

*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, THURSDAY 19th DECEMBER 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.

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1. DECLARATION OF OPENING:

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1 Attendance

Cr Mark Conley
Cr Eliza Dowling
Cr Scott Ballantyne
Cr Dawson Bradford
Cr Robert Harris
Cr Deb Hopper

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 20th November 2019

OFFICER'S RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 20th November 2019 be confirmed as a true record of proceedings.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:

Nil at this time.

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 Payments – November 2019

File Ref. No: NA
Disclosure of Interest: Nil
Date: 13th December 2019
Author: Nichole Gould
Attachments: 9.1.1A List of November 2019 Municipal Accounts

Summary

Council is to review payments made under delegation in November 2019.

Background – Nil

Comment

Council is provided at Attachments 9.1.1A with a list of payments made from Council's bank account during the month of November 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 paid in November 2019 under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, including payments from Council's:

- 1. Trust Fund totalling \$480.00 included at Attachment 9.1.1A; and**
- 2. Municipal Fund totalling \$275,745.11 included at Attachment 9.1.1B.**

LIST OF NOVEMBER 2019 TRUST FUND ACCOUNTS

Chq/EFT	Description	Amount
2151	Nomination Refund 2019	80.00
2152	Nomination Refund 2019	80.00
2153	Nomination Refund 2019	80.00
EFT4741	Nomination Refund 2019	80.00
EFT4742	Nomination Refund 2019	80.00
EFT4743	Nomination Refund 2019	80.00
		480.00

LIST OF NOVEMBER 2019 MUNICIPAL FUND ACCOUNTS

Chq/EFT	Description	Amount
EFT4744	6 x 1800 x 800 x 400 Pale eucalypt planter boxes for Cuballing Cemetery	1,410.00
EFT4745	Install new Clutch and flywheel skim as per quote	2,652.30
EFT4746	50% Reimbursement of Internet as per contract	55.00
EFT4747	3 x Campbell St signs and brackets 1 x Rayment Welding directional sign and bracket 1x street blade directional Rayment Welding	272.36
EFT4748	Pump out Septics Popo Toilets	505.40
EFT4749	Accommodation Darryle Baxter	270.00
EFT4750	Monthly Fuel Delivery to Above Ground Tank	15,407.17
EFT4751	Supply extra parts for 1000hr service 55538	2,405.78
EFT4752	Monthly Computer Support Charges	288.75
EFT4753	Mary Caunt Face Painter October 2nd 9.30am to 12.30pm	210.00
EFT4754	Test x 5 standpipe RPZD Backflow devices and report to water corporation	1,320.00
EFT4755	Remove and re install Phone kit in CN027	481.70
EFT4756	Roller hire @ \$88 p/hr various gravel roads in Shire of Cuballing	15,048.00
EFT4757	1 x FS131 autocut 25 2 Whipper Snipper 1 x MS 170z 3/8p Chainsaw 1 x SH86 ce z Shredder Vacuum q x BG 86 cez Blower	638.00
EFT4758	River Action Plan	3,168.00
EFT4759	27 x 300mm x 2.4 class2 pipes 10 x 300mm Headwalls 3 x 375mm x 2.4 class 2 pipes 6 x 375mm headwalls	7,540.29
EFT4760	Freight Charges SOS Office Equipment	10.73
EFT4761	4 x New tyres CN0 265/60/18AT3LT Coopers as per quote LO575 Including tyre disposal	1,832.00
EFT4762	1 x Mirror	265.61

Chq/EFT	Description	Amount
EFT4763	Replace Wheel Seals ,Clean and repack Wheel Bearings	2,954.60
EFT4764	Repair to 4720 John Deer tractor	4,602.65
EFT4765	1 x Thermostat for 25kva Generator	130.00
EFT4766	Repair roller tyre	190.27
EFT4767	50% Reimbursement Synergy B Brennan	94.62
EFT4768	Spreading sand at War Memorial over pipes	2,260.50
EFT4769	36 000 km service / speedo recall / exhaust bracket failure	400.00
EFT4770	4 x Transit seating for Cuballing Cemetery 1 x College Bench	8,444.70
EFT4771	Pellet Cement for 600 mm new culvert install /cement stabilized gravel	784.09
EFT4772	Monthly Fuel Delivery to Above Ground Tank	8,446.32
EFT4773	Rubbish Removal Recycling Service x 255 @ \$3.42 each	8,070.45
EFT4774	Remove and install fence	2,337.50
EFT4775	1000x Red delineators 1000x White delineators	2,915.00
EFT4776	Freight Charges Corsign	206.91
EFT4777	6000hr service Komatsu Grader as per Quote Q0013702833	6,192.93
EFT4778	SLIP subscription licence 99120171	2,318.00
EFT4779	LGIS Workcare Insurance 201920 2nd Instalment	53,843.42
EFT4780	Lease Land for Shire Dam 19/20 Springhill Road Cuballing	1,650.00
EFT4781	Monthly Account for Makit hardware	369.40
EFT4782	Monthly Computer Licenses & Backup Charges	1,110.25
EFT4783	Advertising The West 23/10/2019 Tender RFT4/2019	765.37
EFT4784	Power steering hose and steel for tractor	83.83
EFT4785	Spray for spiders and bugs	440.00
EFT4786	Hand held radios 80 channel and accessories	691.50
EFT4787	1 x 4pound copper hammer	268.72
EFT4788	48m ³ Yellow Sand	158.40

Chq/EFT	Description	Amount
EFT4789	1 x new front windscreen for Hino 300 series	418.00
EFT4790	3 x toilet paper	320.65
EFT4791	50 x Layflat LP Blue 75MM	2,400.49
EFT4792	5 l of synthetic 2 stoke oil for all stihl chainsaws and whipper snipers	119.65
EFT4793	20 x plants for leech drains	200.00
EFT4794	2 x new tyres for fast fill trailer	585.00
EFT4795	2 x 20 lt power max chemical	362.56
EFT4796	1 x Pair of Boots	75.65
EFT4797	27 x 300mm x 2.4 class2 pipes 10 x 300mm Headwalls 3 x 375mm x 2.4 class 2 pipes 6 x 375mm headwalls	4,482.50
EFT4798	Disposal of Popanyinning Transfer Station Waste	6,946.56
EFT4799	Desk Plaques for Robert Harris & Deb Hopper	293.59
EFT4800	Polo Shirts for new councillors	70.00
EFT4801	Tree Mulching various road throughout shire 240hrs total	20,605.20
EFT4802	Work Uniform	523.20
EFT4803	Parts to fix seat /Drivers in prime mover	363.00
EFT4804	10 x roof tiles for shire office	40.00
14787	Water Charges Standpipe Ridley St Cuballing	1,655.85
14788	Monthly Electricity Charge Street Lightning x 42 Lights	1,026.49
14789	Building Services October 2019 Labour 38.5Hrs	5,172.60
14790	Service Charge Shire Office	603.60
14791	Water Charges Standpipe Francis Street	1,479.93
DD2104.1	Monthly Internet Wireless Limitless Inc Calls	89.99
DD2106.1	Superannuation contributions	266.99
DD2106.2	Payroll deductions	5,617.78
DD2106.3	Superannuation contributions	450.28
DD2106.4	Superannuation contributions	176.26
DD2106.5	Superannuation contributions	450.28
DD2106.6	Superannuation contributions	239.90
DD2106.7	Superannuation contributions	202.75
DD2114.1	Superannuation contributions	231.08
DD2114.2	Payroll deductions	5,577.97
DD2114.3	Superannuation contributions	450.28
DD2114.4	Superannuation contributions	139.31

Chq/EFT	Description	Amount
DD2114.5	Superannuation contributions	447.41
DD2114.6	Superannuation contributions	230.87
DD2114.7	Superannuation contributions	198.96
DD2119.1	MWS Credit Card - Depart. of Water & Environmental Reg Tree Clearing Permit	4,317.56
DD2122.1	Superannuation contributions	2,293.75
20191101	Police Licensing Payments	570.80
20191104	Police Licensing Payments	488.00
20191105	Police Licensing Payments	39.60
20191106	Police Licensing Payments	61.20
20191107	Police Licensing Payments	616.40
20191107	Interest on Graders	362.56
20191107	Loan Repayment No. 63 Graders	3,351.72
20191108	Police Licensing Payments	103.50
20191111	Police Licensing Payments	1,282.20
20191112	Police Licensing Payments	1,010.45
20191113	Rent for Grader Driver House	360.00
20191113	Police Licensing Payments	222.55
20191113	Interest on Loan No. 64 Land	1,736.00
20191113	Loan Repayment No.64 Land	7,206.52
20191114	Police Licensing Payments	986.35
20191115	Police Licensing Payments	919.20
20191118	Police Licensing Payments	1,553.05
20191120	Police Licensing Payments	2,925.25
20191121	ATO Clearing Account Bas	12,113.00
20191121	Police Licensing Payments	3,377.60
20191122	Police Licensing Payments	1,728.25
20191125	Police Licensing Payments	335.60
20191126	Police Licensing Payments	1,149.40
20191127	Rent for Grader Driver House	360.00
20191127	Police Licensing Payments	14.95
20191128	Police Licensing Payments	27.70
20191129	Police Licensing Payments	206.80
		275,745.11

9.1.2 Statement of Financial Activity

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	11 th December 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 November 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 30th June 2020 in a positive manner. Some key points include;

- General Purpose Funding – Rates have been raised on 31st July 2019;
- Transport – MRWA Direct Grant amount received \$115 490;
- Transport – first 40% of Regional Road Group & Blackspot funding has been received;
- Transport – Roads to Recovery funding has been received for next quarter
- Recreation and Culture – Yornaning Dam grant funding has been received

Operating Expenses – The key items of variance include:

- Overall the month expenditure is below the YTD budget.
- Expenditure figures are less than YTD budget due to depreciation not being calculated for 2019/20 until 2018/19 audit is finalised.
- Insurance expenses are showing as higher than YTD budget due to 2nd instalment being paid.

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

Administration Allocations have been calculated to 30th November 2019.

Depreciation expense is calculated to 30 June 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. 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 30th November 2019 be received.

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 November 2019

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

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**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 NOVEMBER 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

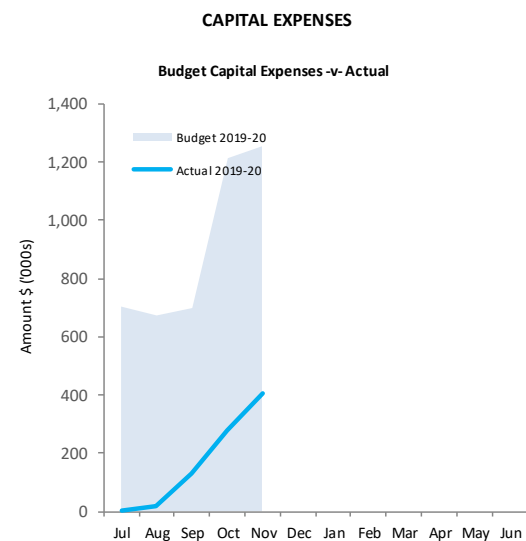
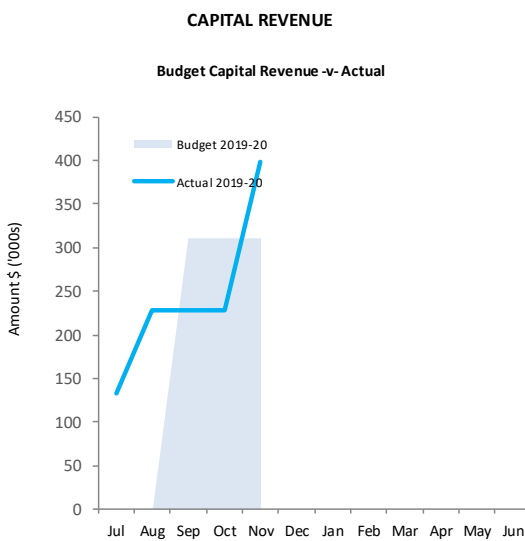
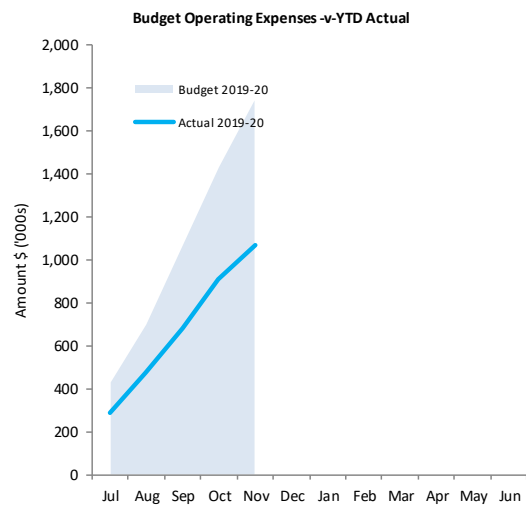
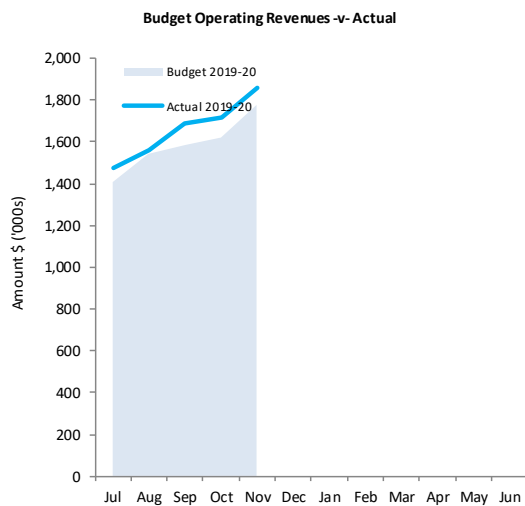
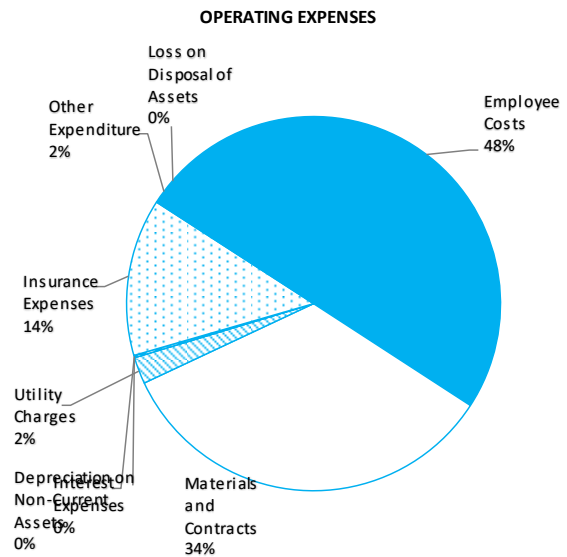
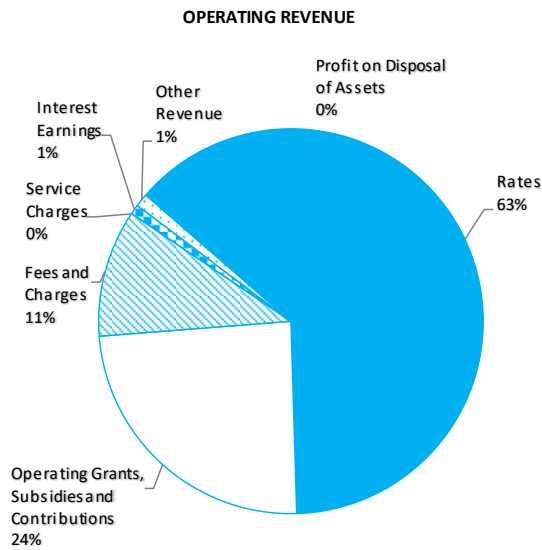
The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions 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 30 NOVEMBER 2019**

SUMMARY GRAPHS



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

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 30 NOVEMBER 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 septics 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 30 NOVEMBER 2019**

STATUTORY REPORTING PROGRAMS

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)
		\$	\$	\$	\$	%
Opening Funding Surplus(Deficit)	1(b)	687,002	687,002	643,815	(43,187)	(6%)
Revenue from operating activities						
General Purpose Funding	5	1,497,676	1,337,261	1,329,512	(7,749)	(1%)
Governance		1,295	530	19,550	19,020	3,589% ▲
Law, Order and Public Safety		28,019	13,734	16,355	2,621	19%
Health		800	330	708	378	115%
Education and Welfare		2,500	0	0	0	
Housing		4,680	1,950	1,980	30	2%
Community Amenities		77,382	70,190	73,359	3,169	5%
Recreation and Culture		84,877	7,245	89,389	82,144	1,134% ▲
Transport		310,631	212,220	203,615	(8,605)	(4%)
Economic Services		38,250	15,910	8,778	(7,132)	(45%) ▼
Other Property and Services		284,380	118,480	131,086	12,606	11% ▲
		2,330,490	1,777,850	1,874,330		
Expenditure from operating activities						
General Purpose Funding		(75,915)	(31,625)	(25,052)	6,573	21% ▲
Governance		(149,640)	(104,493)	(73,321)	31,171	30% ▲
Law, Order and Public Safety		(186,043)	(77,445)	(65,571)	11,874	15% ▲
Health		(41,600)	(17,325)	(18,377)	(1,052)	(6%)
Education and Welfare		(1,237,800)	(5,950)	(5,608)	342	6%
Housing		(43,610)	(18,150)	(9,661)	8,489	47% ▲
Community Amenities		(343,128)	(142,850)	(138,586)	4,264	3%
Recreation and Culture		(376,688)	(156,645)	(121,065)	35,580	23% ▲
Transport		(2,210,019)	(920,184)	(489,219)	430,965	47% ▲
Economic Services		(180,605)	(69,205)	(75,203)	(5,998)	(9%)
Other Property and Services		(239,064)	(184,945)	(50,869)	134,076	72% ▲
		(5,084,111)	(1,728,816)	(1,072,533)		
Operating activities excluded from budget						
Add Back Depreciation		1,500,557	625,195	0	(625,195)	(100%) ▼
Adjust (Profit)/Loss on Asset Disposal	6	24,437	10,180	0	(10,180)	(100%) ▼
Adjust Provisions and Accruals		0	0	0	0	
Amount attributable to operating activities		(1,228,627)	684,409	801,797		
Investing Activities						
Non-operating Grants, Subsidies and Contributions	10	1,650,739	311,496	399,413	87,917	28% ▲
Proceeds from Disposal of Assets	6	96,334	96,334	38,850	(57,484)	(60%) ▼
Land Held for Resale		0	0	0	0	
Capital Acquisitions	7	(1,990,066)	(1,253,813)	(406,077)	847,735	68% ▲
Amount attributable to investing activities		(242,993)	(845,983)	32,186		
Financing Activities						
Proceeds from New Debentures		310,000	310,000	0	(310,000)	(100%) ▼
Repayment of Debentures	8	(69,160)	(13,285)	(13,285)	0	0%
Transfer from Reserves	9	563,826	0	0	0	
Transfer to Reserves	9	(19,545)	(9,390)	(9,390)	0	0%
Amount attributable to financing activities		785,121	287,325	(22,675)		
Closing Funding Surplus(Deficit)	1(b)	503	812,754	1,455,123		

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 2019/20 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 30 NOVEMBER 2019**

NATURE OR TYPE DESCRIPTIONS

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 CHARGEES

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.

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 30 NOVEMBER 2019**

BY NATURE OR TYPE

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)	
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	1(b)	687,002	687,002	643,815	(43,187)	(6%)	
Revenue from operating activities							
Rates	5	1,175,270	1,179,180	1,183,295	4,115	0%	
Operating Grants, Subsidies and Contributions	10	733,442	382,400	454,348	71,948	19%	▲
Fees and Charges		347,392	185,290	200,531	15,241	8%	
Interest Earnings		32,887	13,695	15,367	1,672	12%	
Other Revenue		41,500	17,285	20,788	3,503	20%	
Profit on Disposal of Assets	6	0	0	0	0		
		2,330,490	1,777,850	1,874,330			
Expenditure from operating activities							
Employee Costs		(1,140,325)	(490,355)	(512,385)	(22,030)	(4%)	
Materials and Contracts		(2,120,175)	(406,008)	(363,206)	42,802	11%	▲
Utility Charges		(64,076)	(26,024)	(24,774)	1,250	5%	
Depreciation on Non-Current Assets		(1,500,557)	(625,195)	0	625,195	100%	▲
Interest Expenses		(7,520)	(3,125)	(2,162)	963	31%	
Insurance Expenses		(143,652)	(121,079)	(145,749)	(24,670)	(20%)	▼
Other Expenditure		(83,370)	(46,850)	(24,258)	22,592	48%	▲
Loss on Disposal of Assets	6	(24,437)	(10,180)	0	10,180		
		(5,084,111)	(1,728,816)	(1,072,533)			
Operating activities excluded from budget							
Add back Depreciation		1,500,557	625,195	0	(625,195)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	6	24,437	10,180	0	(10,180)	(100%)	▼
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(1,228,627)	684,409	801,797			
Investing activities							
Non-operating grants, subsidies and contributions	10	1,650,739	311,496	399,413	87,917	28%	▲
Proceeds from Disposal of Assets	6	96,334	96,334	38,850	(57,484)	(60%)	▼
Land held for resale		0	0	0	0		
Capital acquisitions	7	(1,990,066)	(1,253,813)	(406,077)	847,735	68%	▲
Amount attributable to investing activities		(242,993)	(845,983)	32,186			
Financing Activities							
Proceeds from New Debentures		310,000	310,000	0	(310,000)	(100%)	▼
Repayment of Debentures	8	(69,160)	(13,285)	(13,285)	0	0%	
Transfer from Reserves	9	563,826	0	0	0		
Transfer to Reserves	9	(19,545)	(9,390)	(9,390)	0	0%	
Amount attributable to financing activities		785,121	287,325	(22,675)			
Closing Funding Surplus (Deficit)	1(b)	503	812,754	1,455,123			

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 reason: Wardering Road Bridge Widening
This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 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 30 NOVEMBER 2019

OPERATING ACTIVITIES
NOTE 1(b)
ADJUSTED NET CURRENT ASSETS

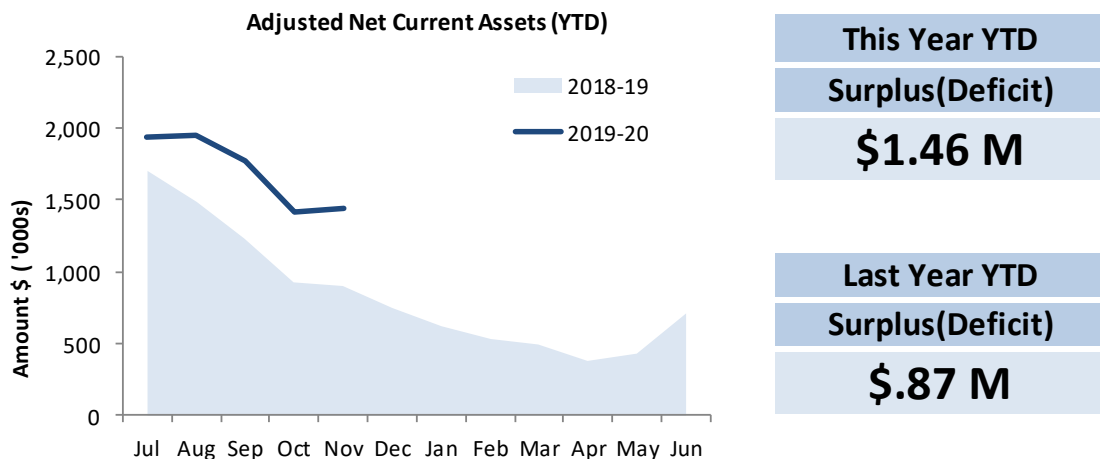
	Re Note	Last Years Closing 30 June 2019	This Time Last Year 30 Nov 2018	Year to Date Actual 30 Nov 2019
Adjusted Net Current Assets				
		\$	\$	\$
Current Assets				
Cash Unrestricted	3	669,181	671,406	1,361,873
Cash Restricted	3	1,574,152	1,546,834	1,583,542
Receivables - Rates	4	63,701	171,748	195,801
Receivables - Other	4	32,263	38,999	23,806
Loans receivable		0	0	0
ATO Receivable		0	13	17,134
Inventories		8,986	8,391	8,986
Land held for resale - current		0	0	0
		2,348,282	2,437,390	3,191,142
Less: Current Liabilities				
Payables		(130,316)	(17,053)	(126,908)
ATO Payables		0	0	(25,568)
Provisions - employee		(209,084)	(246,020)	(209,084)
Long term borrowings		(54,937)	(22,795)	(41,652)
		(394,337)	(285,868)	(403,214)
Unadjusted Net Current Assets		1,953,945	2,151,522	2,787,928
Adjustments and exclusions permitted by FM Reg 32				
Less: Cash reserves	3	(1,574,152)	(1,546,834)	(1,583,542)
Less: Land held for resale		0	0	0
Less: Loans receivable		0	0	0
Add: Provisions - employee		209,084	246,020	209,084
Add: Long term borrowings		54,937	22,795	41,652
Adjusted Net Current Assets		643,815	873,503	1,455,123

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.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 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 2019/20 year is \$5,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Variance	Timing/ Permane	Explanation of Variance
	\$	%			
Revenue from operating activities					
Governance	19,020	3,589%	▲	Permanent	LSL Reimbursement Narrogin Shire
General Purpose Funding	(7,749)	(1%)		Permanent	Grants Commission Funding
Law, Order and Public Safety	2,621	19%		Timing	Timing - Dog Registrations
Health	378	115%		Timing	Septic Tank Applications
Education and Welfare	0				
Housing	30	2%		Timing	Not Material
Community Amenities	3,169	5%		Timing	Waste Levy
Recreation and Culture	82,144	1,134%	▲	Permanent	Yornaning Dam Grant & Hall hire fees
Transport	(8,605)	(4%)		Permanent	Local Roads Grant
Economic Services	(7,132)	(45%)	▼	Timing	Standpipe charges & grant income not received
Other Property and Services	12,606	11%	▲	Timing	Building Licence Fees & Building Surveyor Fees
Expenditure from operating activities					
Governance	31,171	30%	▲	Timing	General Expenses under budget & Depreciation
General Purpose Funding	6,573	21%	▲	Timing	Under Budget - Legal fees & Valuation expenses
Law, Order and Public Safety	11,874	15%	▲	Timing	Depreciation - Fire vehicles
Health	(1,052)	(6%)		Timing	Not Material
Education and Welfare	342	6%		Timing	Not Material
Housing	8,489	47%	▲	Timing	Maintenence underbudget, Depreciation
Community Amenities	4,264	3%		Timing	Depreciation
Recreation and Culture	35,580	23%	▲	Timing	Depreciation
Transport	430,965	47%	▲	Timing	Depreciation on road plant
Economic Services	(5,998)	(9%)		Timing	Expenditure - Community Functions & Tourism
Other Property and Services	134,076	72%	▲	Timing	Depreciation other property & plant
Investing Activities					
Non-operating Grants, Subsidies and Contributions	87,917	28%	▲	Timing	Roads to Recovery funding received early
Proceeds from Disposal of Assets	(57,484)	(60%)	▼	Timing	Relates to truck changeover - Budget Profiling
Land Held for Resale	0				Not Applicable
Capital Acquisitions	847,735	68%	▲	Timing	Budget Profiling - Tenders process
Financing Activities					
Proceeds from New Debentures	(310,000)	(100%)	▼	Timing	Relates to - Aged Persons Accommodation
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 30 NOVEMBER 2019

OPERATING ACTIVITIES
NOTE 3
CASH AND INVESTMENTS

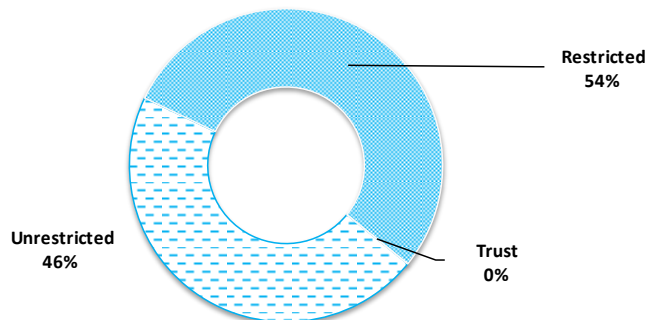
Cash and Investments	Unrestricted	Restricted	Trust	Total	Institution	Interest Rate	Maturity Date
				YTD Actual			
	\$	\$	\$	\$			
Cash on Hand							
Petty Cash and Floats	700			700	CBA	1.50%	At Call
At Call Deposits							
Municipal Fund	1,361,173			1,361,173	CBA	1.90%	At Call
Trust Fund			0		CBA	0.00%	At Call
Term Deposits							
Reserve Funds		1,583,542		1,583,542	CBA	2.39%	24-Oct-19
Total	1,361,873	1,583,542	0	2,945,415			

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
\$2.95 M	\$1.36 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2019

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

Rates Receivable	30 June 2019	30 Nov 19
	\$	\$
Opening Arrears Previous Year	51,735	63,701
Levied this year	1,199,303	1,258,745
Less Collections to date	(1,187,337)	1,126,645
Equals Current Outstanding	63,701	195,801
Net Rates Collectable	63,701	195,801
% Collected	94.69%	84.44%
	(0)	

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	53,464	13,594	210	1,197	68,465
Percentage	78%	20%	0%	2%	
Balance per Trial Balance					
Sundry debtors					23,806
GST receivable					17,134
Total Receivables General Outstanding					40,940

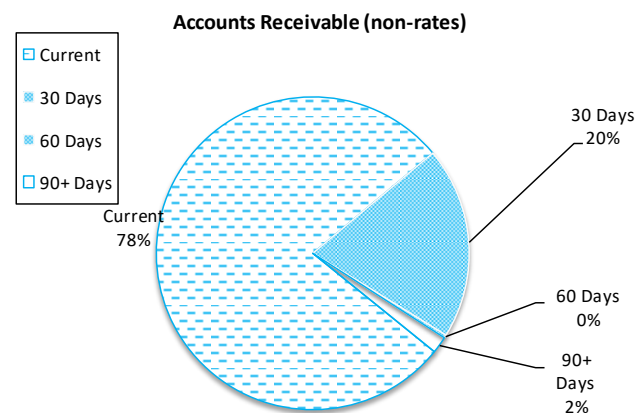
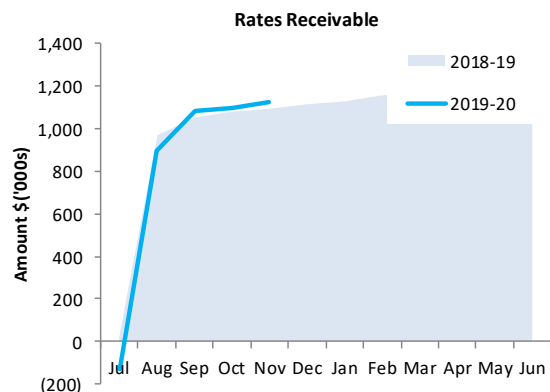
Amounts shown above include GST (where applicable)

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.



Debtors Due
\$40,940
Over 30 Days
22%
Over 90 Days
2%

Collected	Rates Due
84%	\$195,801

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2019

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

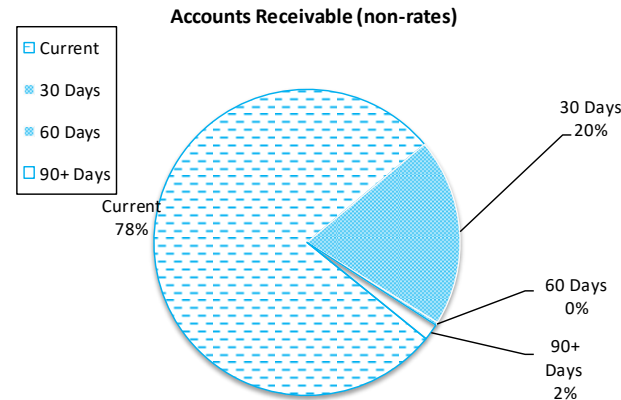
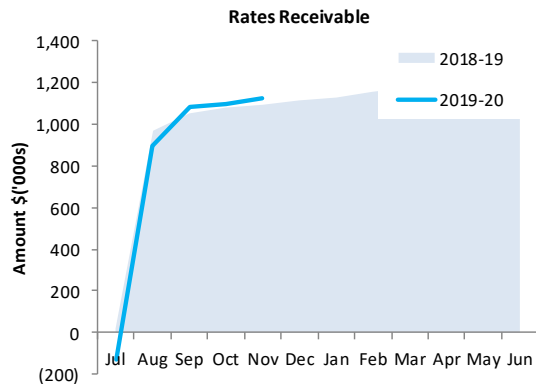
Rates Receivable	30 June 2019	30 Nov 19	Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$		\$	\$	\$	\$	\$
Opening Arrears Previous Year	51,735	63,701	Receivables - General	53,464	13,594	210	1,197	68,465
Levied this year	1,199,303	1,258,745	Percentage	78%	20%	0%	2%	
Less Collections to date	(1,187,337)	1,126,645	Balance per Trial Balance					
Equals Current Outstanding	63,701	195,801	Sundry debtors					23,806
			GST receivable					17,134
Net Rates Collectable	63,701	195,801	Total Receivables General Outstanding					40,940
% Collected	94.69%	84.44%	Amounts shown above include GST (where applicable)					
		(0)						

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

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Debtors Due
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Over 30 Days
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Over 90 Days
2%

Collected	Rates Due
84%	\$195,801

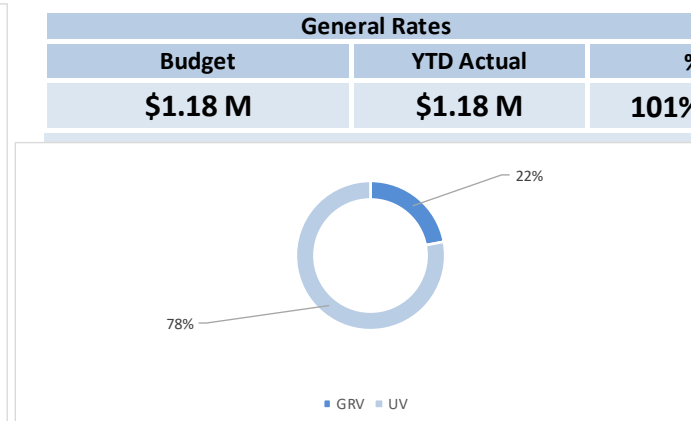
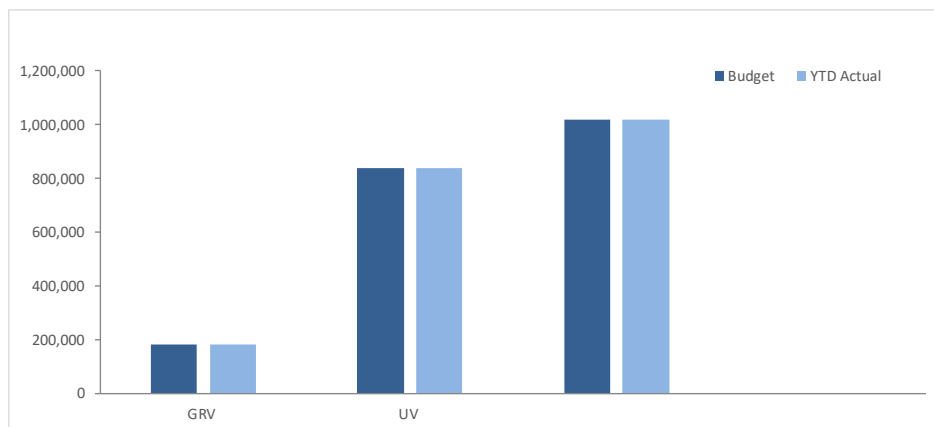
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2019

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	0.0770	187	2,350,114	180,881	0	0	180,881	180,881	0	0	180,881
UV	0.0073	188	115,229,000	839,904	0	0	839,904	839,904	0	0	839,904
Sub-total		375	117,579,114	1,020,785	0	0	1,020,785	1,020,785	0	0	1,020,785
Minimum	\$										0
GRV	690	140	622,278	96,600	0	0	96,600	96,600	0	0	96,600
UV	930	152	13,308,900	141,360	0	0	141,360	141,360	0	0	141,360
		292	13,931,178	237,960	0	0	237,960	237,960	0	0	237,960
Sub-Totals		667	131,510,292	1,258,745	0	0	1,258,745	1,258,745	0	0	1,258,745
Discount							(76,775)				(75,410)
Concession / Write Offs							(6,700)				(40)
Amount from General Rates							1,175,270				1,183,295
Ex-Gratia Rates							0				0
Total General Rates							1,175,270				1,183,295

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.

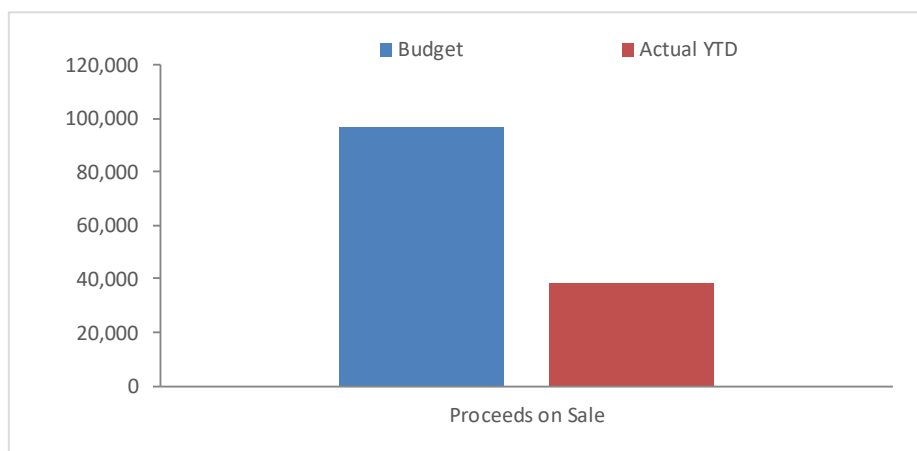


**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2019**

**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
		\$	\$	\$	\$	\$	\$	\$
10074	CN047 UD Nissan GW 400	77,905	50,000		(27,905)			0
10096	CN027 Holden Colorado Crew Cab 2016	16,587	19,227		2,640	15,958	13,988	
10101	CNO Holden Colorado Ute 4X4	26,279	27,107		828	26,279	24,862	
		120,771	96,334	0	(24,437)	42,237	38,850	0

KEY INFORMATION



Proceeds on Sale		
Budget	YTD Actual	%
\$96,334	\$38,850	40%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2019

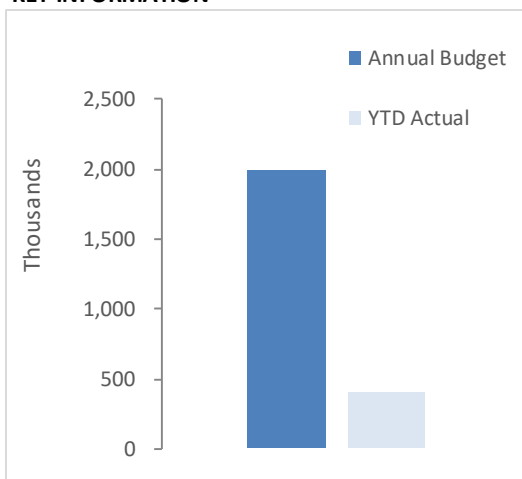
INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS

Capital Acquisitions	Amended		YTD Actual Total	YTD Budget Variance
	Annual Budget	YTD Budget		
	\$	\$	\$	\$
Land & Buildings	364,078	147,300	102,428	44,872
Plant & Equipment	590,332	590,332	82,114	508,218
Furniture & Equipment	11,825	0	12,179	(12,179)
Roads	993,831	516,181	178,736	337,445
Recreation	0	0	0	0
Parks, Gardens, Recreation Facilities	0	0	0	0
Other Infrastructure	30,000	0	30,620	(30,620)
Capital Expenditure Totals	1,990,066	1,253,813	406,077	847,735
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	1,650,739	311,496	399,413	87,917
Borrowings	310,000	310,000	0	(310,000)
Other (Disposals & C/Fwd)	96,334	96,334	38,850	(57,484)
Cash Backed Reserves				
Plant & Equipment Reserve	244,000	0	0	0
IT and Office Equipment Reserve	15,675	0	0	0
Housing Reserve	43,000	0	0	0
Recreation and Community Facility Reserve	261,151			
Contribution - operations	(630,833)	535,983	(32,186)	(568,168)
Capital Funding Total	1,990,066	1,253,813	406,077	(847,735)

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



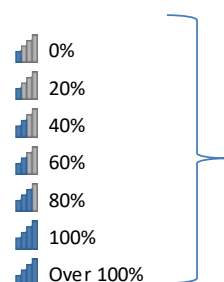
Acquisitions	Annual Budget	YTD Actual	% Spent
	\$1.99 M	\$0.41 M	20%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$1.65 M	\$0.4 M	24%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 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	12126	10,500	0	2,019	
Cuballing Railway Reserve Design	C176A	20,000	8,330	0	8,330
Buildings					
Popanyinning Hall Front Entrance	J163A	26,046	10,850	0	10,850
Building Renewal - Cuballing Memorial Park	C176	153,209	63,835	7,588	56,247
Building Renewal - Yornaning Dam	C188	140,323	58,455	6,936	51,519
Administration Building - Solar Panels	J4114B	14,000	5,830	13,636	(7,806)
Cuballing Transfer Station Surface Water Treatment	C159	0	0	39,860	(39,860)
Cuballing Cemetery Upgrade 2019/20	C161	12,382	5,155	8,959	(3,804)
Cuballing Town Hall - Septics Upgrade	C162	20,000	0	23,430	(23,430)
Total Land & Buildings		364,078	147,300	102,428	119,140

Plant & Equipment						
	Dual Cab Utility with Canopy (Building)	12405	43,226	43,226	39,433	3,793
	Dual Cab Utility (MWS)	12406	47,106	47,106	42,681	4,425
	Prime Mover	12407	300,000	300,000	0	300,000
	Side Tipper - Tri Axle Trailer	12408	100,000	100,000	0	100,000
	Water Tanker - Tri Axle Trailer	12409	100,000	100,000	0	100,000
	Total Plant & Equipment		590,332	590,332	82,114	508,218
Furniture & Equipment						
	Photocopier	4247	9,075	0	9,682	(9,682)
	Shredder	4160	2,750	0	2,497	(2,497)
	Total Furniture & Equipment		11,825	0	12,179	(9,682)
Infrastructure - Roads						
	RRG_ Narrogin Wandering Road	R129B	351,729	175,363	36,501	138,862
	RRG - Stratherne Road 19/20	R001B	136,392	89,515	31,528	57,987
	RTR - Wandering Narrogin Road	R129C	81,045	40,141	1,088	39,053
	RTR - Popanyinning West Reseal	R004E	14,000	5,830	0	5,830
	BS - Narrogin Wandering Road Black Spot	BS129	410,666	205,332	109,619	95,712
	Total Road Infrastructure		993,831	516,181	178,736	337,445
Recreation						
	Nil					
	Total Recreation		0	0	0	0
Parks, Ovals & Playgrounds						
	Nil					
	Total Parks, Ovals & Playgrounds		0	0	0	0
Other Infrastructure						
	Bridge Improvements - Capital Upgrades	11214	30,000	0	30,620	
	Depot Fencing & Gates - Capital Upgrades	10744	15,000	0	0	0
	Total Other Infrastructure		30,000	0	30,620	0
	TOTAL CAPITAL EXPENDITURE		1,990,066	1,253,813	406,077	955,120

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2019

FINANCING ACTIVITIES
NOTE 8
BORROWINGS

Information on Borrowings	2018/19	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget
Transport	\$	\$	\$	\$	\$	\$	\$	\$	\$
Loan 63 - Graders	111,951	0	0	13,285	40,446	111,951	71,505	2,162	4,126
Economic Services									
Loan 64 - Lot 74 Austral St	160,000			0	14,491	160,000	138,145	0	3,394
Education and Welfare									
Loan 65 - Aged Persons Housing		310,000	310,000		14,223		295,777		2,775
Total	271,951	0	310,000	13,285	69,160	271,951	505,427	2,162	10,295

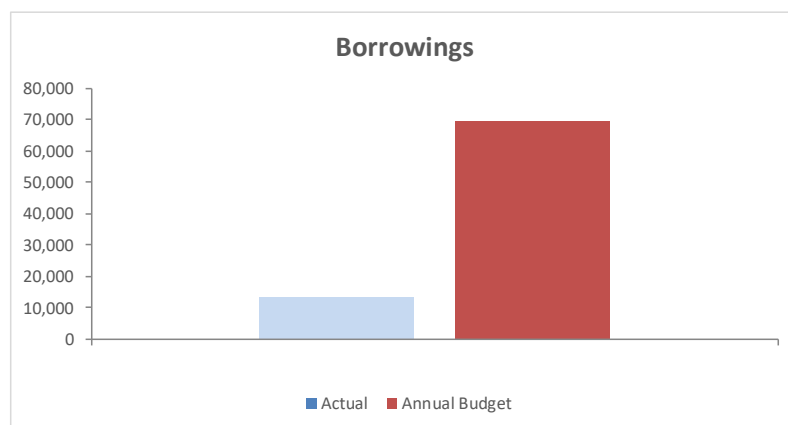
All debenture repayments were financed by general purpose revenue.

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	\$13,285
Interest Earned	\$15,367
Interest Expense	\$2,162
Reserves Bal	Loans Due
\$1.58 M	\$.27 M

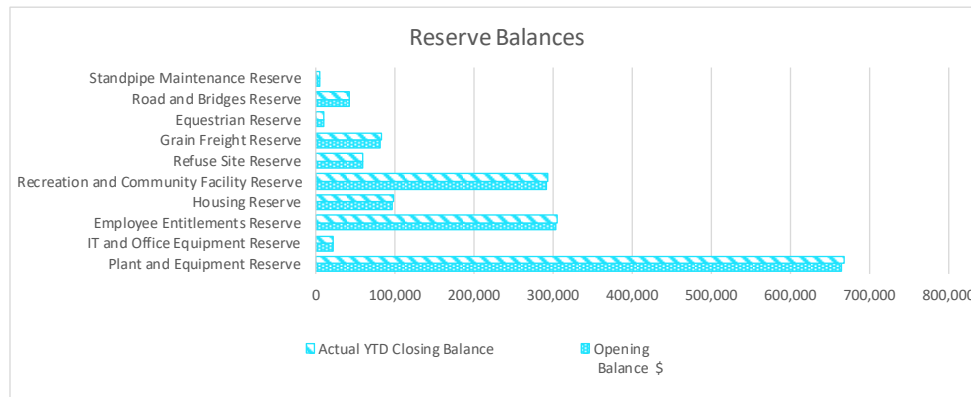
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2019

OPERATING ACTIVITIES
NOTE 9
CASH AND INVESTMENTS

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	\$ 664,195	\$ 5,456	\$ 3,416	\$	\$ 3,416	\$ (244,000)	\$	\$ 425,651	\$ 667,611
IT and Office Equipment Reserve	21,068	169	106		106	(15,675)		5,562	21,174
Employee Entitlements Reserve	303,437	2,998	1,877		1,877	0		306,435	305,314
Housing Reserve	96,817	870	545		545	(43,000)		54,687	97,362
Recreation and Community Facility Reserve	291,199	2,996	1,876		1,876	(261,151)		33,044	293,075
Refuse Site Reserve	58,763	971	608		608	0		59,734	59,371
Grain Freight Reserve	81,912	776	486		486	0		82,688	82,398
Equestrian Reserve	10,166	49	31	4,545	31			14,760	10,197
Road and Bridges Reserve	42,542	696	436		436	0		43,238	42,978
Standpipe Maintenance Reserve	4,052	19	12		12	0		4,071	4,064
	1,574,151	15,000	9,390	4,545	9,390	(563,826)	0	1,029,870	1,583,541

KEY INFORMATION



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 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	285,073	142,536	127,760	(14,776)
Governance				
Great Southern Business Development Group	0	0	0	0
Insurance & Other Reimbursements	595	245	16,431	16,186
Department Primary Industries & Regional Development	0	0	0	0
Law, Order & Public Safety				
DFES - Bush Fire Brigades	24,769	12,384	12,731	347
Education & Welfare				
Good Things Foundation	2,500	0	0	0
Housing				
Rental Income	4,680	1,950	1,980	30
Community Amenities				
Cemetery	6,362	2,650	1,275	(1,375)
Recreation & Culture				
Yornaning Dam Stage 2	73,832	0	80,924	80,924
Sport & Recreation	3,500	1,455	0	(1,455)
Transport				
Main Roads - RRG	0	0	0	0
Main Roads - Direct Grant	115,490	115,490	115,490	0
Grants Commission - Roads Component	185,141	92,570	82,974	(9,596)
Economic Services				
Youth Day	4,000	1,664	1,000	(664)
Volunteers Day	1,000	417	0	(417)
Digital Literacy Workshops	1,500	625	0	(625)
Other Property & Services				
Workers Compensation	25,000	10,415	13,784	3,369
Operating grants, subsidies and contributions Total	733,442	382,400	454,349	71,948
Non-operating grants, subsidies and contributions				
Education & Welfare				
Aged Person Accommodation Funding	872,000	0	0	0
Recreation & Culture				
Wardering Road Bridge Widening	0	0	0	0
Transport				
Main Roads - RRG	334,630	133,852	133,851	(1)
Roads to Recovery (RTR)	211,000	84,400	172,318	87,918
Black Spot (BS)	233,109	93,244	93,244	0
Law, Order & Public Safety				
DFES - Bush Fire Brigades	0	0	0	0
Non-operating grants, subsidies and contributions Total	1,650,739	311,496	399,413	87,917
Grand Total	2,384,181	693,896	853,762	159,865

KEY INFORMATION

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

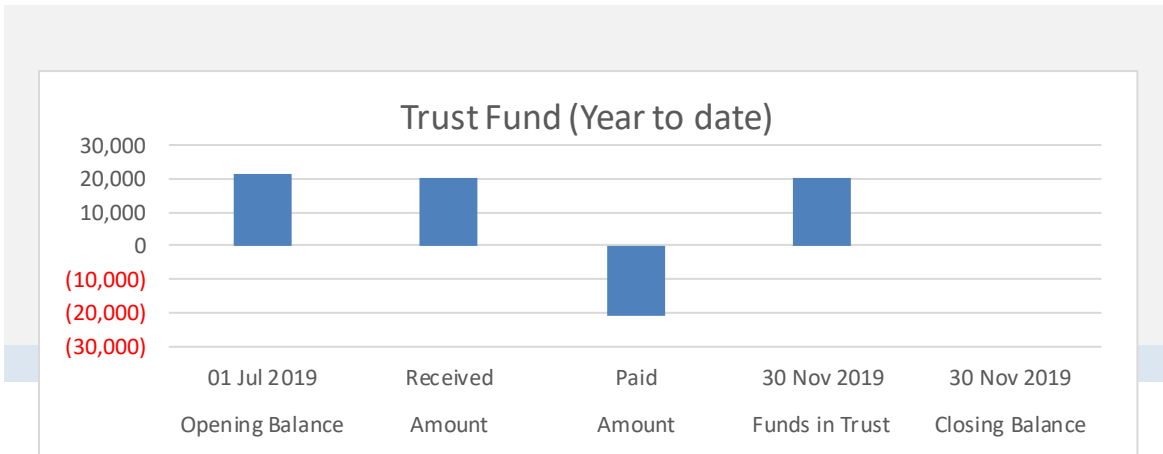
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2019**

**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	Amount	Amount	Funds in	Closing
	Balance			Trust	Balance
	01 Jul 2019	Received	Paid	30 Nov 2019	30 Nov 2019
	\$	\$	\$	\$	\$
Bonds - Building	6,889	0	0	6,889	0
Bonds - Hall Hire	1,150	500	(1,650)	0	0
Badminton Club		0	0	0	0
Commodine Tennis Club	2,890	0	0	2,890	0
Cuballing Progress Association	1,094	0	0	1,094	0
Cuballing Cricket Club	200	0	0	200	0
Yornaning Dam	0	0	0	0	0
Cuballing Football Association	566	0	0	566	0
Environment and Townscape Trust Fund	6,362	250	0	6,612	0
Police Licensing	355	18,701	(19,056)	0	0
Swipe Cards	1,550	0	0	1,550	0
Reimbursements	0	560	(480)	80	0
	21,056	20,011	(21,186)	19,881	0

KEY INFORMATION



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 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

9.1.3 Review of Banking Services

Applicant:	N/A
File Ref. No:	ADM112
Disclosure of Interest:	Author has a Direct Financial Interest in that she is a NAB customer
Date:	11 th December 2019
Author:	Bronwyn Dew
Attachments:	9.1.3A Summary Report on Banking Services

Summary

Council is to review the Shire's banking provider.

Background

Council has been utilising the services of Commonwealth Bank of Australia (CBA) for many years.

The level of customer service provided by CBA has been a growing issue and has included:

- Council had difficulty obtaining banking log on and credit card provision for the DCEO. For 3 months the DCEO was unable to conduct any banking activities on behalf of Council including making payments or even review of accounts. This caused issues with paying creditors in a timely manner.
- amendments to the Shire's Credit Card statement to include the CEO's credit card on the same statement still have not been completed despite numerous requests.
- delays in the upgrading of the Shire of Cuballing the EFTPOS terminal. This upgrade has been arranged on three occasions over 9 months and remains incomplete; and
- information sought to improve the Shire of Cuballing's management of investment funds continues to not be provided.

The DCEO met with Councils account manager from CBA on 15th April 2019 and addressed these issues. Despite this meeting all these issues remain unresolved.

Without resolution of these issues the DCEO contacted Australia and New Zealand Bank (ANZ), Bankwest and National Australia Bank (NAB) who were invited to provide alternative options for the provision of banking services to the Shire of Cuballing. The ANZ responded with a generic type email and have not been considered further.

Both NAB and Bankwest responded by seeking to discuss the Shire's banking requirements with staff and providing written offer documents detailing the services that each could provide.

On 3rd September 2019 the DCEO offered the CBA an opportunity to revise the services provided to Council and to again discuss the unresolved issues that the Shire had with the banking services of the CBA. The CBA have responded with an offer but to date have not addressed any of the issues raised by that discussion.

This Officer's Report was presented at the November 2019 Ordinary Meeting of Council but Council was unable to consider the matter when Cr Ballantyne, Cr Harris, Cr Hopper, Cr Bradford and Cr Dowling declared a financial interest. At the November 2019 Council resolved:

COUNCIL DECISION – 2019/126:

That Council defer consideration of this matter to the December 2019 Ordinary Meeting where the Chief Executive Officer can seek to obtain the Minister for Local Governments approval for Elected Members to participate and vote in the consideration of the matter.

Moved: Cr Bradford Seconded: Cr Ballantyne

Carried 6/0

Comment

A comparison summary of the offers provided by CBA, NAB and Bankwest are outlined in Attachment 9.1.3A.

NAB & Bankwest Advantages:

- Both NAB & Bankwest offer a higher interest rate and lower fee structure than CBA for operating and investments accounts;
- NAB has lower internet banking fees than both Bankwest & CBA;
- Council can deposit cash and cheques via the local NAB and Bankwest branches located in Narrogin; and
- Both NAB & Bankwest have dedicated account managers and one point of contact that is via phone, email or in person;
 - NAB offers a local service, with the proposed account managers being based in the Narrogin NAB Agribusiness office, Fortune Street Narrogin; and
 - Bankwest offers a local service, with the proposed account manager being based in the Perth CBD, making regular visits to Narrogin.

NAB & Bankwest Disadvantages:

- The fee structure for the use of NAB credit cards is slightly higher than CBA, while Bankwest did not provide the fees for credit card facilities; and
- The Shire of Cuballing have banked with CBA for a considerable time and receive payments directly to these accounts from many local residents and businesses. The change in Shire banking will disrupt these payments. It is expected that should the Shire shift to another bank the Shire will need to maintain the CBA account for some time as these local residents and businesses shift their systems to the new Shire bank account.

On review the Officer believes the proposals offered to the Shire of Cuballing by both NAB and Bankwest are very similar, but both are significantly better than the proposal offered by CBA.

The Officer's Recommendation to transfer the Shire of Cuballing's banking from CBA to the NAB was based on the availability of the NAB's local account managers, based in Narrogin. Having access local account managers, with an understanding of the local people and conditions within the region, would be a valuable asset to Shire staff solving banking issues.

Strategic Implications – Nil

Statutory Environment

There are no statutory implications for this matter, however a change in banking may be considered as significant by the community and an area that should at least be endorsed by Council.

Policy Implications

Council has policies relating to the banking issues including:

Policy 2.6 – Investment Policy

Policy 2.9 – Credit Card Policy

The service provided by NAB and Bankwest would assist with the implementation of Policy 2.9 – Credit Card Policy by having all of Council’s credit cards on a single statement.

Financial Implications

Based on the comparison of banking options, the Shire will have a financial advantage with either NAB or Bankwest over CBA, of between \$2,000 and \$4,000 per annum by accessing:

- lower fees; and
- higher interest rates.

Economic Implication – Nil

Environmental Considerations – Nil

Social Implications – Nil

Consultation

Staff held discussions with representatives of CBA, NAB and Bankwest.

Options

Council may resolve:

1. the Officer’s Recommendation; or
2. to authorise the Chief Executive Officer to transfer all of the Shire of Cuballing bank accounts from Commonwealth Bank of Australia to Bankwest, Narrogin; or
3. to continue to hold the Shire of Cuballing funds in the existing Commonwealth Bank of Australia.

Voting Requirements – Simple Majority

OFFICER’S RECOMMENDATION:

That Council authorise the Chief Executive Officer to transfer all of the Shire of Cuballing bank accounts from Commonwealth Bank of Australia to National Australia Bank, Narrogin.

	NAB	Bankwest	CBA
Municipal Account			
Credit Interest Rate	0.00%	0.30%	0.00%
Account Maintenance Fee	\$10 per month	\$10 per month	\$16.25 per month
Electronic Transaction Fee	\$0.25 per item	\$0.20 per item	\$0.22 per item
Paper Based Transaction Fee	0	\$0.20 per item	\$2.50 per item
Over the Counter fee	0	\$0.20 per item	\$0.90 per item
Investment Account (Municipal Funds)			
Credit Interest Rate	0.50% under \$500K	0.55%	0.30% under \$999,999.99
	0.85% over \$500K		0.50% over \$1 Million
Account Maintenance Fee	0	0	0
Electronic Transaction Fee	0	0	0
Paper Based Transaction Fee	0	0	\$2.50 per item
Over the Counter fee	0	0	0.90 per item
Trust Account			
Credit Interest Rate	0.00%	0.00%	0.00%
Account Maintenance Fee	0	0	0
Electronic Transaction Fee	0	0	0
Paper Based Transaction Fee	0	0	0
Over the Counter fee	0	0	0
Other			
Internet banking fees	\$180 per annum	\$320 per annum	\$300 per annum
Visa Credit Card	\$180 per annum	Info not Provided	\$120 per annum
Visa Debit Card	NIL		
EFTPOS Facility	\$20 per month	Info not Provided	\$24.50 per month
EFTPOS Merchant fee	0.20 per transaction	Info not Provided	0.24 per transaction
Service fee	0.20%	Info not Provided	0.17%

9.1.4 Transfer of Trust Funds - Cuballing Cemetery

Applicant: N/A
File Ref. No: ADM304
Disclosure of Interest: Nil
Date: 5th December 2019
Author: Bronwyn Dew
Attachments: Nil

Summary

Council is to consider transferring monies currently held in Council's Trust Fund to the Shire of Cuballing Municipal Fund for the purpose of upgrading the Cuballing Cemetery.

Background

Council is holding a total of \$6,612 in Councils Trust Fund as Environmental and Townscape Trust. These funds have been held in trust since the demise of the Cuballing Townscape Group several years ago.

During deliberations for 2019/20 budget the Cuballing Volunteer Action Group requested that Council allocate these funds to a proposed upgrade of the Cuballing Cemetery. The total figure of the proposed upgrade was to be in the vicinity of \$12,000 with Council to cover the balance of the costs from Councils Municipal funds.

At the Special Meeting held on 29th July 2019 to adopt the 2019/20 Budget Council approved the expenditure of \$12,382 for the upgrade of the Cuballing Cemetery with \$6,612 of the Environmental and Townscape Trust to be allocated to the project and \$6,671 to be allocated from the Shire of Cuballing Municipal Fund.

Comment

The Officer has recommended the transfer of funds held in the Shire of Cuballing Trust for the Cuballing Townscape Committee to Council's Municipal Fund for use as part payment of costs associated with the Cuballing Cemetery Upgrade now that this project is underway.

Strategic Implications – Nil

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

A total of \$6,612 will be transferred from the Shire of Cuballing Trust fund to the Shire of Cuballing Municipal fund.

Council has budgeted \$12,382 for the upgrade of the Cuballing Cemetery

Economic Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. to continue to hold the funds in the Shire of Cuballing Trust with a funding shortfall to Council's budget.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council transfer the amount of \$6,612 from the Shire of Cuballing Trust Fund to the Shire of Cuballing Municipal fund for the purpose of funding costs associated with the upgrade to the Cuballing Cemetery.

9.1.5 Transfer of Trust Funds - Community and Sporting Groups Reserve

Applicant: N/A
File Ref. No: ADM304
Disclosure of Interest: Nil
Date: 5th December 2019
Author: Bronwyn Dew
Attachments: Nil

Summary

Council is to consider creating a Community and Sporting Groups Reserve Fund utilising funds currently held in Councils Trust Fund in the names of now defunct sporting and community groups.

Background

Council is holding a sum of \$4,550.20 in Council's Trust Fund relating to the Commodine Tennis Club, the Cuballing Football Club and the Cuballing Progress Association. These groups all ceased existence many years ago and staff believe these funds will never be called upon.

Current balances in the Shire of Cuballing Trust account for the listed groups are;

Commodine Tennis Club	\$	2,890.00
Cuballing Football Club	\$	566.42
Cuballing Progress Association	\$	1,093.78

The Commodine Tennis Club at the time of depositing the funds into the Shire of Cuballing Trust Fund requested that the Shire of Cuballing donate \$100 annually to the Narrogin Senior High School graduation awards presentation night on the clubs behalf with funds taken from the trust account, until such time as the funds were exhausted.

Comment

In 2019 the Office of Auditor General has adopted the position that all funds currently held in a Council Trust Fund must now be held in a Council Municipal Fund unless that Council has a written agreement over those funds. Any such funds held in the Municipal account need to be accounted for as a current liability in that, because the funds are not Council's own funds and at some time in the future Council will be required to refund the monies.

In order to simplify the accounting for these funds, the Officer has recommended that the funds held in Council's Trust Fund in the name of the Commodine Tennis Club, the Cuballing Football Club and the Cuballing Progress Association be transferred into a newly created Community and Sporting Groups Reserve.

The purpose of Community and Sporting Groups Reserve is to provide assistance to local community and sporting groups to:

1. establish or improve facilities used for sporting or community use; and
2. to assist providing a local service, event or activity that contributes to the enjoyment of life within the community.

Council would continue to donate \$100 annually to the Narrogin Senior High School each year on behalf of the Commodine Tennis Club for the annual graduation awards presentation night, as such a policy would need to be put in place for this payment.

The Officer also recommends that the income from advertising in *The Cuby News* be transferred to this reserve account annually as part of the end of financial year reserves transfer process, as such a policy for this transfer would need to be put in place.

Strategic Implications – Nil

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

A total of \$4,550.20 will be transferred from the Shire of Cuballing Trust fund to the Shire of Cuballing Reserve Fund, creating a Community and Sporting Group Reserve.

The income from advertising in *The Cuby News* would be allocated to this reserve fund annually.

Economic Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. to continue to hold the funds in the Shire of Cuballing Trust Fund.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council:

- 1. create a Community and Sporting Club Reserve for the purpose of:
providing assistance to eligible local community and sporting groups to:**
 - 1. establish or improve facilities areas used for sporting or community use; and**
 - 2. to assist community groups to providing a local service, event or activity seen as a need for the betterment of and improvement to that contributes to the enjoyment of life within the community.**
- 2. transfer the amount of \$4,550.20 from the Shire of Cuballing Trust Fund to the Shire of Cuballing Reserve account, creating a Community and Sporting Club Reserve;**
- 3. transfer income from the Cuby News to the Community and Sporting Group Reserve annually as part of the standard end of financial year reserves transfers; and**
- 4. continue to donate \$100 annually to the Narrogin Senior High School each year on behalf of the Commodore Tennis Club for the annual graduation awards presentation night.**

9.1.6 Sale of Property – Outstanding Rates

Applicant: N/A
File Ref. No: ADM132
Disclosure of Interest: Nil
Date: 2nd December 2019
Author: Bronwyn Dew, Deputy Chief Executive Officer
Attachments: Nil

Summary

Council is to consider the transfer of property to recover the costs for unpaid Rates and recovery fees that have been outstanding for more than three years.

Background

Rates for A944 have not been paid in full since September 2010.

Payments of \$488.62 in September 2011 and \$500 in August 2015 are the only payments made since the property was purchased.

Every year the Shire has issued the Rate Notice, Overdue Notice, Final Notice, a Notice of Intent Letter (demand letter) to the last known address, completed countless telephone calls and messages and completed a Summons and Court Judgement. The notices and letters haven't been returned to the Shire Office.

The listed owner of 5 (Lot 38) Carton Street, Cuballing (Vacant Land) has been located residing outside the Shire of Cuballing. The owner has claimed financial hardship in that as he has lost his FIFO job and is unemployed. He also advised that he had tried to sell the property for some considerable time without success.

The owner has made contact with the Shire in 2017 and offered to hand over ownership of the property to the Shire of Cuballing in order to clear the total debt outstanding.

Total outstanding as at 2 December 2019 is \$19,001.20. This amount is made up of:

Rates 2018/19	\$690.00
Rates Previous Years	\$4,320.94
ESL Current	\$84.00
ESL Arrears	\$296.00
ESL Interest Current	\$15.53
ESL Interest Arrears	\$92.69
Penalty Interest	\$5,413.14
Legal Fees	\$8,088.90

A summary account of the recent collection activities on record over this property includes:

22 nd May 2015	Issued Summons
6 th November 2015	Proceed with Judgement
29 th January 2016	Bailiff unable to seize property
11 th April 2016	Investigation into Property Sale or Seize Order (PSSO) on the Land
20 th October 2016	Council resolved to pursue Land PSSO
21 st February 2017	Land PSSO issued

16th January 2018

Advice that there was insufficient equity in the property to complete an auction.

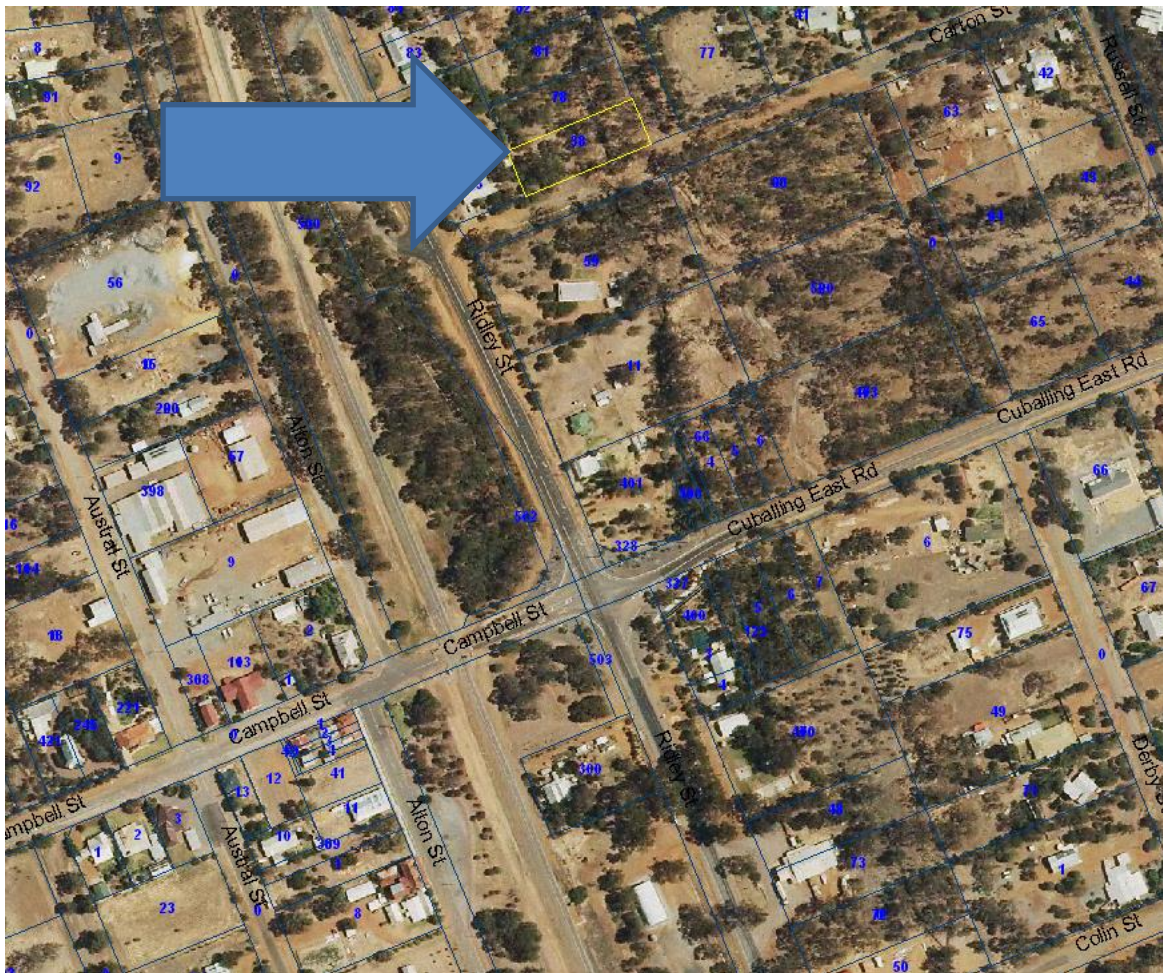
29th January 2018

Advice to move to Land seizure under Local Government Act.

Council has previously resolved in April 2018 to utilise section 6.64(1)(b) of the Local Government Act 1995 to proceed to a public auction for the property located at 5 (Lot 38) Carton Street, Cuballing. This report to Council restates this decision and ensure that legal requirements to allow this decision to be fully implemented.

Comment

The sale of any property to recover unpaid rates and service charges is a course of action that the Shire normally wishes not to pursue. However, other legal proceedings haven't been successful in this case. Ample opportunity will continue to exist for the ratepayer to pay outstanding in full or offered a suitable payment plan to stop the transfer of land.



5 (Lot 38) Carton Street, Cuballing is low lying land, has no decent road access and does not have utilities connected. The property has been on the market for five years, for reducing prices, and has not sold.

Option 1

Council can pursue a legal option to sell the property at auction. This action will incur additional cost and it is unlikely that Council will obtain a purchase price that covers the outstanding rates and the new legal costs.

Given the difficulties of building on this lot, a purchaser may be in a similar situation in several years.

Option 2

Rather than pursuing the owner through the court system for the outstanding rates and engaging an agency to sell the property to cover the outstanding rates, there is the potential for the Shire to purchase the property direct from the owner for the cost of the outstanding rates.

The owner of the property has indicated in the past that he is willing to sell the property to the Shire of Cuballing.

Council would incur settlement agent costs involved to have the land transferred from the owner to the Shire.

With Council as the owner of the freehold land at 5 (Lot 38) Carton Street, Cuballing, Council could consider:

- Retaining 5 (Lot 38) Carton Street as a park with or conservation reserve which could be offset against tree clearing permits for road works; and/or
- pursue a “land swap” arrangement to swap the freehold title from 5 (Lot 38) Carton Street to crown reserve land currently vested to Council.

Strategic Implications – Nil

Statutory Environment

Local Government Act 1995

Section 6.55 – Recovery of rates and service charges

- (1) Subject to subsection (2) and the Rates and Charges (Rebates and Deferments) Act 1992 rates and service charges on land are recoverable by a local government from —
 - (i) the owner at the time of the compilation of the rate record; or
 - (ii) a person who whilst the rates or service charges are unpaid becomes the owner of the land.
- (2) A person who, by virtue of an Act relating to bankruptcy or insolvency or to the winding up of companies, has become the owner of land in the capacity of a trustee or liquidator, is not on that account personally liable to pay, out of the person’s own money, rates or service charges which are already due on, or become due on that land while that person is the owner in that capacity.

* Absolute majority required.

Section 6.56 – Rates or service charges recoverable in court

- (1) If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction.

- (2) Rates or service charges due by the same person to the local government may be included in one writ, summons, or other process.

Section 6.64 – Actions to be taken

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
 - (a) from time to time lease the land; or
 - (b) sell the land; or
 - (c) cause the land to be transferred to the Crown; or
 - (d) cause the land to be transferred to itself.
- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
- (3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

* Absolute majority required.

Section 6.68 – Exercise of power to sell land

- (1) Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the power of sale) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.
- (2) A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —
 - (a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land; or
 - (b) having made reasonable efforts to locate the owner of the property is unable to do so.
- (3A) A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made.
- (3) Schedule 6.3 has effect in relation to the exercise of the power of sale.

Policy Implications – Nil

Financial Implications

The successful transfer of this property would settle debts owed to the Shire for outstanding Rates and recovery processes. Any costs incurred as a result of this process can be claimed back through the land sale, if applicable.

Economic Implication – Nil

Environmental Considerations – Nil

Consultation

Cloud Payment Group

Options

Council may resolve:

1. the Officer's Recommendation; or
2. defer this matter and seek further information.

Voting Requirements – Absolute Majority

OFFICER'S RECOMMENDATION:

That Council:

1. **offer to purchase 5 (Lot 38) Carton Street an amount equal to outstanding rates and charges; and**
2. **delegate Council authority to the Chief Executive Officer to finalise this transaction.**

9.2 CHIEF EXECUTIVE OFFICER:

9.2.1 Council Meeting Schedule 2020

Applicant:	N/A
File Ref. No:	ADM239
Disclosure of Interest:	Nil
Date:	19 th November 2019
Author:	Gary Sherry
Attachments:	Nil

Summary

Council is to consider Council Meeting dates, locations and starting time for 2020.

Background

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

Comment

This current meeting schedule has Council's Ordinary meetings held on a regular monthly interval with no meeting held in January.

For some considerable time Council has held their Ordinary Meetings on the Thursday of the third week of each month, to fit with public holidays. The day on which the meeting would be held can be altered, but the draft schedule continues with Thursday as the Ordinary Meeting day for Council.

During 2018 Council amended the day of Council's Ordinary meetings from the third Thursday of the month, to the third Wednesday of the month. This timing better allows the Councillors to complete other activities and roles.

Council currently holds all its meetings at the Council Chambers at the Cuballing Administration Centre. It would be relatively easy to hold a Council meeting in a different location as a one-off event if Council thought there was benefit in such a move.

This proposed schedule includes 11 Ordinary Council Meetings. This schedule includes:

- most meetings are held four weeks after the preceding meeting with the exceptions of May 2020, August 2020 and October 2020 which are held five weeks after the preceding meeting;
- meetings starting at 2pm. This time could be separately altered to allow Council to make Council meetings more accessible to electors;
- holding a meeting in Popanyinning. Council held their April 2019 meeting at the Popanyinning Hall. This meeting was attended by a number Popanyinning residents who have not attended a Council meeting in Cuballing.

The proposed meeting schedule is included below:

No	Date	Type	Time
1	Wednesday 19 February 2020	Ordinary Meeting	2:00 PM
2	Wednesday 18 March 2020	Ordinary Meeting	2:00 PM
3	Wednesday 15 April 2020	Ordinary Meeting	2:00 PM
4	Wednesday 20 May 2020	Ordinary Meeting	2:00 PM
5	Wednesday 17 June 2020	Ordinary Meeting	2:00 PM
6	Wednesday 15 July 2020	Ordinary Meeting	2:00 PM
7	Wednesday 19 August 2020	Ordinary Meeting	2:00 PM
8	Wednesday 16 September 2020	Ordinary Meeting	2:00 PM
9	Wednesday 21 October 2020	Ordinary Meeting	2:00 PM
10	Wednesday 18 November 2020	Ordinary Meeting	2:00 PM
11	Wednesday 16 December 2020	Ordinary Meeting	2:00 PM

Separate to the monthly meeting schedule, it should be expected that Councillors will on occasion hold Special and Electors Meetings and informally meet to review or workshop individual matters.

Strategic Implications – Nil

Statutory Environment

Local Government (Administration) Regulations 1996

12. Public notice of council or committee meetings — s. 5.25(1)(g)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

Policy Implications – Nil

Financial Implications

Local advertising in the Narrogin Observer will occur a relatively small charge that can be met with Council's budget allocation.

Economic Implication – Nil

Social Implications

Council has had a number of local residents and interested people attend Council's meetings in 2019. Council should allow for this to occur in 2020 if there is community interest in a matter before Council.

Environmental Considerations – Nil
Consultation – Nil

Options

The Council can resolve:

1. the Officer's Recommendation; or
2. the Officer's Recommendation with minor amendments to times or venues; or
3. a different schedule of meetings, giving reasons for not accepting the Officer's Recommendation.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council adopt the following Schedule of Council Meetings for 2020:

1	Wednesday 19 February 2020	Ordinary Meeting	2:00 PM	Council Chambers
2	Wednesday 18 March 2020	Ordinary Meeting	2:00 PM	Council Chambers
3	Wednesday 15 April 2020	Ordinary Meeting	2:00 PM	Popanyinning Hall
4	Wednesday 20 May 2020	Ordinary Meeting	2:00 PM	Council Chambers
5	Wednesday 17 June 2020	Ordinary Meeting	2:00 PM	Council Chambers
6	Wednesday 15 July 2020	Ordinary Meeting	2:00 PM	Council Chambers
7	Wednesday 19 August 2020	Ordinary Meeting	2:00 PM	Council Chambers
8	Wednesday 16 September 2020	Ordinary Meeting	2:00 PM	Council Chambers
9	Wednesday 21 October 2020	Ordinary Meeting	2:00 PM	Council Chambers
10	Wednesday 18 November 2020	Ordinary Meeting	2:00 PM	Council Chambers
11	Wednesday 16 December 2020	Ordinary Meeting	2:00 PM	Council Chambers

9.2.2 Appointment of Dual Fire Control Officers

Applicant: N/A
File Ref. No: ADM81
Disclosure of Interest: Nil
Date: 3rd December 2019
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider the appointment of the Bush Fire Control Officers of of the Shire of Wickepin to act as Bush Fire Control Officers in the Shire of Cuballing if required.

Background

The Shire of Cuballing considers annually the appointment of locally based Bush Fire Control Officers (FCOs) recommended by the Bush Fire Advisory Committee.

Council has also appointed as FCOs for the Shire of Cuballing persons nominated by neighbouring local governments who are FCOs in those neighbouring local governments. Such appointments allow for an efficient response to a bushfire in locations close to the boundary between local governments by a FCO endorse by both local governments. In September 2019 Council appointed the following persons as Fire Control Officers for the Shire of Cuballing for the 2019/20 bush fire season:

1. Shire of Pingelly Rodney Leonard Shaddick;
2. Shire of Pingelly Robert Alexander Kirk;
3. Shire of Pingelly Simon Parsons;
4. Shire of Pingelly Anthony Turton;
5. Shire of Pingelly Andrew Augustin Marshall;
6. Shire of Narrogin Richard Chadwick;
7. Shire of Narrogin Barry Hardie;
8. Shire of Narrogin Tim Shepherd; and
9. Shire of Wandering Peter Monk.

Comment

The Shire of Wickepin has advised the Shire of Cuballing that:

- Steve Rose
- Trevor Leeson; and
- Roger Butler;

are the Fire Control Officers of the Shire of Wickepin who could serve as Dual Fire Control Officers in the Shire of Cuballing.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017

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.

Statutory Environment

Bush Fires Act 1954

38. Local government may appoint Bush Fire Control Officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2)
 - (a) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
 - (b) [deleted]
 - (c) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the Authority may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
 - (d) Where a local government that has been served with a notice pursuant to paragraph (c) fails or neglects to comply with the requirements of that notice, the Authority may appoint a person to the vacant office.
 - (e) A bushfire control officer appointed under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the Authority, by the Authority.
- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- (4) A bushfire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for
 - (a) carrying out normal brigade activities;
 - (b) [deleted]
 - (c) [deleted]
 - (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
 - (e) procuring the due observance by all persons of the provision of Part III.
- (5)
 - (a) A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to the provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.
 - (b) The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions so issued carry out the directions but subject to the provisions of this Act.
 - (c) The provisions of this subsection are not in derogation of those of subsection (4).

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

Consultation

The Shires of Wickepin has provided their nominated Dual Bush Fire Control Officers

Options

Council may resolve:

1. the Officer's Recommendation;
2. an amended resolution with different appointments; or
3. to not appoint one or all proposed Dual Fire Control Officers.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council appoint the following persons as Fire Control Officers for the Shire of Cuballing for the 2019/20 bush fire season:

- 1. Shire of Wickepin Steve Rose;**
- 2. Shire of Wickepin Trevor Leeson; and**
- 3. Shire of Wickepin Roger Butler.**

9.2.3 Shire of Cuballing - Australia Day Citizenship Awards

Applicant: N/A
File Ref. No: ADM006
Disclosure of Interest: Nil
Date: 9th December 2019
Author: Gary Sherry
Attachments: 9.2.3A Draft Australia Day Citizenship Awards Policy

Summary

Council is to consider a draft policy to guide the Shire of Cuballing's annual Australia Day Citizenship Awards awarded at the Shire of Cuballing's Australia Day event.

Background

The Shire of Cuballing has made annual Australia Day Citizenship Awards since 2013.

The previous winners of the awards include:

Year	Recipient	Award
2014	Ian Grainger	Active Citizenship Award
	Helen Grainger	Active Citizenship Award
	Popanyinning Progress Association	Local Community Group Award
2015	Lockier Burges	Active Citizenship Award
	Winifred Burges	Active Citizenship Award
2016	Elna George	Citizen of the Year
	Peter George	Citizen of the Year
2017	Barry Harris	Citizen of the Year
	Quona Harris	Citizen of the Year
	Cuballing Mens Shed	Community Group of the Year
	McDougall Weldments	Certificate of Recognition
2018	Simone Lansdell	Citizen of the Year
	Bird Silos	Certificate of Recognition
2019	Gordon McDougall	Citizen of the Year
	Residents of Russell Street	Certificate of Appreciation

The Shire of Cuballing did participate in the Premiers Australia Day Awards organised by the WA Australia Day Committee that presents Active Citizenship Awards. However after a change in the pricing for these awards, the Shire of Cuballing now completes all of the advertising, promotion and presentations of awards.

Comment

The Shire of Cuballing has not previously formalised these awards. The draft Australia Day Citizenship Awards Policy included at Attachment 9.2.3A sets out eligibility and selection criteria for the awards.

The draft policy allows for:

- Making awards in categories including individuals and organisations;
- Presenting the awards at the annual Australia Day event. This is currently a breakfast event held alternately in Cuballing and Popanyinning.

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.
1.2	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.
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.

Statutory Environment – Nil

Policy Implications

Adoption of the draft policy will give direction to the ongoing publicity and awarding of the Shire of Cuballing's annual Australia Day Citizenship Awards

Financial Implications

Council budgets \$500 to hold an Australia Day event each year.

The provision of the of Shire of Cuballing's annual Australia Day Citizenship Awards is completed as work in kind with minor administration expenses relating to staff time and the printing and presentation of certificates.

Economic Implication – Nil

Social Implication – Nil

The Shire of Cuballing Australia Day event is the one local event open community wide to recognise Australia Day.

The Shire of Cuballing's annual Australia Day Citizenship Awards allow Council to recognise individuals and organisations who make an exemplary contribution to the communities of the Shire of Cuballing.

Environmental Considerations – Nil

Consultation

No consultation has been sought as the draft policy seeks to encompass current practice.

Options

Council may resolve:

1. the Officer's Recommendation; or
2. the Officer's Recommendation with minor amendments to the draft policy; or
3. to not adopt policy relating to Shire of Cuballing's annual Australia Day Citizenship Awards, giving reasons.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council adopt the draft policy relating to the of Cuballing's annual Australia Day Citizenship Awards included at Attachment 9.2.3A.

3.13 AUSTRALIA DAY CITIZENSHIP AWARDS

Policy Statement

Each year Council will consider awarding a Shire of Cuballing Citizenship Award to a local citizen and a local community group who have made a noteworthy contribution during the current year or over a number of years through active involvement to the community of the Shire of Cuballing.

Guidelines

Eligibility Criteria

- Nominees should reside or work principally within the Shire of Cuballing making the award.
- Awards may not be granted posthumously in recognition of recent achievements.
- A person may receive an award on more than one occasion in recognition or involvement in an alternative initiative.
- Unsuccessful nominees may be nominated in future years.
- Sitting members of State, Federal and Local Government are not eligible.
- Staff of the Shire of Cuballing are not eligible

Nominations

- Nominations will be sought by local advertisement through October to December
- Each nomination shall be made in writing.
- A form will be made available to assist with nominations providing the required information but this form is not to be an absolute requirement of nominating.
- No Award to be presented when the judges believe the nominees are not of a sufficiently high standard to deserve the honour.
- The Shire of Cuballing may also make nominations based on local knowledge and experience

Selection Criteria

The winners will have been judged to have shown active citizenship and:

- made a significant contribution to the local community; and/or
- demonstrated leadership on a community issue resulting in the enhancement of community life; and/or
- lead a significant initiative which has been brought about positive change and added value to community life; and/or
- shown inspiring qualities as a role model for the community.

Selection Process

At their annual December Ordinary Meeting the Council will choose the nominations to receive the Shire of Cuballing Citizenship Awards.

The names of the award recipients will be embargoed until a formal announcement has been made.

It is not necessary for Council to make an award in each or any category in each year.

Presentation

The Shire President, or his/her nominee, shall present the Shire of Cuballing Citizenship Awards will be presented at the annual Australia Day event each year.

Objective:

To establish guidelines for the conduct of the annual Australia Day Citizenship Awards.

Resolution No:

Resolution Date:

9.2.4 Disbanding of Cuballing Progress Association Committee

Applicant:	N/A
File Ref. No:	ADM239
Disclosure of Interest:	Nil
Date:	8 th May 2019
Author:	Gary Sherry
Attachments:	9.2.4A Extract of February 2011 Council Minutes

Summary

Council is to consider disbanding the Cuballing Progress Association Committee.

Background

At their February 2011 Council resolved to make the Cuballing Townscape Committee a committee of Council. An extract of the February 2011 Council Minutes is included at Attachment 9.2.4A.

In October 2011 Council resolved to change the name of the committee from the Cuballing Townscape Committee to the Cuballing Community Progress Association.

Comment

Council has not received minutes from the meeting of the Cuballing Community Progress Association Committee since 2013.

Given that:

1. it is believed that the Cuballing Community Progress Association Committee has not met since 2013; and
2. membership of a committee expires at election day every two years, and Council has not appointed members to the Cuballing Community Progress Association since October 2011;

the Officer has recommended disbanding the Cuballing Community Progress Association Committee.

Strategic Implications – Nil

Statutory Environment

Local Government Act 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

* Absolute majority required.

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
 - (b) the person resigns from membership of the committee; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,

- whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
- (a) the term of the person's appointment as a committee member expires; or
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,
- whichever happens first.

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Social Implication – Nil

The Cuballing Community Progress Association Committee has not had an impact on the community of the Shire of Cuballing since 2013.

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. that the Cuballing Community Progress Association Committee remains relevant to the Cuballing community and that Council wishes to consider a process to appoint delegates to the Cuballing Community Progress Association Committee.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council disband the Cuballing Community Progress Association Committee.

10.2. Cuballing Townscape Committee

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

Background

Cuballing Townscape Committee has been operating for a number of years and their achievements are evident throughout the town.

They are currently a group of residents passionate about their town and are not incorporated which exposes them to potential claims should there be an injury to person or property during any townscape organised activities.

Comment

Council's public liability insurance covers organised activities held by Council and will ensure that the Townscape Committee is not exposed to liability claims.

10.2 COUNCIL DECISION/OFFICER RECOMMENDATION:

That:

**A Townscape Committee be formed for the purpose of progress and beautification of the Cuballing Townsite and environs, and to make recommendations to Council;
The following persons be appointed to the Townscape Committee:**

**Cr Carol McDougall
Mr Henry Rozmianiec
Keith Bufton
Win Burges
Lock Burges
Robert Flegg
Arthur Johnson
Helen Grainger
Ian Grainger
Lester Green
Helen Elliot**

The Committee have delegated authority to form sub committees and co-opt members from Cuballing organisations and interested volunteers; and

A petty cash float of \$500 be made available to the Cuballing Townscape Committee and receipts be required for all expenditure prior to reimbursement.

Moved Cr T Haslam

Seconded Cr M Conley

Carried By Absolute Majority 6/0

9.2.5	Proposed Road Widening: Wandering-Narrogin Road, Wandering-Narrogin Road / Nebrikinning Road intersection and Wandering-Narrogin Road / Springhill Road Intersection
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Location: Lots 1779 and 9657 Wandering-Narrogin Road, Cuballing and Lot 2235 Springhill Road, Minigin
Applicant: PH & KE Gow Licensed Surveyors
File Ref. No: 158727
Disclosure of Interest: Nil
Date: 10 December 2019
Author: Gary Sherry
Attachments: 9.2.5A Road Widening Plan
9.2.5B Location plan

Summary

A road widening (boundary realignment) application for Wandering-Narrogin Road, the Wandering-Narrogin Road / Nebrikinning Road intersection and the Wandering-Narrogin Road / Springhill Road is supported.

Background

The Western Australian Planning Commission (WAPC) has referred a road widening (boundary realignment) application to the Shire for comment. The application proposes to widen Wandering-Narrogin Road, the Wandering-Narrogin Road / Nebrikinning Road intersection and the Wandering-Narrogin Road / Springhill Road to enhance safety.

The application, proposing no additional lots, is set out in Attachment 9.2.5A. An area of approximately 2 hectares is proposed to be added to the road reserves.

The application site:

- is situated approximately 7 kilometres south-west of the Cuballing townsite and eight kilometres north-west of the Narrogin townsite. The site's location is shown in Attachment 9.2.5B;
- consists of three freehold titles;
- is predominantly used for rural purposes;
- adjoins a section of road with safety issues; and
- is partly classified as a Bushfire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>.

The proposed road widening is generally on cleared land.

Part of the formed Nebrikinning Road and part of the constructed Springhill Road are currently located on freehold land. Approval and implementation of the application will address these anomalies.

Given no additional lots will be created, the road widening is consistent with the planning framework including the *Shire of Cuballing Local Planning Scheme No. 2 (LPS2)*, the *Shire of Cuballing Local Planning Strategy* and relevant WAPC policies such as *Development Control Policy 3.4 Subdivision of Rural Land*.

Comment

The road widening (boundary realignment) application is supported. It is noted that the application:

- will straighten a section of road in response to the Blackspot road project;
- assists to enhance safety at the Wandering-Narrogin Road / Nebrikinning Road intersection through upgrading the intersection including providing increased vehicular sight distances, reduced curves wider intersections with intersecting roads;
- will address the anomaly of part of the formed Nebrikinning Road and part of the constructed Springhill Road being located on freehold land;
- will not create any additional lots;
- is consistent with the planning framework;
- will result in minimal clearing of native vegetation; and
- is supported by the landowners.

It is suggested that the Council advise the WAPC of its support. Based on WAPC policy, it is also suggested that the WAPC impose a condition (notification) that the properties are within a bushfire prone area.

Strategic Implications

The application is consistent with the *Shire of Cuballing Strategic Community Plan 2017-2027* including Strategy 3.3 which is 'Deliver and advocate for a diverse and safe transport system which is efficient and meets the needs of all users.'

Statutory Environment

Planning and Development Act 2005 and LPS2.

Policy Implications

Nil. The application complies with LPS2 and the Local Planning Strategy.

Financial Implications

The Shire has received funding to assist in completing these budgeted road widening works.

Economic Implications - Nil

Social Implications

The landowners support the application. Approval and implementation of the application will assist to enhance safety for road users.

Environmental Considerations

Minor clearing is required. Council is seeking a clearing permit to authorise the clearing of 0.23 hectares of native vegetation.

Consultation

The WAPC invites comments from the Shire, servicing agencies and relevant State Government departments on subdivision, road widening and boundary realignment applications.

Options

The Council can resolve:

1. the Officer's Recommendation;
2. support the road widening road widening (boundary realignment) application without conditions; or
3. not support the road widening (boundary realignment) application. Without the road widening the road project is unable to legally proceed.

Voting Requirements - Simple Majority

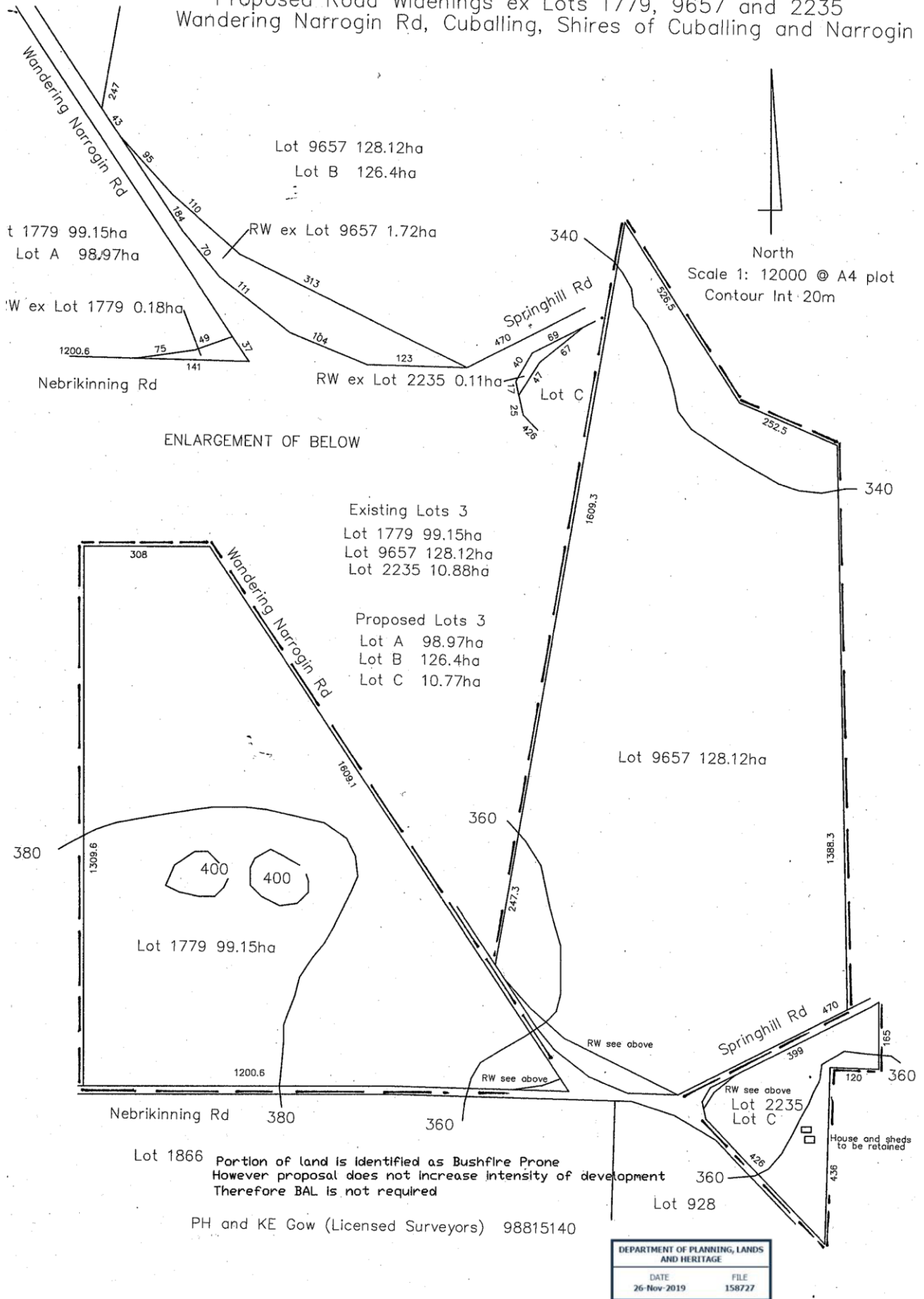
OFFICER'S RECOMMENDATION:

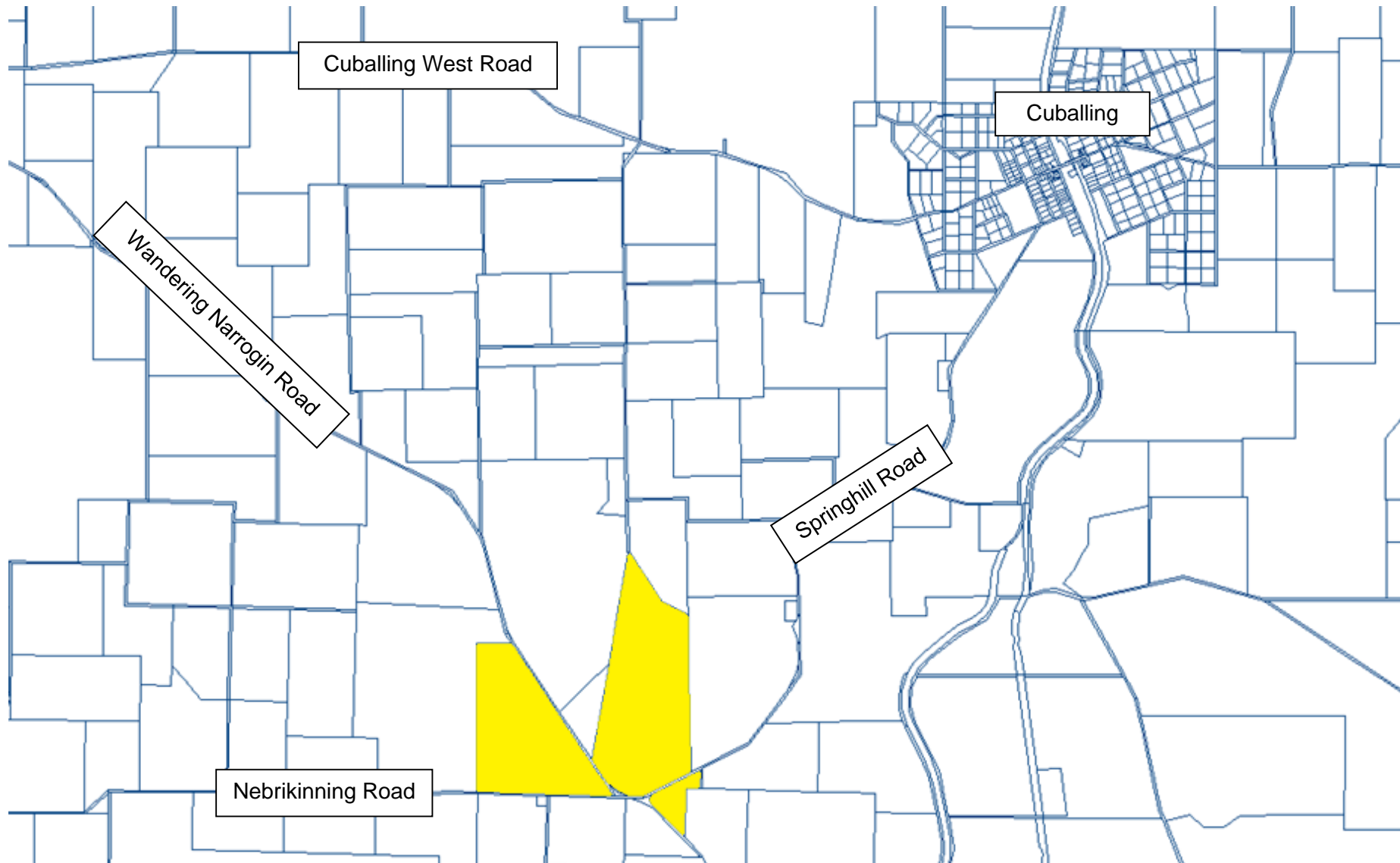
That Council support the road widening (boundary realignment) application for Lots 1779 and 9657 Wandering-Narrogin Road, Cuballing and Lot 2235 Springhill Road, Minigin (WAPC 158727), subject to the following condition:

No.	Code	Condition
1	F8	A notification, pursuant to Section 165 of the Planning and Development Act 2005, is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land.' (Western Australian Planning Commission)

Proposed Road Widening ex Lots 1779, 9657 and 2235
Wandering Narrogin Rd, Cuballing, Shires of Cuballing and Narrogin





9.2.6 Cemeteries Advisory Committee - Nominations

Applicant:	N/A
File Ref. No:	ADM090/ADM091
Disclosure of Interest:	Nil
Date:	12 th December 2019
Author:	Gary Sherry
Attachments:	9.2.6A Cemeteries Advisory Committee Charter 9.2.6B Cemeteries Advisory Committee Nominations

Summary

Council is to consider nominees to join Council's Cemeteries Advisory Committee.

Background

The Shire of Cuballing has two operating cemeteries Cuballing and Popanyinning.

Traditionally the Shire of Cuballing has managed these cemeteries in an adhoc way, without any strategic direction and without any continuing community involvement.

At the October 2019 Ordinary Meeting Council decided to set up the Cemeteries Advisory Committee to advise Council on matters relating to the Popanyinning Cemetery, the Cuballing Cemetery, lonely and heritage graves, niche facilities, the Shire of Cuballing Cemeteries Local Law 1998 generally, including but not limited to;

- Fees and charges;
- Maintenance quality, practices and procedures;
- Infrastructure requirements;
- Design elements;
- Relevant and required Policies;
- Availability of supply and; and
- Trends in cemetery management and community expectations and needs.

The Committee will promote and identify opportunities for development and enhancement of cemeteries, remembrance gardens and niche facilities.

Comment

The charter for the Cemeteries Advisory Committee is included at Attachment 9.2.6A. The charter outlines that membership of the Committee will comprise of a total of 7 members consisting of:

- 1 Councillor appointed by Council from time to time; and
- 6 x Community Representatives.

Councillor Dowling was appointed as Council's Member and Councillor Hopper was appointed as Council's Deputy Member on the Cemeteries Advisory Committee at the Special Council Meeting held in October 2019.

Council has received 4 nominations from local residents seeking to join the Cemeteries Advisory Committee including:

- Hendrikus (Reis) Chattillon of Popanyinning;
- Dianne Ferguson of Popanyinning;
- Helen Elliott of Cuballing; and
- Monique D'Alton of Cuballing.

The nominations are included at Attachment 9.2.6A.

The Officer's Recommendation suggests that Council:

1. Appoint the four nominees as members of the Committee. The four nominees are all local residents with history in and established connections within the local community;
2. Amend the Cemeteries Advisory Committee Charter to allow up to seven members including up to 6 x Community Representatives. Staff believe that the four local representatives are sufficient to allow the Committee to operate effectively. Council could consider any future nominations should they be received.

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.
1.2	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.
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.
1.6	Support local arts and cultural activities.	A variety of arts and cultural activities can be pursued by locals

ENVIRONMENT - Our Environment, Resource Management and Services

Goals

- Valuing our unique environment and ensuring the natural resources within the Shire are recognised as an important asset and managed in a sustainable manner.
- Recognising the environmental and recreational value of Council reserves, and managing them in a way that will preserve them for future generations to enjoy.
- Aiming for the equitable and sustainable development of land within the Shire of Cuballing that provides a genuinely desirable lifestyle.

	Strategy	Outcome
2.1	Protect, restore and enhance the Shire's natural assets.	An environment which is effectively managed for future generations and for the intrinsic value of its biodiversity.
2.3	Provide equitable access for all users to our environment while balancing the protection of natural assets.	A range of parks, reserves and trails which the broadest community can access.
2.4	Sustainably manage our waste, water, energy use and facilities and investigate opportunities to reduce their impacts on our environment.	A sustainable and progressive approach to managing the impacts of waste, water and energy use on the environment.

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.
3.2	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.
3.5	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.

Statutory Environment

Local Government Act (1995)

5.10. Committee members, appointment of

- (1) A committee is to have as its members —
- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

* Absolute majority required.

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
- (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11A. Deputy committee members

- (1) The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.

* Absolute majority required.

- (2) A person who is appointed as a deputy of a member of a committee is to be —
 - (a) if the member of the committee is a council member — a council member; or
 - (b) if the member of the committee is an employee — an employee; or
 - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
 - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
 - (b) the person resigns from membership of the committee; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day, whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the term of the person's appointment as a committee member expires; or
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day, whichever happens first.

Policy Implications

It would be anticipated that the Cemeteries Advisory Committee would advise Council in establishing appropriate policies of Council.

Financial Implications

It would be anticipated that the Cemeteries Advisory Committee would advise Council on budget priorities for Council's cemeteries.

Economic Implication – Nil

Social Implication

Cemeteries are community facilities highly valued by local communities and are closely linked to local heritage and community.

Environmental Considerations – Nil

Consultation

Council has advertised for nominations for the Cemeteries Advisory Committee in The Cuby News and on Council's Facebook page.

Options

Council may resolve:

1. the Officer's Recommendation; or
2. the Officer's Recommendation with additional members of the committee; or
3. to not appoint any members of the Cemeteries Advisory Committee at this time and direct staff to complete additional advertising for nominations; or
4. Defer this matter at this time and seek further information from staff.

Voting Requirements – Absolute Majority

OFFICER'S RECOMMENDATION:

That Council:

1. **appoints to the Shire of Cuballing Cemeteries Advisory Committee:**
 - a. **Hendrikus (Reis) Chattillon of Popanyinning;**
 - b. **Dianne Ferguson of Popanyinning;**
 - c. **Helen Elliott of Cuballing; and**
 - d. **Monique D'Alton of Cuballing; and**
2. **amend the Shire of Cuballing Cemeteries Advisory Committee Charter at 7.0 MEMBERSHIP from:**
 - a. **"total of 7 members" to "total of up to 7 members"; and**
 - b. **"6 x Community Representatives" to "up to 6 x Community Representatives".**

Shire of Cuballing
CEMETERIES ADVISORY COMMITTEE
Charter

This charter document defines the membership, authority, purpose, operational guidelines, responsibilities and resources of the Shire of Cuballing Cemeteries Advisory Committee, established by Council pursuant to Section 5.8 of the Local Government Act 1995.

1.0 NAME

The name of the Committee shall be the Shire of Cuballing Cemeteries Advisory Committee, hereinafter referred to in its abbreviated form as the Committee.

2.0 ESTABLISHMENT

The Committee is established pursuant to Section 5.8 of the Local Government Act 1995.

3.0 DISTRICT

The Committee shall operate within the local government boundaries of the Shire of Cuballing.

4.0 GUIDING PRINCIPLES

This Committee is established with the guiding principles in accordance with the Local Government Act 1995, sections 5.8 through to 5.25.

5.0 VISION

Our vision is for the Shire of Cuballing to have well planned, respectful, maintained and cared for cemeteries, remembrance gardens and niche facilities for the interment of loved ones ashes and remains.

6.0 TERMS OF REFERENCE

6.1 To advise Council on matters relating to cemeteries, lonely graves, niche facilities and the Shire of Cuballing Cemeteries Local Law 1998 generally, including but not limited to;

- Fees and charges;
- Maintenance quality, practices and procedures;
- Infrastructure requirements;
- Design elements;
- Relevant and required Policies;
- Availability of supply and;
- Trends in cemetery management and community expectations and needs.

6.2 To promote and identify opportunities for development and enhancement of cemeteries, remembrance gardens and niche facilities.

7.0 MEMBERSHIP

Membership of the Committee will comprise of a total of 7 members consisting of;

- 1 Councillor appointed by Council from time to time;
- 6 x Community Representatives.

Community representation is valid for two years, until the person resigns, the Committee is disbanded or at the next ordinary Election Day, whichever happens first. Nothing prevents an existing members from re-nominating.

Vacancies for Community representatives will be advertised in The Cuby New and other appropriate publication methods, with selection and appointment being made by Council.

8.0 MEETINGS

8.1 Annual General Meeting:

Nil

8.2 Committee Meetings:

Meetings shall be held as determined by the Committee (approximately every 4/6 months).

8.3 Quorum:

The quorum for any meeting of the Cemeteries Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.

8.4 Voting:

Shall be in accordance with the Local Government Act, Section 5.21 with all members of the Committee entitled and required to vote (subject to financial and proximity interest provisions of the LGA). Officers of Council servicing the Committee are not entitled to vote unless specifically approved under the charter.

8.5 Minutes:

Shall be in accordance with the Local Government Act, Section 5.22.

8.6 Who acts if no presiding member?

Shall be in accordance with the Local Government Act, Section 5.14.

8.7 Meetings

Meetings shall be generally open to the public pursuant to the Local Government Act, Section 5.23.

8.8 Public Question Time

The Committee, if empowered with any delegated powers, will allow for Public Question Time at the start of its Meetings in accordance with the Local Government Act, Section 5.24.

8.9 Members Conduct

Members of the Committee are bound by the:

- provisions of Section 5.65 of the Local Government Act 1995;
- Shire of Cuballing Standing Orders Local Law 1998;
- Shire of Cuballing Code of Conduct as amended from time to time;

- Rules of Conduct Legislation; and
 - Clause 34C of the Local Government (Administration Regulations) 1996;
- with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation).

8.10 Secretary

The Chief Executive Officer or that Officer's nominee will fulfil the role of non-voting secretary who will also be responsible for preparation and distribution of Agendas and Minutes.

8.11 Chairperson

The members will appoint the Chairperson and if required Deputy of the Committee pursuant to the Local Government Act 1995, Section 5.12.

8.12 Meeting Attendance Fees

Nil.

9.0 DELEGATED AUTHORITY OF THE COMMITTEE

Nil.

H.Chattillon

PO Box 48,
Popanyinning WA 6309
Ph..(08)98875365
e-mail chattillon7@bigpond.com

**Mr. Gary Sherry,
CEO
Shire of Cuballing
PO 13, Cuballing. WA 6311**

Gary,

I wish to forward my name to be considered to sit on the proposed Cemetery Committee.

Having resided in the Shire for 27 years and believe that the remembrance and dignity of our residence, past and present should be maintained in the sincerest remembrance. That cemeteries must be retained in good order to reflect our past citizens, and markers a remembering those citizens.

**Yours faithfully
Hendrikus (Ries) Chattillon.
10th November 2019.**

Gary Sherry

From: Shire of Cuballing Enquiries
Sent: Tuesday, 5 November 2019 8:57 AM
To: Gary Sherry
Subject: FW: CEMETERIES ADVSIORY COMMITTEE

From: FERGUSON Dianne [PD82339] <dianne.ferguson@police.wa.gov.au>
Sent: Friday, 1 November 2019 3:50 PM
To: Shire of Cuballing Enquiries <enquiries@cuballing.wa.gov.au>
Subject: CEMETERIES ADVSIORY COMMITTEE

TO WHOM IT MAY CONCERN

As per the Cuby News of the late, I would like to nominate myself, Dianne Ferguson, as a community representative for the above committee.

I am very interested in being involved with the Management and Community expectations/requirements of the two operating cemeteries at Cuballing and Popanyinning.

As a resident in Popanyinning, I do keep "an eye" on our Cemetery, so for any forthcoming upgrade/maintenance, I can assist, and provide any reports that may be required.

I take this opportunity for the above and hopefully, I will look forward to your reply in the near future.

Thank you and kind regards

Dianne Ferguson

0419 777 610

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Gary Sherry

From: Helen Elliott <helengoesglobal@gmail.com>
Sent: Thursday, 14 November 2019 9:27 AM
To: Gary Sherry
Subject: Nomination

Good morning Gary

I would like to nominate myself, Helen Elliott, for inclusion in the Cemeteries Advisory Committee.

As a member of the Cuballing Volunteer Action Group I have a strong interest in visually improving all aspects of the townscape in the Shire of Cuballing and in particular the Cuballing Cemetery which the group have already demonstrated a commitment to improving.

As a volunteer Curator of the Narrogin Old Courthouse Museum and owner of a Heritage building I have a strong interest in history and it's preservation for future generations.

Kind regards

Helen

Gary Sherry

From: John & Monique D'Alto <moniquejohn@westnet.com.au>
Sent: Monday, 25 November 2019 1:22 PM
To: Gary Sherry
Subject: Nomination for Cemetery Committee

Good Afternoon Gary,

I would like to offer my nomination to be a part of the Cuballing Cemetery Committee.

As you may know I am a longterm local resident and have grown up in this community. I am passionate about keeping this community alive and believe in transparency. My extensive knowledge of the funeral industry, having worked eight years within the industry for both Mareena Purslowe & Assoc and Dawsons Funeral Home, I believe would be an asset to the committee.

While employed at the Shire of Cuballing I worked, in conjunction with Graham Dawson, to develop the grave location/ spacing at the Cuballing cemetery. I am also familiar with policy writing and the local government act.

I currently teach Science and Indonesian at St Matthews Primary, in Narrogin.

Thankyou for considering my nomination

Monique D'Alton

9.2.7 Withdrawal of Firebreak Infringement

Applicant: N/A
File Ref. No: ADM085
Disclosure of Interest: Nil
Date: 12th December 2019
Author: Gary Sherry
Attachments: 9.2.7A 2019 Firebreak Order

Summary

Council is to consider a request from Mr Mark Graham to withdraw a firebreak infringement issued for non-compliance with Council's 2019 Firebreak Order.

Background

Council adopted the Firebreak Order recommended by the Bushfire Advisory Committee at the September 2019 Ordinary Meeting of Council. This order is included at Attachment 9.2.3A.

Once again Council's Firebreak Order requires that fire prevention work on land owned or occupied, to the satisfaction of Council or its duly authorised officers, and that this work must be carried out by 31 October 2019 and kept maintained throughout the summer months until 15 May 2020. This fire prevention work includes:

1. On rural lands a firebreak not less than 2.5 metres wide must be established along, inside and within 20 metres of the external boundary of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road; and
2. On town lots:
 - a. under 2,024 m² (½acre) in area and all fuel depots within the Shire are required to be cleared of all debris and flammable material to a height not more than 50mm; and
 - b. All lots or combination of lots that comprise of one holding and having an area of 2,024m² (½ acre) or greater shall be either clear of all inflammable material or have a firebreak 2.5 metres wide free of all inflammable material provided inside and along all external boundaries.

Council staff commenced a review of firebreaks as soon as possible in November 2019.

In November, under Policy 6.2 Inspection/Prosecutions - Firebreaks Council has provided 22 letters to owners and issued infringements for 8 property owners. A historical summary of Council's enforcement response is outlined below.

Year	Letters		Infringements	
	Town	Rural	Town	Rural
2019	14	8	6	2
2018	14	11	1	
2017	8	20	2	
2016	45	12		
2015	6		4	
2014	18	2	12	1

This table shows a significant increase in Council's enforcement activities, particularly over rural properties from 2016 onwards. Council's infringements have also steadily increased from this time.

Council Policy 6.2 Inspection/Prosecutions – Firebreaks anticipates a review of all firebreaks/properties within the Shire of Cuballing by 9th November. It is a considerable task to comprehensively review every firebreak on every property within the Shire. While townsites receiving a complete compliance review, staff take a risk management approach to rural properties reviewing only a sample of a property's firebreaks.

Following inspections administrative tasks to identify properties and compile notices is also time consuming. In 2019 notices were provided to owners on the 12th and 13th November 2019.

Following the posting of notices to owners who have not complied with the Firebreak Order, staff provide feedback to most of these owners about the state of the firebreaks. Staff provide advice and assistance to property owners and staff see this conversation as learning opportunity for the owner.

While most owners recognise their property's firebreaks shortcomings, it is not uncommon for residents to be extremely angry and insulting towards staff.

Comment

Mr Mark Graham of a Bardera Pty Ltd, Great Southern Highway, Yornaning, was issued with a \$250 infringement notice for non-compliance with Council's Firebreak Order. Mr Graham has requested the withdrawal of the \$250 infringement. Staff have the authority to impose an infringement but not to withdraw an infringement.

Mr Graham has provided Council with the following correspondence:

As discussed I was issued a fine for the state of a small part of my firebreaks. I acknowledge that there were small parts that the firebreak could have been done better. There always is.

All the fire break was sprayed, some twice.

That farm is continuously cropped and there is often regrowth, that is why it was sprayed twice.

My concerns are as follows:

I feel unnecessarily targeted, given the state of all of my neighbours breaks and the facts below.

When I asked the CBFCA to send a map through of where the problem breaks were he had to come and inspect.

Without asking, or offering to do it with me, he drove my whole boundary?

What about my biosecurity, general security, or courtesy?

Why, he should have already known this before he issued the fine?

I assume he had issued the fine without having done an inspection?

This seems highly improper. Can someone please explain?

All farming properties have small areas that have poor or no firebreak, that is the nature of firebreaks.

I ask that in a show of good will the fine be removed, and explanation of how I was not targeted.

I respect the job the CBFCO does, but this seems a divisive and excessive use of the powers bestowed on that office.

We farm 17000ha in 9 shires with approximately 1500km of boundary and internal firebreaks.

I am willing to enclose pictures of my neighbours in Cuballing Shire to show adjoining breaks if that is necessary to make my point?

Seeking a discreet explanation so as to not make something so trivial an issue.

In response to Mr Graham's correspondence staff would advise that:

- Shire staff completed their initial inspection of Mr Graham's firebreaks from the track on the rail reserve adjoining his property. Staff reviewed every property adjoining this track from Cuballing to Popanyinning. From this inspection a portion of Mr Graham's firebreaks were able to be considered non-compliant on this boundary. This one non-compliant firebreak is enough to trigger a requirement for improvement of the firebreaks property and staff did not inspect further at this time.
- Mr Graham's firebreaks were considered non-compliant in 2017 and 2018 whereupon he was issued with a notice requiring improvement of his firebreaks. In 2019, in addition to a notice to improve his firebreaks, Mr Graham was issued an infringement. The 8 property owners who received infringements in 2019, were either infringed or provided with a notice requiring improvement in their firebreaks in 2018.
- After receipt of the infringement, Mr Graham telephoned staff and sought information on where on his property the firebreaks were inadequate. To provide this information staff utilised the permission available at Section 14(1)(c) of the Bushfires Act to inspect firebreaks across all of Mr Graham's property. Staff subsequently assessed a number of Mr Graham's firebreaks compliant and provided Mr Graham with a map indicating the areas of non-compliant firebreaks.
- As part of the comprehensive inspection of Mr Graham's property, an adjoining neighbour's firebreaks were found to be non-compliant. This owner has been provided with a notice to improve their firebreaks.

While Mr Graham has made a concerted effort to comply with Council's Firebreak Order, a number of wider issues of concern about enforcement of the Firebreak Order arise from this matter.

1. Currently Council requires a firebreak 2.5 metres wide, free of all inflammable material, provided inside and along all external boundaries. Very few owners of rural properties provide such a break, with most breaks considerable smaller size.

Firebreaks are a useful tool for farmers to control paddock burns in autumn but provide little other fire safety benefits

In recent Council consideration, the requirements for firebreaks has been seen as a tool for making owners at least consider their fire safety. This may be the case, but the standard for firebreaks needs to be at a level where compliance will be completely undertaken. Council and Council's Bushfire Advisory Committee should continue to review at least the width requirement for rural firebreaks.

2. The Council review of the firebreaks on properties is particularly time consuming for staff. Currently Council's Chief Bush Fire Control Officer is an employee of Council

which allows the time to complete the review of firebreaks even though this has a considerable impact on Council's Works Department's performance.

Council's current compliance systems do rely on the property owner accepting the infringements from the Shire of Cuballing. It is unlikely that a court challenge against an infringement would be successful because staff lack the time and resources to collect evidence of a sufficient standard to meet court requirements. Without a dedicated, knowledgeable staff resource, reasonable enforcement of firebreaks would not be possible.

Council investment by Council in software and equipment to take photographs of offending firebreaks and directly connect the photographs positioning data into Council's rates property data base would significantly reduce the excessive time required for firebreak enforcement.

3. If Council doesn't seek to impose Firebreak Order compliance on rural properties, the only compliance will then fall on townsite properties. While the fire risks and fire dangers are greater for townsite properties, it would appear to be unfair for Council's Firebreak Order to be comprehensively enforced on townsite properties and not on rural properties.

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.

Statutory Environment

Bush Fires Act (1954)

14. Certain persons may enter land or building for purposes of Act
 - (1) A person employed in the Department who is authorised by the FES Commissioner so to do, a bush fire liaison officer and a bush fire control officer, designated or appointed in accordance with the provisions of this Act, and, subject to subsection (1A), a member of the Police Force, is empowered to enter any land or building at any time to —
 - (a) examine a fire which he has reason to believe has been lit, or maintained, or used in contravention of this Act;
 - (b) examine a fire which he believes is not under proper control;
 - (c) examine fire breaks on the land;
 - (d) examine anything which he considers to be a fire hazard existing on the land;
 - (e) investigate the cause and origin of a fire which has been burning on the land or building;
 - (f) inspect fire precaution measures taken on the land;
 - (g) investigate and examine the equipment of a bush fire brigade;
 - (h) do all things necessary for the purpose of giving effect to this Act.
 - (1A) Despite subsection (1), a member of the Police Force is not empowered under this section to enter any land or building for any purpose other than those specified in subsection (1)(a), (b) and (e).

- (2) A bush fire liaison officer or a member of the Police Force exercising the power conferred by subsection (1)(e) may remove from the land or building, and keep possession of, anything which may tend to prove the origin of the fire.

Policy Implications

Shire of Cuballing - Policy

6.2 Inspection/Prosecutions - Firebreaks

Policy Statement:

In the event of inspections of firebreaks taking place in the Shire of Cuballing the following policy of procedure is followed:

1. The Fire Break inspection to commence no later than seven days after the 1st November.
2. The Fire Break inspection is to be completed within two days, weather permitting.
3. The Fire Break inspection to be carried out in accordance with Council Policy and supply a report to the Chief Executive Officer, who will act according to Item 4 and/or Item 5. No warning or advice to be given to offenders.
4. Council will write to property owners who in the last five years have complied with Council's Fire Break Order, advising that the property does not comply with Council's fire break notice and they have seven days to have their property meet the requirements of Council's Fire Break Order.

After that seven days expires another property inspection will occur. Council will write to the property owners whose properties still do not comply stating that:

- a. The property does not comply with Council's fire break notice;
- b. Council will complete the fire breaks on the offending property and charge the property owners for that work.

Council will also issue and Infringement Notice and fine for the property owner for not complying with Council's Fire Break Notice.

5. Council will write to property owners who in the last five years have on occasion NOT complied with Council's Fire Break Order, stating that:
 - a. the property does not comply with Council's fire break notice;
 - b. Council will complete the fire breaks on the offending property and charge the property owners for that work.Council will also issue and Infringement Notice and fine for the property owner for not complying with Council's Fire Break Notice.

Resolution No: 9.2.6
Resolution Date: 21st April 2016

Shire of Cuballing - Delegation Register – as at 18th June 2019

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

Financial Implications

Council complete enforcement of fire break activities with staff and administration resources. No complete record of this expense is kept by Council.

Council can expect to receive \$2,000 from 8 infringements. Council will pursue these infringements through the Fines Enforcement process.

Economic Implication

The compliance with Council's Firebreak Order is a significant cost for local agricultural businesses.

Social Implication

Fire is a significant community risk for local communities.

Environmental Considerations

Consultation

Council's Firebreak Order was provided as an DL sized pamphlet with other fire prevention information and direct mailed to every resident receiving mail from a Shire of Cuballing post code and to every ratepayer with a mailing address outside the Shire of Cuballing.

Options

Council may resolve:

1. the Officer's Recommendation; or
2. the Officer's Recommendation with minor amendments; or
3. to withdraw the \$250 firebreak infringement on Mr Mark Graham of a Bardera Pty Ltd, Great Southern Highway, Yornaning issued for non-compliance with Council's 2019 Firebreak Order, giving reasons.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council not withdraw the \$250 firebreak infringement on Mr Mark Graham of a Bardera Pty Ltd, Great Southern Highway, Yornaning issued for non-compliance with Council's 2019 Firebreak Order.

SHIRE OF CUBALLING

FIREBREAK ORDER 2019/20

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954 you are required to carry out fire prevention work on land owned or occupied by you in accordance with the provisions of this Notice, to the satisfaction of Council or its duly authorised officers.

This work must be carried out by 31 October 2019 or within 14 days of becoming the owner or occupier, should this be after that date, and kept maintained throughout the summer months until 15 May 2020.

Persons who fail to comply with the requirements of this notice may be issued with an infringement notice or prosecuted. Where the owner fails to comply with the requisitions of the notice, council or its duly authorised officers will carry out the required work at the cost of the owner or occupier.

If it is considered for any reason to be impractical to clear firebreaks or remove flammable materials as required by this notice, or if natural features render firebreaks unnecessary, you may apply to the Council in writing not later than the 17 October for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted by Council, you shall comply with the requirements of this notice.

A FIREBREAK is a strip of land that has been cleared of all trees, bushes and grasses and any other object or thing or flammable material leaving clear earth. This includes the trimming back of all overhanging trees, bushes, shrubs and any other object or thing over the fire break area to the satisfaction of the Fire Control Officer.

RURAL LANDS

Firebreak not less than 2.5 metres wide must be established along, inside and within 20 metres of the external boundary of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road.

In the interest of protection from soil erosion, firebreaks may be established on the land contours but only with prior approval of the Council or its duly authorised officer

An area 4 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas.

BUILDING AND HAYSTACKS:

A firebreak of at least 4 metres wide and not more than 40 metres from the perimeter of all buildings (including temporary dwellings e.g. caravans) and/or haystacks or groups of buildings and/or haystacks so as to completely surround the buildings, haystacks and/or fuel dumps. Any fodder being stored within 100 metres of a building must have a 20 metre break around.

BULLDOZED BUSH:

A firebreak 20 metres wide shall be maintained immediately inside the external boundaries of all land which has been bulldozed, chained or prepared in any similar manner for clearing by burning (whether it is intended to burn the bush or not).

STATIONARY PUMPS/MOTORS:

A firebreak 4 metres wide shall be cleared and maintained around all stationery pumps and motors.

HARVESTING OPERATIONS:

During the period when harvesting operations are being conducted, there shall be provided in the same paddock or within 400 metres of that paddock an operational independent mobile fire fighting unit having a water capacity of not less than 650 litres. The tank of the unit shall be kept full of water at all times during the harvest operations. The responsibility to supply the unit being that of the land owner.

HARVEST BANS AND OTHER BANS:

Permitted activity: Loading and offloading of grain and fertiliser is only permitted on sites which have been cleared of all inflammable material save live standing trees to a radius of at least 50 metres with a laneway access similarly cleared to a minimum of 4 metres. A mobile fire fighting unit should be in attendance at all times where possible.

OPERATION OF PLANT AND MACHINERY:

During the restricted and prohibited burning times, all harvesters and trucks carting grain shall not be operated on rural land unless fitted with a fire extinguisher.

PADDOCK BURNS:

At any time throughout the year, where a landowner intends to burn paddocks, the following must be provided to prevent the escape of fire:

1. Firebreak 2.5 metres wide, clear of all inflammable material, completely surrounding the area to be burnt;
2. An operational fire fighting unit having a capacity of not less than 650 litres; and
3. Permits to burn may be required. Contact your Fire Control Officer for details.

TOWNSITES AND RURAL RESIDENTIAL LAND

All town lots under 2,024 m² (½acre) in area and all fuel depots within the Shire are required to be cleared of all debris and flammable material to a height not more than 50mm.

All lots or combination of lots that comprise of one holding and having an area of 2,024m² (½ acre) or greater shall be either clear of all inflammable material or have a firebreak 2.5 metres wide free of all inflammable material provided inside and along all external boundaries.

9.3 MANAGER OF WORKS AND SERVICES:

Nil

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

Nil

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

Nil at this time.

12. CONFIDENTIAL MATTERS:

12.1.1 2020 Australia Day Citizenship Awards

OFFICER'S RECOMMENDATION:

That Council embargo the publication of the 2020 Citizen of the Year until after the Shire of Cuballing's Australia Day event where the 2020 Citizen of the Year award will be announced.

13. NEXT MEETING:

Ordinary Council Meeting, 2.00pm, Wednesday 19th February 2020 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

14. CLOSURE OF MEETING: