

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

# **AGENDA**

for the

**Ordinary Meeting of Council**

to be held

**2PM, WEDNESDAY 20<sup>th</sup> MAY 2020**

Popanyinning Hall  
Francis Street, Popanyinning

# 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 15<sup>th</sup> April 2020

**OFFICER'S RECOMMENDATION:**

**That the Minutes of the Ordinary Meeting of Council held on Wednesday 15<sup>th</sup> April 2020 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.

Nil

## **9. REPORTS OF OFFICERS AND COMMITTEES:**

### **9.1 DEPUTY CHIEF EXECUTIVE OFFICER:**

#### **9.1.1 List of Payments – April 2020**

File Ref. No: NA  
Disclosure of Interest: Nil  
Date: 7<sup>th</sup> May 2020  
Author: Nichole Gould  
Attachments: 9.1.1A List of April 2020 Municipal Accounts

#### **Summary**

**Council is to review payments made under delegation in April 2020.**

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 April 2020.

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 receive the list of accounts.

Voting Requirements – Simple Majority

#### **OFFICER'S RECOMMENDATION:**

**That Council receives the List of Accounts paid in April 2020 under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, including payments from Council's Municipal Fund totalling \$407,302.31 included at Attachment 9.1.1A.**

### LIST OF APRIL 2020 MUNICIPAL FUND ACCOUNTS

Chq/EFT	Description	Amount
20200401	Rent for Grader Driver House	360.00
20200401	Police Licensing Payments	1,545.50
20200402	Police Licensing Payments	418.60
20200403	Police Licensing Payments	175.60
20200406	Police Licensing Payments	4,515.25
20200407	Police Licensing Payments	3,081.35
20200407	Interest on Graders	300.52
20200407	Loan Repayment No. 63 Graders	3,413.76
20200408	Police Licensing Payments	6,816.55
20200409	Police Licensing Payments	565.95
20200414	Police Licensing Payments	1,135.60
20200415	Rent for Grader Driver House	360.00
20200415	Police Licensing Payments	1,172.50
20200416	Police Licensing Payments	1,168.60
20200417	Police Licensing Payments	3,144.10
20200420	Police Licensing Payments	969.30
20200421	Police Licensing Payments	289.15
20200422	Police Licensing Payments	822.05
20200423	Police Licensing Payments	504.95
20200424	Police Licensing Payments	55.60
20200428	Police Licensing Payments	168.70
20200429	Rent for Grader Driver House	360.00
20200429	Police Licensing Payments	134.65
20200430	Police Licensing Payments	3156.05
EFT5075	50% Reimbursement Synergy - B Brennan	113.45
EFT5076	Monthly Copier Charges	962.00
EFT5077	Hygiene Bins in public toilets from 26/4/20-25/10/2020	1,375.00
EFT5078	Absent Wallet	164.47
EFT5079	Cutting edges for flat bucket of Komatsu loader	1,228.03
EFT5080	Culvert installation	3,217.50
EFT5081	Certify Light poles for Lighting upgrade	330.00
EFT5082	Fauna survey for Wandering Narrogin road Blackspot	1,496.00
EFT5083	Town Planning - General	2,147.20
EFT5084	1 x bag dog biscuits 2 x hand sprayers	84.40
EFT5085	Monthly Fuel Delivery to Above Ground Tank	2,940.74
EFT5086	1 x Set of Jumper Leads	298.00
EFT5087	Catering	103.97
EFT5088	Reticulation parts for repair to skate park retic	48.63
EFT5089	Deposit on Native Pigface/Salt tolerant seedlings	225.00
EFT5090	Ranger Services	397.50
EFT5091	2 x New Brushes for Road Broom	2,487.10

<b>Chq/EFT</b>	<b>Description</b>	<b>Amount</b>
EFT5092	Quarterly Monitoring Account for Security System	110.00
EFT5093	Freight Charges - Truck Centre	10.73
EFT5094	2 x 297-2779 hoses	174.59
EFT5095	Stationery	125.49
EFT5096	Carry out 8,000hr service on Cat loader. Reseal Leaking ram Renew oil cooler hose	4,437.40
EFT5097	March 2020 Building Forms	675.71
EFT5098	50% Reimbursement of Internet as per contract	55.00
EFT5100	Roxby Park Shelter	18,428.30
EFT5101	Monthly Fuel Delivery to Above Ground Tank	9,243.21
EFT5102	Rubbish Removal - Recycling Service x 255 @ \$3.42 each	7,903.28
EFT5103	air cleaning nozzles , radiator, 700mm long blower , 5 inch nozzle	241.35
EFT5104	Freight Charges - Asphalt in a Bag	579.59
EFT5105	1 x 6 metre flagpole	752.40
EFT5106	Monthly Computer Licenses & Backup Charges	1,178.53
EFT5107	1 x 1650mm Flat bar 1 x 6m Round bar	38.60
EFT5108	1 x car radio aerial	36.88
EFT5109	Concrete apron at Cuballing Fire Shed	17,072.00
EFT5110	Cleaning Supplies	812.25
EFT5111	2018/19 Audit Fee	18,920.00
EFT5112	Survey and Plan and obtain Permission from WAPC for Wandering Narrogin Blackspot Application for new title	11,786.50
EFT5113	Survey and set of Blackspot Wandering Narrogin road	1,692.24
EFT5114	Ranger Services - Labour 6/03/2020 1.5hr	250.50
EFT5115	1 x Red master key for cleaner	20.50
EFT5116	Councillor Sitting Fee July - October 2019	600.00
EFT5117	Cuballing Rail Reserve Concept Design	8,532.74
EFT5118	2 x 297-2778	184.71
EFT5119	Rates overpayment refund	27.60
EFT5120	Reopen grave at Popanyinning Cemetery	858.00
EFT5121	Cherry picker tree lopping Yornaning Dam	4,026.00
EFT5122	1 x Ton of Asphalt in a bag	1,718.75



<b>Chq/EFT</b>	<b>Description</b>	<b>Amount</b>
EFT5123	Install lighting pole to Tennis court area Popo Oval	4,290.00
EFT5124	Water Charges for War Memorial July-June 2020 - 23/01/2020 to 30/03/2020	157.89
EFT5125	50% Reimbursement for Synergy as per contract	67.56
EFT5126	HC Licence and Training	3,400.00
EFT5127	Monthly Legal Fee Costs for Rates Debt Recovery	8,015.44
EFT5128	2 x Ladies signs 3x Gents signs	184.36
EFT5129	Drainage and culvert installs at Fourteen Mile Brook Reserve Narrogin Wandering Road	2,431.00
EFT5130	Fauna Spotter and report for Stratherne road tree removal	2,274.80
EFT5131	Service CN O Colorado Ute 24,000km	500.00
EFT5132	Town Planning - General	1,971.20
EFT5133	3000m3 of Gravel @\$2.00m3at Nebrikinning Pit	6,000.00
EFT5134	2 x New Hydraulic hoses	1,488.39
EFT5135	Sand Blasting Popanyinning Hall sign	123.75
EFT5136	Upgrade toilet Cisterns and bowls, basin	2,977.68
EFT5137	7 tonne 7mm chip	354.20
EFT5138	5 x work shirts embroidery	112.00
EFT5139	Cleaning supplies	494.13
EFT5140	6 x work shirts	305.85
EFT5141	Repair Marquee corners after storm	173.80
EFT5142	Service all first aid kits	439.83
EFT5143	Hire of pad foot roller	3,200.00
EFT5144	Councillor Training - Cr Bradford, Cr Harris and Cr Hopper	1,755.00
EFT5145	March 2020 Building Forms	56.65
14824	Electricity Charge - Lot 20 Howard St Popanyinning	289.32
14825	Mobile Charge - Ipad CEO	329.39
14826	Supply and lay new foot path. Remove and relay artificial turf	1,100.00
14827	Storm Damage loader, labour and ute hire	1,355.00
14828	Electricity Charge - Lot 124 Campbell St Cuballing	2,764.47
14829	Water Charges - 10 Brundell St Cuballing	745.85
14830	Plaster 3 internal walls Popo Hall entry	1,760.00
14831	Annual License Renewal	115.00

Chq/EFT	Description	Amount
14832	Standpipe Charges - Water Collection Jan to Mar 2020	11,972.80
14833	Water Charges - Park Ridley St Cuballing	1,821.02
14834	Coles Card Reimbursement	404.70
14835	Petty Cash Reimbursement	364.15
DD2233.1	Superannuation contributions	231.08
DD2233.2	Payroll deductions	8,985.74
DD2233.3	Superannuation contributions	178.04
DD2233.4	Superannuation contributions	450.28
DD2233.5	Superannuation contributions	117.61
DD2233.6	Superannuation contributions	429.83
DD2243.1	Monthly Internet Wireless Limitless Inc Calls	89.99
DD2246.1	Superannuation contributions	231.08
DD2246.2	Payroll deductions	5,336.48
DD2246.3	Superannuation contributions	170.58
DD2246.4	Superannuation contributions	450.28
DD2246.5	Superannuation contributions	92.42
DD2246.6	Superannuation contributions	433.62
DD2263.1	Superannuation contributions	231.08
DD2263.2	Payroll deductions	5,329.79
DD2263.3	Superannuation contributions	175.05
DD2263.4	Superannuation contributions	458.85
DD2263.5	Superannuation contributions	89.62
DD2263.6	Superannuation contributions	464.80
EFT5146	Catering, Fuel, Paper, Postage and Freight.	636.83
EFT5147	Clearing debris from Popanyinning Bridge /Bunmulling Road	1,419.00
EFT5148	48 000 km service on Colorado duel cab ute	485.05
EFT5149	Staff Influenza Vaccinations	240.00
EFT5150	64 cubes gravel for back fill on Fire Shed Cuballing	192.00
EFT5151	Monthly Fuel Delivery to Above Ground Tank	2,635.23
EFT5152	Excavator and tree grab hire for tree removal @\$264phr	7,656.00
EFT5153	Supply of one Semi-Trailer Water Tanker	121,550.00
EFT5154	Supply 3,000m3 of gravel for Blackspot works @ \$2.00m3	6,000.00
EFT5155	Self-greasing parts for PZ320 /lift arm	236.13
EFT5156	Account for March - Door Handles, Discs & Spray	506.80

<b>Chq/EFT</b>	<b>Description</b>	<b>Amount</b>
EFT5157	Monthly Computer Licenses & Backup Charges	82.50
EFT5158	Remove and Replace two toilet bowls at rec centre	717.20
EFT5159	2 x bench grinding wheels for chainsaw sharpener	90.00
EFT5160	Freight Charges - Flagpole & Exteria	207.79
EFT5161	Replacement windscreen for Colorado duel cab	330.00
EFT5162	1 x Halmax drive tyre fitted and balanced, tyre disposed	465.00
EFT5163	6 x Roundup ultra max 10 x Metsulfuron 2 x Simazine	2,027.52
EFT5164	Bernard Welding hand piece and spare trigger	333.30
EFT5165	Ranger Services	171.00
14836	Monthly Electricity Charge Street Lightning x 42 Lights	733.28
14837	Mobile Charge - Building Surveyor Mobile	286.10
14838	Water Charges - Standpipe Ridley St Cuballing	9,492.68
DD2271.1	Credit Card Purchases – fuel, Zoom subscription, flags, ID Check	321.28
		<b>407,302.31</b>

## 9.1.2 Statement of Financial Activity

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	12 <sup>th</sup> May 2020
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 April 2020.**

### **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 were raised on 31<sup>st</sup> July 2019;
- Governance – Youth Traineeship Funding received \$30 000;
- Governance – LGIS Rebates received;
- Transport – MRWA Direct Grant amount received \$115 490;
- Transport – eligible claims for Regional Road Group have been submitted;
- Transport – 100% of Roads to Recovery funding has been claimed & received;
- Recreation and Culture – Yornaning Dam grant funding has been received;
- Grants commission funding is less than anticipated during budget preparations;
- Standpipe charges are higher than budgeted, with increased consumption of water due to the dry season, this is offset by standpipe expenses also being over budget.
- Private Works income is less than budgeted – this is offset by the Private Works expenses also being well under budget.
- Building Surveyor income is less than budgeted – this is offset by the Building expenses also being underbudget.

Operating Expenses – The key items of variance include:

- Insurance expenses are showing as higher than YTD budget due to budget profiling as all premiums have been paid in full;
- Housing Maintenance well underbudget;

- Community Event Expenses underbudget as events were not able to be held during Pandemic.
- Depreciation on road plant and bridges is higher than budgeted;
- Capital expenses are below YTD budget due to the delays in obtaining the clearing permits holding up the road works capital program.

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

Administration Allocations have been calculated to 30<sup>th</sup> April 2020.

Depreciation expense is calculated to 30<sup>th</sup> April 2020.

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 30<sup>th</sup> April 2020 be received.**

**SHIRE OF CUBALLING**

**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**  
**For the Period Ended 30 April 2020**

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

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## MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2020

## 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.

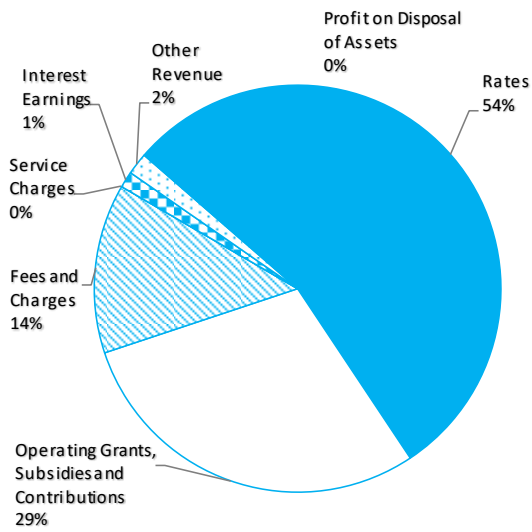
#### ROUNDING OFF FIGURES

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

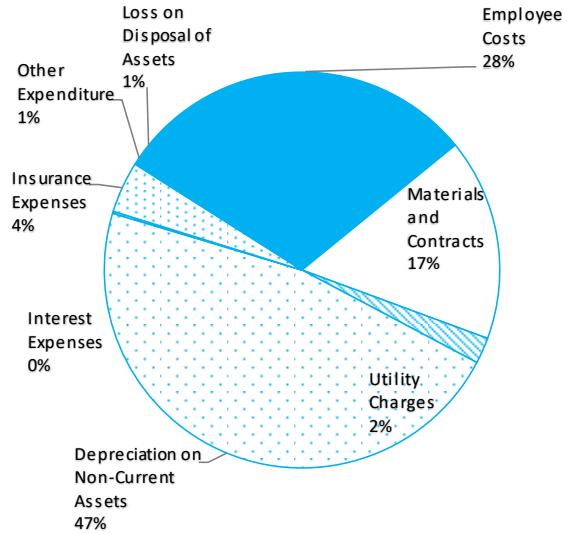
**MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 30 APRIL 2020**

**SUMMARY GRAPHS**

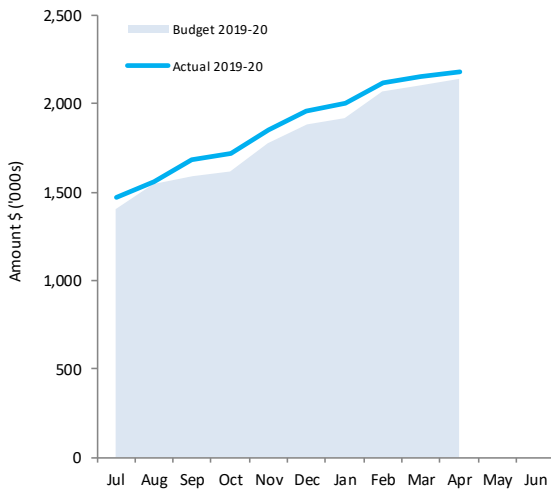
**OPERATING REVENUE**



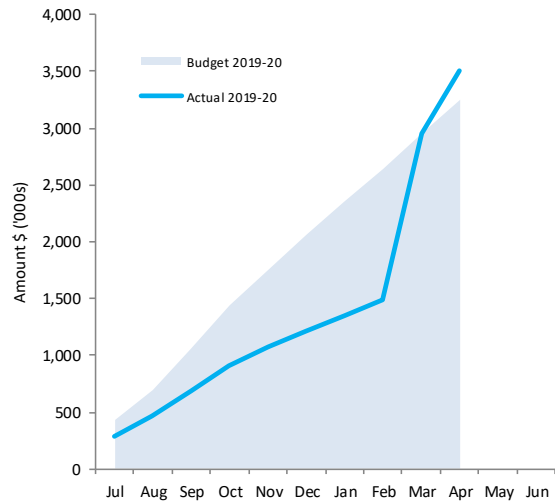
**OPERATING EXPENSES**



**Budget Operating Revenues -v- Actual**

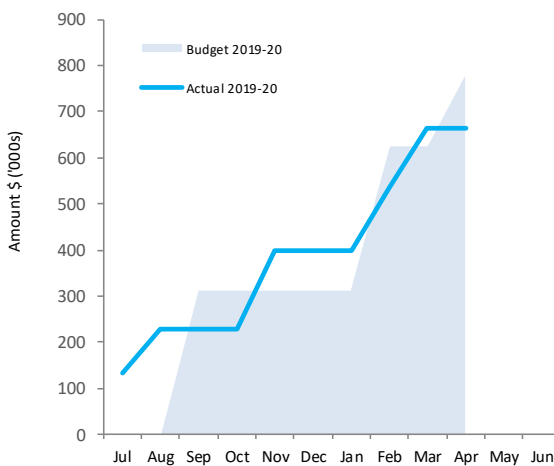


**Budget Operating Expenses -v- YTD Actual**



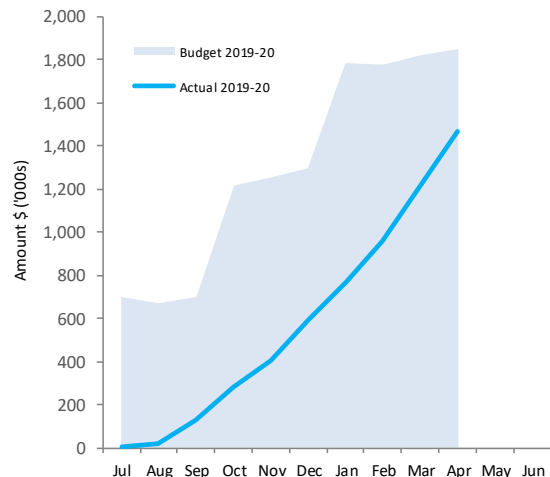
**CAPITAL REVENUE**

**Budget Capital Revenue -v- Actual**



**CAPITAL EXPENSES**

**Budget Capital Expenses -v- Actual**



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



**KEY TERMS AND DESCRIPTIONS****FOR THE PERIOD ENDED 30 APRIL 2020****STATUTORY REPORTING PROGRAMS**

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

<b>PROGRAM NAME</b>	<b>OBJECTIVE</b>	<b>ACTIVITIES</b>
<b>GOVERNANCE</b>	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
<b>GENERAL PURPOSE FUNDING</b>	Rates, general purpose government grants and interest revenue	Manage Rates and collection. Maintain Property Data
<b>LAW, ORDER, PUBLIC SAFETY</b>	Supervision of various local laws, fire prevention, emergency services and animal control.	Provide ranger service, bush fire and emergency management
<b>HEALTH</b>	Inspections of septic and food control	Inspect food premises.
<b>EDUCATION AND WELFARE</b>	Support school activities	Provide activities of support of local schools
<b>HOUSING</b>	Provision and maintenance of staff housing	Provide staff & other housing
<b>COMMUNITY AMENITIES</b>	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.
<b>RECREATION AND CULTURE</b>	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.
<b>TRANSPORT</b>	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.
<b>ECONOMIC SERVICES</b>	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.
<b>OTHER PROPERTY AND SERVICES</b>	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 APRIL 2020**

**STATUTORY REPORTING PROGRAMS**

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)
<b>Opening Funding Surplus(Deficit)</b>	1(b)	\$ 687,002	\$ 687,002	\$ 643,815	\$ (43,187)	(6%)
<b>Revenue from operating activities</b>						
General Purpose Funding	5	1,497,676	1,421,284	1,410,816	(10,468)	(1%)
Governance		1,295	1,060	63,342	62,282	5,876% ▲
Law, Order and Public Safety		28,019	21,276	33,249	11,973	56% ▲
Health		800	660	1,416	756	115%
Education and Welfare		2,500	1,000	0	(1,000)	(100%)
Housing		4,680	3,900	3,960	60	2%
Community Amenities		77,382	76,100	87,471	11,371	15% ▲
Recreation and Culture		84,877	83,777	90,105	6,328	8%
Transport		310,631	262,665	249,851	(12,814)	(5%)
Economic Services		38,250	31,820	57,299	25,479	80% ▲
Other Property and Services		284,380	236,960	183,028	(53,932)	(23%) ▼
		<b>2,330,490</b>	<b>2,140,502</b>	<b>2,180,537</b>		
<b>Expenditure from operating activities</b>						
General Purpose Funding		(75,915)	(63,250)	(57,455)	5,795	9%
Governance		(149,640)	(140,608)	(123,831)	16,777	12% ▲
Law, Order and Public Safety		(186,043)	(154,890)	(154,460)	430	0%
Health		(41,600)	(34,650)	(38,376)	(3,226)	(11%)
Education and Welfare		(14,300)	(13,400)	(11,792)	1,608	12%
Housing		(43,610)	(36,300)	(25,809)	10,491	29% ▲
Community Amenities		(343,128)	(285,700)	(292,162)	(6,462)	(2%)
Recreation and Culture		(376,688)	(313,290)	(310,150)	3,140	1%
Transport		(2,210,019)	(1,841,534)	(2,096,002)	(254,468)	(14%) ▼
Economic Services		(180,605)	(146,810)	(158,707)	(11,897)	(8%)
Other Property and Services		(239,064)	(223,465)	(236,169)	(12,704)	(6%)
		<b>(3,860,611)</b>	<b>(3,253,896)</b>	<b>(3,504,913)</b>		
<b>Operating activities excluded from budget</b>						
Add Back Depreciation		1,500,557	1,250,390	1,643,724	393,334	31% ▲
Adjust (Profit)/Loss on Asset Disposal	6	24,437	20,360	38,362	18,002	88% ▲
Adjust Provisions and Accruals		0	0	0	0	
<b>Amount attributable to operating activities</b>		<b>(5,127)</b>	<b>157,356</b>	<b>357,711</b>		
<b>Investing Activities</b>						
Non-operating Grants, Subsidies and Contributions	10	1,650,739	778,739	665,190	(113,549)	(15%) ▼
Proceeds from Disposal of Assets	6	96,334	96,334	96,123	(211)	(0%)
Land Held for Resale		0	0	0	0	
Capital Acquisitions	7	(3,226,666)	(1,851,975)	(1,464,832)	387,143	21% ▲
<b>Amount attributable to investing activities</b>		<b>(1,479,593)</b>	<b>(976,902)</b>	<b>(703,519)</b>		
<b>Financing Activities</b>						
Proceeds from New Debentures		310,000	310,000	0	(310,000)	(100%) ▼
Repayment of Debentures	8	(69,160)	(40,787)	(40,787)	0	0%
Transfer from Reserves	9	563,826	0	0	0	
Transfer to Reserves	9	(19,545)	(17,121)	(17,121)	0	0%
<b>Amount attributable to financing activities</b>		<b>785,121</b>	<b>252,092</b>	<b>(57,908)</b>		
<b>Closing Funding Surplus(Deficit)</b>	1(b)	<b>(12,597)</b>	<b>119,549</b>	<b>240,099</b>		

**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 APRIL 2020****REVENUE****RATES**

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

**OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

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

**NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

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

**PROFIT ON ASSET DISPOSAL**

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

**FEES AND CHARGES**

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

**SERVICE CHARGES**

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

**INTEREST EARNINGS**

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

**OTHER REVENUE / INCOME**

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

**NATURE OR TYPE DESCRIPTIONS****EXPENSES****EMPLOYEE COSTS**

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

**MATERIALS AND CONTRACTS**

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

**UTILITIES (GAS, ELECTRICITY, WATER, ETC.)**

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

**INSURANCE**

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

**LOSS ON ASSET DISPOSAL**

Loss on the disposal of fixed assets.

**DEPRECIATION ON NON-CURRENT ASSETS**

Depreciation expense raised on all classes of assets.

**INTEREST EXPENSES**

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

**OTHER EXPENDITURE**

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

**STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020**

**BY NATURE OR TYPE**

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)	
		\$	\$	\$	\$	%	
<b>Opening Funding Surplus (Deficit)</b>	1(b)	687,002	687,002	643,815	(43,187)	(6%)	
<b>Revenue from operating activities</b>							
Rates	5	1,175,270	1,176,390	1,183,266	6,876	1%	
Operating Grants, Subsidies and Contributions	10	733,442	600,397	637,596	37,199	6%	
Fees and Charges		347,392	301,755	293,561	(8,194)	(3%)	
Interest Earnings		32,887	27,390	28,225	835	3%	
Other Revenue		41,500	34,570	37,889	3,319	10%	
Profit on Disposal of Assets	6	0	0	0	0		
		<b>2,330,490</b>	<b>2,140,502</b>	<b>2,180,537</b>			
<b>Expenditure from operating activities</b>							
Employee Costs		(1,140,325)	(958,110)	(971,942)	(13,832)	(1%)	
Materials and Contracts		(896,675)	(760,423)	(578,182)	182,241	24%	▲
Utility Charges		(64,076)	(53,214)	(74,321)	(21,107)	(40%)	▼
Depreciation on Non-Current Assets		(1,500,557)	(1,250,390)	(1,643,724)	(393,334)	(31%)	▼
Interest Expenses		(7,520)	(6,250)	(5,887)	363	6%	
Insurance Expenses		(143,652)	(137,114)	(146,749)	(9,635)	(7%)	
Other Expenditure		(83,370)	(68,035)	(45,745)	22,290	33%	▲
Loss on Disposal of Assets	6	(24,437)	(20,360)	(38,362)	(18,002)		
		<b>(3,860,611)</b>	<b>(3,253,896)</b>	<b>(3,504,913)</b>			
<b>Operating activities excluded from budget</b>							
Add back Depreciation		1,500,557	1,250,390	1,643,724	393,334	31%	▲
Adjust (Profit)/Loss on Asset Disposal	6	24,437	20,360	38,362	18,002	88%	▲
Adjust Provisions and Accruals		0	0	0	0		
<b>Amount attributable to operating activities</b>		<b>(5,127)</b>	<b>157,356</b>	<b>357,711</b>			
<b>Investing activities</b>							
Non-operating grants, subsidies and contributions	10	1,650,739	778,739	665,190	(113,549)	(15%)	▼
Proceeds from Disposal of Assets	6	96,334	96,334	96,123	(211)	(0%)	
Land held for resale		0	0	0	0		
Capital acquisitions	7	(3,226,666)	(1,851,975)	(1,464,832)	387,143	21%	▲
<b>Amount attributable to investing activities</b>		<b>(1,479,593)</b>	<b>(976,902)</b>	<b>(703,519)</b>			
<b>Financing Activities</b>							
Proceeds from New Debentures		310,000	310,000	0	(310,000)	(100%)	▼
Repayment of Debentures	8	(69,160)	(40,787)	(40,787)	0	0%	
Transfer from Reserves	9	563,826	0	0	0		
Transfer to Reserves	9	(19,545)	(17,121)	(17,121)	0	0%	
<b>Amount attributable to financing activities</b>		<b>785,121</b>	<b>252,092</b>	<b>(57,908)</b>			
<b>Closing Funding Surplus (Deficit)</b>	1(b)	<b>(12,597)</b>	<b>119,549</b>	<b>240,099</b>			

**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: Wandering 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 APRIL 2020**

**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 APRIL 2020

OPERATING ACTIVITIES  
NOTE 1(b)  
ADJUSTED NET CURRENT ASSETS

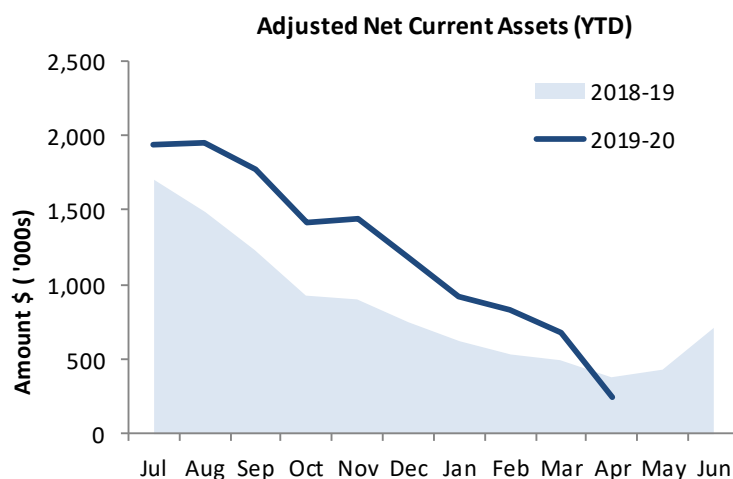
	Re Note	Last Years Closing 30 June 2019	This Time Last Year 30 Apr 2019	Year to Date Actual 30 Apr 2020
<b>Adjusted Net Current Assets</b>		\$	\$	\$
<b>Current Assets</b>				
Cash Unrestricted	3	669,181	360,382	169,349
Cash Restricted	3	1,609,762	1,559,802	1,591,273
Receivables - Rates	4	63,701	68,206	120,919
Receivables - Other	4	32,263	85,269	10,468
Loans receivable		0	0	0
ATO Receivable		0	0	42,022
Inventories		8,986	8,391	8,986
Land held for resale - current		0	0	0
		2,383,893	2,082,049	1,943,018
<b>Less: Current Liabilities</b>				
Payables		(130,316)	(142,045)	(37,261)
ATO Payables		0	1,091	(74,385)
Provisions - employee		(209,084)	(246,020)	(209,084)
Long term borrowings		(54,937)	(6,570)	(14,150)
		(394,337)	(393,544)	(334,880)
<b>Unadjusted Net Current Assets</b>		<b>1,989,556</b>	<b>1,688,505</b>	<b>1,608,137</b>
<b>Adjustments and exclusions permitted by FM Reg 32</b>				
Less: Cash reserves	3	(1,609,762)	(1,559,802)	(1,591,273)
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	6,570	14,150
<b>Adjusted Net Current Assets</b>		<b>643,815</b>	<b>381,293</b>	<b>240,099</b>

**SIGNIFICANT ACCOUNTING POLICIES**

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

**KEY INFORMATION**

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

**This Year YTD****Surplus(Deficit)****\$.24 M****Last Year YTD****Surplus(Deficit)****\$.38 M**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020**

**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/ Permanent	Explanation of Variance
	\$	%			
<b>Revenue from operating activities</b>					
Governance	62,282	5,876%	▲	Permanent	LSL Reimbursement Narrogin Shire & Traineeship grant funding, LGIS Surplus rebate
General Purpose Funding	(10,468)	(1%)		Permanent	Grants Commission Funding
Law, Order and Public Safety	11,973	56%	▲	Timing	ESL Funding
Health	756	115%		Timing	Septic Tank Applications
Education and Welfare	(1,000)	(100%)		Permanent	Grant Funding Not Received
Housing	60	2%		Timing	Not Material
Community Amenities	11,371	15%	▲	Timing	Protection of Environment Grant (not budgeted) & Cemetery fees
Recreation and Culture	6,328	8%		Permanent	Yornaning Dam Grant
Transport	(12,814)	(5%)		Permanent	Local Roads Grant
Economic Services	25,479	80%	▲	Timing	Standpipe charges
Other Property and Services	(53,932)	(23%)	▼	Timing	Private Works & Building Surveyor Income down
<b>Expenditure from operating activities</b>					
Governance	16,777	12%	▲	Timing	Administration Training & printing costs underbudget
General Purpose Funding	5,795	9%		Timing	Under Budget - Legal fees & valuation expenses
Law, Order and Public Safety	430	0%		Timing	Maintenance on Fire Vehicles
Health	(3,726)	(11%)		Timing	Pandemic Expenses
Education and Welfare	1,608	12%		Timing	Under budget in general administration
Housing	10,491	29%	▲	Timing	Maintenance underbudget
Community Amenities	(6,462)	(2%)		Timing	Refuse site expenses & cemetery costs
Recreation and Culture	3,140	1%		Timing	Depreciation
Transport	(254,468)	(14%)	▼	Timing	Depreciation on road plant & bridges
Economic Services	(11,897)	(8%)		Timing	Expenditure - Standpipe costs up - Community events costs down
Other Property and Services	(12,704)	(6%)		Timing	Private work expenditure & Building Surveyor expenditure (under budget)
<b>Investing Activities</b>					
Non-operating Grants, Subsidies and Contributions	(113,549)	(15%)	▼	Timing	Timing - Road funding, not able to claim as works not completed. .
Proceeds from Disposal of Assets	(211)	(0%)		Timing	Not Material
Land Held for Resale	0				Not Applicable
Capital Acquisitions	387,143	21%	▲	Timing	Budget Profiling - Capital Works Program
<b>Financing Activities</b>					
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 APRIL 2020

OPERATING ACTIVITIES  
NOTE 3  
CASH AND INVESTMENTS

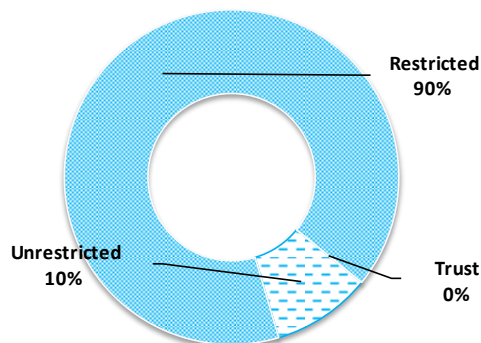
Cash and Investments	Unrestricted	Restricted	Trust	Total	Institution	Interest Rate	Maturity Date
				YTD Actual			
	\$	\$	\$	\$			
<b>Cash on Hand</b>							
Petty Cash and Floats	700			700	CBA	1.50%	At Call
<b>At Call Deposits</b>							
Municipal Fund	168,649			168,649	CBA	1.90%	At Call
Trust Fund			0		CBA	0.00%	At Call
<b>Term Deposits</b>							
Reserve Funds		1,591,273		1,591,273	CBA	2.39%	24-Oct-19
<b>Total</b>	<b>169,349</b>	<b>1,591,273</b>	<b>0</b>	<b>1,760,622</b>			

**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
<b>\$1.76 M</b>	<b>\$.17 M</b>



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020

OPERATING ACTIVITIES  
NOTE 4  
RECEIVABLES

Rates Receivable	30 June 2019	30 Apr 20
	\$	\$
Opening Arrears Previous Year	51,735	63,701
Levied this year	1,199,303	1,258,745
Less Collections to date	(1,187,337)	1,201,527
Equals Current Outstanding	<b>63,701</b>	<b>120,919</b>
<b>Net Rates Collectable</b>	<b>63,701</b>	<b>120,919</b>
% Collected	94.69%	90.39%
	(0)	

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	6,709	2,180	0	1,580	10,468
Percentage	64%	21%	0%	15%	
<b>Balance per Trial Balance</b>					
Sundry debtors					10,468
GST receivable					42,022
<b>Total Receivables General Outstanding</b>					<b>52,491</b>

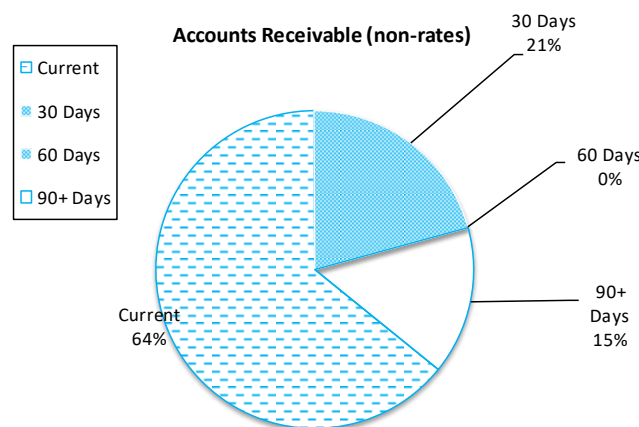
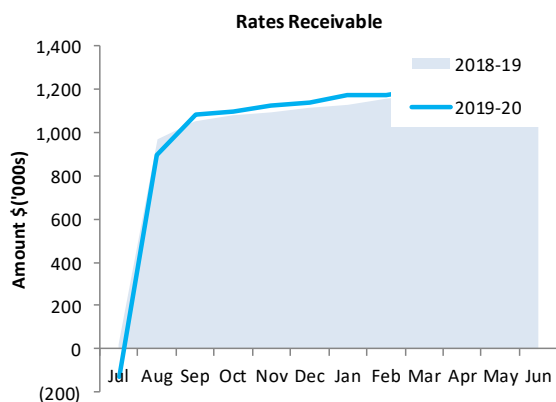
Amounts shown above include GST (where applicable)

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.



<b>Debtors Due</b>
<b>\$52,491</b>
<b>Over 30 Days</b>
<b>36%</b>
<b>Over 90 Days</b>
<b>15%</b>

Collected	Rates Due
<b>90%</b>	<b>\$120,919</b>

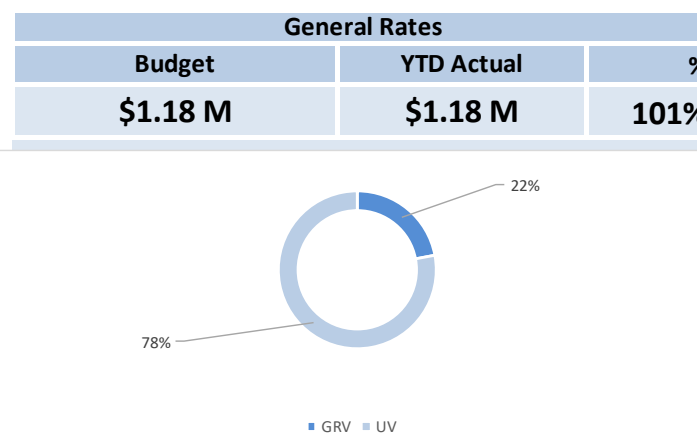
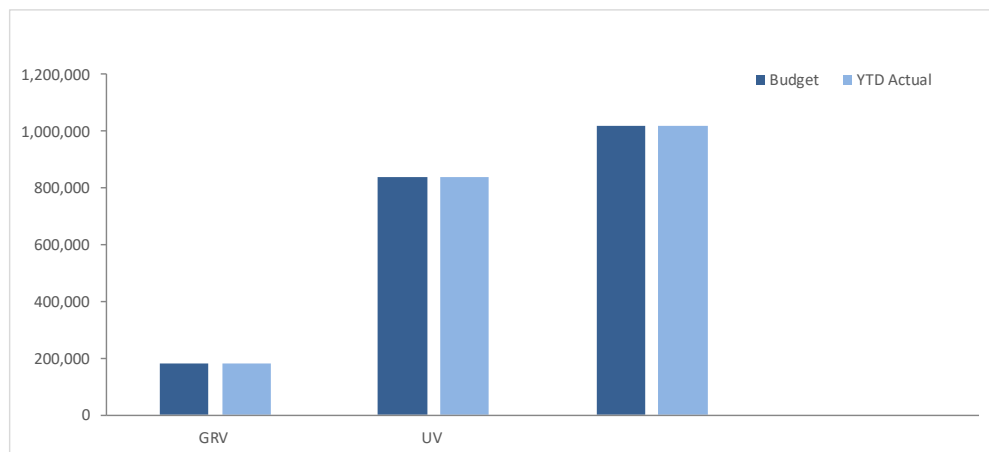
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020

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
<b>RATE TYPE</b>	\$			\$	\$	\$	\$	\$	\$	\$	\$
<b>Differential General Rate</b>											
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
<b>Sub-total</b>		<b>375</b>	<b>117,579,114</b>	<b>1,020,785</b>	<b>0</b>	<b>0</b>	<b>1,020,785</b>	<b>1,020,785</b>	<b>0</b>	<b>0</b>	<b>1,020,785</b>
<b>Minimum</b>	\$										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
<b>Sub-Totals</b>		<b>667</b>	<b>131,510,292</b>	<b>1,258,745</b>	<b>0</b>	<b>0</b>	<b>1,258,745</b>	<b>1,258,745</b>	<b>0</b>	<b>0</b>	<b>1,258,745</b>
Discount							(76,775)				(75,410)
Concession / Write Offs							(6,700)				(69)
<b>Amount from General Rates</b>							<b>1,175,270</b>				<b>1,183,266</b>
Ex-Gratia Rates							0				0
<b>Total General Rates</b>							<b>1,175,270</b>				<b>1,183,266</b>

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.

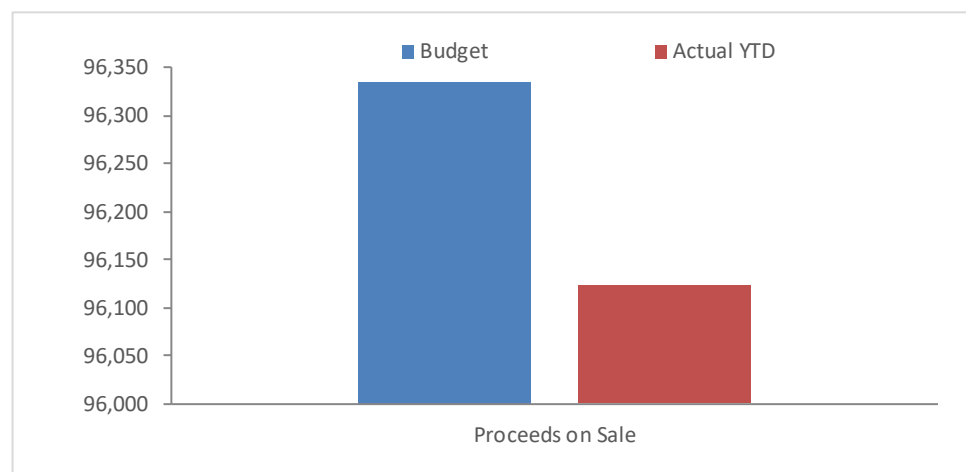


NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020

OPERATING ACTIVITIES  
NOTE 6  
DISPOSAL OF ASSETS

Asset Ref.	Asset Description	Amended Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
10074	CN047 UD Nissan GW 400	77,905	50,000		(27,905)	74,674	57,273		(17,401)
10096	CN027 Holden Colorado Crew Cab 2016	16,587	19,227		2,640	15,958	13,988		(1,970)
10101	CN0 Holden Colorado Ute 4X4	26,279	27,107		828	34,000	24,862		(9,138)
13066	Fuji Xerox Copier	0	0		0	2,200	0		(2,200)
16036	Yornaning Dam Old Playgournd	0	0		0	7,653	0		(7,653)
		<b>120,771</b>	<b>96,334</b>	<b>0</b>	<b>(24,437)</b>	<b>134,485</b>	<b>96,123</b>	<b>0</b>	<b>(38,362)</b>

## KEY INFORMATION



Proceeds on Sale		
Budget	YTD Actual	%
<b>\$96,334</b>	<b>\$96,123</b>	<b>100%</b>

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020

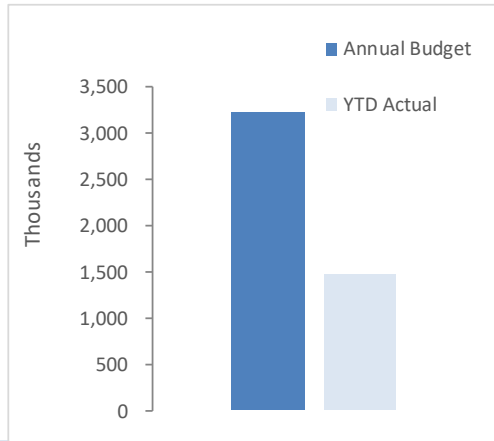
INVESTING ACTIVITIES  
NOTE 7  
CAPITAL ACQUISITIONS

Capital Acquisitions	Amended		YTD Actual Total	YTD Budget Variance
	Annual Budget	YTD Budget		
	\$	\$	\$	\$
Land & Buildings	1,618,460	307,440	204,529	102,911
Plant & Equipment	544,000	544,000	470,749	73,251
Furniture & Equipment	11,825	0	11,217	(11,217)
Roads	1,007,381	1,000,535	747,716	252,818
Recreation	0	0	0	0
Parks, Gardens, Recreation Facilities	0	0	0	0
Other Infrastructure	45,000	0	30,620	(30,620)
<b>Capital Expenditure Totals</b>	<b>3,226,666</b>	<b>1,851,975</b>	<b>1,464,832</b>	<b>387,143</b>
<b>Capital Acquisitions Funded By:</b>				
	\$	\$	\$	\$
Capital grants and contributions	1,650,739	778,739	665,190	(113,549)
Borrowings	310,000	310,000	0	(310,000)
Other (Disposals & C/Fwd)	96,334	96,334	96,123	(211)
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	605,767	666,902	703,519	36,617
<b>Capital Funding Total</b>	<b>3,226,666</b>	<b>1,851,975</b>	<b>1,464,832</b>	<b>(387,143)</b>

**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**



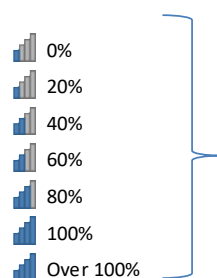
Acquisitions	Annual Budget	YTD Actual	% Spent
	<b>\$3.23 M</b>	<b>\$1.46 M</b>	<b>45%</b>
Capital Grant	Annual Budget	YTD Actual	% Received
	<b>\$1.65 M</b>	<b>\$.67 M</b>	<b>40%</b>

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020

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.

% of

Completion Level of completion indicator

		Acc / Job	Annual Budget	YTD Budget	YTD Actual	Variance
<b>Capital Expenditure</b>						
<b>Land</b>						
0.67	Lot 74 Austral Street	12126	10,500	10,500	7,080	3,420
0.39	Cuballing Railway Reserve Design	C176A	20,000	16,660	7,757	8,903
<b>Buildings</b>						
0.16	Popanyinning Hall Front Entrance	J163A	26,046	21,700	4,108	17,592
0.05	Building Renewal - Cuballing Memorial Park	C176	153,209	127,670	7,588	120,082
0.49	Building Renewal - Yornaning Dam	C188	140,323	116,910	69,034	47,876
0.97	Administration Building - Solar Panels	J4114B	14,000	14,000	13,636	364
1.00	Cuballing Transfer Station Surface Water Treatment	C159	0	0	39,860	(39,860)
0.73	Cuballing Cemetery Upgrade 2019/20	C161	12,382	10,316	9,027	1,289
1.17	Cuballing Town Hall - Septics Upgrade	C162	20,000	0	23,430	(23,430)
0.01	Aged Persons Accommodation	C084	1,222,000	122,000	13,617	108,383
1.00	Cuballing Fire Shed Extension	05140	0	0	9,392	0
<b>Total Land &amp; Buildings</b>			<b>1,618,460</b>	<b>307,440</b>	<b>204,529</b>	<b>194,816</b>

<b>Plant &amp; Equipment</b>							
1.97		Dual Cab Utility with Canopy (Building)	12405	20,000	20,000	39,433	(19,433)
1.78		Dual Cab Utility (MWS)	12406	24,000	24,000	42,681	(18,681)
0.55		Prime Mover	12407	300,000	300,000	166,190	133,810
1.12		Side Tipper - Tri Axle Trailer	12408	100,000	100,000	111,945	(11,945)
1.11		Water Tanker - Tri Axle Trailer	12409	100,000	100,000	110,500	(10,500)
<b>Total Plant &amp; Equipment</b>				<b>544,000</b>	<b>544,000</b>	<b>470,749</b>	<b>73,251</b>
<b>Furniture &amp; Equipment</b>							
0.96		Photocopier	4247	9,075	0	8,720	(8,720)
0.91		Shredder	4160	2,750	2,750	2,497	253
<b>Total Furniture &amp; Equipment</b>				<b>11,825</b>	<b>0</b>	<b>11,217</b>	<b>(8,720)</b>
<b>Infrastructure - Roads</b>							
0.52		RRG_ Narrogin Wandering Road	R129B	350,729	347,994	181,175	166,819
0.63		RRG - Stratherne Road 19/20	R001B	150,942	149,931	94,694	55,237
0.88		RTR - Wandering Narrogin Road	R129C	81,045	80,284	71,696	8,588
1.12		RTR - Popanyinning West Reseal	R004E	14,000	11,660	15,646	(3,986)
0.94		BS - Narrogin Wandering Road Black Spot	BS129	410,666	410,666	384,505	26,161
<b>Total Road Infrastructure</b>				<b>1,007,381</b>	<b>1,000,535</b>	<b>747,716</b>	<b>252,818</b>
<b>Recreation</b>							
1.00		Nil					
<b>Total Recreation</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Parks, Ovals &amp; Playgrounds</b>							
1.00		Nil					
<b>Total Parks, Ovals &amp; Playgrounds</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Other Infrastructure</b>							
1.02		Bridge Improvements - Capital Upgrades	11214	30,000	0	30,620	(30,620)
0.00		Depot Fencing & Gates - Capital Upgrades	J168A	15,000	0	0	0
<b>Total Other Infrastructure</b>				<b>45,000</b>	<b>0</b>	<b>30,620</b>	<b>(30,620)</b>
0.45		<b>TOTAL CAPITAL EXPENDITURE</b>		<b>3,226,666</b>	<b>1,851,975</b>	<b>1,464,832</b>	<b>481,545</b>

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020

## 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
<b>Transport</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$
Loan 63 - Graders	111,951	0	0	33,581	40,446	78,370	71,505 0	4,151	4,126
<b>Economic Services</b>									
Loan 64 - Lot 74 Austral St	160,000			7,206	14,491	152,794	138,145	1,736	3,394
<b>Education and Welfare</b>									
Loan 65 - Aged Persons Housing			310,000		14,223		295,777		2,775
<b>Total</b>	271,951	0	310,000	40,787	69,160	231,164	505,427	5,887	10,295

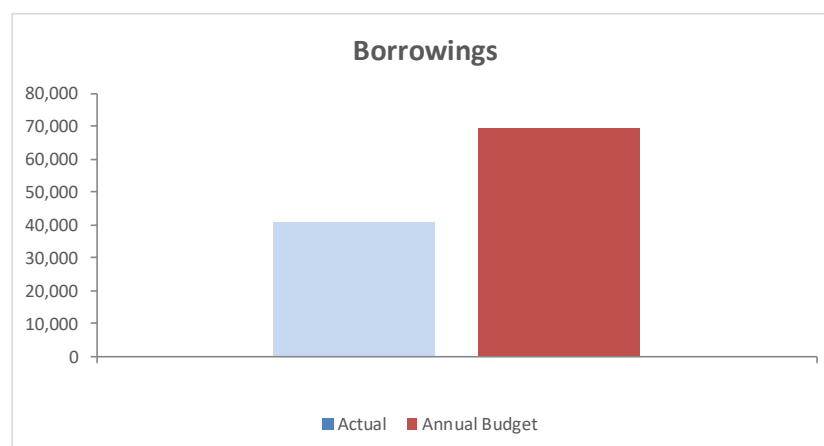
All debenture repayments were financed by general purpose revenue.

**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.



<b>Principal Repayments</b>	<b>\$40,787</b>
<b>Interest Earned</b>	<b>\$28,225</b>
<b>Interest Expense</b>	<b>\$5,887</b>
<b>Reserves Bal</b>	<b>Loans Due</b>
<b>\$1.59 M</b>	<b>\$0.23 M</b>

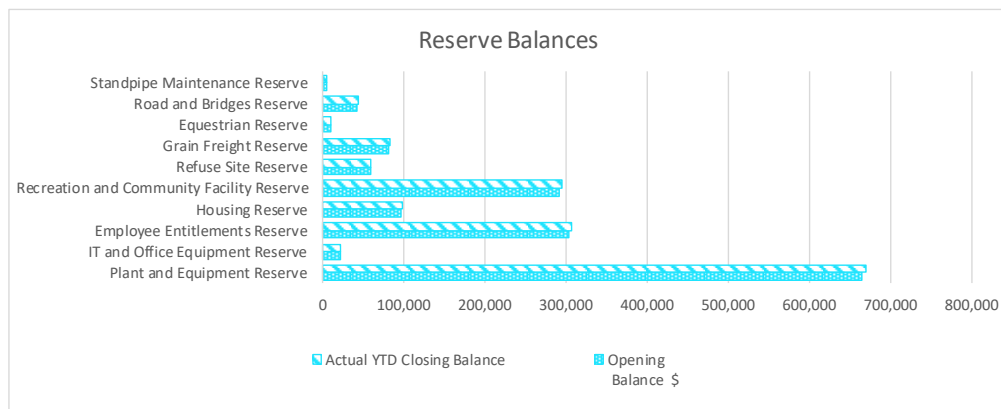
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020

OPERATING ACTIVITIES  
NOTE 9  
CASH AND INVESTMENTS

Cash Backed Reserve

Reserve Name	Opening	Budget Interest	Actual Interest	Budget Transfers	Actual Transfers	Budget Transfers	Actual Transfers	Budget Closing	Actual YTD
	Balance	Earned	Earned	In (+)	In (+)	Out (-)	Out (-)	Balance	Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant and Equipment Reserve	664,195	5,456	6,228		6,228	(244,000)		425,651	670,423
IT and Office Equipment Reserve	21,068	169	193		193	(15,675)		5,562	21,261
Employee Entitlements Reserve	303,437	2,998	3,422		3,422	0		306,435	306,859
Housing Reserve	96,817	870	993		993	(43,000)		54,687	97,810
Recreation and Community Facility Reserve	291,199	2,996	3,420		3,420	(261,151)		33,044	294,619
Refuse Site Reserve	58,763	971	1,108		1,108	0		59,734	59,871
Grain Freight Reserve	81,912	776	886		886	0		82,688	82,798
Equestrian Reserve	10,166	49	56	4,545	56			14,760	10,222
Road and Bridges Reserve	42,542	696	794		794	0		43,238	43,336
Standpipe Maintenance Reserve	4,052	19	22		22	0		4,071	4,074
	<b>1,574,151</b>	<b>15,000</b>	<b>17,121</b>	<b>4,545</b>	<b>17,121</b>	<b>(563,826)</b>	<b>0</b>	<b>1,029,870</b>	<b>1,591,272</b>

KEY INFORMATION





NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020

NOTE 10  
GRANTS AND CONTRIBUTIONS

## Grants and Contributions

Description	Annual Budget	YTD Budget	YTD Actual	Variance
<b>Operating grants, subsidies and contributions</b>				
<b>General Purpose Funding</b>				
Grants Commission - General Purpose	285,073	213,804	191,641	(22,163)
<b>Governance</b>				
Great Southern Business Development Group	0	0	0	0
Insurance & Other Reimbursements	595	490	30,010	29,520
Department Primary Industries & Regional Development	0	0	30,000	30,000
<b>Law, Order &amp; Public Safety</b>				
DFES - Bush Fire Brigades	24,769	18,576	28,736	10,160
<b>Education &amp; Welfare</b>				
Good Things Foundation	2,500	1,000	0	(1,000)
<b>Housing</b>				
Rental Income	4,680	3,900	3,960	60
<b>Community Amenities</b>				
Cemetery	6,362	5,298	7,917	2,619
Protection of the Environment	0	0	7,366	7,366
<b>Recreation &amp; Culture</b>				
Yornaning Dam Stage 2	73,832	73,832	80,924	7,092
Sport & Recreation	3,500	2,910	0	(2,910)
<b>Transport</b>				
Main Roads - RRG	0	0	0	0
Main Roads - Direct Grant	115,490	115,490	115,490	0
Grants Commission - Roads Component	185,141	138,855	124,461	(14,394)
<b>Economic Services</b>				
Youth Day	4,000	3,328	1,000	(2,328)
Volunteers Day	1,000	833	0	(833)
Digital Literacy Workshops	1,500	1,250	0	(1,250)
<b>Other Property &amp; Services</b>				
Workers Compensation	25,000	20,830	16,091	(4,739)
<b>Operating grants, subsidies and contributions Total</b>	<b>733,442</b>	<b>600,397</b>	<b>637,596</b>	<b>37,199</b>
<b>Non-operating grants, subsidies and contributions</b>				
<b>Education &amp; Welfare</b>				
Aged Person Accommodation Funding	872,000	0	0	0
<b>Recreation &amp; Culture</b>				
Wardering Road Bridge Widening	0	0	0	0
<b>Transport</b>				
Main Roads - RRG	334,630	334,630	267,702	(66,928)
Roads to Recovery (RTR)	211,000	211,000	211,000	0
Black Spot (BS)	233,109	233,109	186,488	(46,621)
<b>Law, Order &amp; Public Safety</b>				
DFES - Bush Fire Brigades	0	0	0	0
<b>Non-operating grants, subsidies and contributions Total</b>	<b>1,650,739</b>	<b>778,739</b>	<b>665,190</b>	<b>(113,549)</b>
<b>Grand Total</b>	<b>2,384,181</b>	<b>1,379,136</b>	<b>1,302,786</b>	<b>(76,350)</b>

## KEY INFORMATION

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

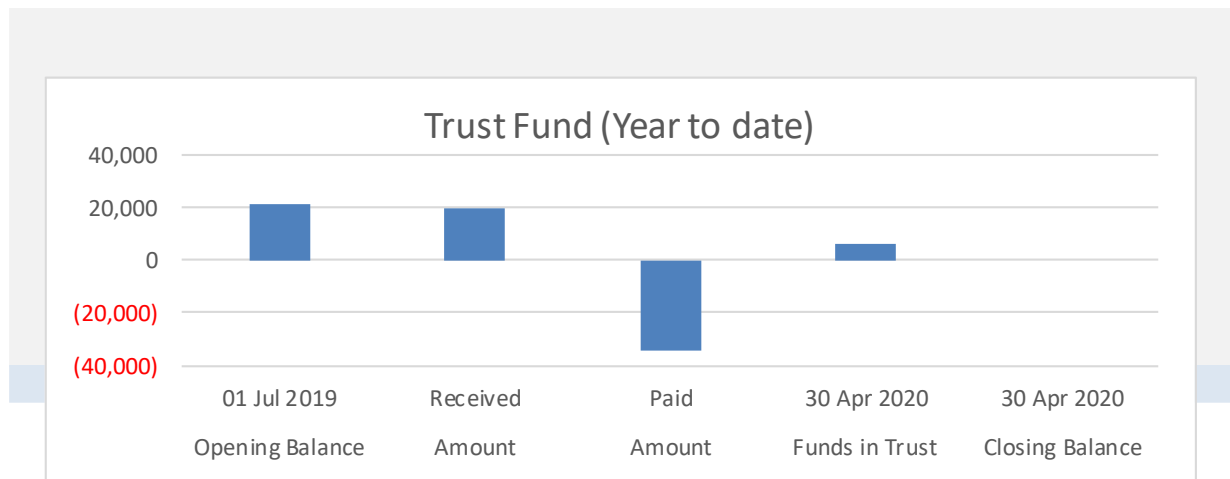
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020**

**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 Apr 2020	30 Apr 2020
	\$	\$	\$	\$	\$
Bonds - Building	6,889	0	(6,799)	90	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	(6,612)	0	0
Police Licensing	355	18,701	(19,056)	0	0
Swipe Cards	1,550	0	0	1,550	0
Reimbursements	0	560	(560)	0	0
	<b>21,056</b>	<b>20,011</b>	<b>(34,677)</b>	<b>6,390</b>	<b>0</b>

**KEY INFORMATION**



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2020**

**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
				\$	\$	\$	\$
	<b>Budget Adoption</b>		Opening Surplus				0
	<b>Permanent Changes</b>						
	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 Councillor Attendance Fees, Allowances and Expenses for 2020/21

Applicant: N/A  
File Ref. No: ADM250  
Disclosure of Interest: Nil  
Date: 21<sup>st</sup> April 2020  
Author: Bronwyn Dew, Deputy CEO  
Attachments: Nil

#### **Summary**

**Council is to consider Councillor Fees, Allowances and Expenses to be paid in the 2020/21 Financial Year.**

#### **Background**

The Local Government Act 1995 section 5.98 (the Act) and Local Government (Administration) Regulations 1996 provide for Councillors to receive certain payments, and sets minimum and maximum amounts which can be paid.

Fees, Allowances and Expenses available include:

- Meeting attendance Fees (or alternatively annual attendance Fees);
- Local Government allowance for the President and Deputy President;
- Information Technology and Communication allowance;
- Travel and Accommodation expense allowance;
- Travel reimbursement;
- Telecommunications reimbursement;
- Child Care reimbursement; and
- Other prescribed reimbursements approved by Council.

The Salary and Allowances Tribunal has recently undertaken the annual review of Fees, Allowances and Expenses for Councillors with the determination made on 8<sup>th</sup> April 2020 effective from 1 July 2020. The tribunal has determined there will be no increase in remuneration, fees, expenses and allowance ranges provided to CEO's and Elected Members. A copy of the determination can be provided for interested Councillors.

#### **Comment**

Council may make any determination Councillor attendance fees, allowances and expenses for 2019/20 that is within the allocated range for a Band 4 Local Government. There is no compulsion for Council to make any increase from year to year as long as the decision is within the allotted Band range.

The details of the meeting attendance fees and allowances are included below:

	Actual 2019/20 \$	SAT Band 4 Range \$
Council Meeting Attendance Fee (Councillors)	155	91 – 238
Council Meeting Attendance Fee (President)	210	91 – 490
Local Government Allowance (President)	8,000	513 – 20,063
Local Government Allowance (Deputy President)	2,000	128 – 5,016
Committee Meeting Fees	50	46 – 119
Travel, Communication & Childcare Expenses	At cost	At cost

It is open for Council to move to receive an annual attendance fee in lieu of meeting fees for Council, committee and other prescribed meeting attendance fees. The prescribed range is between \$3,589 and \$9,504 for Councillors and between \$3,589 and \$19,534 for the Shire President.

Irrespective of the recent review it is open to Council to make any determination within the allocated range for a Band 4 Local Government. It also needs to be clearly identified that both Councillor Fees and Allowances, and the Chief Executive Officer's Total Reward Package are determined within the Band range provided by the Salaries and Allowances Determination each year however there is no compulsion for Council to make any increase from year to year as long as the decision is within the allotted Band range.

### Strategic Implications

The setting of Councillor Fees and Allowances is a sensitive matter for the Council to consider however it is important that Councillors receive reasonable remuneration in order to attract and retain suitable candidates. It is up to Council to make their own decision as to where they should sit within the prescribed Bands

### Statutory Environment

#### Local Government Act 1995

#### 5.63. Some interests need not be disclosed

- (1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter —
  - (c) an interest relating to-
    - (i) a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers; or

#### 5.98. Fees etc. for council members

- (1A) In this section —  
*determined* means determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B.
- (1) A council member who attends a council or committee meeting is entitled to be paid —
  - (a) the prescribed minimum fee for attending a council or committee meeting; or
  - (b) where the local government has set a fee within the prescribed range for council or committee meeting attendance fees, that fee.
- (2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —
  - (a) the prescribed minimum fee for attending a meeting of that type; or
  - (b) where the local government has set a fee within the prescribed range for meetings of that type, that fee.
- (2) A council member who incurs an expense of a kind prescribed as being an expense —
  - (a) to be reimbursed by all local governments; or
  - (b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement,is entitled to be reimbursed for the expense in accordance with subsection (3).
- (3) A council member to whom subsection (2) applies is to be reimbursed for the expense —
  - (a) where the minimum extent of reimbursement for the expense has been prescribed, to that extent; or

- (b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the prescribed range (if any) of reimbursement, to that extent.
- (4) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.
- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
  - (a) the prescribed minimum annual local government allowance for mayors or presidents; or
  - (b) where the local government has set an annual local government allowance within the prescribed range for annual local government allowances for mayors or presidents, that allowance.
- (6) A local government cannot —
  - (a) make any payment to; or
  - (b) reimburse an expense of,
    - a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with this Division.
- (7) A reference in this section to a committee meeting is a reference to a meeting of a committee comprising —
  - (a) council members only; or
  - (b) council members and employees.

#### 5.98A. Allowance for deputy mayor or deputy president

- (1) A local government may decide\* to pay the deputy mayor or deputy president of the local government an allowance of up to the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).

\* Absolute majority required.

- (2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

#### 5.99. Annual fee for council members in lieu of fees for attending meetings.

A local government may decide\* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

- (a) the prescribed minimum annual fee; or
- (b) where the local government has set a fee within the prescribed range for annual fees, that fee.

\* Absolute majority required.

#### 5.99A. Allowances for council members in lieu of reimbursement of expenses

A local government may decide\* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all council members —

- (a) the prescribed minimum annual allowance for that type of expense; or
- (b) where the local government has set an allowance within the prescribed range for annual allowances for that type of expense, an allowance of that amount,

and only reimburse the member for expenses of that type in excess of the amount of the allowance.

\* Absolute majority required.

Local Government (Administration) Regulations 1996

30. Meeting attendance fees (Act s. 5.98(1) and (2A))
- (3A) Each of the following meetings is a meeting of a prescribed type for the purposes of section 5.98(2A) —
- (a) meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;
  - (b) meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government;
  - (c) council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;
  - (d) meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;
  - (e) meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.
- (3C) A council member is not entitled to be paid a fee for attending a meeting of a type referred to in subregulation (3A) if —
- (a) the person who organises the meeting pays the council member a fee for attending the meeting; or
  - (b) the council member is paid an annual fee in accordance with section 5.99; or
  - (c) if the meeting is a meeting referred to in subregulation (3A)(c), the member of the regional local government is paid an annual fee in accordance with section 5.99.
31. Expenses to be reimbursed (Act s. 5.98(2)(a) and (3))
- (1) For the purposes of section 5.98(2)(a), the kinds of expenses that are to be reimbursed by all local governments are —
- (a) rental charges incurred by a council member in relation to one telephone and one facsimile machine; and
  - (b) child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.
32. Expenses that may be approved for reimbursement (Act s. 5.98(2)(b) and (3))
- (1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —
- (a) an expense incurred by a council member in performing a function under the express authority of the local government; and
  - (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
  - (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

#### Salaries and Allowances Act 1975

1. Section 7A of the Salaries and Allowances Act 1975 ('the SA Act') requires the Salaries and Allowances Tribunal ('the Tribunal') to "inquire into and determine, the amount of remuneration, or the minimum and maximum amounts of remuneration, to be paid or provided to chief executive officers of local governments".
2. Section 7B(2) of the SA Act requires the Tribunal to inquire into and determine the amount of:

- Fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 ('the LG Act') to elected council members for attendance at meetings;
- expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the LG Act to elected council members; and
- allowances, or the minimum and maximum amounts of allowances, to be paid under the LG Act to elected council members.

Policy Implications – Nil

Financial Implications

	<b>Predicted Actual 2019/20 \$</b>	<b>Proposed 2020/21 \$</b>	<b>Increase (decrease) \$</b>
Council Meeting Attendance Fee (Councillors)	9,300	9,300	0
Council Meeting Attendance Fee (President)	2,520	2,520	0
Local Government Allowance (President)	8,000	8,000	0
Local Government Allowance (Deputy President)	2,000	2,000	0
Committee Meeting Fees	0	600	600
<b>Total</b>	<b>21,820</b>	<b>22,420</b>	

Economic Implication – Nil

Environmental Considerations – Nil

Consultation

Salaries and Allowances Tribunal 2020 Elected Member Renumeration

Options

Council may resolve:

1. the Officer's Recommendation;
2. not resolve the Officer's Recommendation and review Councillor Fees, Allowances and Expenses as part of Budget deliberations.

Voting Requirements – Absolute Majority

**OFFICER'S RECOMMENDATION:**

**That Council, in respect of the 2020/21 financial year, pay:**

1. a Shire President Meeting Fee of \$210 per Council Meeting;
2. a Councillor Meeting Fee of \$155 per Council Meeting;
3. a Shire President's Allowance of \$8,000;
4. a Deputy Shire President's Allowance of \$2,000;
5. a Committee Meeting Fee of \$50 per Committee Meeting; and
6. Pay all travel costs, communication costs and childcare costs upon presentation of evidence of the actual costs.



## 9.1.4 2018/19 Audit – Response to Minister

Applicant:	N/A
File Ref. No:	ADM108
Disclosure of Interest:	Nil
Date:	23 <sup>rd</sup> April 2020
Author:	Gary Sherry
	9.1.4A 2018/19 Audit Report
Attachments:	9.1.4B Shire of Cuballing Financial Ratios
	9.1.4C 2018/19 Audit Action Plan

### **Summary**

**The Audit Committee is to consider a recommendation to Council to respond to the Minister of Local Government regarding adverse trends of Council's Asset Sustainability Ratio and Operating Surplus Ratio raised in the 2018/19 Audit Report.**

### **Background**

In November 2017 the proclamation of the Local Government Amendment (Auditing) Act 2017 introduced a number of reforms to local government auditing.

Legislation also now requires local governments to examine each Audit Report received and implement appropriate action in respect to the significant matters raised.

Local governments must prepare a report addressing any significant matters identified in the audit report. Any such report should be considered by the local government's audit committee before being adopted by council.

The report, following consideration by an Audit Committee and Council, is to then be provided to the Minister for Local Government within three months of Council receiving the Audit Report. The CEO must also publish a copy of the report on the local government's official website.

On finalisation of the Shire's 2018/19 final audit, the Auditors forwarded the Annual Financial Statements along with the Audit Report and the Management Letter. The Audit Committee is required to examine the reports of the auditor after receiving a report from the Chief Executive Officer ("CEO") on the matters reported and:

1. Determine if any matters raised require action to be taken by the local government; and
2. Ensure that appropriate action is taken in respect of those matters.

The Audit Committee is also required to review a report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and present the report to Council for adoption.

At pages 2 and 3 of Council's 2018/19 Audit Report, included at Attachment 8.1.1A, the Auditor advises in the following comments of the non-compliance of Council with the standards of ratios set by the Department of Local Government, Sport and Cultural Industries (DLGSC).

### ***Report on Other Legal and Regulatory Requirements***

*In accordance with the Local Government (Audit) Regulations 1996 I report that:*

- (i) *In my opinion, the following material matter indicates a significant adverse trend in the financial position of the Shire:*
  - *The Asset Sustainability Ratio and Operating Surplus Ratio as reported in Note 29 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for 2019 and the two preceding financial years.*

- (ii) *The following material matters indicating non-compliance with Part 6 of the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 or applicable financial controls of any other written law was identified during the course of our audit:*
- a. *The Shire has not reported the Asset Renewal Funding Ratio for 2019 and the two preceding financial years in the annual financial report as required by regulation 50(1)(c) of the Local Government (Financial Management) Regulations 1996, as the long-term financial plan was not updated.*
  - b. *A review of the appropriateness and effectiveness of the Shire's financial management systems and procedures was not completed by the CEO at least once every three financial years, as required by regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996.*
  - c. *Accounting journal entries were posted by one employee, with no evidence of review by a second employee. Accounting journals can represent significant adjustments to previously approved accounting transactions, and should therefore be independently reviewed and approved.*
  - d. *The municipal account bank reconciliations for September 2018 to December 2018 were not independently reviewed.*
- (iii) *All required information and explanations were obtained by me.*
- (iv) *All audit procedures were satisfactorily completed.*
- (v) *In my opinion, the Asset Consumption Ratio included in the annual financial report was supported by verifiable information and reasonable assumptions.*

### Comment

The DLGSC advise that Financial ratios are designed to provide users of annual financial reports with a clearer interpretation of the performance and financial results of a local government and a comparison of trends over a number of years.

These indicators provide a short term measure of the financial sustainability of local governments and complement the national criteria endorsed by the Local Government and Planning Ministers' Council. They provide for a comprehensive tool for monitoring the financial sustainability of local governments.

The Shire of Cuballing's performance in relation to the DLGSC's financial ratios for the past seven years is included at Attachment 8.1.1B. The Shire of Cuballing has only met compliance with the Operating Surplus Ratio once in this seven year period. The Shire of Cuballing has not met compliance with the Asset Sustainability Ratio for the last three years.

An explanation of the Asset Sustainability and Operating Surplus Ratios are:

#### **Asset Sustainability Ratio**

This ratio is an approximation of the extent to which assets managed by a local government are being replaced as these reach the end of their useful lives. It is calculated by measuring capital expenditure on renewal or replacement of assets, relative to depreciation expense. Expenditure on new or additional assets is excluded.

Depreciation expense represents an estimate of the extent to which the assets have been consumed during that period. Measuring assets at fair value is critical to the calculation of a valid depreciation expense value.

Purpose

This ratio indicates whether a local government is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out.

#### Standards

Standard is met if the ratio can be measured and is 90% (or 0.90). Standard is improving if this ratio is between 90% and 110% (or 0.90 and 1.10).

### **Operating Surplus Ratio**

#### Calculation

(Operating Revenue MINUS Operating Expense) divided by Own Source Operating Revenue

#### Purpose

This ratio is a measure of a local government's ability to cover its operational costs and have revenues available for capital funding or other purposes.

#### Standards

Basic Standard between 1% and 15% (0.01 and 0.15) Advanced Standard > 15% (>0.15).

The Shire of Cuballing's ratios for the previous three years were

Ratio	2019	2018	2017
Asset sustainability	0.62	0.48	0.66
Operating surplus	(0.62)	(0.79)	(0.12)

The Shire's Operating Surplus Ratio has improved in the current year from (0.79) to (0.62) but has been negative for the last three years.

The Shire's Asset Sustainability Ratio has improved in the current year from 0.48 to 0.62, but has been below the DLGSC's target level of 0.90 for the past 4 years.

The Audit Committee's Recommendation is for Council to formally consider Council's 2018/19 Audit Action Plan, included at Attachment 8.1.1C that:

1. with regard to improving the Asset Sustainability Ratio, Council should be continually reviewing infrastructure fair values, depreciation rates and the Shire's commitment to capital renewal programs. With continual improvement, Council should be aiming to ultimately achieve the recommended target level of between 0.90 – 1.10
2. with regard to improving the Operating Surplus Ratio Council should be identifying opportunities to increase revenue and reduce expenditure at sustainable levels. With continual improvement and Council should be aiming to ultimately achieve the recommended target level of 0.00 - 0.15.

#### Strategic Implications

Shire of Cuballing Strategic Community Plan 2017

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

- Building the organisation and managing its structure, finances and assets in a sustainable manner.

	Strategy	Outcome
4.5	Be innovative in the management of Shire operations, services, staff and resources to create a resilient and financially stable Shire.	A Shire that is progressive, sustainable, resilient and adaptive to changes.

## Statutory Environment

### Local Government Act 1995

#### 7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
  - (a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and
  - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government must —
  - (aa) examine an audit report received by the local government; and
  - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and
  - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government must —
  - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
  - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.
- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

### Local Government (Audit) Regulations 1996

#### 10. Report by auditor

- (1) An auditor's report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.
- (2) The report is to give the auditor's opinion on —
  - (a) the financial position of the local government; and
  - (b) the results of the operations of the local government.
- (3) The report is to include —
  - (a) any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government; and
  - (b) any matters indicating non compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law; and
  - (c) details of whether information and explanations were obtained by the auditor; and
  - (d) a report on the conduct of the audit; and
  - (e) the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —
    - (i) the asset consumption ratio; and

- (ii) the asset renewal funding ratio.
- (4A) In subregulation (3)(e) —
- asset consumption ratio has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2);
  - asset renewal funding ratio has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2).
- (4) Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor's report.

Policy Implications – Nil

Financial Implications

There are no direct financial implications from this report.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation

Butler Settineri, Auditors

Options

Council may resolve:

1. the Officer's Recommendation; or
2. the Officer's Recommendation with minor amendments to the 2018/19 Audit Action Plan included at Attachment 8.1.1C.

Voting Requirements – Simple Majority

**AUDIT COMMITTEE RECOMMENDATION:**

**That Council:**

1. **endorse the actions included in the 2018/19 Audit Action Plan included at Attachment 9.1.4C;**
2. **in accordance with section 7.12A of the Local Government Act 1995 publish a copy of the 2018/19 Audit Action Plan on the Shire's website within 14 days of forwarding the report to the Minister, and**
3. **forward a copy of the 2018/19 Audit Action Plan to the Department of Local Government, Sport & Cultural Industries.**



## Auditor General

### INDEPENDENT AUDITOR'S REPORT

To the Councillors of the Shire of Cuballing

Report on the Audit of the Financial Report

#### **Opinion**

I have audited the annual financial report of the Shire of Cuballing which comprises the Statement of Financial Position as at 30 June 2019, the Statement of Comprehensive Income by Nature or Type, Statement of Comprehensive Income by Program, Statement of Changes in Equity, Statement of Cash Flows and Rate Setting Statement for the year then ended, and notes comprising a summary of significant accounting policies and other explanatory information, and the Statement by the Chief Executive Officer.

In my opinion the annual financial report of the Shire of Cuballing:

- (i) is based on proper accounts and records; and
- (ii) fairly represents, in all material respects, the results of the operations of the Shire for the year ended 30 June 2019 and its financial position at the end of that period in accordance with the *Local Government Act 1995* (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

#### **Basis for Opinion**

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. I am independent of the Shire in accordance with the *Auditor General Act 2006* and the relevant ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the annual financial report. I have also fulfilled my other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### **Emphasis of Matter – Basis of Accounting**

I draw attention to Note 1 to the annual financial report, which describes the basis of accounting. The annual financial report has been prepared for the purpose of fulfilling the Shire's annual financial reporting responsibilities under the Act. Regulation 16 of the Local Government (Financial Management) Regulations 1996 (Regulations), does not allow a local government to recognise some categories of land, including land under roads, as assets in the annual financial report. My opinion is not modified in respect of this matter.

#### **Responsibilities of the Chief Executive Officer and Council for the Financial Report**

The Chief Executive Officer (CEO) of the Shire is responsible for the preparation and fair presentation of the annual financial report in accordance with the requirements of the Act, the Regulations and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards. The CEO is also responsible for such internal control as the CEO determines is necessary to enable the preparation of the annual financial report that is free from material misstatement, whether due to fraud or error.

In preparing the annual financial report, the CEO is responsible for assessing the Shire's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the State government has made decisions affecting the continued existence of the Shire.

The Council is responsible for overseeing the Shire's financial reporting process.

***Auditor's Responsibility for the Audit of the Financial Report***

The objectives of my audit are to obtain reasonable assurance about whether the annual financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the annual financial report.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the annual financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Shire's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the CEO.
- Conclude on the appropriateness of the CEO's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Shire's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the annual financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report, as we cannot predict future events or conditions that may have an impact.
- Evaluate the overall presentation, structure and content of the annual financial report, including the disclosures, and whether the annual financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Council and the CEO regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

**Report on Other Legal and Regulatory Requirements**

In accordance with the Local Government (Audit) Regulations 1996 I report that:

- (i) In my opinion, the following material matter indicates a significant adverse trend in the financial position of the Shire:
  - a. The Asset Sustainability Ratio and Operating Surplus Ratio as reported in Note 29 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for 2019 and the two preceding financial years.
- (ii) The following material matters indicating non-compliance with Part 6 of the *Local Government Act 1995*, the Local Government (Financial Management) Regulations 1996 or applicable financial controls of any other written law was identified during the course of our audit:

- a. The Shire has not reported the Asset Renewal Funding Ratio for 2019 and the two preceding financial years in the annual financial report as required by regulation 50(1)(c) of the Local Government (Financial Management) Regulations 1996, as the long-term financial plan was not updated.
  - b. A review of the appropriateness and effectiveness of the Shire's financial management systems and procedures was not completed by the CEO at least once every three financial years, as required by regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996.
  - c. Accounting journal entries were posted by one employee, with no evidence of review by a second employee. Accounting journals can represent significant adjustments to previously approved accounting transactions, and should therefore be independently reviewed and approved.
  - d. The municipal account bank reconciliations for September 2018 to December 2018 were not independently reviewed.
- (iii) All required information and explanations were obtained by me.  
(iv) All audit procedures were satisfactorily completed.  
(v) In my opinion, the Asset Consumption Ratio included in the annual financial report was supported by verifiable information and reasonable assumptions.

**Other Matter**

The annual financial report of the Shire for the year ended 30 June 2018 was audited by another auditor who expressed an unmodified opinion on that annual financial report. The financial ratios for 2017 and 2018 in Note 29 of the audited annual financial report were included in the supplementary information and/or audited annual financial report for those years.

**Matters Relating to the Electronic Publication of the Audited Financial Report**

This auditor's report relates to the annual financial report of the Shire of Cuballing for the year ended 30 June 2019 included on the Shire's website. The Shire's management is responsible for the integrity of the Shire's website. This audit does not provide assurance on the integrity of the Shire's website. The auditor's report refers only to the annual financial report described above. It does not provide an opinion on any other information which may have been hyperlinked to/from this annual financial report. If users of the annual financial report are concerned with the inherent risks arising from publication on a website they are advised to refer to the hard copy of the annual audited financial report to confirm the information contained in this website version of the annual financial report.



DON CUNNINGHAME  
ASSISTANT AUDITOR GENERAL FINANCIAL AUDIT  
Delegate of the Auditor General for Western Australia  
Perth, Western Australia  
13 March 2020



Year		Current Ratio	Asset Consumption Ratio	Asset Renewal Ratio	Asset Sustainability Ratio	Debt Service Cover Ratio	Operating Surplus Ratio	Own Source Revenue Coverage Ratio
2012/2013	Cuballing	3.32	0.57	0.6	2.54	74.5	-0.36	0.44
	Standard	≥ 1.00	≥ 0.50	≥ 0.75	≥ 0.90	≥ 2.00	≥ 0.01	≥ 0.40
	Standards Met	Yes	Yes	No	Yes	Yes	No	Yes
2013/2014	Cuballing	4	0.7	2.64	1.24	-0.95	-0.8	0.45
	Standard	≥ 1.00	≥ 0.50	≥ 0.75	≥ 0.90	≥ 2.00	≥ 0.01	≥ 0.40
	Standards Met	Yes	Yes	Yes	Yes	No	No	Yes
2014/2015	Cuballing	8.26	0.94	4.09	1.37	11.63	0.09	0.48
	Standard	≥ 1.00	≥ 0.50	≥ 0.75	≥ 0.90	≥ 2.00	≥ 0.01	≥ 0.40
	Standards Met	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2015/2016	Cuballing	1.59	0.92	4.27	0.91	0.87	-0.95	0.43
	Standard	≥ 1.00	≥ 0.50	≥ 0.75	≥ 0.90	≥ 2.00	≥ 0.01	≥ 0.40
	Standards Met	Yes	Yes	Yes	Yes	No	No	Yes
2016/2017	Cuballing	8.76	0.94	4.34	0.77	15.68	-0.12	0.45
	Standard	≥ 1.00	≥ 0.50	≥ 0.75	≥ 0.90	≥ 2.00	≥ 0.01	≥ 0.40
	Standards Met	Yes	Yes	Yes	No	Yes	No	Yes
2017/2018	Cuballing	8.22	0.99	1	0.48	5.72	-0.79	0.4
	Standard	≥ 1.00	≥ 0.50	≥ 0.75	≥ 0.90	≥ 2.00	≥ 0.01	≥ 0.40
	Standards Met	Yes	Yes	Yes	No	Yes	No	Yes
2018/2019	Cuballing	3.59	0.97	N/A	0.62	15.70	-0.62	0.42
	Standard	≥ 1.00	≥ 0.50	≥ 0.75	≥ 0.90	≥ 2.00	≥ 0.01	≥ 0.40
	Standards Met	Yes	Yes	N/A	No	Yes	No	Yes

Current -

A measure of the ability of a local government to meet its short-term financial obligations with funds it can access quickly (also known as 'liquidity').

Asset Consumption -

A measure of the condition of a local government's physical assets, by comparing their age with their replacement cost. The ratio highlights the aged condition of a local government's stock of physical assets.

Asset Renewal -

A measure of a local government's ability to fund asset renewal and replacements in the future.

Asset Sustainability -

A measure of the extent to which assets managed by a local government are being replaced as they reach the end of their useful lives.

- Debt Service Cover - A measure of a local government's ability to repay its debt based on how much cash it can access compared to the total of its debt obligations.
- Operating Surplus - A measure of a local government's ability to cover its operational costs and have money left for capital projects and other purposes.
- Own Source Revenue Coverage - A measure of a local government's ability to cover its operating costs through revenue it generates itself.

Note: The Asset Renewal Funding Ratio was not disclosed in the financial report as the long term financial plan is not current for the relevant years

**Shire of Cuballing  
Audit Action Plan 2018/19**

Matter Raised	Area of Concern / Auditor Comment	Action Taken / Proposed Action	Measurement of Success
Asset Sustainability Ratio	The Asset Sustainability Ratio and Operating Surplus Ratio as reported in Note 29 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for 2019 and the two preceding financial years	Continual review of infrastructure fair values, depreciation rates and the Shire's commitment to capital renewal programs.	Continual improvement and ultimately trying to achieve the recommended target level of between 0.90 – 1.10
Operating Surplus Ratio	The Asset Sustainability Ratio and Operating Surplus Ratio as reported in Note 29 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for 2019 and the two preceding financial years	Identify opportunities to increase revenue and reduce expenditure at sustainable levels	Continual improvement and ultimately trying to achieve the recommended target level of 0.00 - 0.15
Asset Renewal Funding Ratio	The Council has not reported the Asset Renewal Funding Ratio for 2019 and the two preceding financial years in the annual financial report as required by regulation 50(1)(c) of the Local Government (Financial Management) Regulations 1996. This is because the long term financial plan has not been updated since 2013.	The Shire of Cuballing Long Term Financial Plan runs from 2012-2022.  Council has completed the appointment of a financial consultant to complete preparation of an updated Long Term Financial Plan by 30 June 2020.	A Long Term Financial Plan to be adopted by Council prior to 30 June 2020.
Financial Management Review	The <i>Local Government (Financial Management) Regulations 1996 paragraph 5(2)(c)</i> requires the CEO to undertake a review of the appropriateness and effectiveness of the financial management systems and procedures no less than every three financial years. The Shire has not complied with the regulation as the last Financial Management Review took place in March 2016.	Council completed a Financial Management Review in April 2016.  Council has appointed a consultant to prepare an independent Financial Management Review prior to 30 June 2020.	A Financial Management Review to be adopted by Council prior to 30 June 2020.

Matter Raised	Area of Concern / Auditor Comment	Action Taken / Proposed Action	Measurement of Success
Review of Journal Entries	We noted that journal entries were processed in the accounting system by the Finance Officer and or the DCEO during the financial year. We selected a sample of 20 journals and found that 7 manual journals were not reviewed by a senior staff member independent of its preparation.	<p>Prior to January 2019 journals of a recurring nature or journals automatically generated were not reviewed by staff independent of the journal's preparation.</p> <p>Following a review of segregation of duties in January 2019, all journals are now reviewed by senior staff independent of its preparation.</p>	<p>All journals are reviewed by a more senior staff member, independent of the journal's preparation.</p> <p>Journals are signed and dated as evidence that this review has taken place.</p>
Review of Bank Reconciliations	We note that the Municipal account reconciliations were not reviewed by a supervising officer (DCEO or CEO) for the months September to December 2018 as there were no signatures or any other evidence of review on the documents inspected.	<p>The Municipal account reconciliations for the months September to December 2018 were reviewed by the CEO, while the position of DCEO was vacant.</p> <p>Staff would normally ensure that documentation was appropriately authorised to provide evidence of the review prior to the Interim Audit.</p>	<p>Banks reconciliations are prepared and then reviewed by a senior person that has not been involved in the preparation of the reconciliation.</p> <p>Documents are signed and dated as evidence that this has taken place.</p>

## 9.2 CHIEF EXECUTIVE OFFICER:

### 9.2.1 Participation in National Redress Scheme

Applicant:	N/A
File Ref. No:	ADM101
Disclosure of Interest:	Nil
Date:	11 <sup>th</sup> May 2020
Author:	Gary Sherry
Attachments:	9.2.1A Local Government Information Paper (December 2019). 9.2.1B Facilities Spreadsheet

#### Summary

##### **Council is to consider:**

- **the background information and the WA Government's decision in relation to the National Redress Scheme;**
- **formally endorsing Council's participation as part of the WA Government's declaration in the National Redress Scheme; and**
- **granting authority to the CEO to execute a service agreement with the State, if a Redress application is received.**

#### Background

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report released in December 2017 incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold. The first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution and the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

All levels of Australian society, including the WA local government sector and the Shire of Cuballing, will be required to consider leading practice approaches to child safeguarding separately in the future.

#### National Redress Scheme

The Royal Commission's Redress and Civil Litigation Report (September 2015) recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme. The Western Australian Government started participating in the Scheme from 1 January 2019.

Under the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth), local governments may be considered a State Government institution.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme and for fuller consideration of how the WA local government sector could best participate.

### Comment

Following extensive consultation, the State Government (December 2019):

- Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agrees to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the State Records Act 2000); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR) such as an apology to the survivor if requested. This would be provided on a fee for service basis with costs to be covered by the individual local government.

State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:

- Providing the State with the necessary facilities and services information to participate in the Scheme;

- Resources and costs associated with gathering their own information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- Costs associated with the delivery of a DPR if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The WALGA State Council meeting of 4 March 2020:

1. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

The State and WALGA will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

State agencies led by DLGSC, WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020 (or earlier, subject to completing the necessary arrangements).

The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks endorsement of the Shire of Cuballing's participation in the Scheme.

As an independent entity and for absolute clarity, it is essential that the Shire of Cuballing formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration.

The Shire of Cuballing will not be included in the State's amended declaration, unless it formally decides to be included.

The financial and administrative coverage offered by the State will only be afforded to WA local governments that join the Scheme as a State Government institution, as part of the State's amended declaration.

The option also exists for the Shire of Cuballing to formally decide not to participate in the Scheme, either individually or as part of the State's declaration. Should Council not participate with the State or in the Scheme altogether, considerations for the Shire of Cuballing include:

- the divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme;
- that the Commonwealth's impending intent to name-and-shame non-participating organisations;
- potential reputational damage at a State, sector and community level;
- complete removal of the State's coverage of costs and administrative support, with the local government having full responsibility and liability for any potential claim; and
- that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the local government..

Detailed below is a list of considerations for the Shire of Cuballing to participate in the Scheme:

## 1. Executing a Service Agreement

All Royal Commission information is confidential, and it is not known if the Shire of Cuballing will receive a Redress application. A Service Agreement will only be executed if the Shire of Cuballing receives a Redress application.

The Shire of Cuballing needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe of 3 weeks will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

## 2. Reporting to the Local Government if / when an application is received

The local government will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make the local government aware that an application has been received.

## 3. Application Processing / Staffing and Confidentiality

Administratively the Shire of Cuballing will determine:

- Which position(s) will be responsible for receiving applications and responding to Requests for Information;
- Support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements.

## 4. Record Keeping

The State Records Office advised all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the State Records Act 2000 to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire of Cuballing's record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner.

## 5. Redress Decisions

The Shire of Cuballing should note that decisions regarding Redress applicant eligibility and the responsible institution(s), are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State Government and the Shire of Cuballing do not have any influence on the decision made and there is no right of appeal.

Strategic Implications – Nil

Shire of Cuballing Community Strategic Plan - 2017-2027  
SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.



## Goals

- A healthy and caring community which has strong support for all ages and abilities.
- A safe community where residents feel secure and comfortable at home, work and play.

	Strategy	Outcome
1.4	Facilitate improved access to health and welfare programs and education opportunities.	The community has access to a broad range of improving health and welfare programs and education opportunities.
1.7	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

The Shire of Cuballing in agreeing to join the Scheme, is required to adhere to legislative requirements set out in the National Redress Scheme for Institutional Child Sexual Abuse Act 2018.

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the Local Government Act 1995.

## Policy Implications – Nil

## Financial Implications

The State's decision will cover the following financial costs for local governments:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost the local government may incur will be the payment of the DPR's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

## Economic Implication – Nil

## Social Implication

The Royal Commission identified failures of public and private institutions to protect children from sexual abuse. The impact of these failures on individuals were significant and

catastrophic. The National Redress Scheme seeks to acknowledge that children were sexually abused, recognise the suffering endured, hold institutions accountable and help those who have been abused access counselling, psychological services, an apology and a redress payment.

### Environmental Considerations – Nil

### Consultation

The State, through the DLGSC, consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse in 2018 and the National Redress Scheme in 2019.

The consultation throughout 2019 has focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments via:

- Webinars to local governments, predominately in regional and remote areas;
- Presentations at 12 WALGA Zone and Local Government Professional WA meetings;
- Responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments;
- lack of insurance coverage of Redress payments by LGIS, meaning local governments would need to self-fund participation and Redress payments.

LGIS published and distributed an update (April 2019) regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

The WALGA State Council meeting on 3 July 2019 recommended that:

1. WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.
2. WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.

DLGSC representatives presented at a WALGA hosted webinar on 18 February 2020 and presented at all WALGA Zone meetings in late February 2020.

The State's decision, in particular to cover the costs / payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

## Options

Council may resolve:

1. the Officer's Recommendation; or
2. to not to participate with the State or in the Scheme altogether. In taking this course of action, Council should consider:
  - divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme;
  - that the Commonwealth's impending intent to name-and-shame non-participating organisations;
  - potential reputational damage at a State, sector and community level;
  - complete removal of the State's coverage of costs and administrative support, with the local government having full responsibility and liability for any potential claim; and
  - acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the local government..

Voting Requirements – Absolute Majority

### **OFFICER'S RECOMMENDATION:**

**That Council, with respect to participation in the National Redress Scheme:**

1. **notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments;**
2. **notes that the Shire of Cuballing will not be included in the WA Government's amended participation declaration and be afforded the associated financial and administrative coverage unless the Shire of Narrogin makes a specific and formal decision to the be included;**
3. **endorses the participation of the Shire of Narrogin in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;**
4. **delegates authority to the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received; and**
5. **notes that a confidential report will be provided to the Council, if a Redress application is received by the Shire of Narrogin.**



Department of  
**Local Government, Sport  
and Cultural Industries**

# National Redress Scheme for Institutional Child Sexual Abuse

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**Department of Local Government, Sport  
and Cultural Industries**

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Information Paper

3 February 2020

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## 1. SUMMARY - WA LOCAL GOVERNMENT: ROYAL COMMISSION AND REDRESS

The Western Australian Government (the State), through the Department of Local Government, Sport and Cultural Industries (DLGSC), has been consulting with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme (the Scheme) with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Following this initial consultation and feedback gathered, the State Government considered a range of options regarding WA local government participation in the Scheme and reached a final position in December 2019.

DLGSC, supported by the Departments of Justice and Premier and Cabinet, will again engage with WA local governments in early 2020, to inform of the:

- State's decision and the implications for the sector (see [Section 4](#));
- Support (financial and administrative) to be provided by the State; and
- Considerations and actions needed to prepare for participation in the Scheme from 1 July 2020 (see [Section 5](#)).

DLGSC's second phase of engagement with WA local governments is summarised in the table below:

Description and Action	Agency	Timeline
Distribution of Information Paper to WA Local Governments	DLGSC	3 February 2020
WALGA hosted webinar	DLGSC / DPC	18 February 2020
Metro and Country Zone meetings	WA LG's / DLGSC	19 to 24 February 2020
State Council meeting – Finalisation of Participation arrangements	WALGA	4 March 2020
WALGA hosted webinar – Participation arrangements	DLGSC/ DPC	Mid-March 2020

Further information about the Royal Commission is available at [Appendix A](#) and the National Redress Scheme at [Appendix B](#) of this Information Paper.

The information in this Paper may contain material that is confronting and distressing. If you require support, please [click on this link](#) to a list of available support services.

## 2. CURRENT SITUATION - WA LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME

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The WA Parliament passed the legislation required to allow for the Government and WA based non-government institutions to participate in the National Redress Scheme. The *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 (WA)* took effect on 21 November 2018.

The WA Government commenced participating in the Scheme from 1 January 2019.

The State Government's Redress Coordination Unit within the Office of the Commissioner for Victims of Crime, Department of Justice:

- Acts as the State Government's single point of contact with the Scheme;
- Coordinates information from State Government agencies to the Scheme; and
- Coordinates the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

### CURRENT TREATMENT OF WA LOCAL GOVERNMENTS IN THE SCHEME

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)*, Local Governments may be considered a State Government institution.<sup>1</sup>

There are several considerations for the State Government and Local Governments (both individually and collectively) about joining the Scheme.

The State Government considers a range of factors relating to organisations or bodies participation in the Scheme, before their inclusion in the declaration as a State Government institution. These factors include the capability and capacity of the agencies or organisations to:

- Respond to requests for information from the State Government's Redress Coordination Unit within prescribed timeframes;
- Financially contribute to the redress payment made by the Scheme on behalf of the agency or body; and
- Comply with the obligations of participating in the Scheme and the Commonwealth legislation.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's declaration. This was to allow consultation to occur with the local government sector about the Scheme, and for fuller consideration to be given to the mechanisms by which the sector could best participate in the Scheme.

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<sup>1</sup> Section 111(1)(b).

### 3. CONSULTATION TO DATE WITH WA LOCAL GOVERNMENT SECTOR

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The Department of Local Government, Sport and Cultural Industries (DLGSC) has been leading an information and consultation process with the WA local government sector about the Scheme. The Departments of Justice and Premier and Cabinet (DPC) have been supporting DLGSC in the process, which aimed to:

- Raise awareness about the Scheme;
- Identify whether local governments are considering participating in the Scheme;
- Identify how participation may be facilitated; and
- Enable advice to be provided to Government on the longer-term participation of WA local governments.

DLGSC distributed an initial *Information and Discussion Paper* in early January 2019 to WA local governments, the WA Local Government Association (WALGA), Local Government Professionals WA (LG Pro) and the Local Government Insurance Scheme (LGIS). Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments and involved:

- an online webinar to 35 local governments, predominantly from regional and remote areas;
- presentations at 12 WALGA Zone and LG Pro meetings; and
- responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations that the local government sector had, at the time, a very low level of awareness of the Scheme prior to the consultations occurring, and that little to no discussion had occurred within the sector or individual local governments about the Scheme. Local governments were most commonly concerned about the:

- Potential cost of redress payments;
- Availability of historical information;
- Capacity of local governments to provide a Direct Personal Response (apology) if requested by redress recipients;
- Process and obligations relating to maintaining confidentiality if redress applications are received, particularly in small local governments;
- Lack of insurance coverage of redress payments by LGIS, meaning local governments would need to self-fund participation and redress payments.

#### LGIS Update (April 2019) – National Redress Scheme

LGIS published and distributed an update regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.



WALGA State Council Resolution

The WALGA State Council meeting of 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

It is understood that this recommendation was made with knowledge that it is ultimately a State Government decision as to whether:

- Local governments can participate in the Scheme as part of the State's Government's declaration; and
- The State Government will fund local government redress liability.

## 4. WA GOVERNMENT DECISION - FUTURE PARTICIPATION OF WA LOCAL GOVERNMENTS IN THE NATIONAL REDRESS SCHEME

---

Following the initial consultation process, a range of options for local government participation in the Scheme were identified by the State Government including:

1. WA Local governments be excluded from the State Government's declaration of participating institutions.

This means that: local governments may choose not to join the Scheme; or join the Scheme individually or as group(s), making the necessary arrangements with the Commonwealth and self-managing / self-funding all aspects of participation in the Scheme.

2. WA Local governments be included in the State Government's declaration of participating institutions.

There were three sub-options for ways local government participation as a State Government institution could be accommodated:

- a. Local governments cover all requirements and costs associated with their participation;
- b. The State Government covers payments to the survivor arising from local governments' participation, with costs other than payments to the survivor (including counselling, legal and administrative costs) being funded by local governments; or
- c. An arrangement is entered into whereby the State Government and local governments share the requirements and costs associated with redress – for example, on a capacity to pay and deliver basis.

The State Government considered the above options and resolved via the Community Safety and Family Support Cabinet Sub-Committee (December 2019) to:

- Note the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Note the options for WA local government participation in the Scheme;
- Agree to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agree to the DLGSC leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

## KEY ASPECTS OF THE STATE'S DECISION

For clarity, the State's decision that means the following financial responsibilities are to be divided between the State Government and the individual local government that has a Redress application submitted, and then subsequently accepted by the Scheme Operator as a Redress claim.

### State Government

The State Government will cover the following:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response or DPR (Apology) to the survivor if requested (on a fee for service basis with costs covered by the individual local government – see below).

### Individual Local Government

The individual local government will be responsible for:

- Costs associated with gathering their own (internal) information if requested in a Redress application;
- Providing the State with the necessary information to participate in the Scheme; and
- Costs associated the delivery of a DPR (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). \*

\* note – The State's decision includes that all DPR's will be coordinated and facilitated by the Redress Coordination Unit (Department of Justice) on every occasion, if a DPR is requested by the survivor.

This decision was made on the basis that:

- State Government financial support for local government participation in the Scheme, as set out, will ensure that redress is available to as many WA survivors of institutional child sexual abuse as possible.
- The demonstration of leadership by the State Government, as it will be supporting the local government sector to participate in the Scheme and recognising the WALGA State Council resolution of 3 July 2019, is consistent with the local government sector's preferred approach.
- Contributes to a nationally consistent approach to the participation of local governments in the Scheme, and particularly aligns with the New South Wales, Victorian and Tasmanian Governments' arrangements. This provides opportunity for the State Government to draw on lessons learned through other jurisdictions' processes.
- Ensures a consistent and quality facilitation of a DPR (by the State) if requested by the survivor.
- State Government financial support for any local government redress claims does not imply State Government responsibility for any civil litigation against local governments.

Noting the State's decision, a range of matters need to be considered and arrangements put in place to facilitate local governments participating with the State Government's declaration and meeting the requirements of the Scheme. Those arrangements will:

- provide for a consistent response to the Scheme by WA Government institutions, and for WA survivors accessing the Scheme; and
- mitigate concerns raised by local governments during consultations about complying with the processes and requirements of the Scheme.

## 5. CONSIDERATIONS FOR WA LOCAL GOVERNMENTS

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Following the State's decision, a range of matters need to be considered by each local government and in some cases, actions taken in preparation for participating in the Scheme, these include:

### CONFIDENTIALITY

- Information about applicants and alleged abusers included in RFIs (Requests for Information) is sensitive and confidential and is considered protected information under *The National Redress Act*, with severe penalties for disclosing protected information.
- Individual local governments will need to consider and determine appropriate processes to be put in place and staff members designated to ensure information remains confidential.

### APPLICATION PROCESSING / STAFFING

- The timeframes for responding to an RFI are set in *The Act* and are 3 weeks for priority application and 7 weeks for non-priority applications. This RFI process will be supported by the State (DLGSC and the Redress Coordination Unit).
- Careful consideration should be given to determining which position will be responsible for receiving applications and responding to RFIs, due to the potentially confronting content of people's statement of abuse.
- Support mechanisms should be in place for these staff members, including access to EAP (Employee Assistance Program) or other appropriate support.
- The need for the appointed position and person(s) to have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest.
- The responsible position(s) or function(s) would benefit from being kept confidential in addition to the identity of the person appointed to it.

### RECORD KEEPING

- The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements of the *State Records Act 2000*.
- Consider secure storage of information whilst the RFI is being responded to.

## REDRESS DECISIONS

- Decisions regarding redress applicant eligibility and responsible institution(s) are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State government does not have any influence on the decision made.
- There is no right of appeal.

## MEMORIALS

- Survivors (individuals and / or groups) from within individual communities may ask about the installation of memorials. The State Government's view is to only consider memorialising groups, however locally, this is a decision of an individual local government.

## 6. NEXT STEPS – PREPARATION FOR WA LOCAL GOVERNMENT PARTICIPATION IN THE SCHEME

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In addition to the second-phase information process outlined in section 1, the State will develop:

1. A Memorandum of Understanding (MOU) - to be executed between the State and WALGA following the (WALGA) State Council meeting on 4 March 2020.

The MOU will capture the overall principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration; and

2. Template Service Agreement – that will be executed on an 'as needed' basis between the State and an individual local government, if a redress application is received.

DLGSC and the Department of Justice will work with WALGA / LGPro and all local governments to prepare for participation in the Scheme including:

- Identifying appropriate positions, staff and processes to fulfil requests for information;
- Ensuring local governments have delegated authority to an officer to execute a service agreement with the State if needed;

The State will prepare a template Council report, where all WA local governments will be asked to delegate authority to an appropriate officer in advance, able to execute a service agreement if required. This is necessary as priority requests for information under the Scheme, are in a shorter turnaround time than Council meeting cycles and therefore, cannot be undertaken at the time.

- Ensuring local government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc); and
- Gathering the necessary facility and service information from all individual local governments to commence participation in the Scheme. This information will be provided to the Commonwealth, loaded into the Scheme database and used to facilitate an individual local government's participation in the National Redress Scheme.

## ACKNOWLEDGEMENTS

The contents of this Information and Discussion Paper includes extracts from the following identified sources. Information has been extracted and summarised to focus on key aspects applicable to the Department of Local Government, Sport and Cultural Industries' key stakeholders and funded bodies:

- The Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report.

To access a full version of the Royal Commission's Findings and the Final Report, please follow the link at <https://www.childabuseroyalcommission.gov.au/>

- Western Australian State Government response to the Royal Commission (27 June 2018).

To access a full version of the State Government's detailed response and full report, please follow the link at

[https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-\(June-2018\).aspx](https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-(June-2018).aspx)

- More information on the National Redress Scheme can be found at [www.nationalredress.gov.au](http://www.nationalredress.gov.au).
- The full National Redress Scheme - Participant and Cost Estimate (July 2015) Report at <https://www.dlqsc.wa.gov.au/resources/publications/Pages/Child-Abuse-Royal-Commission.aspx>

## FOR MORE INFORMATION

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## APPENDIX A

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### ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE – FURTHER INFORMATION

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions<sup>2</sup> to protect children from child sexual abuse, report abuse, and respond to child sexual abuse. The Royal Commission's Terms of Reference required it to identify what institutions should do better to protect children in the future, as well as what should be done to:

- achieve best practice in reporting and responding to reports of child sexual abuse;
- eliminate impediments in responding to sexual abuse; and
- address the impact of past and future institutional child sexual abuse.

The Western Australian Government (State Government) strongly supported the work of the Royal Commission through the five years of inquiry, presenting detailed evidence and submissions and participating in public hearings, case studies and roundtables.

The Royal Commission released three reports throughout the inquiry: *Working with Children Checks* (August 2015); *Redress and Civil Litigation* (September 2015) and *Criminal Justice* (August 2017). The Final Report (Final Report) of the Royal Commission into Institutional Responses to Child Sexual Abuse incorporated the findings and recommendations of the previously released reports and was handed down on 15 December 2017. To access a full version of the Royal Commission's Findings and the Final Report, follow the link at <https://www.childabuseroyalcommission.gov.au/>

The Royal Commission made 409 recommendations to prevent and respond to institutional child sexual abuse through reform to policy, legislation, administration, and institutional structures. These recommendations are directed to Australian governments and institutions, and non-government institutions. One specific recommendation was directed at Local Government, while many others will directly or indirectly impact on the organisations that Local Government works with and supports within the community.

Of the 409 recommendations, 310 are applicable to the Western Australian State Government and the broader WA community.

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<sup>2</sup> \* For clarity in this Paper, the term 'Institution' means any public or private body, agency, association, club, institution, organisation or other entity or group of entities of any kind (whether incorporated or unincorporated), however described, and:

- Includes for example, an entity or group of entities (including an entity or group of entities that no longer exist) that provides, or has at any time provided, activities, facilities, programs or services of any kind that provide the means through which adults have contact with children, including through their families
- Does not include the family.

## THE WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE ROYAL COMMISSION

The State Government examined the 310 applicable recommendations and provided a comprehensive and considered response, taking into account the systems and protections the State Government has already implemented. The State Government has accepted or accepted in principle over 90 per cent of the 310 applicable recommendations.

The State Government's response was released on 27 June 2018 fulfilling the Royal Commission recommendation 17.1, that all governments should issue a formal response within six months of the Final Report's release, indicating whether recommendations are accepted; accepted in principle; not accepted; or will require further consideration. The WA Government's response to the Royal Commission recommendations can be accessed at:

<http://www.dpc.wa.gov.au/childabuseroyalcommission>

The State Government has committed to working on the recommendations with the Commonwealth Government, other states and territories, local government, non-government institutions (including religious institutions) and community organisations.

The State Government's overall approach to implementation of reforms is focused on:

- Stronger Prevention (including Safer Institutions and Supportive Legislation)
  - Create an environment where children's safety and wellbeing are the centre of thought, values and actions;
  - Places emphasis on genuine engagement with and valuing of children;
  - Creates conditions that reduce the likelihood of harm to children and young people.
- Reliable Responses (including Effective Reporting)
  - Creates conditions that increase the likelihood of identifying any harm;
  - Responds to any concerns, disclosures, allegations or suspicions of harm.
- Supported Survivors (including Redress).

Many of the recommendations of the Royal Commission have already been addressed through past work of the State Government, and others working in the Western Australian community to create safe environments for children. This work is acknowledged and where appropriate, will be built upon when implementing reforms and initiatives that respond to the Royal Commission's recommendations.

## APPENDIX B

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### NATIONAL REDRESS SCHEME - FURTHER INFORMATION

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse.

The National Redress Scheme (the Scheme):

- Acknowledges that many children were sexually abused in Australian institutions;
- Recognises the suffering they endured because of this abuse;
- Holds institutions accountable for this abuse; and
- Helps people who have experienced institutional child sexual abuse gain access to counselling and psychological services, a direct personal response, and a redress-payment.

The National Redress Scheme involves:

- People who have experienced institutional child sexual abuse who can apply for redress;
- The National Redress Scheme team — Commonwealth Government staff who help promote the Scheme and process applications;
- Redress Support Services — free, confidential emotional support and legal and financial counselling for people thinking about or applying to the Scheme;
- Participating Institutions that have agreed to provide redress to people who experienced institutional child sexual abuse; and
- Independent Decision Makers who will consider applications and make recommendations and conduct reviews.

The National Redress Scheme formally commenced operation on 1 July 2018 and offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

Importantly, the Scheme also provides survivors with community based supports, including application assistance; financial support services; and independent legal advice. The Scheme is administered by the Commonwealth Government on behalf of all participating governments, and government and non-government institutions, who contribute on a 'responsible entity pays' basis.

Institutions that agree to join the Scheme are required to adhere to the legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

More information on the Scheme can be found at [www.nationalredress.gov.au](http://www.nationalredress.gov.au) or the [National Redress Guide](#).

## SURVIVORS IN THE COMMUNITY

Throughout the five years of its inquiry, the Royal Commission heard detailed evidence and submissions, and held many public and private hearings, case studies and roundtables. Most notably, the Royal Commission heard directly from survivors of historical abuse.

The Royal Commission reported that survivors came from diverse backgrounds and had many different experiences. Factors such as gender, age, education, culture, sexuality or disability had affected their vulnerability and the institutions response to abuse.

The Royal Commission, however, did not report on the specific circumstances of individuals with the details of survivors protected; the circumstances of where and within which institutions their abuse occurred is also protected and therefore unknown. Further, survivors within the WA community may have chosen to not disclose their abuse to the Royal Commission.

Accordingly, it is not known exactly how many survivors were abused within Western Australian institutions, including within Local Government contexts. Within this context of survivors in the community, who may or may not be known, consideration needs to be given to how all institutions, including local governments, can fulfil the Royal Commission's recommendation in relation to redress.

The Royal Commission's *Redress and Civil Litigation (September 2015) Report* recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse. This report also recommended that Governments around Australia remove the limitation periods that applied to civil claims based on child sexual abuse, and consequently prevented survivors – in most cases – pursuing compensation through the courts.

As a result of reforms made in response to these recommendations, WA survivors now have the following options to receive recognition of their abuse:

1. Pursuing civil court action(s) against the perpetrator and/or the responsible institution. The *Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018* (WA) took effect on 1 July 2018, removing the limitation periods that previously prevented persons who had experienced historical child sexual abuse from commencing civil action.
2. Applying to the National Redress Scheme, which provides eligible applicants with a monetary payment, funds to access counselling and an apology. Note, to receive redress the responsible institution(s) will need to have joined the Scheme.

## TREATMENT OF LOCAL GOVERNMENTS BY OTHER JURISDICTIONS

At the time of the State Government joining the Scheme, only two jurisdictions had made a decision about the treatment of local governments. All jurisdictions have since agreed to include local governments within their respective declarations, with the exception of South Australia (SA). The SA Government is still considering their approach.

It is understood that all jurisdictions, with the exception of SA, are either covering the redress liability associated with local government participation in the Scheme or entering into a cost sharing arrangement. The table below provides a summary of other jurisdictions' positions.

Jurisdiction	Position
Commonwealth	<ul style="list-style-type: none"> <li>No responsibility for local governments.</li> <li>The Commonwealth Government has indicated preference for a jurisdiction to take a consistent approach to the participation of local governments in the Scheme.</li> </ul>
Australian Capital Territory (ACT)	<ul style="list-style-type: none"> <li>ACT has no municipalities, and the ACT Government is responsible for local government functions.</li> <li>ACT has therefore not been required to explore the issue of local government participation in the Scheme.</li> </ul>
New South Wales (NSW)	<ul style="list-style-type: none"> <li>In December 2018, the NSW Government decided to include local councils as NSW Government institutions and to cover their redress liability.</li> <li>The NSW Office for Local Government is leading communications with local councils about this decision.</li> <li>NSW's declaration of participating institutions will be amended once preparation for local council participation is complete.</li> </ul>
Northern Territory (NT)	<ul style="list-style-type: none"> <li>The NT Government has consulted all of the Territory's local governments, including individually visiting each local government.</li> <li>NT is in the process of amending Territory's declaration of participating institutions to include local governments.</li> </ul>
Queensland	<ul style="list-style-type: none"> <li>Queensland is finalising a memorandum of understanding (MOU) with the Local Government Association of Queensland to enable councils to participate in the Scheme as State institutions.</li> <li>The MOU includes financial arrangements that give regard to individual councils' financial capacity to pay for redress.</li> </ul>
South Australia (SA)	<ul style="list-style-type: none"> <li>Local governments are not currently included in the SA Government's declaration</li> <li>The SA Government is still considering its approach to local governments.</li> </ul>
Tasmania	<ul style="list-style-type: none"> <li>Local Governments have agreed to participate in the Scheme and will be included as a state institution in the Tasmanian Government's declaration.</li> <li>A MOU with local governments is being finalised, ahead of amending Tasmania's declaration.</li> </ul>
Victoria	<ul style="list-style-type: none"> <li>The Victorian Government's declaration includes local governments.</li> <li>The Victorian Government is covering local governments' redress liability.</li> </ul>
Western Australia (WA)	<ul style="list-style-type: none"> <li>The WA Government has excluded local governments from its declaration, pending consultation with the local government sector.</li> </ul>

## TIMEFRAME TO JOIN THE SCHEME

Institutions can join the Scheme within the first two years of its commencement. This means that institutions can join the Scheme up to and including 30 June 2020 (the second anniversary date of the Scheme). The Commonwealth Minister for Social Services may also provide an extension to this period to allow an institution to join the Scheme after this time. However, it is preferred that as many institutions as possible join the Scheme within the first two years to give certainty to survivors applying to the Scheme about whether the institution/s in which they experienced abuse will be participating.

If an institution has not joined the Scheme, they are not a participating institution. However, this will not prevent a person from applying for redress. In this circumstance, a person's application cannot be assessed until the relevant institution/s has joined the Scheme. The Scheme will contact the person to inform them of their options to either withdraw or hold their application. The Scheme will also contact the responsible institution/s to provide information to aid the institution/s to consider joining the Scheme.

## THE SCHEME'S STANDARD OF PROOF

The Royal Commission recommended that 'reasonable likelihood' should be the standard of proof for determining eligibility for redress. For the purposes of the Scheme, 'reasonable likelihood' means the chance of the person being eligible is real and is not fanciful or remote and is more than merely plausible.

When considering a redress application, the Scheme Operator must consider whether it is reasonably likely that a person experienced sexual abuse as a child, and that a participating institution is responsible for an alleged abuser/s having contact with them as a child. In considering whether there was reasonable likelihood, all the information available must be taken into account.

Where a participating institution does not hold a record (i.e. historical information), the Scheme Operator will not be precluded from determining a person's entitlement to redress. The information to be considered by the Scheme Operator includes:

- The information contained in the application form (or any supplementary information provided by a person by way of statutory declaration);
- Any documentation a person provided in support of their application;
- The information provided by the relevant participating institution/s in response to a Request for Information from the Operator, including any supporting documentation provided; and
- Any other information available including from Scheme holdings (for example where the Scheme has built up a picture of relevant information about the same institution during the relevant period, or the same abuser).

It should be noted that the 'reasonable likelihood' standard of proof applied by the Scheme is of a lower threshold (or a lower standard of proof) than the common law standard of proof applied in civil litigation – the 'balance of probabilities'. Please see 11.7 of the Royal Commission's *Redress and Civil Litigation Report (2015)* for additional information on the difference between the two.

## MAXIMUM PAYMENT AND SHARED RESPONSIBILITY

The amount of redress payment a person can receive depends on a person's individual circumstances, specifically the type of abuse the person experienced.

A person may only make one application for redress. The maximum redress payment payable under the scheme to an applicant is \$150,000 in total.

The payment of redress is made by the institution(s) found responsible for exposing the individual to the circumstances that led to the abuse.

There may be instances where one or more institutions are found to be jointly responsible for the redress payment to a person, and instances where a person may have experienced abuse in one or more different institutions. In such situations, the redress payable by an institution will be apportioned in accordance with the Scheme's assessment framework - see <https://www.legislation.gov.au/Details/F2018L00969> and method statement - see <http://guides.dss.gov.au/national-redress-guide/4/1/1>

Prior payments made by the responsible institution for the abuse to the applicant (e.g. ex-gratia payments) will be taken into account and deducted from the institutions' redress responsibility.

## EFFECT OF AN APPLICANT ACCEPTING AN OFFER OF REDRESS

Accepting an offer of redress has the effect of releasing the responsible participating institution/s and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person agrees to not bring or continue any civil claims against the responsible participating institution/s in relation to any abuse within the scope of the Scheme.

If a responsible participating institution/s is a member of a participating group, the person will be releasing the other associated institutions and officials within that group from any civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme.

Accepting an offer of redress also has the effect of preventing a responsible participating institution from being liable to contribute to damages that are payable to the person in civil proceedings (where the contribution is to another institution or person).

In accepting the offer of redress, a person will also be consenting to allow the participating institution/s or official/s to disclose the person's acceptance of redress offer in the event that a civil claim is made. The Scheme must provide a copy of the person's acceptance of offer to each responsible institution for their records once received.

Note – the acceptance of an offer of redress does not exclude the pursuance or continuance of criminal proceedings against the abuser(s).



Participation Institutions / organisations - this list is for organisations (including all locations) that are **currently** operating (that is they are not closed) and will be part of the National Redress Scheme. This information is required to assist in identifying institutions (both publicly and in outcome letters), to populate association lists and to assist the Scheme to assess a person's application.

DO NOT AMEND OR RE-ORDER COLUMN HEADINGS IN THIS WORKBOOK

INSTITUTION / ORGANISATION DETAILS												
Institution / Organisation Name	Also known as	Physical Address 1	Physical Address 2	Physical Country	Physical Post Code	Physical State	Physical Suburb	Operation Start Day	Operation Start Month	Operation Start Year	Website	Notes
The current and official title of your local government authority.  This will be used for the public search function on the National Redress Scheme's website - www.nationalredress.gov.au.	Names of your organisation and facilities that your organisation has owned or operated - past and present. Please include any name changes of facilities (aquatic centres, pavilions, centres, libraries, sports grounds etc.)  Other names your local government might have been previously known as (i.e. Road Board, Shire, Town, City), including any prior amalgamation / separation.  List each on a single line with associated details (address, start / operating dates etc)	This is the address of the organisation/institution (or their main administration building).	This is the street address of the organisation / institution (or their main administration building).	This is the country in which the organisation / institution (or their main administration building) is based.	This is the postcode of the organisation / institution (or their main administration building).	This is the state in which the organisation / institution (or their main administration building) is based.	This is the suburb of the organisation / institution (or their main administration building).	Date the organisation/institution started operating.  If the date it started operating is known, the day should be expressed as 2 digits.  If it is unknown than this field should be left blank.	Month the organisation/institution started operating.  If month started operating is known, the month should be expressed as 2 digits.  If it is unknown than this field should be left blank	Year the organisation/institution started operating.  If year started operating is known (or estimated), the year should be expressed as 4 digits.  If it is unknown (and cannot be estimated) than this field should be left blank.	Website link for survivors to access information about the organisation/institution.	Include any further information that you believe would help describe the institution and it's role to survivors here. This may be included on the Redress Scheme's Website.
e.g. City of Outback	e.g. Town of Outback e.g. Shire of Outback e.g. Outback Leisure Centre e.g. Outback Community and Youth Centre e.g. Outback Library e.g. Castle Rock Recreation Camp e.g. Outback Sports Pavillion e.g. Outback Recreation Grounds	e.g. Outback Town Centre	e.g. 1 Lone Road	e.g Australia	e.g 6999	e.g WA	e.g Outback	e.g 09 or 18	e.g 05 or 12	e.g 2013	<a href="https://www.outback.wa.gov.au/">https://www.outback.wa.gov.au/</a>	e.g. The Town of Outback is a WA local government authority that came into effect in 2013 and has responsibility for ...
Shire of Cuballing	Cuballing Shire Administration Cen	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			1903	<a href="http://www.cuballing.wa.gov.au">www.cuballing.wa.gov.au</a>	The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for Cuballing Administration Building.
Shire of Cuballing	Dryandra Regional Equestrian Centre	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			2013	<a href="http://www.cuballing.wa.gov.au">www.cuballing.wa.gov.au</a>	The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for the Dryandra Equestrian Centre.
Shire of Cuballing	Cuballing Recreation Centre/Groun	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			1904	<a href="http://www.cuballing.wa.gov.au">www.cuballing.wa.gov.au</a>	The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for Cuballing Recreation Centre and Grounds
Shire of Cuballing	Cuballing Agricultural Hall	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			1912	<a href="http://www.cuballing.wa.gov.au">www.cuballing.wa.gov.au</a>	The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for Cuballing Agricultural Hall
Shire of Cuballing	Cuballing Golf Course	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			1958		The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for Cuballing Golf Club.
Shire of Cuballing	Cuballing CWA	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			1909		The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for Cuballing CWA Hall.
Shire of Cuballing	Popanyinning Hall	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			1906	<a href="http://www.cuballing.wa.gov.au">www.cuballing.wa.gov.au</a>	The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for the Popanyinning Hall.
Shire of Cuballing	Popanyinning Old School	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			1905	<a href="http://www.cuballing.wa.gov.au">www.cuballing.wa.gov.au</a>	The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for the Popanyinning Old School.
Shire of Cuballing	Popanyinning Railway Precinct	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			2009	<a href="http://www.cuballing.wa.gov.au">www.cuballing.wa.gov.au</a>	The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for the Popanyinning Railway Precinct.
Shire of Cuballing	Popanyinning Tennis Grounds	Cuballing Shire Administration Cen	22 Campbell Street	Australia	6311 WA	WA	CUBALLING			2009	<a href="http://www.cuballing.wa.gov.au">www.cuballing.wa.gov.au</a>	The Shire of Cuballing is a WA local government authority that came into effect in 1903 and has responsibility for the Popanyinning Tennis Grounds.



## 9.2.2 Council Meeting Schedule 2020 – Budget 2020/21

Applicant: N/A  
File Ref. No: ADM239  
Disclosure of Interest: Nil  
Date: 15<sup>th</sup> May 2020  
Author: Gary Sherry  
Attachments: Nil

### **Summary**

**Council is to consider changing the schedule of Ordinary Meeting dates to provide for consideration and approval of Council's 2020/21 Budget.**

### **Background**

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

At their December 2019 Ordinary Meeting, Council resolved the following Council Meeting schedule for 2020:

Wednesday 19 February 2020	Ordinary Meeting	2:00 PM	Council Chambers
Wednesday 18 March 2020	Ordinary Meeting	2:00 PM	Council Chambers
Wednesday 15 April 2020	Ordinary Meeting	2:00 PM	Popanyinning Hall
Wednesday 20 May 2020	Ordinary Meeting	2:00 PM	Council Chambers
Wednesday 17 June 2020	Ordinary Meeting	2:00 PM	Council Chambers
Wednesday 15 July 2020	Ordinary Meeting	2:00 PM	Council Chambers
Wednesday 19 August 2020	Ordinary Meeting	2:00 PM	Council Chambers
Wednesday 16 September 2020	Ordinary Meeting	2:00 PM	Council Chambers
Wednesday 21 October 2020	Ordinary Meeting	2:00 PM	Council Chambers
Wednesday 18 November 2020	Ordinary Meeting	2:00 PM	Council Chambers
Wednesday 16 December 2020	Ordinary Meeting	2:00 PM	Council Chambers

### **Comment**

Council traditionally holds a Special Council Meeting annually in June to review the preparation for the annual Council Budget. This special meeting is not included in the annual Meeting Schedule to allow for flexibility in budget preparations.

Staff believe that budget preparations will be in a position to hold a Special Council Meeting to review the 2020/21 Draft Budget on Wednesday 1<sup>st</sup> July 2020. This date is two weeks after the June 2020 Ordinary Council Meeting on Wednesday 17 June 2020.

Staff have also recommended changing the date of the July 2020 Ordinary Meeting from Wednesday 15<sup>th</sup> July 2020 to Wednesday 22<sup>nd</sup> July 2002. This will provide staff with more time to complete the preparation of the Shire of Cuballing 2020/21 Budget in the statutory format for adoption by Council in conjunction with completing the end of financial year requirements following 30<sup>th</sup> June 2020.

**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 of the meeting dates adopted in December 2019 cost \$267.48. A slightly smaller charge, arising because of the reduced amount of content in each advert, would be incurred with each following advertisement by of meeting times by Council.

#### Economic Implication – Nil

#### Social Implication

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

#### Environmental Considerations – Nil

#### Consultation – Nil

#### Options

Council may resolve:

1. the Officer's Recommendation;
2. to alter the publicly advertised meeting schedule in an alternative way; or
3. to not alter the publicly advertised meeting schedule.

#### Voting Requirements – Simple Majority

**OFFICER'S RECOMMENDATION:**

**That Council:**

- 1. hold a Special Council Meeting to consider Council's Draft 2020/21 Budget at 2pm on Wednesday 1<sup>st</sup> July 2020; and**
- 2. hold the Ordinary Council meeting scheduled for 2pm on Wednesday 15<sup>th</sup> July 2020 at 2pm on Wednesday 22<sup>nd</sup> July 2020.**

### 9.2.3 Council COVID Response

Applicant: N/A  
File Ref. No: ADM239  
Disclosure of Interest: Nil  
Date: 8<sup>th</sup> May 2020  
Author: Gary Sherry  
Attachments: Nil

#### **Summary**

**Council is to consider articulating a Council response to the COVID-19 corona virus pandemic and the future actions that Council will include in that response to be publicised in the community.**

#### **Background**

The purpose of this report is to provide Council with an update on the Shire response to the COVID-19 corona virus pandemic (COVID) and seek guidance on future measures, particularly associated with the preparation of the 2020/21 Council budget.

The Department of Health's response to the COVID is placing unprecedented financial uncertainty on Governments, businesses, community groups and individuals. It is clear that the restrictions on society are going to increase and their ongoing impact will be felt directly for at least six months.

Emergency situations provide unique opportunities for the Councillors to demonstrate community leadership. The general function of a local government is to provide for the good governance of persons in its district. As always, but critically in response to COVID, the Council needs to balance its financial sustainability against the needs and wants of individuals, community groups and businesses within its community.

The situation is moving so rapidly that detailed information may not be available at the critical time decisions need to be made and leadership demonstrated.

The Shire of Cuballing's responses to date regarding ongoing Shire services and information has been provided through Councils social media (Facebook and the website), website, Cuby News newsletter and notice boards in the Shire.

WALGA has adopted an industry position at their recent State Council meeting on Friday 27 March 2020 of member local governments:

- Consider not increasing rates for the 2020-21 financial year;
- Adoption of the WALGA template rates hardship policy by Local Governments that do not currently have a policy;
- Consider rate relief options to support small businesses affected by the COVID-19 pandemic;
- Review fees and charges considering whether fees can be reduced, waived or deferred during the COVID-19 pandemic;
- Bring forward capital works and infrastructure spending with aggressive application of reserves and borrowing;
- Prioritise Local Government spending with businesses and contractors located within the Local Government;
- Implement business friendly payment terms to support business cash flow;
- Consider supporting Community sporting and cultural groups by either establishing grant programs or waiving fees and charges; and
- Redeploy staff affected by facility closures to tasks that support the community.

The Premier and Minister for Local Government enthusiastically support this position.

### Comment

In determining the impact of COVID on local ratepayers/businesses/individuals regarding loss of income or employment is difficult. To date Council has only been contacted by one ratepayer expressing concern and seeking to arrange to delay payment of a rates instalment. Certainly local businesses and individuals are either experiencing difficult trading times or have been laid off.

This report is primarily seeking a statement from the Council that can be put out to the community with respect to what Council would like to consider in preparing the 2020/21 Budget. Council making an early statement will assist the community to understand some of the difficult decisions that will continue to be made with respect to services.

Ten proposals have been assessed for consideration by Council including:

1. a zero net rate increase from 2019/20 levels;

While a zero rate increase does not directly impact on the Shire of Cuballing, Council should expect that the costs of Council providing services will increase, if by a smaller amount than other years. This maintenance of income levels and an increase of operational expenses will have an indirect negative impact on Council.

2. a zero increase in fees and charges, including waste management charges, from 2019/20 levels;

While a zero increase in fees and charges does not directly impact on the Shire of Cuballing, Council should expect that the costs of Council providing services will increase. For example Council is aware of a request to increase kerbside recycling collections to reflect the significant reduction in the price for recyclable materials. This will increase recycling collection costs by nearly 13% or an estimated \$3,409.

3. reduce the rate of penalty interest on overdue rate amounts from 11% to 8%. 8% is equivalent to the ATO penalty rate;

In late April, the Minister for Local Government, Hon David Templeman MLA, spoke about a proposal for a Ministerial Order to prevent Local Governments from collecting interest on overdue rate payments. The Minister subsequently listened to concerns about this proposal and the Order subsequently included that penalty interest will be reduced from a maximum of 11% to 8% in-line with ATO penalty rates.

It is estimated that Council will charge about \$13,000 in penalty interest in 2019/20. In 2020/21 with a reduced interest rate and a reduction in outstanding rates it is estimated that Council will charge \$8,500 in penalty interest.

4. reduce the rate of interest for rates instalments from 5.5% for the 2020/21 financial year to 2.5%;

In late April, the Minister for Local Government, Hon David Templeman MLA, spoke about a proposal for a Ministerial Order to prevent Local Governments from collecting interest on rates that are paid by instalment in the 2020-21 financial year. The Minister subsequently listened to concerns about this proposal and the Order subsequently included that instalment interest to remain at 5.5% if a Local Government has a Hardship Policy, and to be a maximum of 3% if a Local Government does not have a hardship

policy. The 2.5% is equal with level of instalment interest proposed to be charged by neighbouring Council.

Council charged about \$1,629 in instalment interest in 2019/20. In 2020/21 with a reduced interest rate and a continuation of the trend of increasing number of ratepayers electing to pay by instalments it is estimated that Council will charge \$800 in penalty interest.

5. Provide rate relief packages for ratepayers of the Shire be eligible on application and assessment on the following basis (total Budget pool available of \$10,000 GST exempt):
  - a. a refund of up to \$400 of local government rates (not ESL or waste charges) pro rata;
  - b. Applications are to be in writing and determined jointly by the Shire President and Chief Executive Officer;
  - c. applications to demonstrate a 30% reduction in business income or loss of employment;
  - d. any approvals are credited to their 2020/21 year's rates;

This proposal allows Council to provide a small benefit delivered to those most impacted by the COVID-19 pandemic. Applications would be reviewed by the Shire President and CEO to assess the COVID-19 impact on ratepayers. It would be open to provide a higher benefit to those of greater impact. The proposal limits the program to \$10,000. The benefit would not be paid as cash but as a credit to 2020/21 years rates.

An alternative proposal could be to not charge penalty interest on any will not charge any penalty and instalment interest on rates outstanding from the 2019/20 or 2020/21 financial years. This alternative may provide

6. implement a Local Government Hardship policy and for those in hardship meeting that policies eligibility, Council will not undertake debt recovery action upon ratepayers who have outstanding rates and charges incurred during only the 2019/20 or 2020/21 financial years.

While the Hardship Policy is not complete, it is anticipated that such a policy will include agreeing and keeping to a payment schedule. Under this proposal recovery actions would continue upon ratepayers who have outstanding rates and charges incurred during 2018/19 or earlier financial years;

7. continue measures to monitor and support vulnerable people within the Shire of Cuballing communities;

Council's Community Development Officer monitor and support vulnerable people within the Shire of Cuballing communities

8. bringing forward planned capital projects that are currently included in Council's forward planning documents by using Council's reserves to fund construction.

Projects for consideration would include:

- Upgrade Cuballing Tennis Court lighting, conditional upon receipt of CSRFF funding assistance and Tennis Club contribution;
- Completion of the Memorial Park Upgrade in Cuballing;
- Extend walk trails at Yornaning Dam including construction of a boardwalk;
- Construct four independent living units in Cuballing;
- Continue re-development of McGarrigle Park;

- Refurbish the Cuballing Recreation Centre, including kitchen and entries;
- Complete Cuballing Railway reserve projects; and
- Install a new accessible entry to Shire Administration Office;
- After re-consideration of paid visitor camping at Yornaning Dam, purchase payment infrastructure for receiving payments for camping at the Dam;
- Installation of new Alton Street gateway at the Shire depot; and
- Install a new accessible entry to Cuballing Agricultural Hall.

At this time some of the above programs are not costed to the level required for Budget. This

9. adopting policy to pay Shire of Cuballing and regional creditors within 15 days of receipt of invoices;

This proposal would assist local businesses cashflow.

10. identifying measures to rebuild the Shire of Cuballing community including at least:
  - a. allocating \$4,000 to a small grants process to assist local community organisations to hold events and activities in the Shire of Cuballing that bring the Shire of Cuballing community together or boost the Shire of Cuballing local economy.
  - b. continuing to plan and fund Council's scheduled community events in the 2020/21 financial year despite the potential restrictions from social distancing.

In 2019/20 Council allocated \$12,090 to 18 events run by Council and community groups. This proposal seeks to fund a grant programme with a contribution of \$4,000 and Council continuing to fund Council's events program in 2020/21.

### Strategic Implications

#### Shire of Cuballing Strategic Community Plan

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

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

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

	Strategy	Outcome
4.5	Be innovative in the management of Shire operations, services, staff and resources to create a resilient and financially stable Shire.	A Shire that is progressive, sustainable, resilient and adaptive to changes.

Statutory Environment – Nil

Policy Implications – Nil

### Financial Implications

Any response by Council to COVID will have a financial impact on Council, reducing some services and decreasing income. An indicative indication of the cost of proposals is included below with a detailed financial implications will be provided to Council at the time of producing the draft Budget documentation for subsequent consideration.

No	Proposal	Anticipated Cost
1	a zero net rate increase from 2019/20 levels;	-
2	a zero increase on fees and charges, including waste management charges, from 2019/20 levels;	-
3	reduce the rate of penalty interest on overdue rate amounts from 11% to 8%;	4,500
4	reduce the rate of interest for rates instalments from 5.5% for the 2020/21 financial year to 2.5%;	
5	Provide COVID-19 rate relief packages for ratepayers	10,000
6	do not undertake debt recovery action upon ratepayers who have outstanding rates and charges incurred during only the 2019/20 or 2020/21 financial years	-
7	continue measures to monitor and support vulnerable people within the Shire of Cuballing communities;	-
8	bringing forward planned capital projects by using Council's reserves to fund construction.	
9	pay local creditors within 15 days of receipt of invoice	-
10	Funding a small grants process to assist local community organisations to hold events and activities in the Shire of Cuballing	4,000
10	continuing to plan and fund Council's scheduled community events in the 2020/21	(2,500)
	TOTAL	16,000

### Economic Implication

COVID and the response to COVID is having a major impact on Australia's and the world's economy currently and this is expected to continue for some considerable time.

### Social Implication

While the measures taken by Governments in response to COVID are supported, these decision have impact social and financial impacts on the community.

### Environmental Considerations – Nil

Limitations on human activity has been reported to be having a positive impact on the environment in terms of pollution levels.



Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. the Officer's Recommendation with minor amendments; or
3. to defer consideration at this time and seek additional information to be provided by staff.

Voting Requirements – Simple Majority

**OFFICER'S RECOMMENDATION:**

**That Council request the Chief Executive Officer prepare a draft 2020/2021 Budget with the following broad considerations:**

1. a zero net rate increase from 2019/20 levels;
2. a zero increase on fees and charges, including waste management charges, from 2019/20 levels;
3. reduce the rate of penalty interest on overdue rate amounts from 11% to 8%;
4. reduce the rate of interest for rates instalments from 5.5% for the 2020/21 financial year to 2.5%;
5. implement a Local Government Hardship policy and for those in hardship meeting that policies eligibility, Council will not charge any penalty and instalment interest on rates outstanding from the 2019/20 or 2020/21 financial years;
6. Provide COVID-19 rate relief packages for ratepayers of the Shire be eligible on application and assessment on the following basis (total Budget pool available of \$10,000 GST exempt):
  - a. a refund of up to \$400 of local government rates (not ESL or waste charges) pro rata;
  - b. Applications are to be in writing and determined jointly by the Shire President and Chief Executive Officer;
  - c. applications to demonstrate a link between the COVID-19 pandemic control measures and a 30% reduction in business income or loss of employment;
  - d. any approvals are credited to their 2020/21 year's rates;
7. implement a Local Government Hardship policy and for those in hardship meeting that policies eligibility, Council will not undertake debt recovery action upon ratepayers who have outstanding rates and charges incurred during only the 2019/20 or 2020/21 financial years;
8. continue measures to monitor and support vulnerable people within the Shire of Cuballing communities;
9. bringing forward planned capital projects that are currently included in Council's forward planning documents by using Council's reserves to fund construction.

- 10. adopting policy to pay Shire of Cuballing and regional creditors within 15 days of receipt of invoices;**
- 11. identifying measures to rebuild the Shire of Cuballing community including at least:**
  - a. allocating \$4,000 to a small grants process to assist local community organisations to hold events and activities in the Shire of Cuballing that bring the Shire of Cuballing community together or boost the Shire of Cuballing local economy.**
  - b. continuing to plan and fund Council's scheduled community events in the 2020/21 financial year despite the potential restrictions from social distancing;**

## 9.2.4 Sale of Property – Outstanding Rates – 20 Cowcher Street, Yornaning

Applicant: N/A  
File Ref. No: ADM132  
Disclosure of Interest: Nil  
Date: 22<sup>nd</sup> April 2020  
Author: Bronwyn Dew, Deputy Chief Executive Officer  
Attachments: Nil

### **Summary**

**Council is to consider the sale of a Yornaning property to recover the costs of unpaid Rates and legal costs.**

### **Background**

The owner of 20 Cowcher Street, Yornaning has been deceased for some considerable time.

Investigations undertaken by Cloud Payment Group have found a descendant of the owner of this property. Council can choose to serve a General Procedure Claim to the deceased owner's grandson for the debt on the property or proceed with a Property Sale and Seizure Order against the land and to sell it to recover the outstanding debt.

Council's current contractor, Cloud Payment Group, have recommended for Council to proceed with the sale of the property.

Council has not received any payment on this property since the property again became Rateable in 2014.

Total outstanding as at 1 April 2020 is \$11,763.10. This amount is made up of:

- Rates 2019/20 \$ 690.00
- Rates Previous Years \$ 3,304.00
- ESL Current \$ 84.00
- ESL Penalty Current \$ 34.97
- ESL Arrears \$ 360.00
- ESL Penalty Arrears \$ 106.77
- Penalty Interest \$ 3,425.01
- Legal Charges \$ 1,473.35
- Back Rates \$ 2,285.00

### **Comment**

Taking possession 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 exist for the next of kin to pay outstanding rates in full or offered a suitable payment plan to stop the sale of land.

The Shire's Rates Department will be handling all matters in relation to the transfer of the property in conjunction with the CEO and Council's Debt Recovery agent. Costs to sell the property will be incurred and are recoverable under section 6.56 of the Local Government Act. These funds will be received when the sale of the property has occurred, and is expected to be an additional \$4,000.

## Strategic Implications – Nil

### Statutory Environment

#### Local Government Act 1995

##### 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.

##### Section 6.69 – Right to pay rates, service charges and costs, and stay proceedings

- (1) Up to 7 days prior to the time of the actual sale of any land for non payment of rates or service charges a person having an estate or interest in the land may pay the rates or service charges and the costs and expenses incurred to that time in proceedings relating to the proposed sale.
- (2) At any time after the 7 days referred to in subsection (1) but prior to the time of the actual sale of any land the local government may, upon such terms and conditions as are agreed between the parties, accept payment of the outstanding rates or service charges.
- (3) On payment being made under subsection (1) or (2) the proceedings relating to the proposed sale are stayed and the local government is required to make such notifications and take such measures as are prescribed in relation to the payment and the cancellation of the proposed sale.

Policy Implications – Nil

Financial Implications

The successful sale of this property would settle bad debts for money 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;
2. to seize the land and lease it to recover outstanding Rates;
3. defer this matter and seek further information.

Voting Requirements – Absolute Majority

**OFFICER'S RECOMMENDATION:**

**That Council:**

1. **exercise the power of sale under section 6.64(1)(b) of the Local Government Act 1995 to proceed to a public auction for the property located at 20 Cowcher Street, Yornaning;**
2. **should the public auction be unsuccessful then move to sell the property via private sale;**
3. **in the event that the proceeds from the sale of 20 Cowcher Street are insufficient to meet all rates arrears and legal costs, write off any outstanding amounts of rates arrears and legal costs; and**
4. **authorise the Chief Executive Officer to finalise this transaction.**

## 9.2.5 Sale of Property – Outstanding Rates – 104 Alexandra Street, Popanyinning

Applicant: N/A  
File Ref. No: ADM132/A506  
Disclosure of Interest: Nil  
Date: 21<sup>st</sup> April 2020  
Author: Bronwyn Dew, DCEO  
Attachments: NIL

### Summary

**Council is to consider the sale of Popanyinning property to recover the costs for unpaid Rates and recovery fees.**

### Background

Since 2014/15 the owner of 104 Alexandra Street Popanyinning has received Rates Notices, Final Notices, Final Demands and been subject to Debt Recovery as per Council Policy for each year of outstanding Rates.

In 2016/17 the property owner was successfully served a General Procedure Claim (GPC) however the Bailiff was unable to seize enough property to recover the outstanding debt.

In July 2017 Council approved seeking a Property Sale and Seizure Order (PSSO) against the property and to seek to sell the property to recover the outstanding rates debt.

At that time the ratepayer requested to pay the rates off with a payment plan but defaulted after making eight payments of \$50 per payment. Again in 2018/19 the ratepayer requested to pay the rates off with a payment plan and again defaulted after eight payments; being seven \$50 payment and one \$100 payment.

Council is now able to seek sale of the property under Section 6.64 (1) (b) of the Local Government Act to recover the outstanding debts.

The Shire has received no payment for the 2019/20 rates. The total debt could be recovered through a Land PSSO.

The Rates have not been paid in full on this Vacant Land since June 2014. The total outstanding as at 1 April 2020 is \$8,384.40. This amount is made up of:

Rates 2019/20	\$ 690.00
Rubbish Service Previous Years	\$ 500.00
Rates Previous Years	\$ 2,040.00
ESL 2019/20	\$ 84.00
ESL Penalty Current	\$ 23.12
ESL Arrears	\$ 216.94
ESL Penalty Arrears	\$ 52.38
Penalty Interest	\$ 2,065.23
Legal Charges	\$ 2,712.73

### 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 exist for the ratepayer to pay outstanding rates in full to stop the sale of land.

The Shire's Rates Department will be handling all matters in relation to the sale of the property in conjunction with the CEO. Costs to sell the property will be incurred and recoverable under section 6.56 of Local Government Act. These funds will be received when the sale of the property has occurred, but is expected to be an additional \$4,000.

Shire staff believes that the sale of this property will recover the outstanding debt on the property.

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.

Policy Implications – Nil

Financial Implications

The successful sale of this property would settle bad debts for money 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 – Council's Debt Recovery Agent

Options

Council may resolve:

1. the Officer's Recommendation;
2. to seize the land and lease it to recover outstanding Rates; or
3. not to resolve Officer's Recommendation and seek further information.

**OFFICER'S RECOMMENDATION:**

**That Council:**

- 1. proceed to apply a Land Property Sale and Seizure Order against the property at 104 Alexandra Street Popanyinning WA 6309;**
- 2. in the event that the proceeds from the sale of 104 Alexandra Street, Popanyinning are insufficient to meet all rates arrears and legal costs, write off any outstanding amounts of rates arrears and legal costs; and**
- 3. authorise the Chief Executive Officer to finalise this transaction.**



## 9.2.6 Bushfire Risk Management Planning Program – Amendment of Agreement

Applicant:	N/A
File Ref. No:	ADM080
Disclosure of Interest:	Nil
Date:	15 <sup>th</sup> May 2020
Author:	Gary Sherry
Attachments:	9.2.6A Bushfire Risk Management Planning Program Grant Agreement 9.2.6B Draft Variation to the Bushfire Risk Management Planning Program Grant Agreement

### Summary

**Council is to consider extending the Bushfire Risk Management Planning Program to include four additional Shires within the region.**

### Background

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

#### The Program:

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

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

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

- Guide and coordinate a tenure blind, multi-agency bushfire risk management program over a five year period;
- Document the process used to identify, analyse and evaluate risk, determine priorities and develop a plan to systematically treat risk;
- Facilitate the effective use of the financial and physical resources available for bushfire risk management activities;
- Integrate bushfire risk management into the business processes of local government, land owners and other agencies;
- Ensure there is integration between land owners and bushfire risk management programs and activities; and

- Monitor and review the implementation of treatments to ensure treatment plans are adaptable and risk is managed at an acceptable level

In June 2019 the Shire of Cuballing entered into a funding agreement with DFES and the Shires of Narrogin, Cuballing and Williams to participate in the Bushfire Risk Management Planning Program and prepare a BRM Plan for the Shire. A copy of this funding agreement is included at Attachment 9.2.6A.

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

Under the terms of the funding agreement between DFES and the Shires of Narrogin, Cuballing and Williams:

- the Shire of Narrogin receives and manage the funds;
- The Shire of Narrogin will employ the Bushfire Risk Management Officer; and
- The Shires will participate and deliver on the BRM Plans.

The Shire of Cuballing’s draft Bushfire Risk Management Plan is nearing completion and will be provided to OBRM later this month.

#### Comment

DFES is now seeking the endorsement of the Shires of Narrogin, Cuballing and Williams of a variation to funding agreement in order to extend the agreement to include:

- Shire of Wandering;
- Shire of Pingelly;
- Shire of Lake Grace; and
- Shire of Kent.

This will effectively extend the period of the Grant Agreement to 30<sup>th</sup> June 2022 resulting in the preparation a Bushfire Risk Management Plan for each of the 7 participating Shires.

#### Strategic Implications

Shire of Cuballing Community Strategic Plan 2017-2027

SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

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

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

Statutory Environment – Nil

Policy Implications – Nil

#### Financial Implications

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

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

Economic Implication – Nil

Social Implication – Nil

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

Environmental Considerations – Nil

Consultation

DFES, Bushfire Risk Management Officer, Upper Great Southern Region, Donna Morgan

Options

Council may resolve:

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

Voting Requirements – Simple Majority

**OFFICER'S RECOMMENDATION:**

**That Council:**

1. **agree to the extension of the Bushfire Risk Management Planning Program to include additional local governments; and**
2. **Endorse the Amendment to the Risk Management Planning Program Grant Agreement included at Attachment 9.2.6B.**



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**BUSHFIRE RISK MANAGEMENT PLANNING PROGRAM  
GRANT AGREEMENT**

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June 2019



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

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

**Grantee** refers to the 1<sup>st</sup> Organisation in this Agreement.

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

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

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

## **2. PAYMENT OF GRANT FUNDS**

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

## **3 OBLIGATIONS OF ORGANISATION**

### **3.1 Use of Grant Payment**

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

### **3.2 No Changes**

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

### **3.3 No Endorsement**

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

### **3.4 Acknowledgement of Grantor**

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

### **3.5 Request for Information**

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

### **3.6 Accounts and Reporting**

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

### **3.7 Special Conditions of Grant**

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

### **3.8 General Undertaking of Organisation**

The Organisation must:

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

## **4. REPAYMENT AND RETENTION OF GRANT FUNDS**

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

## **5. LIMITATION OF LIABILITY**

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

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

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

**7. NOTICES**

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

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

**8. DEFAULT AND TERMINATION**

**8.1 Event of Default by the Organisation**

An Event of Default occurs if:

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



## 8.2 Effect of Event of Default

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

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

## 8.3 Recommencement of Grant Payment

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

## 8.4 Acquittal

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

## 9. GOODS AND SERVICES TAX (GST)

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

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

**10. RELATIONSHIP**

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

**11. WAIVER**

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

**12. ENTIRE AGREEMENT**

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

**13. VARIATION**

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

**14. DISPUTE RESOLUTION**

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

Executed by the Parties hereto:

For and on behalf of the Grantor:



Signature of Authorised Person

Darren Klemm AFSM

Print full name of Authorised Person

Dated 18/6/19

Commissioner Fire and Emergency Services

Position of Authorised Person

For and on behalf of the 1st Organisation: (SHIRE OF NARFOUN

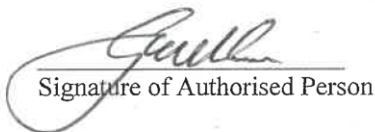
  
Signature of Authorised Person

Darren Stewart  
Print full name of Authorised Person

Dated 7/6/19

CEO  
Position of Authorised Person

For and on behalf of the 2nd Organisation: (SHIRE OF WILLIAM)

  
Signature of Authorised Person

GEOFFREY RADFORD MCKEOWN  
Print full name of Authorised Person

Dated 14/6/19

CEO  
Position of Authorised Person

For and on behalf of the 3rd Organisation: (SHIRE OF CUBALLING)

  
Signature of Authorised Person

Gary Alan Sherry  
Print full name of Authorised Person

Dated 14/6/2019

CEO  
Position of Authorised Person

## SCHEDULE 1

### DEFINITION OF PROGRAM OR SERVICE TO BE FUNDED

#### 1. Approved Purpose of Grant

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

#### 2. Program Definition and/or Anticipated Activities

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

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

#### Responsibilities of the Organisation

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

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

Responsibilities of the Grantor

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

Appointment of the BRPC

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

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

### Training

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

### **3. Agreement Term**

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

### **4. Special Conditions of Grant**

#### Agreement terms

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

#### Use of BRMS

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

#### BRMS and BRMP Material

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

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

Unavailability of BRPC

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

Intellectual Property Rights

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

Confidentiality

- a) The Grantor may publicly disclose: (i) the identity of the Grantee; (ii) the value of this Agreement; and (iii) a description of the BRMP program. The Organisation acknowledges that this Agreement, and information held or compiled by the Grantor or the State of Western Australia in relation to this Agreement, is subject to the Freedom of Information Act 1992.
- b) In addition to the general definition of Confidential Information the following information is specified as confidential: all information and documentation provided by external parties for use in the BRMS that relates to critical infrastructure and/or threatened environmental areas and/or culturally sensitive areas and/or is specified by the external party as confidential.
- c) The Organisation must keep all Confidential Information confidential. The Organisation must not use or disclose the Confidential Information to any person except:

- (i) where necessary for the purpose of performing the BRMP program; or
  - (ii) as authorised in writing by the Grantor or the external party, as the case may be; or
  - (iii) to the extent that the Confidential Information is public knowledge (other than because of a breach of this clause by the Organisation); or
  - (iv) as required by any law, judicial or parliamentary body or governmental agency; or
  - (v) when required (and only to the extent required) to the Organisation professional advisers, and the Organisation must ensure that such professional advisers are bound by the confidentiality obligations imposed on the Organisation under this clause.
- d) Except to the extent that the Organisation are required by law to retain any Records, the Organisation must return all Records containing Confidential Information immediately at the expiration or termination of this Agreement.

#### Data Security

Organisation must:

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

#### Access

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



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

#### Indemnity

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

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

#### Insurance

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

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

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

- b) Each Organisation must provide the Grantor with sufficient evidence of the insurances required under this clause (including, if requested, a copy of any policy) and provide a certificate of currency of insurance, as requested by the Grantor at any time.
- c) If an Organisation becomes aware of any event or incident occurring, which gives rise or is likely to give rise to a claim under any insurance required under this clause, it must as soon as reasonably practicable notify the Grantor in writing of that event or incident.
- d) Failure to comply with this clause will not invalidate or otherwise affect any indemnities, liabilities and releases of this Agreement.
- e) The obligations of the Organisation under this clause are continuing obligations and survive expiration or termination of this Agreement for so long as the obligations of the Organisation under this clause continue.
- f) Nothing in this clause limits an Organisation's other liabilities under this Agreement.

#### Notices

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

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

Grant Funds

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

**5. Notice Addresses**

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

**PAYMENT SCHEDULE**

**6. Method of payment and total amount of Grant Funds**

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

Invoices are to be GST exclusive.

PAYMENT SCHEDULE	AMOUNT TO BE PAID (\$)	PAYMENT DATE
2019-2020	Grant Amount \$172,931.00	Within ten (10)
	TOTAL \$172,931.00	business days of

	(rounded)	receipt of an invoice from the Grantee
2020-2021	Grant Amount \$174,505.19 TOTAL \$174,505.00 (rounded)	Within ten (10) business days of receipt of an invoice from the Grantee
2021-2022	Grant Amount \$176,083.09 TOTAL \$176,083.00 (rounded)	Within ten (10) business days of receipt of an invoice from the Grantee

### 7. Vehicles

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

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

### 8. System Requirements

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

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

### 9. Equipment

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

## SCHEDULE 2

### REPORTING REQUIREMENTS

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

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

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

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

#### 4. Acquittance Report

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

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

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

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

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

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

#### 5. Audited Inspection

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

#### 6. Evaluation Arrangements

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

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

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

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

**ANNEX B****Milestone Reporting**

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

<b>BRM Plan Milestone Report</b>
<b>Local Government:</b>
<b>Bushfire Risk Management Officer:</b>
<b>Bushfire Risk Planning Coordinator:</b>
<b>Reporting Period:</b>

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

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

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

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

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

**Recommendations**

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

**ANNEX D****Recommended Minimum System Requirements**

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



**ANNEX E****Bushfire Risk Management Resource Allocation**

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

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

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

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

**ANNEX F****Location:**

The BRPC will be employed by the Shire of Narrogin.

## **ANNEX G**

### **Job Description Form for BRPC**

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

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

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

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

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

### **Selection Criteria**

#### **ESSENTIAL**

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

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

**HIGHLY DESIRABLE**

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

**Position Description**

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

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



FOR A SAFER STATE



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**BUSHFIRE RISK MANAGEMENT PLANNING PROGRAM  
GRANT AGREEMENT VARIATION**

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May 2020

# VARIATION TO GRANT AGREEMENT

## BETWEEN THE

**Department of Fire and Emergency Services (DFES)**  
**(formerly the Fire and Emergency Services Authority of Western Australia)**  
**20 Stockton Bend, Cockburn Central WA 6164**

## AND

**SHIRE OF NARROGIN**  
**SHIRE OF CUBALLING**  
**SHIRE OF WILLIAMS**  
**SHIRE OF WANDERING**  
**SHIRE OF PINGELLY**  
**SHIRE OF LAKE GRACE**  
**SHIRE OF KENT**

The parties agree to amend the existing Bushfire Risk Planning Program Grant Agreement (dated 18 June 2019), pursuant to Schedule 13 under Variation, as follows:

- (1) The Shire of Wandering, the Shire of Pingelly, the Shire of Lake Grace and the Shire of Kent will be incorporated into the Agreement and will agree to the terms and conditions
- (2) The allocation of the Bushfire Risk Planning Coordinator, as stated in Annex E, will be superseded by the following breakdown:

<b>Financial Year</b>	<b>Local Government</b>	<b>Days per Fortnight</b>
2020-21	Shire of Narrogin	1
2020-21	Shire of Cuballing	1
2020-21	Shire of Wandering	4
2020-21	Shire of Pingelly	4
2021-22	Shire of Narrogin	1
2021-22	Shire of Wandering	1
2021-22	Shire of Pingelly	1
2021-22	Shire of Lake Grace	3.5
2021-22	Shire of Kent	3.5

**SIGNED for and on behalf of the Grantor:**

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

**SIGNED for and on behalf of the Shire of Narrogin:**

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

**SIGNED for and on behalf of the Shire of Cuballing:**

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

**SIGNED for and on behalf of the Shire of Williams:**

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



**SIGNED for and on behalf of the Shire of Wandering:**

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

**SIGNED for and on behalf of the Shire of Pingelly:**

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

**SIGNED for and on behalf of the Shire of Lake Grace:**

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

**SIGNED for and on behalf of the Shire of Kent:**

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

**9.3 MANAGER OF WORKS AND SERVICES:**

Nil

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

Nil

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

Nil at this time.

**12. CONFIDENTIAL MATTERS:**

Nil at this time.

**13. NEXT MEETING:**

Ordinary Council Meeting, 2.00pm, Wednesday 17<sup>th</sup> June 2020 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

**14. CLOSURE OF MEETING:**