the operations of the Council

The Council makes decisions which direct and/or determine its activities and functions. Such decisions include the approval of works and services to be undertaken, and the allocation of resources to works and services.

Decisions are also made to determine whether or not approvals are to be granted for applications from residents for various forms of development.

7 SERVICES FOR THE COMMUNITY

Full Council makes decisions on policy issues relating to services that are provided for members of the public.

These services currently include, but are not limited to:

Roads/Footpaths/Kerbing	Stormwater Drainage
Traffic Control Devices	Street Lighting Waste Disposal
Street Tree Planting	Refuse Collection Control
Public Toilets	Public Library
Aged Persons Accommodation	Parks and Reserves
Dog /Cat Control	Planning Controls
Environmental Health Matters	Pest Controls
Town Planning	Occupational Health and Safety
Community Information	Noxious Weed Controls
Building Control	Citizenship Ceremonies

8 PUBLIC PARTICIPATION

8.1 Council Meetings

Members of the public have a number of opportunities to put forward their views on particular issues before Council.

These are:

1. Deputations - With the permission of the Presiding Officer or President, a member of the public can address a Committee or Council personally or on behalf of a group of residents for a period of time determined by the Committee and/or Council on any issue relevant to Council;
2. Presentation to Council with prior notification, approval and arrangement with Council, a member of the public can address Council on any issue relevant to Council;
3. Petitions - Written petitions can be addressed to the Council on any issue within the Council's jurisdiction;
4. Written Requests - A member of the public can write to the Council on any Council policy, activity or service; and
5. Elected Members - Member of the Public can contact their Elected Members of Council, to discuss any issue relevant to Council

8.2 Community Consultation

The Council consults with local residents on particular issues that affect their neighbourhood as per the following examples:

1. Electors are invited to attend the annual general meeting of electors to discuss any specific issues over a large range of topics. All residents may attend, but only electors on the Council Electoral roll, are eligible to vote
2. Working Party/Sub-Committee - Local residents are invited to work with Members of

Council and staff, to develop strategies to address various matters as they may arise.

9 ACCESS TO DOCUMENTS

9.1 Documents Available for Inspection

The following documents are available for public inspection at the Council Office or on the Shire of Cuballing website free of charge.

Members of the public may purchase printed copies of these documents and the charges are shown below:

Document	Fee
Council Agenda	at the set photocopying rate
Council Minutes	at the set photocopying rate
Policy Manual	at the set photocopying rate
Council Budget	at the set photocopying rate
Council Annual Financial Statements	at the set photocopying rate
Council Local Laws	at the set photocopying rate
Community Strategic Plan	at the set photocopying rate
Corporate Business Plan	at the set photocopying rate
Long Term Financial Plan	at the set photocopying rate
Workforce Plan	at the set photocopying rate
Asset Management Plans	at the set photocopying rate
Rates Assessment Book	\$50
Delegation Register	at the set photocopying rate
Building Plans	at the set photocopying rate
Council Town Planning Scheme No. 2	\$33
Consolidated Roll	\$10
Owner & Occupier Roll	\$10

10 OTHER INFORMATION REQUESTS

10.1 FOI Operations:

It is the aim of the agency to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the FOI process.

If information is not routinely available, *the Freedom of Information Act 1992* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in the document is accurate, complete, up to date and not misleading.

10.2 Freedom of Information Applications:

Access applications have to:

- be in writing,
- give enough information so that the documentation requested can be identified;
- give an Australian address to which notices can be sent; and
- be lodged at the agency with any application fee payable.

Applications and enquiries should be addressed to the Freedom of Information Coordinator:-

Postal Address:

Shire of Shire of Cuballing

PO Box 13
CUBALLING WA 6311

In Person:

Shire of Cuballing Administration Building
22 Campbell Street
CUBALLING WA 6311

An application will be acknowledged in writing and the applicant will be notified of the decision within 45 (calendar) days.

10.3 Freedom of Information Charges

A scale of fees and charges are set under the Freedom of Information Regulations 1993. Apart from the application fee for non – personal information all charges are discretionary. The charges are as follows:-

- | | | |
|----|--|-------------|
| 1. | <u>Type of Fee</u> | |
| | Personal information about the applicant | No Fee |
| | Application fee (for non-personal information) | \$30 |
| 2. | <u>Type of Charge</u> | |
| | Charge for time dealing with application (per hour, or pro rata)time supervised by staff (per hour, or pro rata) | \$30 |
| | Photocopying staff time (per hour, or pro rata) | \$30 |
| | Per photocopy (Black & White) | 0.33 |
| | Transcribing from tape, film or computer (per hour, or pro rata) | \$30 |
| | Duplicating a tape, film or computer information | Actual Cost |
| | Delivery, packaging and postage | Actual Cost |
| 3. | <u>Deposits</u> | |
| | Advance deposit may be required of the estimated charges | 25% |
| | Further advance deposit may be required to meet the charges for dealing with the application. | 75% |

For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the Charge is reduced by 25%.

11 ACCESS ARRANGEMENTS

Access to documents can be granted by way of inspection of a document, a copy of a computer disk or USB drive.

12 NOTICE OF DECISION

As soon as possible, but in any case within 45 days, the applicant will be provided with a notice of decision which will include details such as –

- the date the decision was made;
- the name and designation of the officer who made the decision;
- if the document is an exempt document the reasons for classifying the matter exempt or the fact that access is given to an edited document;
- information on the right to review and the procedures to be followed to exercise those rights.

13 REFUSAL OF ACCESS

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency. Applications should be made in writing within 30 days of receiving the notice of decision.

Applicants will be notified of the outcome of the review within 15 days.

If the applicant disagrees with the result the applicant can apply to the Information Commissioner for an external review, and details would be advised to applicants when the internal review is issued.

14 ATTACHMENTS

Attachment 1 - Application for Access to Documents

Figure 1 – Shire of Cuballing Organisational Structure at 31st December 2016

Attachment 1 - Application for Access to Documents

SHIRE OF CUBALLING

PO Box 13 Cuballing WA 6311

Phone: 08 9883 6031

Email: enquiries@cuballing.wa.gov.au

**APPLICATION FOR ACCESS TO DOCUMENTS
(Under Freedom of Information Act 1992, S.12)****Details of Applicant:**

Given Names:

Australian Postal Address:

Postcode:

Phone:

Mobile:

If application is on behalf of an organisation:

Name of Organisation/Business:Details of Request: *(please tick)*☐

Personal documents

☐

Non-personal documents

I am applying for access to document(s) concerning:

Form of Access *(please tick appropriate box)*

I wish to inspect the document(s)

☐

Yes

☐

No

I require a copy of the document(s)

☐

Yes

☐

No

I require access to another form

☐

Yes

☐

No

(Specify)

Fees and Charges:

Attached is a cheque/cash to the amount of \$_____ to cover the application fee.

I understand that before I obtain access to documents I may be required to pay processing charges in respect of this application and that I will be supplied with a statement of charges if appropriate.

Applicants Signature:

Date

NOTES

Freedom of Information Applications

- Please provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Cuballing may request proof of your identity.
- If you are seeking access to a document(s) on behalf of another person, the agency will require authorisation, usually in writing.
- Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.
- Further information can be obtained from the Office of the Information Commissioner. The Freedom of Information Act is available for purchase from the State Government Bookshop, 815 Hay Street, Perth (Telephone: 9222 8216)

Forms of Access

You can request access to documents by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded document or of works recorded in shorthand or encoded form, or a written document in the cost of a document from which words can be reproduced in written form.

Where the agency is unable to grant access in the form requested, access may be given in a different form.

Lodgement of Applications

Applications may be lodged by post or in person at:-

Shire of Cuballing
PO Box 13
CUBALLING WA 6390

(Office Use Only)

FOI Reference Number:

Received on: _____ Deadline for response _____

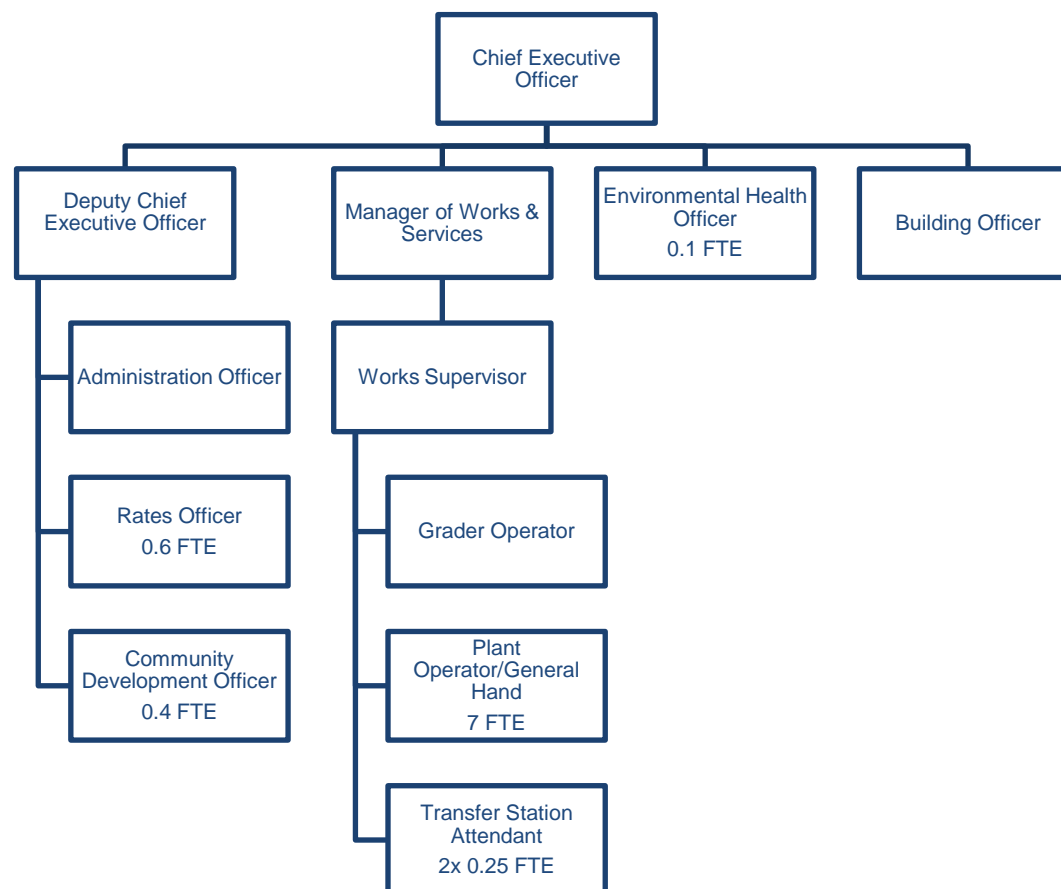
Acknowledgement sent on: _____

Proof of Identity (if applicable)

Type _____ Sighted _____

Figure 1 – Shire of Cuballing Organisational Structure at 31st December 2016**Organisation Structure**

The Shire manages its responsibilities and services through the organisational structure illustrated below:



9.2.4 Draft Disability Access and Inclusion Plan 2019-2024

Applicant:	N/A
File Ref. No:	ADM13
Disclosure of Interest:	Nil
Date:	10 th June 2019
Author:	Gary Sherry
Attachments:	9.2.4A Disability Access and Inclusion Plan 2019- 2024 9.2.4B DAIP 2019 -2024 Upgrade Program June 2019 - Draft

Summary

Council is to consider adoption of a Draft Disability Access and Inclusion Plan 2019 - 2024 in accordance with the Disability Services Act 1993.

Background

The Shire of Cuballing is committed to facilitating the inclusion of people with disabilities through the improvement of access to its information, facilities and services.

In achieving this goal, the Shire adopted its first Disability Access and Inclusion Plan (DAIP) in 1995 to address access barriers within the community.

The Shire of Cuballing's DAIP provides goals and objectives to provide direction in improving access and inclusion for disabled persons.

Since the adoption of the initial DAIP, the Shire has implemented initiatives and made significant progress towards better access when upgrading or renovating facilities and services. The progress is highlighted below;

- Ramp access was constructed at the front of Cuballing Recreation Building;
- Information is updated and continually reviewed to reflect contemporary needs;
- the availability of alternative format information or assistance with information is promoted through the local newsletter;
- accessible Toilet built at Popanyinning Tennis Court with ramp access; and
- construction of an accessible Men's Shed in Cuballing with accessible toilet facilities.

Council sought community involvement in February 2019 from Shire residents who would like to have input into the review and development of the draft DAIP 2019-2024. At the close of the notice period on 15th March 2019 no community members had sought involvement.

Council staff then prepared a draft DAIP 2019-2024 in accordance with the Disability Services Act 1993 that was advertised for public comment following review by Council at their April 2019 Ordinary Meeting.

Comment

The amended draft DAIP 2019-2024, prepared in accordance with the Disability Services Act 1993, is included at Attachment 9.2.4A.

The draft DAIP 2019-2024 seeks to implement strategies and actions to achieve seven broad objectives:

Outcome 1	People with a disability have the same opportunities as other people to access the services of, and any events organised by the Shire of Cuballing
Outcome 2	People with a disability have the same opportunity as other people to access the buildings and other facilities of the Shire of Cuballing

- Outcome 3 People with a disability receive information pertaining to Council functions, facilities and services in a format that will enable them to access the information as readily as other people are able to access it
- Outcome 4 People with a disability receive the same level and quality of service from the staff of the Shire of Cuballing as other people receive
- Outcome 5 People with a disability have the same opportunities as other people to make complaints to the Shire of Cuballing
- Outcome 6 People with a disability have the same opportunities as other people to participate in any public consultation by the Shire of Cuballing
- Outcome 7 People with a disability have the same opportunities as other people to obtain and maintain employment with the Shire of Cuballing

The strategies and actions to deliver on these outcomes are included in the outcomes section of the draft DAIP 2019-2024.

The draft DAIP 2019-2024 Implementation includes a task of developing a program of upgrades to remove identified access barriers to Shire of Cuballing buildings and facilities by utilising the Access Resource Kit checklist. A draft of this program is included at Attachment 9.2.4B.

Council sought public comment on the draft DAIP 2019-2024 in accordance with the Disability Services Act 1993. The Department of Communities provided comment of a technical nature relating to the draft DAIP. This comment has been incorporated into the draft DAIP 2019-2024.

No comment from within the Shire of Cuballing was received.

With Council acceptance of the draft DAIP 2019-2024, the completed DAIP 2019-2024 will be provided to the Department of Communities and included on the Shire of Cuballing website. The objectives of the DAIP will be reported annually and the plan reviewed in 2024.

Strategic Implications

SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

- A healthy and caring community which has strong support for all ages and abilities.
- A safe community where residents feel secure and comfortable at home, work and play.
- A healthy community engaging in positive and rewarding lifestyles with access to recreational and leisure opportunities.
- A vibrant community, enjoying access to a wide range of quality arts and cultural activities.

	Strategy	Outcome
1.1	Create a vibrant social environment that is accessible and inclusive for all ages and abilities.	The community feel welcome involved and connected to each other.
1.4	Facilitate improved access to health and welfare programs and education opportunities.	The community has access to a broad range of improving health and welfare programs and education opportunities.
1.5	Provide and promote sport, recreation and leisure facilities and programs.	A variety of accessible sport and recreation opportunities and activities.

ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

- Community infrastructure and services delivered in a timely manner, are well utilised, effective and meet the expectations of the community.
- Promoting sustainable and diverse economic development opportunities that make the Shire of Cuballing an attractive place to live, work and visit.

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

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

Goals

- Governance structures that ensure accountable, transparent and ethical decision making.
- A Council that proactively engages with all elements of its community to make decisions that reflect positively on the future of the Shire of Cuballing.

	Strategy	Outcome
4.2	Maintain a clear, transparent and ethical decision making process.	Openness and transparency in Council decisions.
4.3	Ensure open and consistent communication between the Shire and the community.	The community is aware of Council decisions and activities.
4.4	Actively engage with the community to inform decision making and improve conversations within the community.	The community have a variety of opportunities to be involved and are able to make meaningful contributions to decision making.

Statutory Environment

The Disability Services Act 1993 requires that West Australian public authorities develop and implement a Disability Access and Inclusion Plan. The Act makes these plans mandatory and prescribes their development, implementation and reporting.

The Shire of Cuballing is required to report on the progress in the prescribed format to the Department of Communities annually.

Policy Implications – Nil

Financial Implications

The draft DAIP 2019-2024 identifies that any major tasks will need to be planned and costed through the Long Term Financial Plan and annual budgeting process.

Economic Implication – Nil

Social Implication

The draft DAIP 2019-2024 outlines strategies that will assist the development of a community that is accessible and inclusive for people with disabilities, their families and carers.

Environmental Considerations – Nil

Consultation

Council has advertised the opportunity to participate in the development of the draft DAIP 2019-2024.

Council has also advertised the availability of and the ability to provide public comment on draft DAIP 2019-2024.

Options

Council may resolve:

1. the Officer's Recommendation; or
2. to require further development of the draft DAIP 2019-2024 before Council approves the draft DAIP 2019-2024.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council approve:

1. the Shire of Cuballing Draft Disability Access and Inclusion Plan 2019-2024, included at Attachment 9.2.4A; and
2. the Draft DAIP 2019-2024 Upgrade Program – June 2019 included at Attachment 9.2.4B.



Disability Access and Inclusion Plan

2019-2024

Copies of the this, and other Council documents, are available to the community upon request in alternative formats where possible

Introduction

The Shire of Cuballing is a small rural local authority located in the Central South East region of Western Australia, approximately 190km south east of Perth and has an area of 1250 square kilometres.

There is a population of 894 residing in the Shire. Two populated town sites, Cuballing and Popanyinning exist within the region.

Functions, Facilities and Services Provided By the Shire Of Cuballing

The Shire of Cuballing is responsible for a range of functions, facilities and services, including:

Services to property and the Community:

- Construction and maintenance of Public buildings, roads and footpaths
- Provision and maintenance of waste disposal facilities
- Bushfire control through voluntary Bushfire Brigades
- Provision and maintenance of recreation facilities
- Information Service and facilitation of monthly newsletter distribution
- Provision of funding to community groups

Regulatory Services

- Planning of road systems
- Subdivision oversight and provision of town planning schemes
- Building and Environmental Health Service
- Animal control
- Administering Noise Regulations

General Administration

- Provision of general information to the public
- Dealing with complaints and maintenance requests
- Payment of fees including rates, dog licenses, building licenses and private works

Processes of Government

- Ordinary and Special Council and Committee Meetings
- Electors' meetings and election of Councillors
- Community engagement and consultation
- Long Term community and strategic planning

People with Disability Within the Shire Of Cuballing

The residential population of Cuballing is estimated to be around 894. According to the Australian Bureau of Statistics Survey of Disability, Ageing and carers (2006) more than 20% of Australians or more than 1 in 5 people, identify themselves as having some form of disability. Based on the population estimate and these findings, it is estimated that there are growing numbers of people with disability living within the Shire.

As the Shire of Cuballing becomes more attractive as a small country region with attractive land in close proximity to a larger regional area, the number of people with disability living

within the shire is likely to increase in the future. The Shire of Cuballing believes it is important that everyone has the same opportunity and choices within the shire and recognises that disability are not necessarily visible. It is also recognised that Council's planning needs to take into account visitors to our shire.

The Shire of Cuballing is responsible for the planning process with a particular focus on a nurturing community where diversity, difference and a sense of identity is respected and valued. Seeking input from the local community, with personal and/or professional knowledge of disability requirements and issues, and the Department of Communities, the Shire of Cuballing will continually develop, implement, review and evaluate the plan.

Planning for Better Access

The Disability Services Act (1993) requires that local governments develop and implement a Disability Access and Inclusion Plan (DAIP) that outlines how that local government will ensure that people with disability have equal access to its facilities and services. Annual Reports on activities relating to the progress of these plans are reported to state government at the end of each financial year.

Access and Inclusion plans are not just about ensuring buildings have wheelchair access. They also incorporate inclusion at a participatory and service level. The vision of the DAIP is for an accessible and inclusive community (and visitors to the community) and the format will concentrate on seven key areas:

1. Quality of existing and future services
2. Access to buildings and facilities
3. Access to shire supported events and projects
4. Information and communication
5. Opportunities to make complaints
6. Opportunities to participate in public consultation
7. Opportunities to obtain and maintain employment with the Shire of Cuballing

Other legislation underpinning access and inclusion includes the Western Australian Equal Opportunity Act (1984) and the Commonwealth Disability Discrimination Act (1992) (DDA). While action plans are not compulsory under the DDA, they can assist organisations to become more accessible and inclusive, and can provide some clarity during disability discrimination proceedings. A DAIP may also satisfy the DDA requirements for action plans.

The Shire of Cuballing is committed to facilitating the inclusion of people with disability through the improvement of access to its facilities and services. The first plan was adopted in 1995 to address the barriers for people with disability and addressed both its statutory requirements under the Disability Services Act (1993) and its obligations under the Commonwealth Disability Discrimination Act (1992). The plan has undergone several internal reviews since 1995.

During that time many initiatives have been implemented including:

- Accessible footpaths and cycle ways constructed in town
- Ramp Access to Cuballing Tennis Courts
- Accessible path around perimeter of change rooms at Cuballing Oval
- Accessible public toilets and change rooms constructed at Cuballing Oval
- Accessible (from the rear of the building) entrance facing oval at Cuballing Recreation Building
- Tactile pavers placed at bus stop in town sites of Cuballing and Popanyinning
- Accessible toilets built at Cuballing Community Park

- Ramp access and accessible toilets built in Popanyinning townsite
- Ramp access has been built along with accessible toilets at Yornaning Dam
- McGarrigal Park (children's playground in Popanyinning) has an accessible entrance
- Ramp access has been constructed at the front of Cuballing Recreation Building
- Equestrian Clubrooms built with access by ramp
- Accessible Toilet built at Popanyinning Tennis Court with ramp access
- Toilet within Cuballing Hall modified to provide accessibility
- Ramp access and security lighting to Popanyinning Hall
- Construction of an accessible Men's Shed in Cuballing

Responsibility for the Disability Access and Inclusion Plan

Community Consultation Process

In 2019, the Shire began the review of its DAIP, consulting with key stakeholders and then drafted a new DAIP to guide further improvements to access and inclusion. Wherever possible, representatives from a variety of sectors of the community were consulted. The process included:

- Advertising the commencement of the review process and the opportunity to be involved;
- Advertising of the Draft DAIP and the opportunity to comment on that draft DAIP;
- Public review at two meetings of Council.

The Disability Service Regulations 2004 set out the minimum consultation requirements for public authorities in relation to the DAIP. Local government authorities must call for submissions (either general or specific) by notice in a newspaper circulating in the local district of the local government under the Local Government Act 1995, or on any website maintained by or on behalf of the local authority.

In February 2019 the community was informed through the regional newspaper, the Shire website, the local newsletter and the Shire of Cuballing's social media, that the Shire of Cuballing was reviewing its disability access and inclusion plan to address the barriers that people with disability and their families experience in accessing Council functions, facilities and services. The community was advised of the means by which they could provide input into the development of the plan.

In April and May 2019, community comment on the draft DAIP was invited utilising the Shire website, the local newsletter and the Shire of Cuballing's social media that a draft DAIP.

Communicating the plan to staff and people with disability

Council advised, through local and social media, that copies of the DAIP was available to the community upon request, and in alternative formats if required, including Council's website, hard copy, electronic format and by email.

The draft DAIP was provided to all those who contributed to the planning process, including Council officers, people with disability, their families, carers and relevant community groups for feedback.

As the DAIP is amended, both staff and the community will be advised of the availability of the updated plan using the same methods.

Monitoring and Reviewing

As part of the review process for this project and to ensure individuality of the DAIP outcomes, strategies and implementation, there will be consultation with key stakeholders, community members and shire staff who will meet regularly to review the progress on the implementation of the strategies identified in the DAIP.

The review and monitoring of the Shire's DAIP will be included in this amended plan which will be submitted to the Department of Communities in 2019. The achievements are noted within the amended plan.

Council will include a report on the implementation of the Disability Access and Inclusion Plan within its Annual Report which will be formally endorsed by Council.

Evaluation

Prior to 31 July annually, Council will seek feedback from the community regarding the implementation of the DAIP and the effectiveness of strategies that have been implemented.

The following actions will then be taken:

- Endorsement of any progress reports on the implementation process which forms part of the DAIP
- Notices about the consultation process will be placed in the local newsletter
- Feedback will be sought in order to identify any additional barriers that were not identified in the initial consultation
- Identify additional strategies for consideration

The Shire of Cuballing is required to report on the progress in the prescribed format to the Department of Communities annually.

Reporting on the Disability Access and Inclusion Plan

The Disability Services Act sets out the minimum reporting requirements for public authorities in relation to the DAIP. Council will report on the implementation of its DAIP through its annual report and the prescribed Proforma to the Department of Communities by 30 June each year, outlining:

- Progress towards the desired outcomes of the DAIP;
- Progress of its agents and contractors towards meeting the desired outcomes; and
- Strategies used to inform its agents and contractors of the DAIP.

Strategies To Improve Access And Inclusion

As a result of the consultation process, the following strategies will guide tasks reflected in the Implementation Plan, that the Shire of Cuballing will continue to undertake to improve access to its services, buildings and information. The desired outcomes provide a framework for improving access and inclusion for people with disability within and visiting the Shire of Cuballing.

Outcome 1	People with disability have the same opportunities as other people to access the services of, and any events organised by the Shire of Cuballing
Objective	To adapt services wherever possible to meet the needs of people with disability
Strategy	<p>Council will</p> <ol style="list-style-type: none"> 1. Ensure that all policies and practices that govern the operation of Council facilities, functions and services are consistent with Council's policy on access and legislation 2. Ensure that people with disability are consulted on their need for services and the accessibility of current services 3. Utilise the universal design checklist that has been provided by the Department of Communities
Outcome 2	People with disability have the same opportunity as other people to access the buildings and other facilities of the Shire of Cuballing
Objective	To ensure that all Shire owned, leased or supported facilities are accessible to people with diverse needs
Strategy	<p>Council will</p> <ol style="list-style-type: none"> 1. Advocate to local businesses the requirements for and benefits flowing from the provision of accessible venues 2. Apply the Building Code of Australia and associated Standards on access when new or existing work begins on buildings and facilities 3. Undertake to identify and incorporate the priorities regarding access that have been identified during the review process. Ongoing upgrades will continue. 4. Identify access barriers to buildings and facilities using the Access Resource Kit checklists
Outcome 3	People with disability receive information pertaining to Council functions, facilities and services in a format that will enable them to access the information as readily as other people are able to access it
Objective	To ensure that relevant information pertaining to Council functions, facilities and services is provided using clear and concise language and made available in accessible formats
Strategy	<p>Council will:</p> <ol style="list-style-type: none"> 1. Improve community awareness that all documents may be available in alternative formats upon request 2. Improve staff awareness of accessible information needs and how to obtain information using other formats

Outcome 4	People with disability receive the same level and quality of service from the staff of the Shire of Cuballing as other people receive
Objective	Council staff working with the public be equipped with the information and skills to enable them to appropriately provide advice and service to people with diverse disability
Strategy	<p>Council will</p> <ol style="list-style-type: none"> 1. Provide information and training to staff and elected members to improve the awareness of access issues and further enhance their skills to provide an excellent service to people with disability 2. Where required seek advice from other local governments and community professionals on how to better meet the needs of people with disability 3. Ensure key staff are registered for email updates from the Human Rights and Equal Opportunity Commission and Department of Communities to keep abreast of contemporary practices in creating universal facilities 4. Ensure staff are aware that some people may require assistance with paperwork associated with various functions of local government and will readily assist if required
Outcome 5	People with disability have the same opportunities as other people to make complaints to the Shire of Cuballing
Objective	Ensure that grievance mechanisms/procedures are accessible or that appropriate assistance is given to enable people with diverse needs to make grievances and complaints known to the Shire
Strategy	<p>Council will</p> <ol style="list-style-type: none"> 1. Ensure that current grievance mechanisms are easily accessible for people with disability 2. Improve staff awareness and knowledge so that the receipt of complaints from people with disability can be facilitated
Outcome 6	People with disability have the same opportunities as other people to participate in any public consultation by the Shire of Cuballing
Objective	To ensure that people with disability can participate fully in decision making and consultation processes managed by the Shire
Strategy	<p>Council will</p> <ol style="list-style-type: none"> 1. Ensure community consultation processes are inclusive of people with disability 2. Commit to ongoing monitoring of the DAIP to ensure implementation and satisfactory outcomes
Outcome 7	People with disability have the same opportunities as other people to obtain and maintain employment with the Shire of Cuballing
Objective	Ensure that disability is not seen as a barrier to a staff appointment
Strategy	Council or Staff responsible for recruitment will ensure that the right person is selected for the position regardless of disability.

Implementation Plan

The DAIP provides the background information that informs the Cuballing Shire Council of the reasons why change is required to a facility, service or event provided in their district with their support. The DAIP implementation plan lists the suggested changes, person responsible to ensure that change happens and the date by which the change should be completed.

By itemising future requirements, Council can approve realistic budget for the funds and human resources to complete the work required and comply with legislation.

A fair and equitable DAIP implementation plan therefore informs Council where budget funds should be allocated and can only occur following consultation from different sectors of the community, including:

- Community members with some form of disability
- Members of the community supporting residents and visitors to the district
- Community members with experience in the disability field
- Broad community consultation
- Relevant representatives from government departments

The Disability Access and Inclusion strategies and objectives developed for the Shire of Cuballing are grouped under the seven desired outcomes as recommended by the Department of Communities. These outcome areas provide a framework for translating the principles and objectives of the Disability Services Act into tangible and achievable results.

Outcome 1 People with disability have the same opportunity as other people to access the services of, and any events organised in the Shire of Cuballing

Strategy	Task	Timeline	Responsibility
1.1 Ensure that all policies and practices that govern the operation of Council facilities, functions and services are consistent with Council's policy on access and legislation	1.1.1 Ensure relevant legislation, policies and procedures on access and inclusion are current and incorporated into Council's Disability Access and Inclusion Plan	Ongoing	CEO
1.2 Ensure that people with disability are consulted on their need for services and the accessibility of current services	1.2.1 Continue with feedback requests in monthly newsletter	Ongoing	CEO
1.3 Utilise the universal design checklist that has been provided by the Department of Communities	1.3.1 Use the checklist to grade accessibility at all Council events	Ongoing	Building Officer Administration Officer

Outcome 2 People with disability have the same opportunity as other people to access the buildings and other facilities in the Shire of Cuballing

Strategy	Task	Timeline	Responsibility
2.1 Advocate to local businesses the requirements for and benefits flowing from the provision of accessible venues	2.1.1 Promote access to business by informing them of the needs of people with various disability and access information available online or through the Shire of Cuballing	Ongoing	Building Officer & CEO
2.2 Apply the Building Code of Australia and associated standards on access when new or existing work begins on buildings and facilities	2.2.1 Ensure that legal requirements for access are met in all plans for new or redeveloped buildings and facilities	Ongoing	Building Officer & CEO
2.3 Undertake to identify and incorporate the priorities regarding access that have been identified during the review process.	2.3.1 Develop a program of upgrades to remove identified access barriers to Shire of Cuballing buildings and facilities by utilising the Access Resource Kit checklist.	June 2019	Building Officer & CEO
	2.3.2 Annually review the program of upgrades to Shire of Cuballing buildings and facilities	April Annually	CEO, Council

Outcome 3 People with disability receive information pertaining to Council functions facilities and services in a format that will enable them to access the information as readily as other people are able to access it

Strategy	Task	Timeline	Responsibility
3.1 Improve community awareness that all documents may be available in alternative formats	3.1.1 Use the regular feedback request notices in the monthly newsletter to identify which alternative formats are required	Ongoing	Administration Officer
3.2 Improve staff awareness of accessible information needs and how to obtain information using other formats	3.2.1 Provide awareness training to Councillors and Staff	Ongoing	CEO

Outcome 4 People with disability will receive the same level and quality of service from the staff of the Shire of Cuballing as other people receive.

Strategy	Task	Timeline	Responsibility
4.1 Ensure staff are aware that some people may require assistance with paperwork associated with various functions of local government and will readily assist if required	4.1.1 Improve staff awareness through disability awareness training	Ongoing as staff turnovers occur	CEO
4.2 Seek advice from other Councils and community professionals in the disability field on how to better meet the needs of people with disability	4.2.1 Liaise with community members regarding access issues and implement as necessary	Ongoing	Administration Officer
4.3 Provide information and training to staff and elected members to improve the awareness of access issues and further enhance their skills to provide an excellent service to people with disability	4.3.1 Provide awareness training to Councillors and staff	Ongoing	CEO
4.4 Ensure key staff are registered for email updates from the Human Rights and Equal Opportunity Commission and Department of Communities to keep abreast of contemporary practices in creating universal facilities	4.3.1 Ensure staff are informed regarding contemporary access issues and up to date with legal requirements	Ongoing	CEO

Outcome 5 People with disability have the same opportunities as other people to make complaints to the Shire of Cuballing

Strategy	Task	Timeline	Responsibility
5.1 Ensure that grievance mechanisms/procedures are accessible or that appropriate assistance is given to enable people with diverse needs to make grievances and complaints known to the Shire	5.1.1 Review current grievance mechanisms and implement any required changes	Ongoing	Administration Officer & CEO
5.2 Improve staff awareness and knowledge so that the receipt of complaints from people with disability can be facilitated	5.2.1 Improve staff awareness through training	Ongoing	CEO

Outcome 6 People with disability have the same opportunities as other people to participate in any public consultation by the Shire of Cuballing

Strategy	Task	Timeline	Responsibility
6.1 Ensure community consultation processes are inclusive of people with disability	6.1.1 All public meetings to be held in accessible venues and consultation material to be in alternative formats (when possible) upon request	Ongoing	CEO
6.2 Commit to ongoing monitoring of the DAIP to ensure implementation and satisfactory outcomes	6.2.1 Ensure that the Shire of Cuballing Disability Access and Inclusion Plan is continually reviewed	April	CEO, Council

Outcome 7 People with disability have the same opportunities as other people to obtain and maintain employment with the Shire of Cuballing

Strategy	Task	Timeline	Responsibility
7.1 Council or Staff responsible for recruitment will ensure that the right person is selected for the position regardless of disability	7.1.1 Councillors and Staff to be aware that disability is not a barrier to employment with some positions with the Shire of Cuballing <ul style="list-style-type: none"> • Ensure Job Applications and Descriptions include a breakdown of tasks in a tasks list/job description to allow prospective employees with disability to determine if they are suitable or able to do an advertised job. • Ensure that job interviews are held in a place accessible to all. • Ensure that any prospective candidates are asked if they have any special access or other requirements to assist them at an interview if they have disability • Ensure that persons are referred to as a "Person with Disability", not a "Person with Disabilities". • Ensure that the workplace is accessible. • Encourage co-partnerships with local businesses and the shire to encourage employment of people with disability through joint funded positions or "Count Me In Grants". 	Ongoing	Council and Staff responsible for recruitment

DISABILITY ACCESS AND INCLUSION PLAN - 2019-2024
Draft Works Plan - 2019

Venue	Improvement	2019/2020	2020/21	2021/22	2022/23	2023/24	After 2024
Cuballing Footpath	Campbell Street from Alton to Ridley Streets		X				
Cuballing Footpath	Darcy Street from Alton to Ridley Streets						X
Cuballing Hall	Accessible front access			X			
Cuballing Hall	Accessible rear access					X	
Cuballing Hall	Accessible toilet(s)						X
Cuballing Hall	Ambulant toilets			X			
Cuballing CWA Hall	Accessible front access			X			
Cuballing CWA Hall	Accessible rear access	X					
Cuballing CWA Hall	Ambulant toilets	X					
Cuballing CWA Hall	Accessible toilet(s)						X
Cuballing public toilet	Accessible path across park		X				
Cuballing public toilet	Ambulant toilets		X				
Cuballing Recreation Ground - Oval	Ambulant toilets		X				
Cuballing Recreation Ground - Tennis	Accessible access path						X
DREC	Ambulant toilets		X				
Memorial Park	Accessible site improvements/priority disabled parking	X					
Popanyinning Hall	Accessible front access				X		
Popanyinning Hall	Accessible side access		X				
Popanyinning Hall	Accessible toilet(s)						X
Popanyinning Hall	Ambulant toilets		X				
Popanyinning Public Toilet	Priority accessible parking	X					
Popanyinning Public Toilet	Ambulant toilets	X					

Venue	Improvement	2019/2020	2020/21	2021/22	2022/23	2023/24	After 2024
Shire Administration	Accessible front access		X				
Shire Administration	Accessible rear access					X	
Shire Administration	Accessible front counter				X		
Shire Administration	Accessible toilet(s)						X
Shire Administration	Ambulant toilets		X				
Shire Administration	Priority accessible parking		X				
Yornaning Dam	Priority accessible parking	X					
Yornaning Dam	Adjustment of fencing to allow closer accessible parking to facilities	X					
Yornaning Dam	Ambulant toilets						X
Yornaning Dam	Accessible toilet(s)						X
Yornaning Dam	Access pathway to facilities						X
Yornaning Dam	Accessible BBQ area	X					
Yornaning Dam	Accessible picnic tables	X					

9.2.5 Manager Works and Services - New Employment Contract Discussions

Applicant: N/A
File Ref. No: Personnel
Disclosure of Interest: Nil
Date: 10th June 2019
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider commencing discussions with the Manager Works and Services over a new employment contract that would come into effect with the expiry of the officer's existing employment contract in June 2020.

Background

Mr Bruce Brennan was appointed Manager Works and Services (MWS) of the Shire of Cuballing from 1st July 2015 for a five year term.

The MWS's current employment contract expires on 30th June 2020.

Comment

The MWS's employment contract includes a clause that requires Council to initiate discussions not later than 12 months prior to the expiry of the contract over entering into a new Contract for a further term. The current contract requires Council to make a decision to finalise those discussions not later than 9 months prior to the expiry of the term of this current contract.

Mr Brennan continues to perform to a level that meets all of the Shire of Cuballing's requirements. Further, Mr Brennan has retained knowledge of the past operations of the Shire of Cuballing that are a valuable asset to the Council.

Given Mr Brennan's continued good performance, it would be appropriate for Council to initiate discussions about a new employment contract with Mr Brennan. These discussions would be finalised prior to 30th September 2019.

Strategic Implications

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

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

	Strategy	Outcome
4.5	Be innovative in the management of Shire operations, services, staff and resources to create a resilient and financially stable Shire.	A Shire that is progressive, sustainable, resilient and adaptive to changes.
4.6	Employees actively contribute to improved operational service delivery and ensure excellent customer service.	Employees continually improve the operational service delivery and the community receives excellent customer service.

Statutory Environment

Terms included in MWS's current Employment Contract:

4. TERM OF EMPLOYMENT

Subject to the terms and conditions contained in this contract, the Local Government will employ the Officer for a term of 5 years, commencing on the 1st of July 2015 and expiring on the 30th day of June 2020.

5. FURTHER CONTRACTS

There is no compulsion on either the Council or the Officer to agree to a new Contract. The Council and/or the Officer shall initiate discussions not later than 12 months prior to the expiry of the Term for the parties to enter into a new Contract for a further term with the Council making a decision to finalise those discussions not later than 9 months prior to the expiry of the term of this Contract. In the event that the Council and the Officer agree to a new contract, a new contract will be executed.

Policy Implications – Nil

Financial Implications

There is no financial implication for the Shire of Cuballing for entering into a new employment contract with Mr Brennan until any renegotiated contract comes into effect on 1st July 2020.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. to not enter into discussions with Mr Brennan over a new employment contract, listing Council's reasons.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council, whilst acknowledging that there is no compulsion on either the Council or the Manager Works & Services to agree to a new employment Contract, the Council shall seek to initiate discussions with the Manager Works & Services to enter into a new employment Contract

9.2.6 Delegating Council Authority – 2019/20

Applicant: N/A
 File Ref. No: ADM022
 Disclosure of Interest: Nil
 Date: 11th June 2019
 Author: Gary Sherry
 Attachments: 9.2.6A Draft June 2019 Delegations Register

Summary

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

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 21st June 2018.

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 9.2.6A, with new additions included in red and deletions struck out.

A summary of the recommended amendments is included below.

No.	Title	Change	Reason
A2	Purchase Orders	On Delegation to the following officers in the following manner: <ul style="list-style-type: none"> Deputy Chief Executive Officer up to orders of \$2045,000 Manager Works & Services up to orders of \$2045,000 Administration Officer up to orders of \$32,000 Works Supervisor up to orders of \$32,000 	Change to purchasing levels now matches different levels of purchasing levels included in Council's Purchasing policy. <ul style="list-style-type: none"> Level 1 Up to \$3,000 - need for at least 1 verbal quotation; Level 2 Up to \$20,000 - need for at least 3 verbal or written quotations; Level 3 Up to \$150,000 - detailed written quotation process; Level 4 Greater than \$150,000 - Tender process
F1	Outstanding Debtors	4. Where a Rates debtor amount, less than ten two hundred and fifty dollars, was raised in error, the Chief Executive Officer may	To make dealing with errors in Rates Debtors the same as dealing with errors in Sundry Debtors.

		approve that the amount be written off	
F3	Payment of Accounts	<p>Guidelines</p> <p>Each payment is to be authorised by two members of staff including:</p> <p>1. one of the Chief Executive Officer, or Deputy Chief Executive Officer or Manager Works & Services; and</p>	Change allows payments to be authorised by Manager Works & Services in conjunction with junior staff.
W1	Roadside Clearing	On Delegation Manager f Works and Services	Correct typo
W2	Road Trains/Mass Permits	The Chief Executive Officer is delegated the authority to approve Restricted Access vehicles (RAV) access rigid and articulated vehicle movements, up to a maximum 27.5m , on low volume roads within the Shire of Cuballing	To allow the CEO to permit RAV access within Council's RAV policy. Policy requires Current written approval from the Shire of Cuballing, endorsing use of some roads and this must be carried in the vehicle and produced upon request
W4	Undertaking Private Works	<p>Guidelines</p> <ul style="list-style-type: none"> • Manager Works & Services for Private Works that are up to one two full day in length. • Works Supervisor for Private Works that are up to one full day in length. 	To better represent staff working methods and approval needs
W7	Sale of Surplus Equipment, Materials and Scrap	W7	Correct numbering. Two W7 delegations in register.

Strategic Implications

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

- An independent Council that is supported by an excellent organisation.
- Governance structures that ensure accountable, transparent and ethical decision making.

	Strategy	Outcome
4.2	Maintain a clear, transparent and ethical decision making process.	Openness and transparency in Council decisions.
4.5	Be innovative in the management of Shire operations, services, staff and resources to create a resilient and financially stable Shire.	A Shire that is progressive, sustainable, resilient and adaptive to changes.

	Strategy	Outcome
4.6	Employees actively contribute to improved operational service delivery and ensure excellent customer service.	Employees continually improve the operational service delivery and the community receives excellent customer service.

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
Social 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

OFFICER'S RECOMMENDATION:

That Council endorses the draft Shire of Cuballing Delegations Register June 2019, included at Attachment 9.2.6A, as amended.

1.	Administration	4
A1:	Legal Advice	4
A2:	Purchase Orders	4
A3:	Tender Invitation	4
A4:	Media	4
A5:	Common Seal	5
A7:	Permission To Conduct Activities On Council Property	5
A8:	Liquor Permits	5
A9:	Impounding	5
A10:	Enter Land In Emergencies	5
A11:	Appointment Of Authorised Persons – Enforcement And Legal Proceedings	6
A12:	Execution Of Documents	6
A13:	Destruction Of Records	6
A18:	Industrial Representation	7
A19:	Bond Refunds	7
2.	Building	7
B1:	Building Permit	7
B2:	Demolition Permit	7
B3:	Building Orders	7
B4:	Extension Of Period Of Duration Of Occupancy Permit Or Building Approval Certificate	8
B5:	Grant Of Occupancy Permit, Building Approval Certificate	8
3.	Health	8
H1:	Offences	8
H2:	Itinerant Food Vendors Licence	8
H3:	Septic Tank Installations	9
H4:	Notices	9
H5:	Renewing Licences	9
H6:	Administration Of Health	9
4.	Planning	10
P1:	Home Occupations	10
P2:	Planning	10
P3:	Subdivision Clearance	12
P4:	Secondhand Fencing	12
5.	Works	12
W1:	Roadside Clearing	12
W2:	Road Trains/Mass Permits	13
W3:	Seed Collection	13
W4:	Undertaking Private Works	13
W5:	Temporary Road Closure	13
W6:	Temporary Closure Of Roads For Public Events	13
W7:	Tree Safety	14
W78:	Sale Of Surplus Equipment, Materials And Scrap	14
6.	Fire Control	14
BF1:	Roadside Burning	14
BF2:	Use Of Shire Vehicles During Fire	15
BF3:	Extension/Reduction Restricted/Prohibited Burning Periods	15
BF4:	Control Of Fires	15

BF5:	Harvest Bans	15
BF6:	Fire Breaks	16
BF6:	Infringements	16
7.	Finance	16
F1:	Outstanding Debtors	16
F2:	Investment Of Funds	17
F3:	Payment Of Accounts	17
F6:	Cost Recovery	17
F7:	Assistance To Community Organisations And Events	18
F8:	Rates	18
F9:	Insurance – Public Liability Claims	18
F10:	Disposal Of Impounded And Abandoned Vehicles	19
8.	Staff	20
S1:	Conferences, Seminars And Training Courses	20
S2:	Appointment Of Staff	20
S3:	Authorisation To Appoint Acting Chief Executive Officer	20

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 \$ 2015 ,000
	Manager Works & Services	up to orders of \$ 2015 ,000
	Administration Officer	up to orders of \$ 32 ,000
	Works Supervisor	up to orders of \$ 32 ,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

On Delegation Environmental Health Officer

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

On Delegation Environmental Health Officer

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 not 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 ~~f~~Works and Services

W2: Road Trains/Mass Permits

The Chief Executive Officer is delegated the authority to approve ~~Restricted Access vehicles (RAV) access 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
Council Policy 5.10 Heavy Vehicle Operations

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~~ two full day in length.
~~Works Supervisor 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

W7: 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

W78: 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~~ two hundred and fifty 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 or Manager Works & Services; 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	Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.

Estimated Market Value	Method of Advertising	Action
	Cuballing's notice boards, Facebook and on the website.	
\$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)

9.2.7 Bushfire Risk Management Planning Program

Applicant:	N/A
File Ref. No:	ADM080
Disclosure of Interest:	Nil
Date:	12 th June 2019
Author:	Gary Sherry
Attachments:	9.2.7A Draft Bushfire risk Management Planning Program Grant Agreement

Summary

Council is to consider participating in Bushfire Risk Management Planning Program in conjunction with the Shires of Narrogin and Williams and funded by the Department of Fire and Emergency Services.

Background

The Bushfire Risk Management Planning Program is a state-wide program led by the Department of Fire and Emergency Services (DFES) to support local governments to develop and implement an integrated bushfire risk management planning framework in Western Australia for their local area.

The Program:

- was initiated in 2013 to address recommendations made by *A Shared Responsibility: the Report of the Perth Hills Bushfire February 2011 Review* (the Keelty Report);
- supports agencies to fulfil their responsibilities under the State Hazard Plan for Fire (Westplan Fire) and State Emergency Management Policy 2.9 Management of Emergency Risks by developing a bushfire risk management plan for local government areas with significant bush fire risk;
- aims to reduce bushfire risks across local government areas by identifying assets at risk and assigning treatment options that are best suited to the local community and environment;
- was piloted in four local governments between February and July 2014 to prove the framework and tools, inform development of a software solution and confirm the ongoing support requirements for extension of the Program to additional local governments.
- has been progressively implemented by DFES across higher priority local government areas since late 2015.

Under the State Hazard Plan for Fire (Westplan Fire) an integrated Bushfire Risk Management (BRM) Plan is to be developed for local government areas with significant bushfire risk. The Shire of Cuballing has areas of such risk.

The aim of the BRM Plan is to document a coordinated and efficient approach toward the identification, assessment and treatment of assets exposed to bushfire risk within the Shire of Cuballing. Specifically, the objectives of the BRM Plan are to:

- Guide and coordinate a tenure blind, multi-agency bushfire risk management program over a five year period;
- Document the process used to identify, analyse and evaluate risk, determine priorities and develop a plan to systematically treat risk;

- Facilitate the effective use of the financial and physical resources available for bushfire risk management activities;
- Integrate bushfire risk management into the business processes of local government, land owners and other agencies;
- Ensure there is integration between land owners and bushfire risk management programs and activities;
- Monitor and review the implementation of treatments to ensure treatment plans are adaptable and risk is managed at an acceptable level

The Shire of Cuballing tried to access the program in January 2018 but was not accepted at that time.

Comment

The Shire of Cuballing has now been accepted by DFES to participate in the Bushfire Risk Management Planning Program and prepare a BRM Plan for the Shire.

The program will provide grant funding to prepare plans for local governments in our region over the next three years. The program will fund the position of Bushfire Risk Management Officer to complete these plans. The Shires of Narrogin, Cuballing and Williams are the first three local governments selected with other neighbours to complete plans with the term of program.

The program will commence in July 2019 and the Shire of Cuballing can expect to complete the plan in about six months.

The draft Funding Agreement to between DFES and the Shires of Narrogin, Cuballing and Williams is included at Attachment 9.2.7A.

- Under the terms of the funding agreement the Shires of Narrogin receive and manage the funds;
- The Shire of Narrogin will employ the Bushfire Risk Management Officer;
- The Shires will participate and deliver on the BRM Plans.

The receipt of the draft agreement by the Shire of Cuballing has been delayed in DFES and with the impending start to the new financial year, DFES requested the approval of the Shire of Cuballing prior to June Ordinary Meeting of Council.

Therefore, after discussion with the Shire President, the CEO has signed the draft Funding Agreement on Friday 14th June 2019 and the Officer's Recommendation seeks Council's endorsement of this action.

Strategic Implications

Shire of Cuballing Community Strategic Plan 2017-2027

SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

- A safe community where residents feel secure and comfortable at home, work and play.

	Strategy	Outcome
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.
1.7	Create and maintain a safe environment for the community.	A feeling of safety within our neighbourhoods and a sense of being looked out for.

Statutory Environment – Nil

Policy Implications

There may be components of Council Policy that will require review to ensure a consistency between the policy and the BRM Plan.

Financial Implications

While there is no financial contribution required from the Shire of Cuballing to complete the BRM Plan, the Shire will need to provide staff resources to assist in the preparation.

Once completed there will be a requirement within the BRM Plan for Council report to DFES on the progress made towards implementation of the BRMP. With an approved BRM Plan, Council will become able to access further funding to implementation of aspects of the Plan.

Economic Implication – Nil

Social Implication

Fire risk is significant risk and fear in the Shire of Cuballing community.

Environmental Considerations – Nil

Consultation

DFES, Upper Great Southern Regional Superintendent, Sven Andersen
DFES, Rural Fire Division, Business Development Manager, Sarah White
Shire of Narrogin, Executive Manager Development & Regulatory Services, Azhar Awang
Shire of Williams, CEO, Geoff McKeown

Options

Council may resolve:

1. the Officer's Recommendation; or
2. to seek to withdraw from Bushfire Risk Management Planning Program and seek to meet Council's responsibilities under the State Hazard Plan for Fire (Westplan Fire) and State Emergency Management Policy 2.9 Management of Emergency Risks in some other manner, giving reasons.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council:

- 1. Agree to participate in the Bushfire Risk Management Planning Program in conjunction with the Department of Fire and Emergency Services and the Shires Narrogin and Williams; and**
- 2. endorse the actions of the Chief Executive Officer in signing the Bushfire Risk Management Planning Program Grant Agreement included at Attachment 9.2.7A**



**BUSHFIRE RISK MANAGEMENT PLANNING PROGRAM
GRANT AGREEMENT**

June 2019

THIS GRANT AGREEMENT is made on _____ 2019

BETWEEN:

**The State of Western Australia acting through its Department of Fire and
Emergency Services
("Grantor")**

And

The Local Government of Shire of Narrogin **A.B.N. (if applicable)**
("1st Organisation")

And

The Local Government of Shire of Williams **A.B.N. (if applicable)**
("2nd Organisation")

And

The Local Government of Shire of Cuballing ("3 rd Organisation")	A.B.N. (if applicable)
--	------------------------

RECITALS

The 1st, 2nd, and 3rd organisation have applied to the Grantor for financial assistance to undertake the Approved Purpose and the Grantor has agreed to provide a grant subject to the terms and conditions of this Agreement.

THE PARTIES AGREE as follows:

1. DEFINITIONS AND INTERPRETATION

In this Agreement, unless the context otherwise requires:

Agreement means this Grant Agreement, including its recitals and any schedules or annexures (if any).

Acquittal occurs when the Grantor has advised the Organisation that the reports and financial information provided by the Organisation in accordance with clause 3.6 are satisfactory.

Approved Purpose means the purpose or purposes set out in item 1 of Schedule 1.

Auditor means an accountant who is a member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practicing Accountants or the National Institute of Accountants and who is independent from the Organisation. Auditor must be registered as a company auditor or equivalent under a law in force in Western Australia.

Auditor General means the Auditor General for the State of Western Australia.

Business Day means a day other than a Saturday, Sunday or public holiday in Western Australia.

Grant Funds means the amount or amounts specified in item 7 of Schedule 1.

Grantee refers to the 1st Organisation in this Agreement.

Organisation means either the 1st, 2nd, 3rd Organisation or all as the context requires.

Party means each of the Grantor or the 1st, 2nd, 3rd Organisation as the context requires and **Parties** means all of them.

Program means the initiative or activities to be undertaken with the Grant Fund specified in item 2 of Schedule 1.

2. PAYMENT OF GRANT FUNDS

Subject to the terms and conditions of this Agreement, the Grantor will pay to the 1st Organisation the Grant Funds in accordance with the payment schedule specified in item 8 of Schedule 1.

3 OBLIGATIONS OF ORGANISATION

3.1 Use of Grant Payment

The Organisation will use the Grant Funds solely for the Approved Purpose.

3.2 No Changes

The Organisation will not make any changes to the Approved Purpose without the prior written consent of the Grantor.

3.3 No Endorsement

The Organisation agrees that nothing in this Agreement constitutes an endorsement by the Grantor of any goods or services provided by the Organisation.

3.4 Acknowledgement of Grantor

The Organisation will acknowledge the Grantor in the manner set out in item 6 of Schedule 1.

3.5 Request for Information

- (a) The Organisation is to provide the Grantor with any documents or information relating to this Agreement or the program within ten (10) business days of receiving such a request from the Grantor.

3.6 Accounts and Reporting

- (a) The Organisation is to provide the progress reports, evaluation reports and financial statements specified in Schedule 2.
- (b) The Organisation is to keep proper financial records in accordance with generally accepted accounting principles and practices.

3.7 Special Conditions of Grant

The Organisation agrees to comply with the special conditions (if any) specified in item 4 of Schedule 1.

3.8 General Undertaking of Organisation

The Organisation must:

- (a) at all times duly perform and observe its obligations under this Agreement and will promptly inform the Grantor of any occurrence which might adversely affect its ability to do so in a material way;
- (b) undertake its responsibilities under this Agreement with integrity, good faith and probity in accordance with good corporate governance practices;
- (c) not, nor attempt to, sell, transfer, assign, mortgage, charge or otherwise dispose of or deal with any of its rights, entitlements and powers or obligations under this Agreement;
- (d) comply with all State and Commonwealth laws, rules, regulations and by-laws;
- (e) cooperate fully with the Grantor in the administration of this Agreement; and
- (f) upon reasonable notice, provide the Grantor or its agents, with access at any reasonable time and from time to time to the Organisation's premises, financial records, other documents, equipment and other property directly related to the Approved Purpose for the purpose of audit and inspection by the Grantor in order to verify compliance by the Organisation with this Agreement.

4. REPAYMENT AND RETENTION OF GRANT FUNDS

The Organisation must repay to the Grantor any funds that the Grantor has paid which are not used in accordance with this Agreement unless there has been written agreement otherwise between the parties.

5. LIMITATION OF LIABILITY

The Grantor does not accept any responsibility or liability for the success or otherwise of the Approved Purpose and is not liable for any losses which may be suffered by the Organisation in undertaking the Approved Purpose.

6. FREEDOM OF INFORMATION ACT 1992 AND FINANCIAL MANAGEMENT ACT 2006

- (a) The Organisation acknowledges and agrees that this Agreement and information regarding it is subject to the *Freedom of Information Act 1992* and that the Grantor may publicly disclose information in relation to this Agreement, including its terms and the details of the Organisation.
- (b) The parties acknowledge and agree that, despite any provision of this Agreement to the contrary, the powers and responsibilities of the Auditor General under the *Financial Management Act 2006* are not limited or affected by this Agreement.
- (c) The Organisation must allow the Auditor General, or an authorised representative, to have access to and examine the Organisation's records and information concerning this Agreement.

7. NOTICES

Any notice or other communication that may or must be given under this Agreement:

- (a) must be in writing;
- (b) may be given by an authorised officer of the Party giving notice;
- (c) must be:
 - (i) hand delivered or sent by prepaid post to the address of the Party receiving the notice as set out in item 5 of Schedule 1; or
 - (ii) sent by facsimile to the facsimile number of the Party receiving the notice as set out in item 5 of Schedule 1;
- (d) subject to paragraph (e), is taken to be received:
 - (i) in the case of hand delivery, on the date of delivery;
 - (ii) in the case of post, on the third Business Day after posting; and
 - (iii) in the case of facsimile, on the date of transmission; and
- (e) if received after 5.00 pm or on a day other than a Business Day, is taken to be received on the next Business Day.

8. DEFAULT AND TERMINATION

8.1 Event of Default by the Organisation

An Event of Default occurs if:

- (a) the Organisation breaches any of its obligations under this Agreement which continues without remedy for ten (10) business days after notice in writing has been served on the Organisation by the Grantor;
- (b) the Organisation becomes insolvent or is deemed to be insolvent under the *Corporations Act (Cth)*; or
- (c) if the Grantor has reasonable grounds to believe that the Organisation is unwilling or unable to comply with its obligations under this Agreement.

8.2 Effect of Event of Default

If an Event of Default occurs, the Grantor may either:

- (a) terminate the Agreement by providing a further ten (10) business days notice in writing to the Organisation of the Event of Default; or
- (b) suspend payment of the Grant Funds until the Event of Default is remedied; or
- (c) recall all unspent Grant Funds in accordance with Annex A.

8.3 Recommencement of Grant Payment

The Grantor may, in its absolute discretion, recommence payment of the Grant Funds if and when the Organisation has rectified the Event of Default.

8.4 Acquittal

Acquittal is required on an annual financial basis. If the agreement is for a single financial year then acquittal will signal termination. If the agreement is for multiple years then acquittal is required at the end of each financial year with the final financial years acquittal signalling agreement termination.

9. GOODS AND SERVICES TAX (GST)

- (a) For the purposes of clause 9:
 - (i) “GST” means the goods and services tax applicable to any taxable supplies as determined by the GST Act; and
 - (ii) “GST Act” means *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and includes all associated legislation and regulations;
 - (iii) the terms “supply”, “tax invoice”, “taxable supply” and “value” have the same meanings as in the GST Act.
- (b) If the supply of anything under this Agreement is a taxable supply under the GST Act, the Grant Funds shall be inclusive of GST.
- (c) The obligation of the Grantor to pay the GST on any supply by the Organisation under this Agreement is conditional upon the prior issue by the Organisation to the Grantor of a tax invoice, which complies with the GST Act. This provision applies notwithstanding any law to the contrary.
- (d) If the parties agree that the Grantor will issue the Organisation with a Recipient Created Tax Invoice (RCTI), then the parties hereby agree that:
 - (i) the Grantor will issue a RCTI in respect of GST payable on the supply of the program and the Organisation will not issue tax invoice in respect of that supply;
 - (ii) The Organisation warrants that it is registered for the purposes of GST and the Organisation will notify the Grantor in writing if it ceases to be registered for the purposes of GST during the term of this Agreement (“the Term”);

- (iii) the Grantor warrants that it is registered for the purposes of GST and the Grantor will notify the Organisation in writing if it ceases to be registered for the purposes of GST, or if it ceases to satisfy the requirements of the *GST Act* during the Term; and
- (iv) the Grantor will indemnify and keep indemnified the Organisation for GST and any related penalty that may arise from an understatement of the GST payable on the supply of the program for which the Grantor issues a RCTI under this Agreement.

10. RELATIONSHIP

The Parties agree that nothing in this Agreement may be construed to make either of them a partner, agent, employee or joint venturer of the other.

11. WAIVER

- (a) No right under this Agreement shall be deemed to be waived except by notice in writing signed by both parties.
- (b) A waiver by either party will not prejudice that party's rights in relation to any further breach of this Agreement by the other party.
- (c) Any failure to enforce this Agreement, or any forbearance, delay or indulgence granted by one party to the other party, will not be construed as a waiver any rights.

12. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties and supersedes all communications, negotiations, arrangements and agreements, whether oral or written, between the parties with respect to the subject matter of this Agreement.

13. VARIATION

Any modification, amendment or other variation to this Agreement must be made in writing duly executed by both parties.

14. DISPUTE RESOLUTION

Before resorting to external dispute resolution mechanisms, the Parties shall in good faith attempt to settle by negotiation any dispute in relation to this Agreement, and where practical, each Party shall refer the matter to personnel who have authority to intervene and facilitate some form of resolution.

Executed by the Parties hereto:

For and on behalf of the Grantor:

_____	Darren Klemm AFSM
Signature of Authorised Person	Print full name of Authorised Person
Dated _____	Commissioner Fire and Emergency Services
	Position of Authorised Person

For and on behalf of the 1st Organisation:

_____	_____
Signature of Authorised Person	Print full name of Authorised Person
Dated _____	_____
	Position of Authorised Person

For and on behalf of the 2nd Organisation:

_____	_____
Signature of Authorised Person	Print full name of Authorised Person
Dated _____	_____
	Position of Authorised Person

For and on behalf of the 3rd Organisation:

_____	_____
Signature of Authorised Person	Print full name of Authorised Person
Dated _____	_____
	Position of Authorised Person

SCHEDULE 1

DEFINITION OF PROGRAM OR SERVICE TO BE FUNDED

1. Approved Purpose of Grant

The Approved Purpose of the Grant is to enable the Organisation to purchase and/or lease services and items and pay the salary of the Bushfire Risk Planning Coordinator (BRPC), as described in Annex A, to undertake and complete Bushfire Risk Management Planning (BRMP) activities.

2. Program Definition and/or Anticipated Activities

The BRMP program is the identification and classification of bushfire risk within the participating local government(s) respective areas. The program involves the development of a treatment plan in respect of the identified risk(s), through the utilisation of shared resources and the cooperation between Local Governments, State Agencies and private landowners and occupiers.

Bushfire Risk Management (BRM) Plans document the risk to communities from bushfire and outline the required treatments to reduce these risks. The Bushfire Risk Management System (BRMS) is a risk tool, which aids the prioritisation of treatment works to help lower the bushfire risk faced by the community and designate accountability for treatment. The BRMP program is the initiative and related activities that result in the development and implementation of BRM Plans through the BRMS.

Responsibilities of the Organisation

- a) The Organisation will deliver on the milestones contained in the BRM Plan Milestone Report (c) and will submit an updated report by the last working day of each month.
- b) The Organisation agrees that the BRPC position will be employed under and administered by the Grantee, for the period covered by this Agreement.
- c) The Organisation must cooperate fully with Grantor in respect of the administration of this Agreement.
- d) The Organisation must properly provide for the care, safety, security and protection of all Records as defined herein, (whether created by Grantor, the Organisation or any other person) that are in their custody or control.
- e) Unless the Grantor agrees otherwise in writing, the Organisation must provide everything necessary to enable it to fully comply with all of its obligations under this Agreement.
- f) The Organisation must take out and maintain insurance in relation to all insurable liabilities of the Organisation under this Agreement, as specified in Schedule 1 of this Agreement.
- g) The Organisation agrees to use local or regional human resources, products and services for the BRMP program wherever possible.

- h) The Organisation must obtain oversight of the BRPC's daily activities to ensure they work within the terms of this Agreement.
- i) The Organisation must nominate a suitable employee to manage the BRPC's obligations, as identified in this Agreement, and must provide their contact details to the Grantor.

Responsibilities of the Grantor

- a) The Grantor will provide strategic assistance and advice to the Organisation concerning the development and implementation of their BRM Plan.
- b) The Grantor will provide templates, guidelines and the procedures necessary for the Organisation to develop and implement their BRM Plan.
- c) The Grantor will provide technical expert advice and support through the Bushfire Risk Management Officer assigned to the Organisation.
- d) The Grantor will provide training to the BRPC in the BRMP process and the use of BRMS.
- e) The Grantor will inform the Organisation of any updates or changes to the BRMP process or BRMS.
- f) The Grantor will provide BRMS Information Technology support.
- g) The Grantor will ensure that the licence for the use of BRMS remains in force, at its own cost, for the duration of the grant period.

Appointment of the BRPC

The following conditions must be adhered to during the appointment of the BRPC:

- a) The selection process for the position of the BRPC will be managed by the Grantee in consultation with all parties to this Agreement.
- b) The Grantor will be entitled to nominate at least one representative to the selection panel, if a panel is required.
- c) The BRPC will undertake the role as per the agreed Job Description Form (JDF) as set out at Annex G.
- d) The BRPC will be an employee of the Grantee and will be employed under the relevant Local Government Industry Award or a contract arrangement for the duration of the grant period unless a variation is sought.
- e) The Grantee will provide the equipment, as set out in Annex A, to the BRPC.
- f) The Grantee agrees to procure and maintain Workers Compensation insurance or comparable Personal Accident Insurance for the position of the BRPC.
- g) Although the Grantee will host the BRPC, the BRPC's time (Annex E) and equipment will be shared between the Organisations in this Agreement, where applicable, to ensure the success of the BRMP program for all participants.

Training

- a) The Grantor will provide the BRPC with the necessary BRMP and BRMS training, through self-paced and/or workplace delivery strategies.

3. Agreement Term

This Agreement will apply from the date this Agreement is signed by all parties and will run for 3 years, as outlined in Part 4 of this Schedule and Annex E, unless the grantor and grantee renegotiate the agreement terms. This Agreement, unless renegotiated, will be funded during the Period of Agreement by the Grantor with payment of the grants funds detailed in Annex A being provided to the Grantee in accordance with Part 6 of this Schedule.

4. Special Conditions of Grant

Agreement terms

The Period of the Agreement for all Organisations (Shires) will be 36 Months from 01 July 2019 – 30 June 2022 and all Shires joining the agreement and sharing the services of the BRPC will abide by the terms of the original agreement. The agreement will be reviewed jointly by the Grantor and Grantee on an annual basis. Annex E tables the proposed resource allocation over the period of the grant.

Use of BRMS

- a) The Grantee will be obliged to ensure that the computer purchased for the BRPC has the minimum system requirements as set out at Annex D.
- b) A BRMS account will be established by the BRMS Administrator following successful completion of the identified training by the BRPC.
- c) All BRMS technical queries will be made to the Grantor through the BRMS Administrator.
- d) The performance of BRMS is dependent on the internet speeds of each Organisation.

BRMS and BRMP Material

- a) The BRMS logo and all BRMP materials including Guidelines, Handbook, training manuals and brochures will be provided by the Grantor to the Organisation royalty-free to be used only as set out in this Agreement.
- b) The Grantor's ownership of the intellectual property rights in the materials must be acknowledged whenever the materials are published, copied or circulated.
- c) The Organisation will provide the Grantor with public recognition on all literature and promotional material for the BRMP program, in the format approved by the Grantor.
- d) The Organisation may not amend the BRMP materials in any way, unless approved by the Grantor in writing.

- e) Should the Grantor amend the materials in any way then the Organisation are obliged to ensure that they publish and/or circulate the most recent versions.
- f) The BRMP materials may not be used by the Organisation for commercial gain.

Unavailability of BRPC

Where the appointed BRPC is unavailable at any time during the scheduled performance of the key roles or tasks, the Grantee will promptly advise the Grantor and propose a substitute. Any substitute must be approved by the Grantor. The Grantor may not unreasonably withhold its approval of a substitute but it may give its approval subject to such conditions, as it reasonably considers necessary to protect its interests under this Agreement.

Intellectual Property Rights

- a) The Intellectual Property Rights in BRMS is owned by Amristar Solutions Pty Ltd and PAN Software Pty Ltd. The Organisation acknowledges that the use of BRMS is subject to a licence agreement between the owners of the Intellectual Property Rights and the Grantor.
- b) Upon expiry of the licence agreement, the Organisation shall no longer make use of BRMS unless with written permission of both the owners of the Intellectual Property Rights and the Grantor.
- c) The obligations of the Organisation under this clause are continuing obligations and survive expiration or termination of this Agreement.
- d) The Organisation further acknowledge that the Intellectual Property Rights in the data supplied to them for the purposes of mapping are owned by the entities that provide these layers to the Organisation and the terms of any agreement that the data provider may require must be adhered to. In addition, the Confidentiality provisions of this Agreement will apply to the data.
- e) Relevant information and images contained in the BRMP Guidelines and templates are published in accordance with the SAI Global licencing agreement. The agreement does not extend to additional documents outside of specified material.

Confidentiality

- a) The Grantor may publicly disclose: (i) the identity of the Grantee; (ii) the value of this Agreement; and (iii) a description of the BRMP program. The Organisation acknowledges that this Agreement, and information held or compiled by the Grantor or the State of Western Australia in relation to this Agreement, is subject to the Freedom of Information Act 1992.
- b) In addition to the general definition of Confidential Information the following information is specified as confidential: all information and documentation provided by external parties for use in the BRMS that relates to critical infrastructure and/or threatened environmental areas and/or culturally sensitive areas and/or is specified by the external party as confidential.

- c) The Organisation must keep all Confidential Information confidential. The Organisation must not use or disclose the Confidential Information to any person except:
 - (i) where necessary for the purpose of performing the BRMP program; or
 - (ii) as authorised in writing by the Grantor or the external party, as the case may be; or
 - (iii) to the extent that the Confidential Information is public knowledge (other than because of a breach of this clause by the Organisation); or
 - (iv) as required by any law, judicial or parliamentary body or governmental agency; or
 - (v) when required (and only to the extent required) to the Organisation professional advisers, and the Organisation must ensure that such professional advisers are bound by the confidentiality obligations imposed on the Organisation under this clause.
- d) Except to the extent that the Organisation are required by law to retain any Records, the Organisation must return all Records containing Confidential Information immediately at the expiration or termination of this Agreement.

Data Security

Organisation must:

- a) prohibit and prevent any officer, employee, contractor or agent of the Organisation who does not have the appropriate level of security clearance from gaining access to BRMS or the Confidential Information and without limiting this requirement, use reasonable endeavours to prevent any unauthorised person from gaining access to BRMS or the Confidential Information; and
- b) notify the Grantor immediately, and comply with all directions of the Grantor, if an Organisation becomes aware of any contravention of data security requirements.

Access

- a) The Organisation must keep accurate, complete and current written Records in respect of this Agreement and must comply with the directions of the Grantor in relation to the keeping of Records, whether those directions relate to the period before or after the expiry of this Agreement.
- b) The Organisation must allow the Grantor to have reasonable access to all Records in the custody or control of the Organisation and to examine, audit, copy and use these Records. For this purposes, subject to the Grantor giving reasonable prior notice, the Organisation must allow the Grantor to have reasonable access to any premises used or occupied in connection with the BRMP program.
- c) The Organisation must do everything necessary to obtain any third party consents, which are required to enable the Grantor to have access to Records under this clause.
- d) This clause survives expiration or termination of this Agreement.

- e) The Organisation acknowledges that the Grantor will have access to all data within BRMS.
- f) A participating local government will not have access to any other Organisation's data unless shared assets and/or treatments warrant this requirement. Approval for sharing the data must be provided to the respective Organisation and the Grantor so that the necessary BRMS access privileges can be granted.

Indemnity

Each Organisation indemnifies the Grantor, the State of Western Australia and all their respective officers, employees and agents against all costs, losses, expenses, claims, damages and other liabilities (including, without limitation, legal costs and expenses) as a result of any action, suit, claim, demand or proceeding taken or made by any third party arising from or in connection with:

- a) any breach of contract by an Organisation under this Agreement;
- b) any wilful, tortious or unlawful act or omission of an Organisation or all officers, employees, agents or contractors of an Organisation;
- c) any breach of a State, Commonwealth or Territory law relevant to this Agreement by an Organisation; or
- d) any claim for damages arising out of the BRMP program and/or risk treatments undertaken or not undertaken by an Organisation.

Insurance

- a) The following insurance is required by the Organisation:

The Grantee: Workers Compensation insurance or comparable Personal Accident Insurance for the position of the BRPC for the duration of the employment contract.

The Organisation: Professional indemnity insurance and Public Liability insurance for the duration of this Agreement plus six months after termination.

- b) Each Organisation must provide the Grantor with sufficient evidence of the insurances required under this clause (including, if requested, a copy of any policy) and provide a certificate of currency of insurance, as requested by the Grantor at any time.
- c) If an Organisation becomes aware of any event or incident occurring, which gives rise or is likely to give rise to a claim under any insurance required under this clause, it must as soon as reasonably practicable notify the Grantor in writing of that event or incident.
- d) Failure to comply with this clause will not invalidate or otherwise affect any indemnities, liabilities and releases of this Agreement.
- e) The obligations of the Organisation under this clause are continuing obligations and survive expiration or termination of this Agreement for so long as the obligations of the Organisation under this clause continue.

- f) Nothing in this clause limits an Organisation's other liabilities under this Agreement.

Notices

Notices or other communication can be sent by email to the email address of the recipient as set out in item 5 of Schedule 1 or the responsible person as nominated in "Responsibilities of the Organisation" item 2 (i) Schedule 1. The email will only be considered to have been received if:

- a) the sender receives a receipt notification;
- b) any text in the body of the email or the subject line will not form part of the notice;
- c) an attachment to an email will only form part of a notice if it is in .pdf format or such other format as may be agreed between the parties from time to time.

Grant Funds

The Grantee will ensure that the bank account into which the Grant Funds are deposited is not overdrawn at any time during the term of this Agreement.

5. Notice Addresses

- | | | |
|-----|------------------|--|
| (a) | Grantor : | Commissioner Fire and Emergency Services |
| | Registered Mail: | Bushfire Risk Management Branch |
| | | Cockburn Emergency Services Complex |
| | | 20 Stockton Bend, Cockburn Central WA 6164 |
| | Email: | BRMP@dfes.wa.gov.au |
| (b) | Organisation: | Shire of Narrogin |
| | Registered Mail: | PO Box 1145 |
| | | Narrogin WA 6312 |
| | Facsimile: | 08 9881 3092 |
| | Email: | enquiries@narrogin.wa.gov.au |
| (c) | Organisation: | Shire of Cuballing |
| | Registered Mail: | PO Box 13 |
| | | Cuballing, WA 6311 |
| | Email: | enquiries@cuballing.wa.gov.au |
| (d) | Organisation: | Shire of Williams |
| | Registered Mail: | PO Box 96 |
| | | Williams, WA, 6391 |
| | Facsimile: | 08 9885 1020 |
| | Email: | shire@williams.wa.gov.au |

PAYMENT SCHEDULE

6. Method of payment and total amount of Grant Funds

Payment of the Grant Funds (exclusive of GST) will be made in the amounts detailed below and within ten (10) business days of receipt of an invoice from the Grantee.

Invoices are to be GST exclusive.

PAYMENT SCHEDULE	AMOUNT TO BE PAID (\$)	PAYMENT DATE
2019-2020	Grant Amount \$172,931.00 TOTAL \$172,931.00 (rounded)	Within ten (10) business days of receipt of an invoice from the Grantee
2020-2021	Grant Amount \$174,505.19 TOTAL \$174,505.00 (rounded)	Within ten (10) business days of receipt of an invoice from the Grantee
2021-2022	Grant Amount \$176,083.09 TOTAL \$176,083.00 (rounded)	Within ten (10) business days of receipt of an invoice from the Grantee

7. Vehicles

The vehicle used by the BRPC will be by prior agreement between the Organisation and the Grantor within agreed specifications (Annex C). The vehicle model may be negotiated between the Organisation and the Grantor dependant on regional requirements. Depreciation costs for the life of the grant can be claimed if a vehicle is purchased. Vehicle purchase costs are not claimable.

Configurations above the agreed specifications will be funded by the host Organisation.

8. System Requirements

The Information communications technology equipment (ICT) used by the BRPC will be by agreement between the Organisation and the Grantor within agreed minimum specifications (Annex D). Configurations above the agreed specifications will be funded by the host Organisation.

Hardware as per State Government and DFES requirements is only required to be provided/replaced on a four (4) yearly basis.

9. Equipment

Any equipment and general materials, including vehicles, leased or purchased from grant funding will be required to relocate with the BRPC if they are permanently moved to another Local Government (host organisation). All equipment and materials purchased/leased are for grant approved purposes only.

SCHEDULE 2**REPORTING REQUIREMENTS**

1. In addition to the reporting processes contained within the BRMP Guidelines, the Organisation is to complete and present the following reports to their respective DFES Bushfire Risk Management Officer (BRMO) by the due date stated. The BRPC must also upload the reports onto the DFES Bushfire Risk Management Branch (BRMB) Team Site. In instances where a BRMO is not appointed the BRPC must provide the identified reports to DFES' BRMB.
2. In instances where the BRPC has not been recruited the BRMO will undertake the relevant tasks.
3. Extension to the due dates must be provided by the Grantor as per Notice requirements and according to length of delay experienced. Extension approvals will be provided as follows:

Length of delay (working days)	Approving Officer
1 -10	BRMO
11+	Superintendent Bushfire Risk Management Branch

The reports below are contained within the BRMP Guidelines (see templates) and Annex B for Milestone Reports. The annual report is generated within BRMS.

Report	Description	Due Date
1	Monthly BRM Plan Milestone Report	Last working day of each month
2	Draft BRM Plan as per BRMP Guidelines (excluding Asset Risk Register and Treatment Schedule)	TBD with LGs
3	Reporting on an annual basis provided to OBRM to reflect status of identified risks and treatments	End of each financial year

4. Acquittance Report

The Grant Funds must be acquitted on an annual basis by 31 July until the end of the grant period. The Grantor will provide the Grantee with an Acquittance Report template. The Grantee must provide the Grantor with a completed and signed Acquittance Report, which is to include:

- a) A final statement of income and expenditure consisting of:
 - i. an expenditure statement (exclusive of GST) signed by the Chief Executive Officer or Accountable Officer, detailing budgeted expenditure in accordance with the Approved Budget and actual expenditure on the BRMP program described in the request;
 - ii. details of all cash and in-kind contributions received for the BRMP program including those provided by the participating Organisation, if any, and any interest received in accordance with the Agreement; and

- iii. Invoices, receipts and other relevant documentary evidence of expenditure, if no independent audit is made.
- b) Copies of any reports, studies, photographs, maps, videos etc. produced as part of the BRMP program.

Where the Grant Funds are valued at under \$35,000, financial statements are to be certified by the Chairman, CEO or equivalent of the Organisation.

Where the Grant Funds are valued at \$35,000 or more, financial statements are to be Certified by the Chairman, CEO of the Organisation, or equivalent AND certified by a Professional auditor who is:

- i. not an officer or employee of the Organisation;
- ii. registered as a company auditor or equivalent under a law in force in Western Australia; or
- iii. a member or fellow of the Institute of Chartered Accountants, the Australian Society of Certified Practising Accountants or the National Institute of Accountants.

5. Audited Inspection

- i. Upon receipt of the Organisations audited Financial Reports the Grantor may request an inspection of the financial records by the appointed the Grantor Auditor.
- ii. If a preliminary survey by the appointed Grantor Auditor reveals that the appropriate
 - a. accounting standards have not been complied with, a recommendation may be made by the Grantor that any further payments of Grants be withheld until agreed action has been taken.

6. Evaluation Arrangements

The Organisation's respective BRMO will validate the reports in Schedule 2, section 3. The Organisation will upload the Milestone Report, as per Annex B, to DFES' BRMB team site at each milestone due date.

Following feedback on the draft BRM Plan by DFES' BRMB, the Organisation will submit their draft BRM Plan to the Office of Bushfire Risk Management (OBRM). The draft BRM Plan will be reviewed for consistency against the BRMP Guidelines and any feedback will be provided to the Organisation in writing. Following completion of the review process OBRM will notify the Organisation of consistency with the Guidelines. The Organisation will be required to obtain internal approval of the BRM Plan in accordance with its own protocol.

ANNEX A**Approved Budget (p/year over entire period)**

ITEM Funded	Grant Period		
	01 Jul 2019 - 30 June 2020	01 Jul 2020 – 30 June 2021	01 Jul 2021 – 30 June 2022
SALARY			
Salary/wages	\$ 112,590.00	\$113,590.00	\$114,590
ON COSTS			
Workers Compensation Superannuation Annual Leave	\$25,896.00	\$26,126.00	\$26,356.00
ICT COST			
Laptop Computer, accessories and datacard	Only every 4 years- equipment transfer from Boddington	Only every 4 years- equipment transfer from Boddington	Only every 4 years- equipment transfer from Boddington
Mobile Phone & Usage	\$1,818.00	\$1,836.00	\$1,855.00
VEHICLE COSTS			
Lease/Service	\$ 15,150.00	\$15,302.00	\$15,455.00
Fuel	\$ 10,908.00	\$11,017.00	\$11,127.00
OTHER			
other (inc equipment and PPE)	\$ 1,899.00	\$1,918.00	\$1,937.00
Training	\$ 1,010.00	\$1,020.00	\$1,030.00
Travel Allowance	\$ 3,660.00	\$3,697.00	\$3,734.00
Other (furniture/fittings/administration)	In Kind	In Kind	In Kind
GRAND TOTAL (EX GST)	\$ 172,931.00	\$174,505.19	\$176,083.09

ANNEX B**Milestone Reporting**

The BRM Plan Milestone Report template (see below) must be completed and submitted to DFES' Bushfire Risk Management Branch by the last working day of each month. The reports must also be uploaded onto the DFES Bushfire Risk Management Branch team site.

BRM Plan Milestone Report
Local Government:
Bushfire Risk Management Officer:
Bushfire Risk Planning Coordinator:
Reporting Period:

Milestone	Baseline forecast	Forecast Completion Date	Actual Completion Date	% Complete	Comments
Planning Areas defined and entered into BRMS					
Complete draft BRM Plan using BRMP Guidelines templates (excluding BRMP Asset Risk Register)					
Identify all Assets in BRMS (Human Settlement, Economic, Environmental & Cultural)					
Complete all Risk Assessments in BRMS against identified Assets					
Draft BRM Plan submitted to DFES BRM Branch for review					
Draft BRM Plan updated incorporating BRM Branch feedback					
Draft BRM Plan submitted to OBRM for review (BRMP 'locked' in BRMS)					
BRM Plan endorsed by OBRM					
Final BRM Plan submitted to local government Council for approval					
BRM Plan approved by local government Council					
Enter Treatment(s) (Recommended, Agreed & Scheduled) in BRMS against all identified Assets					
OBRM notified Treatment Schedule (Recommended, Agreed & Scheduled Treatments) is finalised in BRMS					

ANNEX C**Base Vehicle Specifications (Lease/Hire)**

- New diesel 4 x 4 including low range capability
 - Dual Cab ute with secure lockable canopy

Note: or alternate vehicle with prior agreement between Organisation and Grantor

- Air conditioned
- Reversing Camera and sensors
- Tinted windows
- Heavy Duty Bullbar
- Driving Lights
- Cell Fi (Phone booster)

Recommendations

- Automatic transmission
- Tow bar
- Seat covers
- Heavy duty floor mats
- DFES and Local Government logos

ANNEX D**Recommended Minimum System Requirements**

Hardware	Tablet/laptop and docking station Desktop dual monitors	Specifications to suit minimum system requirements on software
Web Browser	Google Chrome (Windows and Linux)	Latest stable version supported
	Microsoft Edge	Latest stable version supported
	Microsoft Internet Explorer (Windows)	Version 11 (Internet Explorer's Compatibility View is not supported)
	Mozilla Firefox (Windows and Linux)	Latest stable version supported
Applications	Microsoft Office Pro (word, excel, outlook, publisher)	Latest version
	Microsoft Visio/Project	Latest version
	Microsoft Outlook	Latest version
	Adobe Acrobat pro	Latest version
	Local Government mapping and records management system	Latest version
Operating System	Windows	Windows 10
Mobile Phone	Smart Phone	Latest version

ANNEX E**Bushfire Risk Management Resource Allocation**

It is proposed that the BRPC will indicatively work within the following local governments to assist with the development of their BRM Plans and Treatment schedules as per table below, The agreed allowance of days will depend upon completion of the plans and will be reviewed annually.

Year	Local Government	Days per Fortnight
2019/2020	Shire of Narrogin	4
2019/2020	Shire of Williams	2
2019/2020	Shire of Cuballing	4
2020/2021	Shire of Narrogin	1
2020/2021	Shire of Cuballing	1
2020/2021	New Shire in region– (to be confirmed)	4
2020/2021	New Shire in region– (to be confirmed)	4
2021/2022	Shire of Narrogin	1
2021/2022	Continuing Shire from 2020	1.5
2021/2022	Continuing Shire from 2020	1.5
2021/2022	New Shire in region– (to be confirmed)	3
2021/2022	New Shire in region– (to be confirmed)	3

The resource allocation in the table above indicates the level of support provided to each local government. The Grantor and Organisation understand and accept that the provision of resources is flexible and may vary according to the requirements of each local government, at any given time.

Resource allocation between the Shires will be reviewed on an annual basis and reallocation may occur based on Shire need and BRMP progress.

ANNEX F**Location:**

The BRPC will be employed by the Shire of Narrogin.

ANNEX G

Job Description Form for BRPC

The Government of Western Australia (WA) has implemented a Bushfire Risk Management Planning (BRMP) program across WA. The program is responsible for the development and implementation of 'tenure-blind' whole of Shire Bushfire Risk Management (BRM) Plans. The Local Government of and the Local Government of have agreed to participate in this program and seek a Bushfire Risk Planning Coordinator to develop the BRM plan and assist with its implementation.

The Local Government of under the BRMP LG Grant Agreement, will host the Bushfire Risk Planning Coordinator position, however the successful applicant will be required to work across the Shires of.....

An opportunity exists for an enthusiastic and experienced person to become an integral part of *x number* organisations and communities experiencing substantial growth. Applicants will have emergency management knowledge; be experienced in undertaking risk assessments and have an understanding of the roles and responsibilities of bushfire-related organisations.

This is a full time position on a fixed contract basis ending on with a possibility of extension or permanency. Regional travel will be a requirement of the role. A vehicle and mobile phone will be made available for use for the duration of the contract.

Interested candidates are requested to submit a completed application form, written application addressing the selection criteria in no more than 4 pages and current resume detailing experience relative to the position.

Selection Criteria

ESSENTIAL

1. Demonstrated experience and knowledge of emergency management and bushfire risk management, including understanding of the role of landholders and agencies in the management of bushfire risk.
2. Demonstrated conceptual, analytical and problem solving skills including an understanding of risk management principles and processes with experience undertaking risk assessments.
3. Well-developed communication, interpersonal and reporting skills, with demonstrated ability to liaise, consult and negotiate effectively with a wide range of stakeholders, including senior government officers, industry and private landowners.
4. Proven ability to plan, prioritise and organise workloads to meet agreed timeframes, including reporting requirements. Experience in project management would be an advantage.

5. Possession of a current C Class Western Australian driver's licence as a minimum, which must remain valid for the duration of employment.

HIGHLY DESIRABLE

6. Experience applying bushfire mitigation strategies that sustain the natural environment by maintaining conservation values and bio-diversity.
7. Experience in rural fire management including planned burning and firefighting, with an understanding in the principles of bushfire behaviour and suppression activities.
8. Proven experience working with ICT based systems including ability to effectively perform data entry, analysis and reporting.

Position Description

1	TITLE	Bushfire Risk Planning Coordinator
2	LEVEL	NA
3	DEPARTMENT/UNIT	Local Government
4	POSITION OBJECTIVES	
	Objectives of Position To develop Bushfire Risk Management Plans for the Local Government of and the Local Government of using the Bushfire Risk Management System (BRMS).	
5	ORGANISATIONAL RELATIONSHIPS	
	<u>Responsible to</u> <ul style="list-style-type: none"> • Relevant local government manager • Work in consultation and collaboration with their respective Bushfire Risk Management Officer (BRMO) 	
6	KEY DUTIES/RESPONSIBILITIES	
	<ul style="list-style-type: none"> • Facilitate the management of bushfire risk to the community, assets and infrastructure by developing a Bushfire Risk Management (BRM) Plan for the Local Governments of and through the use of BRMS and in collaboration with the regional DFES BRMO. • Provide advice to local government, State Agencies, industry and major landholders in the BRMP process and the use of BRMS. • Develop and maintain professional relationships with stakeholders to ensure the delivery of services as specified in the BRMP Grant Agreement between the Department of Fire and Emergency Services, the Local Government of and the Local Government of • Consult with stakeholders to facilitate the planning, development and review of BRM Plans within the Local Governments of and • Remain up-to-date with all BRMS and BRMP training requirements set by DFES. • Identify and register community assets in BRMS and conduct risk assessments on these assets, through site inspections where appropriate. • Assist the BRMO in identifying and scheduling appropriate bushfire mitigation strategies and treatments and ensure these are captured in BRMS. • Monitor treatment progress, undertake post-treatment risk assessments and perform duties to support BRM across the region. • Complete BRMP program milestone reports and other requests for information as required within established timeframes. • Assist with managing the budget requirements relevant to the BRMP program. • Assist with operational policy development and the development of BRMS through constructive feedback to DFES. • Attend meetings and training with DFES Bushfire Risk Management Branch. 	

	<ul style="list-style-type: none">• Travel between funded local Government areas for meetings and undertaking site assessments.• Plan and meet timeframes for delivery of a Bushfire Risk management Plan.• Undertake tasks and actions as per business plan.
--	---

9.2.8 Cuballing War Memorial Redevelopment

Applicant:	N/A
File Ref. No:	ADM203
Disclosure of Interest:	Nil
Date:	11 th June 2019
Author:	Gary Sherry
Attachments:	9.2.8A Photo depictions of Memorial Redevelopment

Summary

Council is to consider public comment on the proposal to redevelop the Cuballing War Memorial.

Background

The Cuballing War Memorial is located on rail reserve on the corner of Campbell and Alton Streets. This site is currently leased from the Public Transport Authority.

The Cuballing War Memorial was unveiled on Saturday 19th November 1921.

A plinth dedicated to local volunteers who served in the Second World War was added in front of the original memorial in 2006.

Council allocated \$49,350 to the redevelopment the Cuballing War Memorial in the 2018/19 Budget. Shire administration has unsuccessfully sought to reduce the cost to Council through seeking grant funding.

Local residents and interested community groups have indicated their willingness to provide input into Council's plans for this redevelopment.

Staff have prepared a schedule of works to complete the redevelopment of the Cuballing War Memorial. This includes:

1. Connecting electricity to the site.

Electricity at the memorial would improve the ability to run services at the Memorial and allow efficient irrigation of the gardens and lawn. Automatic garden and lawn reticulation allows the most efficient watering regime to manage the ongoing cost to Council. The recent service as part of the War Histories of the Shire of Cuballing book launch required a vehicle to be placed beside the memorial to provide power to the public address system. The memorial or associated art at the site could be lit to provide increased impact.

2. Installing bollards

The Memorial Park is currently defined by plants and pine pole barriers. The pine logs are deteriorating and will become a hazard. Hardy recycled plastic bollards would define the memorial area and will improve access.

3. Removing trip hazards and increase lawn area

The lawn at the memorial is currently at two levels, retained by low concrete kerbing. Removing the kerbing, building the lawn up to the level of brick paving will remove trip hazards and improve access. The area immediately south of the Memorial is to be planted to lawn to connect the area to the adjacent car park and seating area.

4. Installing automatic lawn reticulation

Reticulation of the gardens and lawn will reduce ongoing gardening costs to Council while improving the ability to maintain the area in the best condition.

5. Expand the paving around the memorial monuments

The existing paving around the memorial would be expanded to be larger in area to provide a larger area for services and to remove the rosemary growing beside the memorial foundation. The connection between the pavers and lawn would not involve a change in height.

New paving would be installed because the existing concrete pavers have faded and would be difficult to match. Lighter shade pavers are favoured and constructing an ANZAC motif into the pavers has been discussed. The motif would be difficult given the paved area, although slightly larger, would still require a small motif.

6. Replace the flag pole

The existing flag pole has been recently refurbished in 2015 by the Cuballing Men's Shed and is already showing signs of rust. A purchased flag pole would include flag rope that would be easier to use.

7. Install seating

Two recycled park benches are planned for the eastern side of the memorial park, under trees. The benches would be the same colour as the bollards on the west side of the memorial.

8. Art work

An artwork on the east side of the memorial is planned but not yet finalised. A relatively flat work, that fits in line with park benches and slightly in front of nearby trees, would define the boundary of the memorial. Such an art work would be easily from passing traffic and pedestrians on Alton Street.

The planned works did not include a permanent shelter. Currently the park is not used for picnics or long events. The functions held at the site are mostly very short and associated with functions held at the Cuballing Hall or Cuballing Tavern. A large shelter was also thought to have the ability to overshadow the War Memorial itself.

Shire staff have completed a number of basic photograph depictions of the planned works at Attachment 9.2.8A. These depictions sought to assist the community consultation process.

The proposed works, including the photographs, were advertised in two editions of the Cuballing News inviting public comment.

Council received 5 individual comments on the proposed works at Memorial Park. The comments are included at Attachment 9.2.8B. For clarity of publication, some of the emailed comments have been rewritten rather than directly copied. Councillors are welcome to review the original comments if they wish.

No.	Proposal	Feedback
-----	----------	----------

1	Connecting electricity to the site.	1 comment suggested making the meter box vandal proof
2	Installing bollards	1 comment really liked the bollards defining the area. 2 comments preferred kerbing to bollards
3	Removing trip hazards and increase lawn area	2 comments supported levelling the lawn area. Both these comments preferred to raise the level behind kerbing. Expanding the lawn area south of the memorial was supported by 2 comments with the removal of dead or poor trees
4	Installing automatic lawn reticulation	No direct comment
5	Expand the paving around the memorial monuments	No direct comment
6	Replace the flag pole	No direct comment
7	Install seating	No direct comment
8	Art work	2 comments referenced artwork in remembrance of the WWI light horse 1 commented liked the glass example art shown in the photo
New	Hedge between the Memorial and Railway Line	Supported by 3 comments
New	Footpath from Memorial to Car Park	Supported by 1 comment. This comment had the path bordered by memorial places
New	Install underground drainage in existing drainage swale beside railway	Supported by 2 comments. The open drainage swale is seen as an eyesore.
New	Install Kerbing rather than bollards	Supported by 2 comments. The kerbing would allow the lawned area to be built up.
New	Relocate the WWII memorial	Supported by 1 comment as a future project
New	Build a shelter and include history exhibits and seating.	Supported by 1 comment. The Shelter was proposed for the area south of the memorial.

Comment

In reviewing comment several areas of difference from the original design have been identified.

Bollards versus Kerbing

The use of bollards in the advertised works schedule of works sought to replace the decaying pine logs that currently define the boundary of the Memorial Park. The red asphalt footpath along the east side of the Alton Street is at the road level. This allows water to drain off the road but does not define the park area and provide a boundary for parking cars and the like.

The installation of kerbing on the site could improve the amenity of the design by removing interruptions to the site line to the memorial park that bollards create.

In considering installing kerbing, beside the footpath will control the flow of water and will require drainage to be installed to remove water in the low spots. Installing the kerbing on the roadside edge of the footpath will require construction of a new footpath. Drainage infrastructure will also be needed to transfer water from low points of Austral Street to the

Filling behind the kerb/footpath will also require additional fill to raise the level of the memorial lawn.

Shire staff have estimated the cash cost of installing kerbing and footpath rather than bollards at \$27,608. Installing kerbing would not require expenditure of \$1,556 to purchase bollards. The kerbing would plus Shire plant and labour costs.

Hedge between the Memorial and Railway Line

The planting of a hedge can be included in the design. The proposed artwork was envisaged as a relatively flat work, that sits slightly in front of the existing trees.

The artwork and seats could still fit in front of the proposed hedge, of rosemary or shrubs, that replaces the trees. Additional, replacement, larger trees could be planted further east towards the railway line.

Shire staff have estimated the cost of installing the hedge could be incorporated into the costs of extending the lawn area and installing reticulation.

Drainage versus Drainage Swale

The existing drainage swale allows for flows of water from a drain crossing Alton Street, along the eastern edge of the Memorial Park, into a drainage sump in the north east corner of the park. Water then is piped along and then under Campbell Street and flowing under the railway line. This infrastructure collects water from Austral Street and from drainage infrastructure on Austral Street and the west of Cuballing.

All the drainage infrastructure is aged and the swale serves as a compensation basin to allow high flows to sit in the swale before flowing across Campbell Street and under the Railway.

Currently the access to the drainage pit is silted up and water sits in the swale for some time after rain events without being able to reach the drainage pit. This silt build up can be removed from time to time to return the swale to the correct levels.

Drainage infrastructure can be built from the existing drain crossing Alton Street to the drainage sump in the north east corner of the park. Given the age and size of some of the existing drainage pipes, these will need to be replaced as well. There will still need to be some type of swale to allow for overflow from the new drainage sump in times of high flow.

The cost of the drainage infrastructure is estimated at \$10,150

Relocate the WWII memorial.

The WWII memorial was constructed in 2006 immediately in front of the 1921 WWI memorial. It is constructed of similar stone with a brass name plate. One name was missed from the original engraving and a name was added soon after construction. Similarly, with the completion of the recent local WWI history book, there are a number of names of local veteran's names missing from the WWI memorial.

Given the significant sentimental attachment of to WWII veterans, should Council wish to alter the WWII memorial, Council should at least conduct a separate community consultation to advise the families of WWII veterans of the proposal.

Build a shelter and include history exhibits and seating

Council has received an indicative costing to construct a cruciform shelter at the Memorial Park of \$14,231. This generous quotation by a local builder was largely for purchase of materials with the supply of skilled labour donated. This costing could not be met by an alternative supplier.

The initial design was for a significant structure located near to the war memorial that had the potential to overshadow the relatively diminutive war memorial. Such a structure, if constructed, would be better placed away from the war memorial.

Strategic Implications

Shire of Cuballing Community Strategic Plan 2017-2027

SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

- A healthy and caring community which has strong support for all ages and abilities.
- A safe community where residents feel secure and comfortable at home, work and play.
- A healthy community engaging in positive and rewarding lifestyles with access to recreational and leisure opportunities.
- A vibrant community, enjoying access to a wide range of quality arts and cultural activities.

	Strategy	Outcome
1.1	Create a vibrant social environment that is accessible and inclusive for all ages and abilities.	The community feel welcome involved and connected to each other.
1.2	Create a vibrant built environment that is accessible and inclusive and reflects the Shire's identity and local heritage.	Active, attractive and affordable towns which the community are proud of and engaged in.
1.5	Provide and promote sport, recreation and leisure facilities and programs.	A variety of accessible sport and recreation opportunities and activities.
1.6	Support local arts and cultural activities.	A variety of arts and cultural activities can be pursued by locals

ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

- Community infrastructure and services delivered in a timely manner, are well utilised, effective and meet the expectations of the community.
- Managing community assets in a whole of life and economically sustainable manner.

	Strategy	Outcome
3.1	Deliver a diverse range of affordable services and infrastructure across the Shire.	A range of services, facilities and programs that the broadest community can access.
3.5	Maintain a robust asset management practices and maintenance programs.	Assets which meet the expectations of the community.
3.6	Facilitate and guide high quality and efficient building and development across the Shire.	A community with high quality and efficient buildings and development.

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

- A Council that proactively engages with all elements of its community to make decisions that reflect positively on the future of the Shire of Cuballing.

	Strategy	Outcome
4.2	Maintain a clear, transparent and ethical decision making process.	Openness and transparency in Council decisions.
4.4	Actively engage with the community to inform decision making and improve conversations within the community.	The community have a variety of opportunities to be involved and are able to make meaningful contributions to decision making.

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

Council has made allocation in their 2018/19 Budget to expend the following:

Wages	5,450
O/Heads	7,685
Plant	2,478
Materials	21,317
Contract	12,600
TOTAL	49,530

Council was funding these works with a transfer from Council's Recreation and Community Reserve.

The cost of the proposed scope of works and by extensions to the scope of work proposed in the community consultation are listed below. Each component only includes the expenditure on contracts and materials, with the Shire labour and plant costs totalled at the bottom.

No	Component	Cost	Cost
1	Connecting electricity to the site.	5,000	
2	Installing bollards	1,566	
3	Removing trip hazards and increase lawn area	5,520	
4	Installing automatic lawn reticulation	3,000	
5	Expand the paving around the memorial monuments	3,600	
6	Replace the flag pole	2,000	
7	Install seating	3,000	
8	Art work	15,000	
New	Install Kerbing rather than bollards		27,608
New	Hedge between the Memorial and Railway Line		
New	Install underground drainage in existing drainage swale beside railway		10,150
New	Build a shelter and include history exhibits and seating.		14,231
	Council Plant	2,478	13,022
	Council Labour	13,135	33,900
	TOTALS	54,299	98,910

Economic Implication – Nil

Social Implication

The Memorial Park in Cuballing is a site of significant community heritage and interest.

Environmental Considerations – Nil

Consultation

The proposed works, including the photographs, were advertised in The Cuballing News inviting public comment. 5 written comments were received.

Options

Council may resolve:

1. the Officer's Recommendation; or
2. the Alternative Resolution;
2. an amended Officer's Recommendation or Alternative Resolution; or
3. to have staff consider amendments to the proposed works schedule for Council to consider at a future Council Meeting.

An alternative resolution that Council could make could be:

That Council adopt the proposed schedule of works for the Memorial Park in Cuballing including:

1. Connecting electricity to the site;
2. Installing kerbing to define the area with a new footpath constructed behind the kerbing;
3. raise the level of lawn to behind the kerb/footpath and increase the lawn area;
4. Installing automatic lawn reticulation;
5. Expand the paving around the memorial monuments;
6. Replacing the flag pole;
7. Install seating;
8. Constructing drainage to remove the existing drainage swale on the eastern side of the memorial; and
9. Installing artwork in conjunction with a hedge along the eastern side of the memorial.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council adopt the proposed schedule of works for the Memorial Park in Cuballing including:

- 1. Connecting electricity to the site;**
- 2. Installing bollards to define the area;**
- 3. Removing trip hazards and increase the lawn area;**
- 4. Installing automatic lawn reticulation;**
- 5. Expanding the paving around the memorial monuments;**
- 6. Replacing the flag pole;**
- 7. Install seating; and**
- 8. installing artwork in conjunction with a hedge along the eastern side of the memorial.**









Cuballing war memorial

I write on behalf of myself and my family about the proposed changes to the Cuballing War Memorial.

The improvements stated in the Cuballing News are professional, elegant and respectful. We really like the glass and bollards defining the area.

Please forward our support to the Shire.

Regards
Anika Bricknell

Hi

I think the redevelopment of the memorial park is a good idea.

I would also like to see rosmary planted as a hedge between the railway line and park as this plant represents remembrance once established needs only trimming.

I think the art work should go with the theme of our entrances and have at least one light horse represented and a soldier.

A memorial foot path could weave from the memorial to the car park and perhaps sell plaques to be placed at intervals for family members to purchase. The first could be by the shire. The odd tree could also be planted by the children as a look to the future and remember the past.

Thank you

Robin Western

Paul Lewis
28 Beeston Street
CUBALLING, 6311
Ph. 9883 6284
Mobile. 0429 412 402
Email: paullewis2@aapt.net.au
21/5/2019

22 MAY 2019

POSTAL ADDRESS
P.O. Box 12
CUBALLING, 6311

Mr Gary Sherry C.E.O.
Cuballing Shire.

Re: Memorial Park Cuballing

I with 4 others had a look over the Memorial Park and discussed many things that need to be done to improve the park.

Looking at the landscape of the area there are things that need to be done in my view and I think the others have similar ideas but also may differ.

1. The majority of the trees need to be removed especially those along the back near the rail line as they do nothing to enhance the area and are scraggly looking by doing this will create a blank space to work on so that a complete picture can be looked at for now and the future, so as not to be working around obstacles that can put this out of perspective.
2. The drainage needs to be fixed and pipes connected to the drainage there and placed underground to remove any surface water coming from the drain in the N.W. corner either connected to the drain on the eastern side or direct into the S.W. corner near the rail line where the other drain is flowing.
3. Curbing needs to be around the park to increase the height so that it can make the level over the back near the rail line for the area to be filled in covering the drainage pipes and make the area reasonably level so that the plan of what needs to be done is clear.
4. The grass around the memorial etc is very spongy and I found myself it was unstable to walk on so that will need to be completely removed (can be used as some of the fill) and once the area is levelled new lawn placed there to cover the whole area giving it a nice open space. This would be the best time to put in reticulation.
5. Over the back near the rail line thinking of maybe a hedge their defining the area and obscure the rail line which will mark the area and make it clear where the boundaries are. This will make a clear cut line of the area making it easier to add other things such as seating and maybe some covered areas and bushes that can be easily maintained to be shaped and

not let to grow out of control like the gum trees and other trees that are their now.

6. The pine log boarder that is their now can be removed because the curbing will stop vehicles going onto the area and there be no need for bollards or any other devices needed for that purpose. This will produce a clean and open space for all, not the cluttered mess it is now.
7. Connecting power to the sight seems will be easy so I am presuming that there will have to be a meter box placed there so approval will have to come from Western Power and a meter installed by them cost I would predict to be around \$1,000.00 or maybe more. The meter box would have to be vandal proof as it is in an open space which could be tempting for people to tamper with.

The clearing of trees will cause irritation to some but they need to be cleared and with the ground being so soggy could be a danger later on if they fall over or drop branches, well managed shrubs and hedges will add to the area where as the trees there at the moment take away from the area and are a future danger.

Please do not hesitate to contact me if you wish to talk about this further as I am always available.

Yours faithfully



Paul Lewis.

Hi Mark

Here are the suggestions for the Memorial upgrade

Cheers Helen Elliott

CUBALLING WAR MEMORIAL

Suggestions in order of priority:

Stage 1:

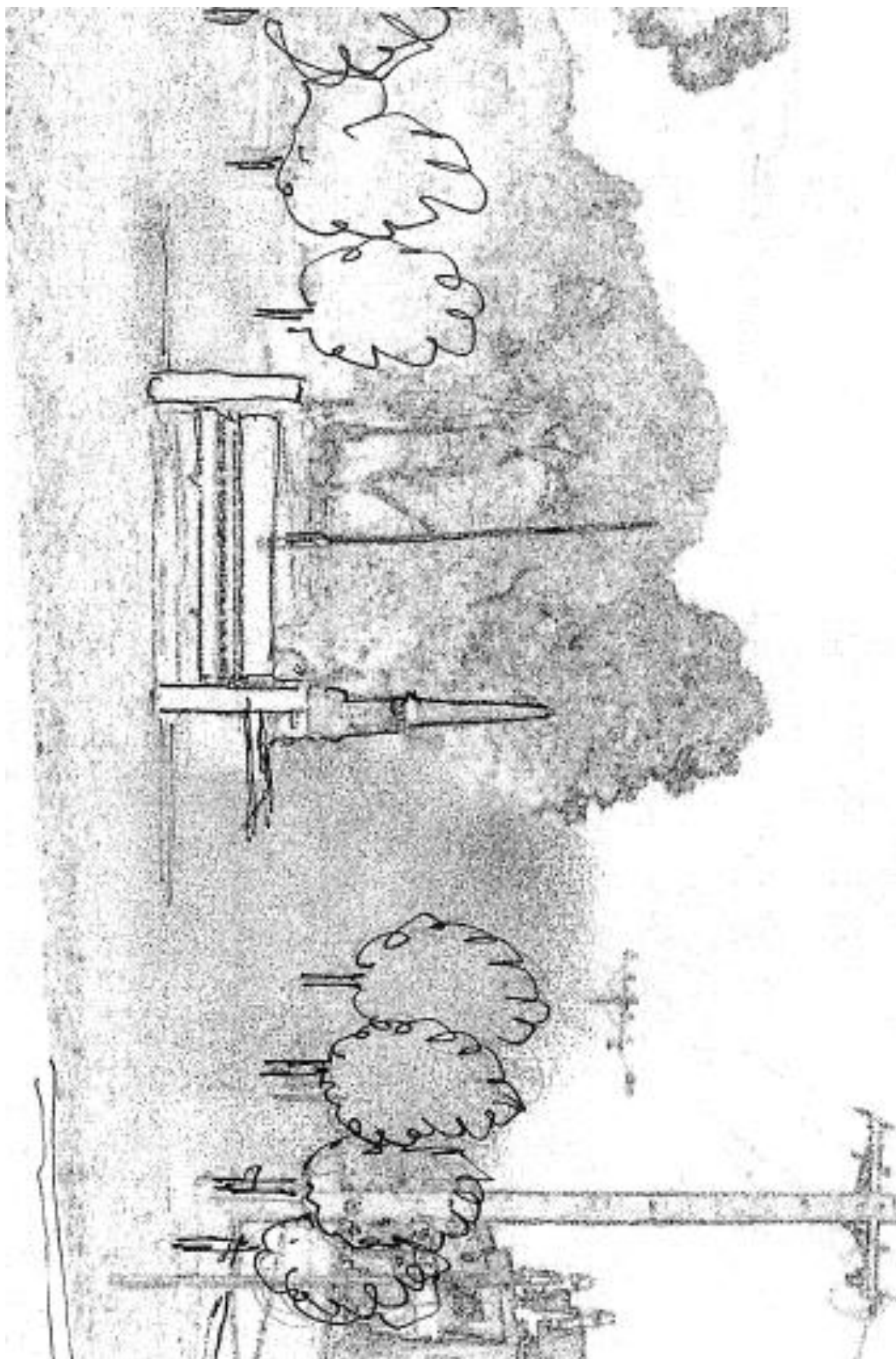
- Construct proper drainage
- Level the site
- Remove wooden railings
- Remove trees. The Marri and the Prunus (termite infested) behind the Memorial -this will give a large open space. Remove the large overgrown Melaleuca (left of the seat as you face the Memorial) as this blocks off the view from the main highway. Remove the Grevillea beside the seat and the shrub next to it. Consider removal of other self-germinated natives between the railway line and Memorial.
- Put in kerbing alongside the footpath to serve as a barrier to vehicles

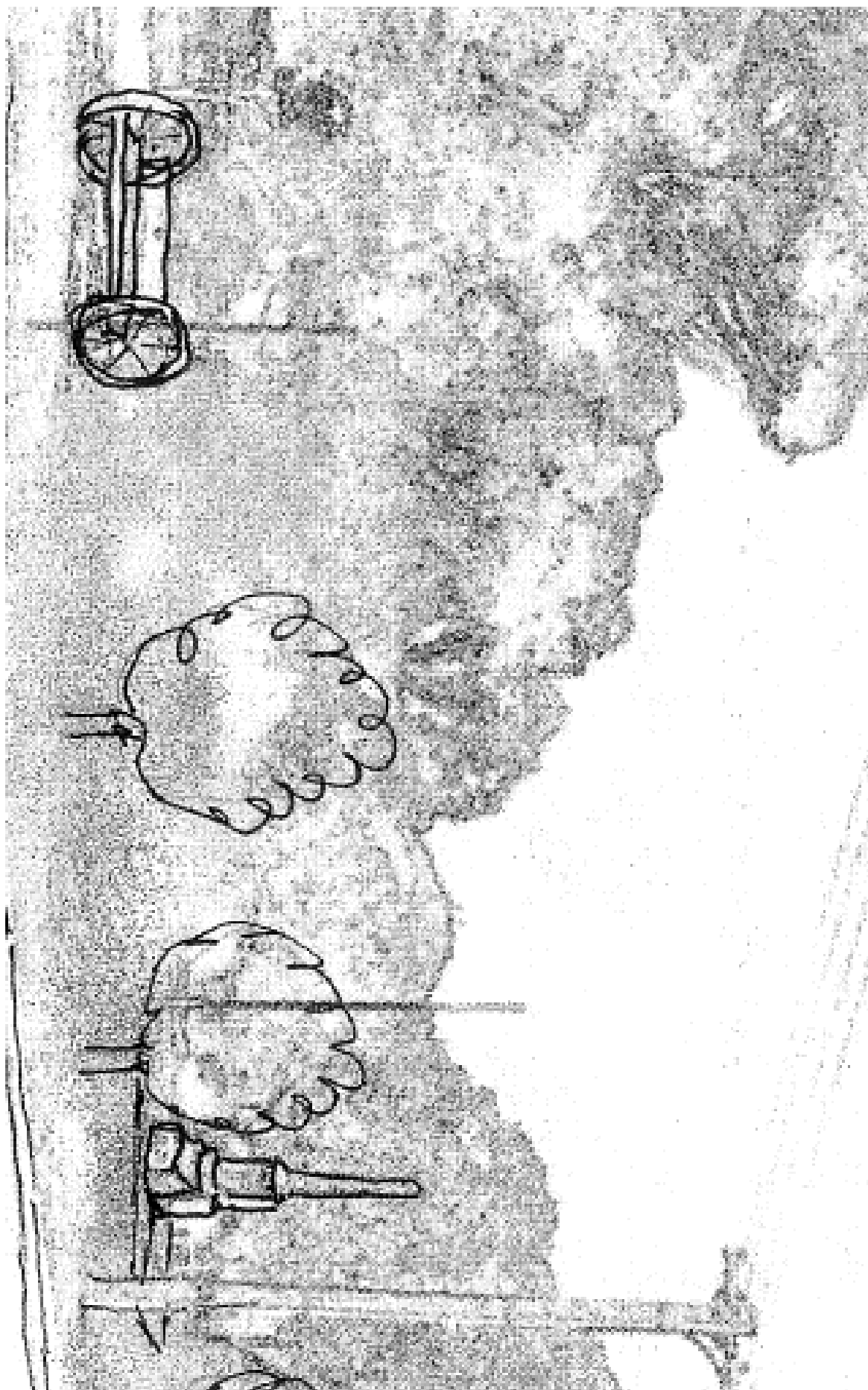
Stage 2:

- Consider planting Prunus trees between the power poles to maintain continuity- the existing street trees were chosen to tie in with the Prunus trees at the Memorial site, with the removal of the last one that continuity will be broken. This will also help to define the area. The Jack Martin plaque could be moved and put at the base of one of the trees and the Rosemary removed
- Consider planting a hedge of shrubs as a screen between the railway and memorial

Stage 3:

- Consider relocating the WW2 memorial as it detracts from the WW1 Memorial – the relocation to take into consideration other conflicts as well. Maybe on the left-hand side as you face the memorial?
- Consider building a shelter behind the memorial. This could have excerpts from the 'Great War Histories' book displayed on panels and seating for visitors
- Consider re-doing the plaque on the WW2 Memorial as it currently has an 'add-on'







Good Afternoon

I would like to make comment on the proposed changes to be made around the area of the War Memorial. I understand that the deadline for comment has passed, however I would like to comment anyway as I feel that it is a very iconic part of the heritage of our local government.

After reading the article in the Cuby news which has provided a good overview and rationale of the proposed changes I write in support of the plan to make these changes. I have also taken the time to go to the memorial, to see first hand what the changes could look like.

I think the project is definitely worthwhile, the only addition I would make is perhaps 3 images, one to reflect the light horse -they were pivotal in the scheme of things.

As access is so very important for our ageing population, the surface around the memorial really does need to be upgraded and expanded. there is a very emotional attachment to this icon in every community so really should be as accessible as possible, clean and professional. It's the least we can do to respect the fallen and the survivors.

please feel free to contact me on this email if you would like any further comment or information.

kind regards

Chris Eales

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 at this time.

12. CONFIDENTIAL MATTERS:

Nil

13. NEXT MEETING

Special Council Meeting, 2.00pm, Wednesday 26th June 2019 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

Ordinary Council Meeting, 2.00pm, Wednesday 17th July 2019 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

14. CLOSURE OF MEETING: