

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

MINUTES

of the

Ordinary Meeting of Council

held

WEDNESDAY 20th OCTOBER 2021

Shire of Cuballing
Council Chambers
Campbell Street, Cuballing

COUNCIL MEETING PROCEDURES

1. All Council meetings are open to the public, except for matters raised by Council under “Confidential Matters”.
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:**

The Chief Executive Officer, Mr Sherry, declared the meeting open at 2:00pm.

2. **ELECTION OF PRESIDENT AND DEPUTY PRESIDENT:**

2.1.1 Election of President

File Ref. No:	ADM 66
Author:	Gary Sherry
Disclosure of Interest:	Nil
Date:	22 nd September 2021

Summary

It is necessary for Council to elect a Shire President.

Comment

In accordance with Schedule 2.3 of the Local Government Act 1995, written nominations for the office of Presiding Member for the next two years are to be addressed to the Chief Executive Officer.

Nomination forms are enclosed with Councillors Agenda Package for the purpose. If a Councillor is nominated by another Councillor, the nominee must advise the Chief Executive Officer orally or in writing that he/she is willing to be nominated for the office.

Should there be two or more nominees, a secret ballot will be conducted to determine the holder of the office.

Upon election the President is required to make a Declaration

Statutory Environment

Local Government Act 1995

2.11. Alternative methods of filling office of mayor or president

- (1) When an order is made under section 2.1 declaring an area of the State to be a district, the Governor is, by order, to specify whether the first mayor or president of the local government is to be —
 - (a) elected by electors of the district under Part 4; or
 - (b) elected by the council from amongst the councillors under Schedule 2.3, Division 1.

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

Division 1 — Mayors and presidents

1. Terms used in this Division

In this Division —

“extraordinary vacancy” means a vacancy that occurs under section 2.34(1);

“the office” means the office of councillor mayor or president.

2. When the council elects the mayor or president

- (1) The office is to be filled as the first matter dealt with —

- (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
 - (2) If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.
3. CEO to preside
The CEO is to preside at the meeting until the office is filled.
4. How the mayor or president is elected
- (1) The council is to elect a councillor to fill the office.
 - (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
 - (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
 - (3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
 - (4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
 - (5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
 - (6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
 - (7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.
5. Votes may be cast a second time
- (1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.
 - (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.
 - (3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.
 - (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

The Chief Executive Officer advised that one nomination for the position of Shire President had been received prior to the Council Meeting:

- **Cr Dowling was nominated by Cr Harris. Cr Dowling accepted this nomination.**

The Chief Executive Officer asked for nominations from the meeting.

No further nominations for received.

With no further nominations the Chief Executive Officer declared that Cr Dowling was elected to the position of Shire President.

Cr Dowling made the Declaration of Office of Shire President.

2.1.2 Election of Shire Deputy President

File Ref. No:	ADM 323
Author:	Gary Sherry
Disclosure of Interest:	Nil
Date:	22 nd September 2021

Summary

It is necessary for Council to elect a Deputy Shire President.

Comment

In accordance with Schedule 2.3 of the Local Government Act 1995, written nominations for the office of Deputy President for the next two years are to be addressed to the Chief Executive Officer. Nomination forms are enclosed with Councillors Agenda Package for the purpose. If a Councillor is nominated by another Councillor, the nominee must advise the Chief Executive Officer orally or in writing that he/she is willing to be nominated for the office.

Should there be two or more nominees, a secret ballot will be conducted to determine the holder of the office.

Upon election the Deputy President is required to make a Declaration

Statutory Environment

Local Government Act 1995

2.15. Filling the office of deputy mayor or deputy president

The deputy mayor or deputy president is to be elected by the council under Schedule 2.3, Division 2.

[Section 2.15 amended by No. 49 of 2004 s. 18.]

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council [Sections 2.11(1)(b) and 2.15]

Division 2 — Deputy mayors and deputy presidents

6. Terms used in this Division

In this Division —

“extraordinary vacancy” means a vacancy that occurs under section 2.34(1);

“the office” means the office of deputy mayor or deputy president.

7. When the council elects the deputy mayor or deputy president

(1) If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —

(a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and

(b) at the first meeting of the council after an extraordinary vacancy occurs in the office.

(2) If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —

- (a) as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.
 - (3) If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.
8. How the deputy mayor or deputy president is elected
- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.
 - (2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.
 - (3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.
 - (3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
 - (4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.
 - (5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.
 - (6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.
 - (7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.
9. Votes may be cast a second time
- (1) If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.
 - (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.
 - (3) When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.
 - (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.

The Chief Executive Officer advised that one nomination for the position of Shire Deputy President had been received prior to the Council Meeting:

- **Cr Harris was nominated by Cr Bradford. Cr Harris accepted this nomination.**

The Chief Executive Officer asked for further nominations from the meeting.

No further nominations for received.

With no further nominations the Chief Executive Officer declared that Cr Harris was elected to the position of Shire Deputy President.

Cr Harris made the Declaration of Office of Shire Deputy President.

Mr David Russell JP left the meeting at 2.05pm

2.1.3 Allotment of Councillors Seats

File Ref. No:	ADM 65, ADM 66, ADM 67
Author:	Gary Sherry
Disclosure of Interest:	Nil
Date:	22 nd September 2021

Summary

Council is to allocate seats at the Council table for Councillors.

Comment

Council's Standing Orders Local Law requires that the Chief Executive Officer allocate a position at the Council table at the first ordinary meeting after an election.

The only Councillor not to be allocated a seat at the table is the Shire President who will sit at the head of the Council.

Statutory Environment

Shire of Cuballing -Standing Orders Local Law

8.2 Members to Occupy Own Seats

At the first meeting held after each ordinary elections day, the CEO is to allot by random draw, a position at the Council table to each Councillor and the Councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of Councillors for a re-allotment of positions.

The Chief Executive Officer allotted seats by random draw at the Council Table for Councillors.

Cr Dowling assumed the Chair of the Meeting. In taking the Chair, Cr Dowling:

- **welcomed the new Councillors who were successful at the recent election;**
- **acknowledged the service of the retiring Councillors and in particular former Shire President Mark Conley; and**
- **Mr Sherry who had recently provided his resignation from the position of Chief Executive Officer.**

3. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1 Attendance

Cr Dawson Bradford
Cr Julie Christensen
Cr Pete Dowdell
Cr Eliza Dowling
Cr Robert Harris
Cr Adrian Kowald

Mr Gary Sherry
Ms Bronwyn Dew
Mr Bruce Brennan

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

David Russell JP

(Until 2.05pm)

2.1.2 Apologies

Nil

2.1.3 Leave of Absence

Nil

4. STANDING ORDERS:

COUNCIL DECISION 2021/109:

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

Moved: Cr Bradford

Seconded: Cr Harris

Carried 6/0

5. PUBLIC QUESTION TIME:

5.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:

Nil

5.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

Nil

5.3 PUBLIC QUESTIONS FROM THE GALLERY:

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

7. CONFIRMATION OF MINUTES:

7.1.1 Ordinary Meeting of Council held on Wednesday 15 th September 2021
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COUNCIL DECISION 2021/110:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 15th September 2021 be confirmed as a true record of proceedings.

Moved: Cr Bradford

Seconded: Cr Harris

Carried 6/0

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:

Nil

9. DISCLOSURE OF FINANCIAL INTEREST:

Cr Dowdell declared a Financial Interest in 10.2.1 in that he is the applicant.

Cr Bradford declared a Proximity Interest in 10.2.1 in that he leases property adjoining the property included in the application.

Cr Harris declared an Impartiality Interest in 10.2.4 in that he is the nominee.

Cr Harris declared a Proximity Interest in 10.2.5 in that he owns property beside the road.

Cr Harris declared a:

- Financial Interest in 10.2.8 in that he has a contract with Council to supply gravel to the project; and**
- Proximity Interest in 10.2.8 in that he owns property beside the road project.**

Mr Gary Sherry declared a Direct Financial Interest in 12.1.2 in that he is the Officer involved.

10. REPORTS OF OFFICERS AND COMMITTEES:

10.1 DEPUTY CHIEF EXECUTIVE OFFICER:

10.1.1 List of Payments – September 2021

File Ref. No: NA
Disclosure of Interest: Nil
Date: 13th October 2021
Author: Nichole Gould
Attachments: 10.1.1A List of September Municipal Accounts
10.1.1B Credit Card Transactions

Summary

Council is to review payments made under delegation in September 2021.

Background – Nil

Comment

Council is provided at Attachments 10.1.1A with a list of payments made from Council's bank account during the month of September 2021.

Strategic Implications – Nil

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. to not note the list of accounts.

Voting Requirements – Simple Majority

COUNCIL DECISION 2021/111:

That Council receives:

1. the List of Accounts paid in September 2021 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 \$373,372.20 included at Attachment 10.1.1A; and
2. a summary of transactions completed on Credit Cards by Council Staff for the period ending 31st August 2021 included at Attachment 10.1.1B.

Moved: Cr Kowald

Seconded: Cr Christensen

Carried 6/0

LIST OF SEPTEMBER 2021 MUNICIPAL FUND ACCOUNTS

Chq/EFT	Name	Description	Amount
01/09/2021	Police Licensing Payments	Police Licensing Payments	40.00
02/09/2021	Private Health Member Fees	Private Health Member Fees	239.00
02/09/2021	Police Licensing Payments	Police Licensing Payments	3,936.35
03/09/2021	Police Licensing Payments	Police Licensing Payments	858.55
06/09/2021	Police Licensing Payments	Police Licensing Payments	842.45
07/09/2021	Police Licensing Payments	Police Licensing Payments	1,052.80
07/09/2021	Interest on Graders	Interest on Graders	80.85
07/09/2021	Loan Repayment No. 63 Graders	Loan Repayment No. 63 Graders	3,633.43
09/09/2021	Police Licensing Payments	Police Licensing Payments	787.10
13/09/2021	Police Licensing Payments	Police Licensing Payments	230.35
14/09/2021	Police Licensing Payments	Police Licensing Payments	142.15
15/09/2021	Police Licensing Payments	Police Licensing Payments	149.50
16/09/2021	Private Health Member Fees	Private Health Member Fees	239.00
16/09/2021	Police Licensing Payments	Police Licensing Payments	1,626.35
17/09/2021	Police Licensing Payments	Police Licensing Payments	692.75
20/09/2021	Police Licensing Payments	Police Licensing Payments	427.40
21/09/2021	Police Licensing Payments	Police Licensing Payments	315.20
22/09/2021	Police Licensing Payments	Police Licensing Payments	18.90
23/09/2021	Police Licensing Payments	Police Licensing Payments	3,943.05
23/09/2021	ATO Clearing Account BAS	ATO Clearing Account BAS	-16.00
24/09/2021	Police Licensing Payments	Police Licensing Payments	780.20
28/09/2021	Police Licensing Payments	Police Licensing Payments	1,186.80
30/09/2021	Private Health Member Fees	Private Health Member Fees	239.00
30/09/2021	Police Licensing Payments	Police Licensing Payments	309.50
EFT6421	Corsign (WA) Pty Ltd	10 x Road closed signs with bipod legs	1,023.00
EFT6422	Department Fire and Emergency Services	2021/22 ESL Levy	58,884.00
EFT6423	Derbahl	Pumping septic trailer toilet for Popanyinning bon fire	428.00
EFT6424	IT Vision	Update purchase order with new purchasing policy	275.00
EFT6425	Kalexpress & Quality Transport	Freight Charges - Corsign	267.36
EFT6426	Narrogin Carpets and Curtains	Supply and fit roller blinds to CWA hall	1,540.00
EFT6427	Narrogin Toyota & Mazda	50,000 km service	349.65
EFT6428	PH & KE Gow	Subdivision of Lot 3575 Stratherne Road as per DPLH instruction	5,742.00
EFT6429	Pingelly Tyre Service	1 x Trailer tyre for float	253.00

Chq/EFT	Name	Description	Amount
EFT6430	Shire of Narrogin	Hire of towed broom	706.50
EFT6431	Twinkarri Tree Pruning Services	Fire Mitigation Tree Mulching works on Bridges	39,022.50
EFT6432	Wallis Computer Solutions	Annual Licence fees office 365	13,022.06
EFT6433	Whitford Fertilisers Narrogin	Weighbridge - Waste Management July 2021	49.50
EFT6434	Donald Walter Barber	Rates refund	6,000.00
EFT6435	Airborn Amusements Pty Ltd	Amusement Rides - Go for 2&5 Cuballing Family Festival	5,300.00
EFT6436	All West Building Approvals	Inspect works on completion to enable a Certificate of Construction Compliance to be issued. Provide list of documentation/certification required from Contractors, Consultants to enable the Certificate of Construction Compliance to be issued.	165.00
EFT6437	Air Response	Install Toshiba split system air conditioners to server room & office	4,828.00
EFT6438	Ashley Blyth Tree Lopping	Felling of dangerous tree covering all of Francis Road Popanyinning	1,100.00
EFT6439	Bruce Brennan	50% Reimbursement Synergy - August 2021	357.92
EFT6440	Builders Registration Board Building Commission	August 2021 Building Forms	262.22
EFT6441	Building & Construction Industry Training	BCITF Forms August 2021	215.50
EFT6442	Best Office Systems	Monthly Copier Charges - 20/08/21 to 20/09/21	561.25
EFT6443	Bronwyn Dew	Reimbursement of internet service	55.00
EFT6444	Cannon Hygiene Australia Pty Ltd	Sanitary Bin Service - twice yearly - September 2021	1,461.44
EFT6445	Corsign (WA) Pty Ltd	2x bicycle signs	244.20
EFT6446	Cuby Roadhouse	Postage	1,363.61
EFT6447	Dews Mini Excavations	Drainage	1,386.00
EFT6448	Edge Planning & Property	Town Planning Service - August 2021	528.00
EFT6449	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery	7,584.84
EFT6450	Great Southern Waste Disposal	Rubbish Removal - Recycling Service	8,063.44
EFT6451	Hersey Safety Pty Ltd	150 Guide posts and reflectors, safety gear, protective clothing	5,071.90

Chq/EFT	Name	Description	Amount
EFT6452	Kelyn Training Services	Traffic Management Course	650.00
EFT6453	Makit Narrogin Hardware	Monthly Account - Gas Bottle Yellow, File, Blade, Nozzle, Hose Reel	259.90
EFT6454	Narrogin Earthmoving and Concrete	Supply Rubber tyred roller	10,522.50
EFT6455	Narrogin Packaging and Motorcycles & Accessories	4 x boxes toilet rolls	186.80
EFT6456	Cuby Windscreens & Cuby Agricultural Windscreens	Remove Car from Strahans Road	143.00
EFT6457	Narrogin Country Fresh Meats	Catering	55.49
EFT6458	Narrogin Embroidery	Embroidery to Staff Uniforms	126.00
EFT6459	Narrogin Pumps Solar and Spraying	20 x lilac big droplet nozzles	290.40
EFT6460	Pingelly Tyre Service	1 x Truck tyre Halmax for 6 wheel tipper fitted and tyre disposal	760.10
EFT6461	Parrys Narrogin	Staff Uniform	447.10
EFT6462	Popanyinning Progress Association	LEAP Grant - Popanyinning Bonfire Council Decision 2021/079	2,000.00
EFT6463	Shire of Narrogin	Disposal of Cuballing Transfer Station Waste - July 2021	2,990.46
EFT6464	Security Man Pty Ltd	Security Monitoring	110.00
EFT6465	Shire of Beverley	Central Country Zone of WALGA Golf Event	150.00
EFT6466	Shire of Brookton	2021/22 Honorarium-Chairperson Wheatbelt South Regional Road Group	100.00
EFT6467	South West Fire Units	CN1992 Repairs & Major Service Cuballing 2x4	9,842.16
EFT6468	Unique Strokes WA	Repaint office administration, passages & entry	4,480.00
EFT6469	WA College of Agriculture	Donation towards top student award	100.00
EFT6470	WA Local Government Association	Membership 2021/22, including procurement service, council connect, local laws, employee relations & governance service	23,213.68
EFT6471	Westrac	Carry out 500HR Service Cat 140 Grader	1,006.47
EFT6472	Whitford Fertilisers Narrogin	Weighbridge - Waste Management August 2021	60.50
EFT6473	Winc Australia Pty Limited	Stationery	181.04
EFT6474	Cuballing Building Company	Construct new disabled access to Shire office & Interior refurbishment	94,005.40

Chq/EFT	Name	Description	Amount
20095	Synergy	Council Properties Electricity Charges	5,169.06
20096	Water Corporation	Water Charges - Standpipe Francis Street	631.57
DD2745.1	Hostplus Super	Superannuation contributions	304.25
DD2745.2	Aware Super Pty Ltd	Payroll deductions	6,886.31
DD2745.3	Matrix Superannuation	Superannuation contributions	188.00
DD2745.4	Australian Super	Superannuation contributions	699.46
DD2745.5	CBUS	Superannuation contributions	487.27
DD2745.6	Colonial First State	Superannuation contributions	218.58
DD2752.1	National Australia Bank	Monthly Credit Card – August	2,491.92
DD2754.1	linet Limited	Monthly NBN Internet Service CEO Residence	89.99
DD2756.1	Hostplus Super	Superannuation contributions	294.64
DD2756.2	Aware Super Pty Ltd	Payroll deductions	6,250.68
DD2756.3	Matrix Superannuation	Superannuation contributions	195.96
DD2756.4	Australian Super	Superannuation contributions	699.46
DD2756.5	CBUS	Superannuation contributions	490.41
DD2756.6	Colonial First State	Superannuation contributions	218.58
DD2759.1	Telstra	Service Charge - Shire Office	266.11
DD2759.2	Telstra	Mobile Charge – All Mobiles	304.97
DD2766.1	Hostplus Super	Superannuation contributions	298.33
DD2766.2	Aware Super Pty Ltd	Payroll deductions	6,048.90
DD2766.3	Matrix Superannuation	Superannuation contributions	184.96
DD2766.4	Australian Super	Superannuation contributions	700.18
DD2766.5	CBUS	Superannuation contributions	487.34
DD2766.6	MLC	Superannuation contributions	0.12
DD2766.7	Colonial First State	Superannuation contributions	218.58
			373,372.20

CREDIT CARD TRANSACTIONS

SUPPLIER	DETAIL OF PURCHASE	TOTAL
Liberty Albany	Fuel	73.57
Seek	Advertising - Project Officer	313.50
Bunnings	Digital Door Lock - Admin Office	50.00
Hope Cancer Care	Gift - Cr Hopper	102.95
Narrogin Betta Electrical	Sandwich Press	79.00
Aussie Broadband	Monthly NBN Internet Subscription	79.00
Department of Transport	Upgrade to Licence - Crossley	53.90
Modern Motor Trimmers	Repairs to truck seat	935.00
Joondalup Resort	LG Managers Conference - Accommodation Works Manager	390.00
Joondalup Resort	LG Managers Conference - Accommodation Supervisor	390.00
Joondalup Resort	LG Managers Conference - Refreshments	25.00
GRAND TOTAL		2,491.92

10.1.2 Statement of Financial Activity – September 2021

Applicant:	N/A
File Ref. No:	ADM214
Disclosure of Interest:	Nil
Date:	7 th October 2021
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 September 2021.

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 details:

- 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

Operating Revenue key points include.

- General Purpose Funding – Rates were raised on 28th July 2021;
- Transport – MRWA Direct Grant amount received \$87,145;
- Transport – First 40% of Regional Road Group claims have been received;
- Transport – 100% of Roads to Recovery funding for 2021/22 has been received;
- Financial Assistance Grants – early payment of 2021/22 grant has been received;
- FESA – ESL grant funding – early payment of 2021/22 grant has been received; and
- Youth Traineeship Grant Funding for 2021/22 has been received.

Operating Expenses – The key items of variance include:

- Employee costs are overbudget due to timing of training new staff;
- Repairs overbudget due to repairs to fire vehicles;
- Road maintenance overbudget due to repairs to roads damaged by rain; and
- Capital acquisitions are underbudget – due to timing of major projects.

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

Administration Allocations have been calculated to 30th September 2021.

Depreciation expense is calculated to 30th September 2021.

Strategic Implications – Nil
Statutory Environment – Nil
Policy Implications – Nil
Financial Implications – Nil
Economic Implication – Nil
Environmental Considerations – Nil
Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. not to receive the Statement of Financial Activity.

Voting Requirements – Simple Majority

COUNCIL DECISION 2021/112:

That the Statement of Financial Activity, as included at Attachment 9.1.2A for the Shire of Cuballing for period ending 30th September 2021 be received.

Moved: Cr Bradford

Seconded: Cr Harris

Carried: 6/0

SHIRE OF CUBALLING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 September 2021

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

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MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2021

INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 30 September 2021

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

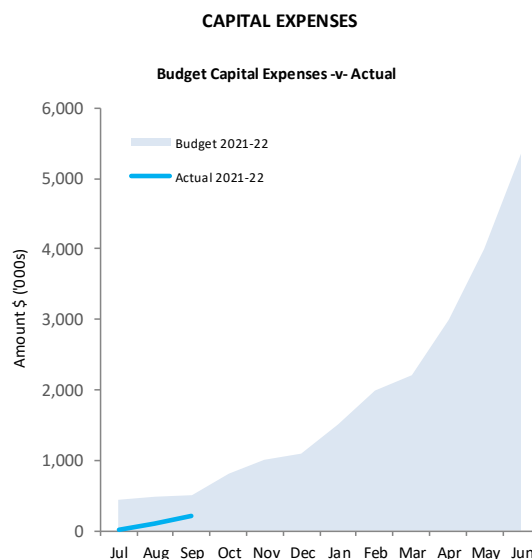
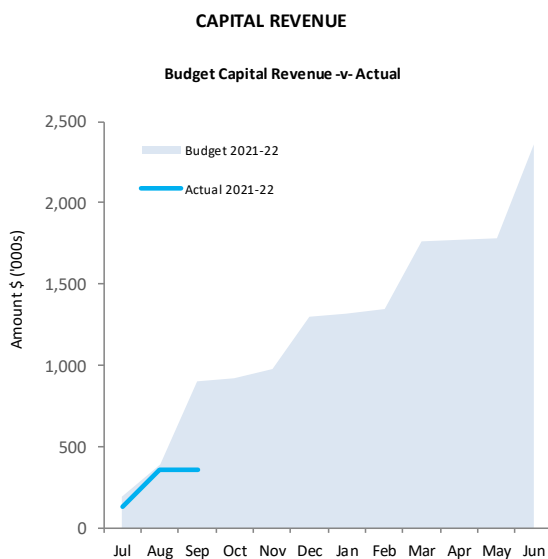
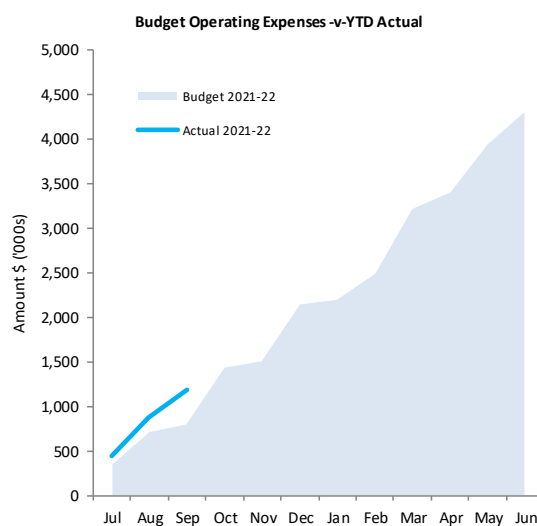
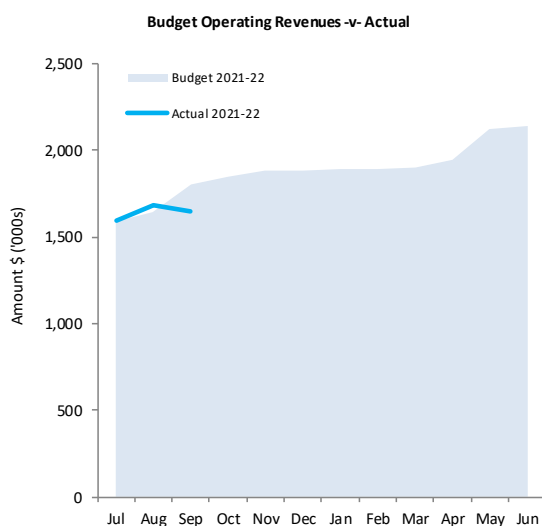
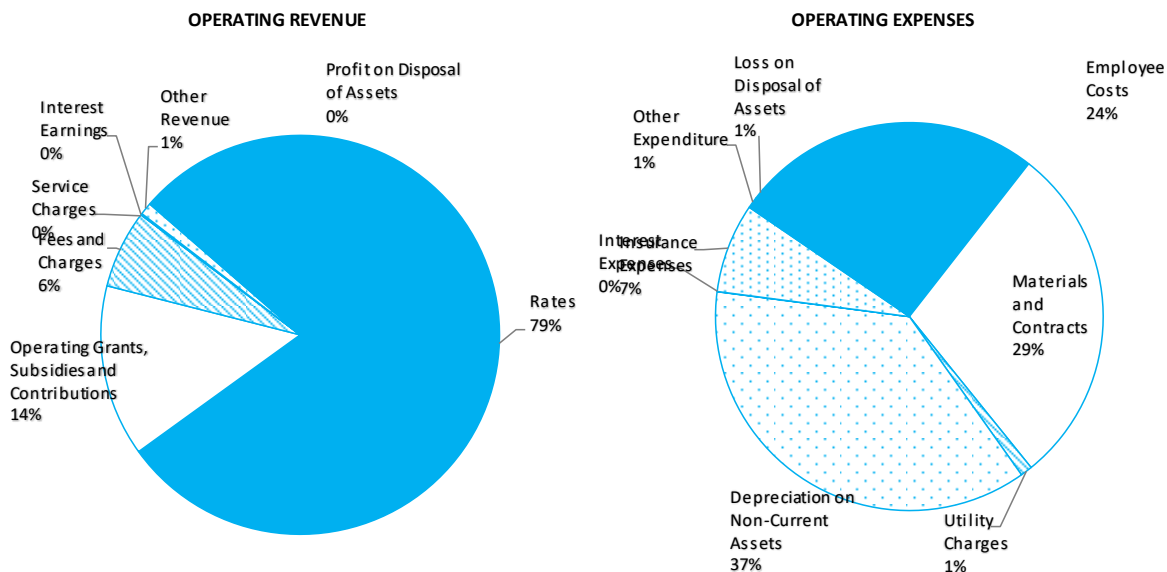
The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions 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 SEPTEMBER 2021**

SUMMARY GRAPHS



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

KEY TERMS AND DESCRIPTIONS**FOR THE PERIOD ENDED 30 SEPTEMBER 2021 STATUTORY REPORTING PROGRAMS**

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

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

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021**

STATUTORY REPORTING PROGRAMS

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)	
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	1(b)	1,904,205	1,904,205	1,934,871	30,666	2%	
Revenue from operating activities							
General Purpose Funding	5	1,539,977	1,361,904	1,364,977	3,073	0%	
Governance		44,950	37,484	43,755	6,271	17%	▲
Law, Order and Public Safety		133,112	933	1,693	760	81%	
Health		800	198	731	533	269%	
Education and Welfare		2,500	0	0	0		
Housing		0	0	0	0		
Community Amenities		75,516	74,540	79,795	5,255	7%	
Recreation and Culture		12,773	7,396	7,964	568	8%	
Transport		249,755	127,794	138,623	10,829	8%	
Economic Services		38,700	3,416	2,505	(911)	(27%)	
Other Property and Services		45,000	8,748	6,164	(2,584)	(30%)	
		2,143,083	1,622,413	1,646,206			
Expenditure from operating activities							
General Purpose Funding		(88,500)	(22,122)	(19,374)	2,748	12%	
Governance		(138,957)	(97,560)	(92,347)	5,213	5%	
Law, Order and Public Safety		(298,263)	(109,107)	(118,268)	(9,161)	(8%)	
Health		(45,907)	(11,469)	(11,967)	(498)	(4%)	
Education and Welfare		(45,708)	(11,416)	(3,807)	7,609	67%	▲
Housing		(40,711)	(10,554)	(8,144)	2,410	23%	
Community Amenities		(353,068)	(80,667)	(85,759)	(5,092)	(6%)	
Recreation and Culture		(378,844)	(100,934)	(105,048)	(4,114)	(4%)	
Transport		(2,715,046)	(879,650)	(897,862)	(18,212)	(2%)	
Economic Services		(162,367)	(40,652)	(42,324)	(1,672)	(4%)	
Other Property and Services		(34,500)	(25,277)	(23,032)	2,245	9%	
		(4,301,871)	(1,389,407)	(1,407,932)			
Operating activities excluded from budget							
Add Back Depreciation		2,060,628	515,127	519,093	3,966	1%	
Adjust (Profit)/Loss on Asset Disposal	6	42,073	21,037	12,633	(8,404)	(40%)	▼
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(56,086)	769,170	770,000			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	10	2,360,758	413,251	362,772	(50,479)	(12%)	▼
Proceeds from Disposal of Assets	6	115,000	115,000	26,518	(88,482)	(77%)	▼
Land Held for Resale		0	0	0	0		
Capital Acquisitions	7	(5,353,726)	(737,050)	(205,088)	531,962	72%	▲
Amount attributable to investing activities		(2,877,968)	(208,799)	184,202			
Financing Activities							
Proceeds from New Debentures		850,000	850,000	0	(850,000)	(100%)	▼
Repayment of Debentures	8	(77,812)	(10,860)	(10,860)	0	0%	▼
Transfer from Reserves	9	353,507	83,139	83,139	0	0%	
Transfer to Reserves	9	(93,911)	(83,189)	(83,189)	0	0%	
Amount attributable to financing activities		1,031,784	839,090	(10,910)			
Closing Funding Surplus(Deficit)	1(b)	1,935	3,303,666	2,878,162			

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 2021/22 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 SEPTEMBER 2021****NATURE OR TYPE DESCRIPTIONS****REVENUE****RATES**

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

PROFIT ON ASSET DISPOSAL

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

FEES AND CHARGEES

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

SERVICE CHARGES

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

INTEREST EARNINGS

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

OTHER REVENUE / INCOME

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

EXPENSES**EMPLOYEE COSTS**

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

MATERIALS AND CONTRACTS

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

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

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

INSURANCE

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

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

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

OTHER EXPENDITURE

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

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021

BY NATURE OR TYPE

	Ref Note	Annual Budget	YTD Budget	YTD Actual	Variance (\$)	Variance (%)	
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	1(b)	1,904,205	1,904,205	1,934,871	30,666	2%	
Revenue from operating activities							
Rates	5	1,241,412	1,286,148	1,294,829	8,681	1%	
Operating Grants, Subsidies and Contributions	10	702,067	230,410	229,034	(1,376)	(1%)	
Fees and Charges		143,279	90,660	104,053	13,393	15%	▲
Interest Earnings		10,575	2,637	1,968	(669)	(25%)	
Other Revenue		45,750	12,558	16,321	3,763	30%	
Profit on Disposal of Assets	6	0	0	0	0		
		2,143,083	1,622,413	1,646,206			
Expenditure from operating activities							
Employee Costs		(1,027,922)	(321,346)	(340,289)	(18,943)	(6%)	
Materials and Contracts		(865,829)	(387,116)	(403,145)	(16,030)	(4%)	
Utility Charges		(62,565)	(15,591)	(13,907)	1,684	11%	
Depreciation on Non-Current Assets		(2,060,628)	(515,127)	(519,093)	(3,966)	(1%)	
Interest Expenses		(23,708)	(5,922)	(282)	5,640	95%	▲
Insurance Expenses		(159,902)	(108,465)	(105,080)	3,385	3%	
Other Expenditure		(59,245)	(14,804)	(13,502)	1,302	9%	
Loss on Disposal of Assets	6	(42,073)	(21,037)	(12,633)	8,404		
		(4,301,871)	(1,389,407)	(1,407,932)			
Operating activities excluded from budget							
Add back Depreciation		2,060,628	515,127	519,093	3,966	1%	
Adjust (Profit)/Loss on Asset Disposal	6	42,073	21,037	12,633	(8,404)	(40%)	▼
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		(56,086)	769,170	770,000			
Investing activities							
Non-operating grants, subsidies and contributions	10	2,360,758	413,251	362,772	(50,479)	(12%)	▼
Proceeds from Disposal of Assets	6	115,000	115,000	26,518	(88,482)	(77%)	▼
Land held for resale		0	0	0	0		
Capital acquisitions	7	(5,353,726)	(737,050)	(205,088)	531,962	72%	▲
Amount attributable to investing activities		(2,877,968)	(208,799)	184,202			
Financing Activities							
Proceeds from New Debentures		850,000	850,000	0	(850,000)	(100%)	▼
Repayment of Debentures	8	(77,812)	(10,860)	(10,860)	0	0%	
Transfer from Reserves	9	353,507	83,139	83,139	0	0%	
Transfer to Reserves	9	(93,911)	(83,189)	(83,189)	0	0%	
Amount attributable to financing activities		1,031,784	839,090	(10,910)			
Closing Funding Surplus (Deficit)	1(b)	1,935	3,303,666	2,878,162			

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.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021**

**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 SEPTEMBER 2021

OPERATING ACTIVITIES
NOTE 1(b)
ADJUSTED NET CURRENT ASSETS

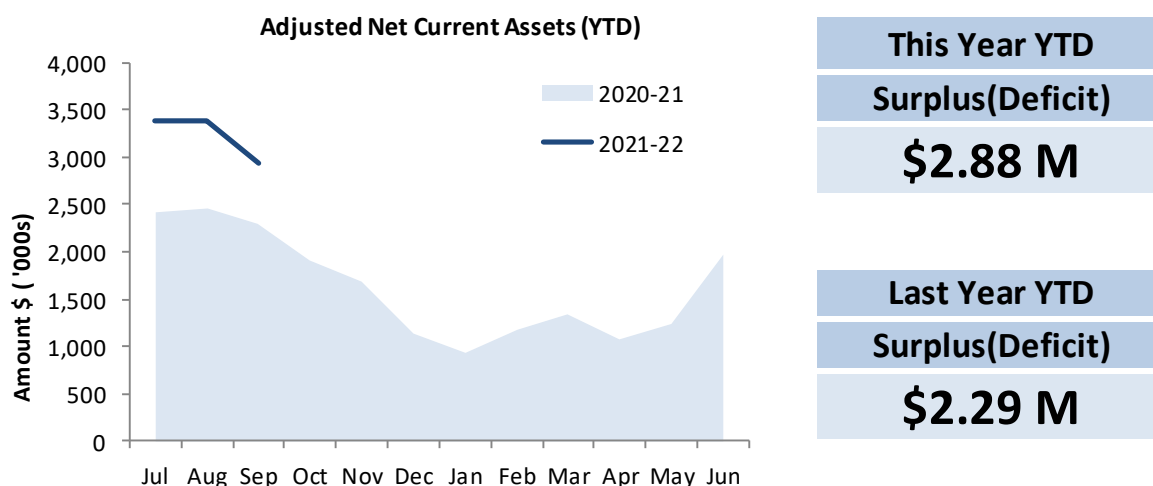
		Last Years Closing 30 June 2021	This Time Last Year 30 Sep 2020	Year to Date Actual 30 Sep 2021
	Note	\$	\$	\$
Adjusted Net Current Assets				
Current Assets				
Cash Unrestricted	3	1,831,039	1,914,246	2,604,842
Cash Restricted	3	1,076,895	1,317,345	1,076,945
Receivables - Rates	4	122,255	314,680	332,358
Receivables - Other	4	92,407	161,746	10,532
Loans receivable		0	0	0
ATO Receivable		0	0	28,310
Inventories		5,613	6,061	5,613
		3,128,210	3,714,078	4,058,599
Less: Current Liabilities				
Payables		(116,110)	(104,855)	(69,297)
ATO Payables		0	0	(33,995)
Provisions - employee		(260,765)	(196,543)	(260,765)
Long term borrowings		(44,358)	(46,680)	(33,497)
Bonds & Deposits		(334)	(3,579)	(200)
		(421,566)	(348,078)	(397,754)
Unadjusted Net Current Assets		2,706,643	3,366,000	3,660,845
Adjustments and exclusions permitted by FM Reg 32				
Less: Cash reserves	3	(1,076,895)	(1,317,345)	(1,076,945)
Less: Loans receivable		0	0	0
Add: Provisions - employee		260,765	196,543	260,765
Add: Long term borrowings		44,358	46,680	33,497
Adjusted Net Current Assets		1,934,871	2,291,878	2,878,162

SIGNIFICANT ACCOUNTING POLICIES

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

KEY INFORMATION

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



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021**

**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 2021/22 year is \$5,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Variance	Timing/ Permanent	Explanation of Variance
	\$	%			
Revenue from operating activities					
Governance	6,271	17%	▲	Permanent	Trainee subsidy & LSL reimbursement
General Purpose Funding	3,073	0%		Permanent	Grant Commission income less than budgeted - Discount expenses higher than budgeted.
Law, Order and Public Safety	760	81%		Timing	Not Material
Health	533	269%		Timing	Not Material
Education and Welfare	0			Timing	Not Material
Housing	0			Timing	Not Material
Community Amenities	5,255	7%		Permanent	Cemetery income & waste income higher than budgeted
Recreation and Culture	568	8%		Timing	Not Material
Transport	10,829	8%		Permanent	Local Road grant higher than budgeted
Economic Services	(911)	(27%)		Timing	Not Material
Other Property and Services	(2,584)	(30%)		Timing	Private Works income lower than budgeted
Expenditure from operating activities					
Governance	5,213	5%		Timing	Administration salaries lower than budgeted.
General Purpose Funding	2,748	12%		Timing	Not Material
Law, Order and Public Safety	(9,161)	(8%)		Timing	Repairs to fire vehicles overbudget (recoverable cost)
Health	(498)	(4%)		Timing	Not Material
Education and Welfare	7,609	67%	▲	Permanent	Aged Persons Accommodation Loan not drawn down so no repayments made for 2021/22.
Housing	2,410	23%		Timing	CEO Housing Maintenance
Community Amenities	(5,092)	(6%)		Permanent	Cemetery expense overbudget (offset by cemetery income)
Recreation and Culture	(4,114)	(4%)		Timing	Oval Maintenance
Transport	(18,212)	(2%)		Timing	Extra road maintenance activity
Economic Services	(1,672)	(4%)		Timing	Not Material
Other Property and Services	2,245	9%		Timing	Not Material
Investing Activities					
Non-operating Grants, Subsidies and Contributions	(50,479)	(12%)	▼	Timing	Projects not complete - unable to claim grants as per Note 10
Proceeds from Disposal of Assets	(88,482)	(77%)	▼	Timing	Timing on Sale of Assets
Land Held for Resale	0				
Capital Acquisitions	531,962	72%	▲	Timing	Timing of Capital Works Program
Financing Activities					
Proceeds from New Debentures	(850,000)	(100%)	▼	Timing	Aged Persons Accommodation
Transfer from Reserves	0	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 SEPTEMBER 2021

NOTE 3
CASH AND INVESTMENTS

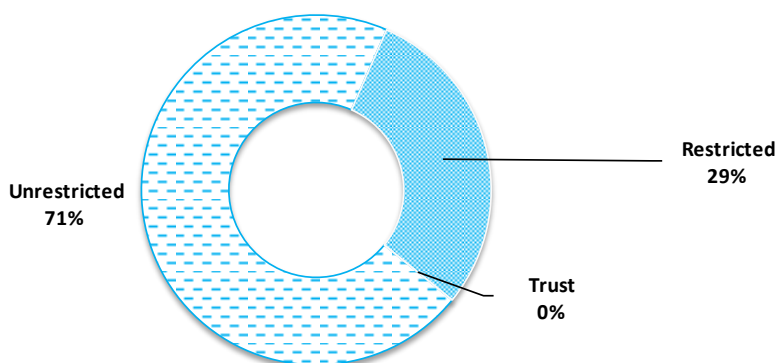
Cash and Investments	Unrestricted	Restricted	Trust	Total YTD Actual	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
Cash on Hand							
Petty Cash and Floats	700			700	NAB	0.00%	At Call
At Call Deposits							
Municipal Fund	2,604,142			2,604,142	NAB	0.00%	At Call
Term Deposits							
Reserve Funds		1,076,945		1,076,945	NAB	0.20%	08-Feb-22
Total	2,604,842	1,076,945	0	3,681,787			

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
\$3.68 M	\$2.6 M

OPERATING ACTIVITIES

NOTE 4

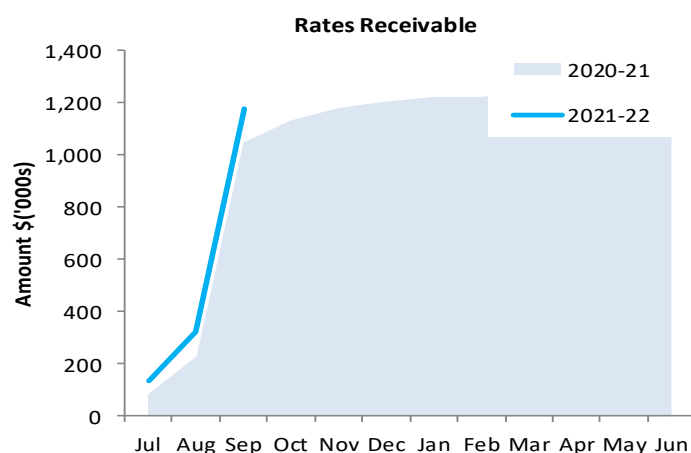
RECEIVABLES

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021

Rates Receivable	30 June 2020	30 Sep 21
	\$	\$
Opening Arrears Previous Year	84,880	122,255
Levied this year	1,258,745	1,386,062
Less Collections to date	(1,221,370)	1,175,959
Equals Current Outstanding	122,255	332,358
Net Rates Collectable	122,255	332,358
% Collected	90.29%	76.02%

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.



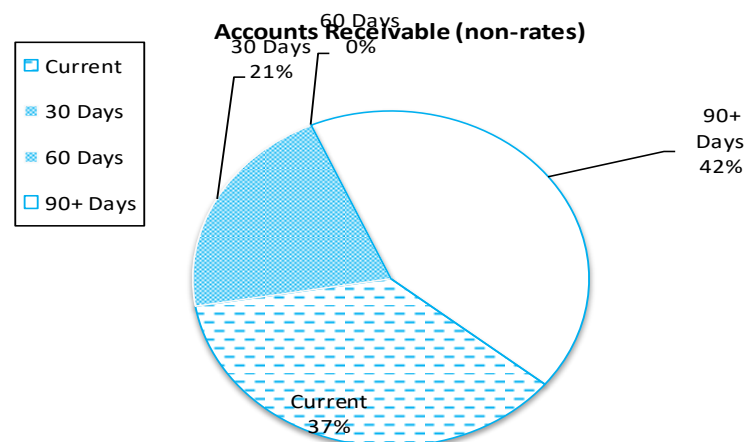
Collected	Rates Due
76%	\$332,358

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	3,849	2,214	0	4,468	10,532
Percentage	37%	21%	0%	42%	
Balance per Trial Balance					
Sundry debtors					10,532
GST receivable					28,310
Total Receivables General Outstanding					38,841

Amounts shown above include GST (where applicable)

SIGNIFICANT ACCOUNTING POLICIES

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



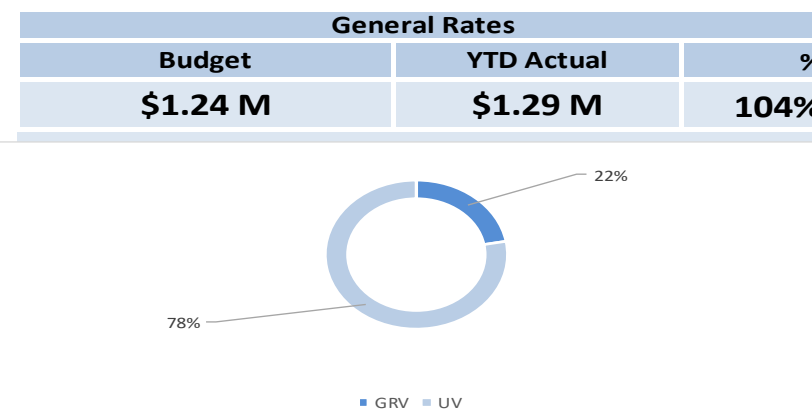
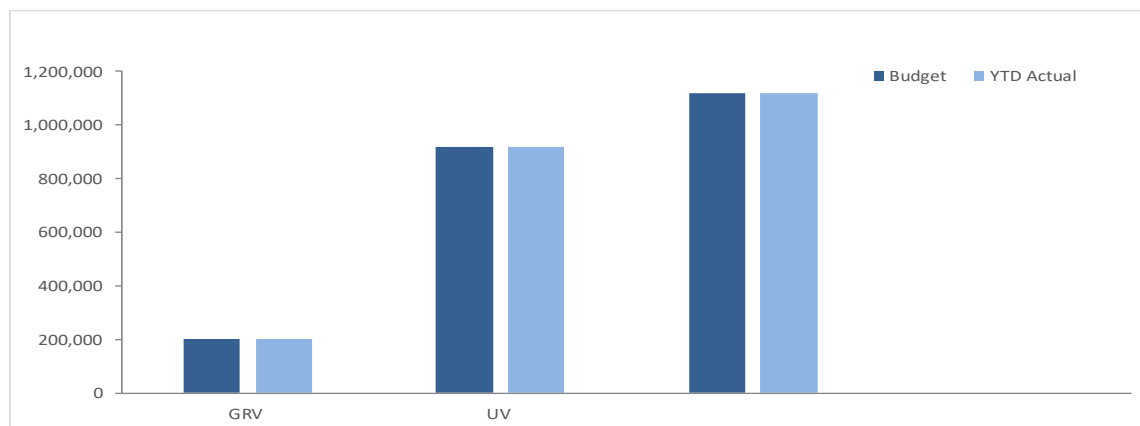
Debtors Due
\$38,841
Over 30 Days
63%
Over 90 Days
42%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021

General Rate Revenue		Annual Budget						YTD Actual				
		Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE		\$			\$	\$	\$		\$			\$
Differential General Rate												
GRV		0.083965	188	2,369,718	198,973	0	0	198,973	198,973	0	0	198,973
UV		0.006846	182	134,494,000	920,746	0	0	920,746	920,746	0	0	920,746
Sub-total			370	136,863,718	1,119,719	0	0	1,119,719	1,119,719	0	0	1,119,719
Minimum												
		\$										0
GRV		759	142		107,778	0	0	107,778	107,778	0	0	107,778
UV		1,023.00	155		158,565	0	0	158,565	158,565	0	0	158,565
			297	0	266,343	0	0	266,343	266,343	0	0	266,343
Sub-Totals			667	136,863,718	1,386,062	0	0	1,386,062	1,386,062	0	0	1,386,062
Discount								(85,000)				(90,167)
Concession / Write Offs								(58,900)				(9)
COVID Subsidy								(1,000)				(45)
Interim Rates								250				(1,011)
Ex-Gratia Rates								490				0
Amount from General Rates								1,241,412				1,294,829
Ex-Gratia Rates												0
Total General Rates								1,241,412				1,294,829

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.

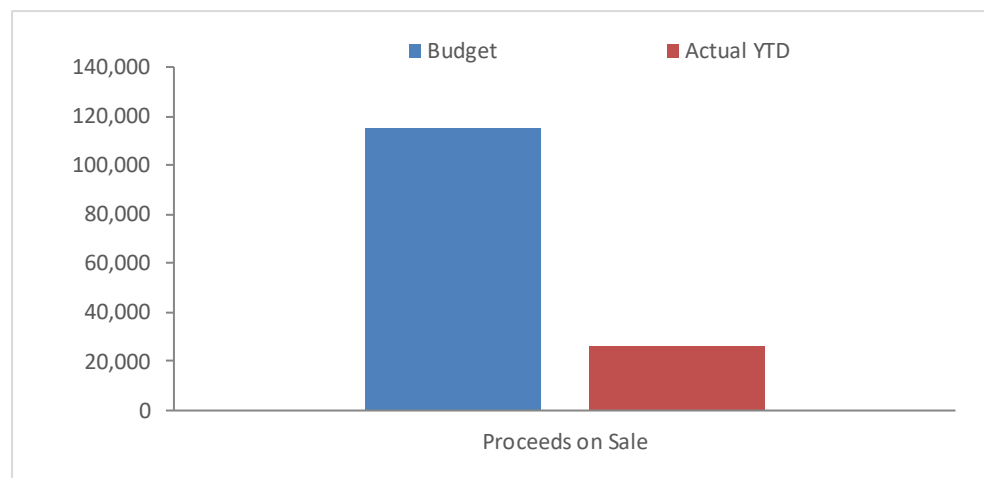


**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021**

**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)
		\$	\$	\$	\$	\$	\$	\$
10089	Isuzu Giga	60,000	35,000		(25,000)			
10051	Bomag Roller	40,000	30,000		(10,000)	39,151	26,518	(12,633)
16	CN0 Dual Cab Utility	27,058	25,000		(2,058)			
103	CN1 Dual Cab Utility	30,015	25,000		(5,015)			
		157,073	115,000	0	(42,073)	39,151	26,518	0 (12,633)

KEY INFORMATION



Proceeds on Sale			
Budget		YTD Actual	%
\$115,000		\$26,518	23%

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021**

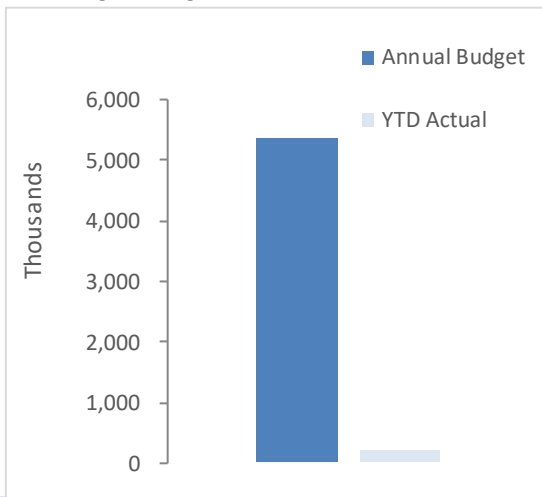
**INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS**

Capital Acquisitions	Amended		YTD Actual Total	YTD Budget Variance
	Annual Budget	YTD Budget		
	\$	\$	\$	\$
Land & Buildings	2,549,561	163,804	114,784	49,020
Plant & Equipment	486,000	0	0	0
Furniture & Equipment	0	0	0	0
Roads	2,190,879	547,686	30,010	517,676
Recreation	0	0	0	0
Parks, Gardens, Recreation Facilities	72,286	18,063	60,294	(42,231)
Other Infrastructure	55,000	7,497	0	7,497
Capital Expenditure Totals	5,353,726	737,050	205,088	531,962
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	2,360,758	413,251	362,772	(50,479)
Borrowings	850,000	850,000	0	(850,000)
Other (Disposals & C/Fwd)	115,000	115,000	26,518	(88,482)
Cash Backed Reserves				
Infrastructure Reserve	121,000	0	0	0
Pensioner Unit Maintenance Reserve	0	0	0	0
Plant Replacement Reserve	40,000	0	0	0
Contribution - operations	1,866,968	(641,201)	(184,202)	456,999
Capital Funding Total	5,353,726	737,050	205,088	(531,962)

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
	\$5.35 M	\$.21 M	4%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$2.36 M	\$.36 M	15%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021

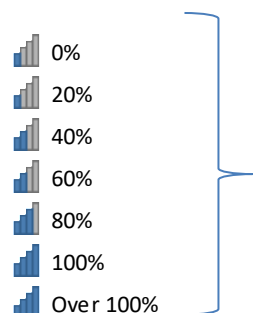
INVESTING ACTIVITIES

NOTE 7

CAPITAL ACQUISITIONS (CONTINUED)

Capital Expenditure Total



















Level of Completion Indicators



Percentage YTD Actual to Annual Budget

Expenditure over budget highlighted in red.

Level of completion indicator	Acc / Job	Annual Budget	YTD Budget	YTD Actual	Variance
Capital Expenditure					
Land					
Cuballing Railway Reserve Business Case	C176A	35,000	8,748	0	8,748
Buildings					
Administration Building Disabled Access	J4114C	62,833	62,833	64,988	(2,155)
Building Renewal - Cuballing Memorial Park	C176	85,368	21,333	0	21,333
Cuballing Transfer Station Shed Floor	C160	9,960	2,484	0	2,484
Administration Building Refurbishment	J4114D	73,211	18,300	31,456	(13,156)
Popanyinning Main Street Refurbishment	C193	200,465	50,106	0	50,106
Aged Persons Accommodation	C084	1,587,188	0	18,340	(18,340)
LRCI Phase 3 Projects	C300	495,536	0	0	0
Total Land & Buildings		2,549,561	163,804	114,784	49,020

Plant & Equipment						
	Prime Mover	12407	200,000	0	0	0
	Bomag Roller	12426	170,000	0	0	0
	Two Way System	12411	15,000	0	0	0
	MWS Vehicle	12406	53,000	0	0	0
	WS Vehicle	12417	48,000	0	0	0
	Total Plant & Equipment		486,000	0	0	0
Furniture & Equipment						
	Nil		0	0	0	0
	Total Furniture & Equipment		0	0	0	0
Infrastructure - Roads						
	RRG - Narrogin Wandering Road	R129E	352,151	88,035	13,177	74,858
	RRG - Stratherne Road 20/21	R001C	103,604	25,899	5,220	20,679
	RRG - Wandering Narrogin Road	R001D	160,343	40,080	4,239	35,841
	RTR - Popanyinning East Road Gravel Sheeting	RTR004	35,113	8,772	1,483	7,290
	RTR - Popanyinning West Widening	RTR002	215,044	53,751	0	53,751
	BS - Narrogin Wandering Road Black Spot	BS129	7,000	1,749	0	1,749
	WSFN - Cuballing East Road	WSF006	1,317,624	329,400	5,892	323,509
	Total Road Infrastructure		2,190,879	547,686	30,010	194,168
Recreation						
	Nil		0	0	0	0
	Total Recreation		0	0	0	0
Parks, Ovals & Playgrounds						
	Yornaning Dam - Stage 3	C189	66,079	16,518	60,072	(43,554)
	Yornaning Dam - Mountain Bike Track	C197	6,207	1,545	222	1,323
	Total Parks, Ovals & Playgrounds		72,286	18,063	60,294	(42,231)
Other Infrastructure						
	Bridge Improvements - Capital Upgrade	11214	30,000	7,497	0	7,497
	Depot Fencing & Gates - Eastern Boundary	10744	25,000	6,249	0	6,249
	Total Other Infrastructure		55,000	7,497	0	7,497
	TOTAL CAPITAL EXPENDITURE		5,353,726	737,050	205,088	208,453

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021**

**FINANCING ACTIVITIES
NOTE 8
BORROWINGS**

Information on Borrowings		New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	2020/21	Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget
Transport	\$	\$	\$	\$	\$	\$	\$	\$	\$
Loan 63 - Graders	29,228	0	0	10,860	29,228	18,368	29,228 0	282	485
Economic Services									
Loan 64 - Lot 74 Austral St	130,702			0	15,130	130,702	130,702	0	2,755
Education and Welfare									
Loan 65 - Aged Persons Housing			850,000	0	33,454	0	850,000	0	20,468
Total	159,930	0	850,000	10,860	77,812	149,070	1,009,930	282	23,708

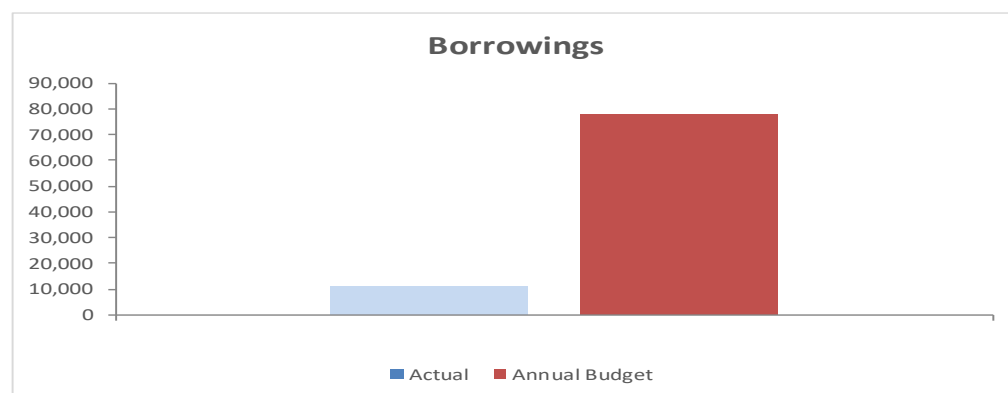
All debenture repayments were financed by general purpose revenue.

SIGNIFICANT ACCOUNTING POLICIES

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

KEY INFORMATION

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



Principal Repayments	\$10,860
Interest Earned	\$1,968
Reserves Bal	\$1.08 M
Interest Expense	\$282
Loans Due	\$.15 M

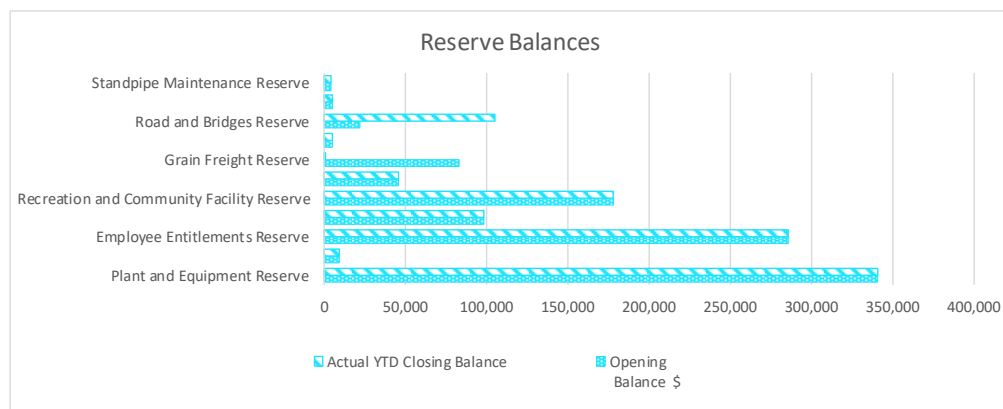
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021

OPERATING ACTIVITIES
NOTE 9
CASH AND INVESTMENTS

Cash Backed Reserve

Reserve Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant and Equipment Reserve	340,654	1,960	16		16	(121,000)	0	221,614	340,670
IT and Office Equipment Reserve	9,149	32	0		0	0	0	9,181	9,149
Employee Entitlements Reserve	286,072	1,067	13		13	(20,000)	0	267,139	286,085
Housing Reserve	98,208	367	5		5	(40,000)	0	58,575	98,213
Recreation and Community Facility Reserve	178,046	792	8		8	(85,368)	0	93,470	178,054
Refuse Site Reserve	45,422	205	2		2		0	45,627	45,424
Grain Freight Reserve	83,139	0	0		0	(83,139)	(83,139)	0	0
Equestrian Reserve	4,910	50	0	4,772	0	0	0	9,732	4,910
Road and Bridges Reserve	21,883	486	5	83,139	83,143		0	188,651	105,026
Community & Sporting Club Reserve	5,316	21	0	1,000	0	(4,000)	0	2,337	5,316
Standpipe Maintenance Reserve	4,096	20	0		0	0	0	4,116	4,096
	1,076,895	5,000	50	88,911	83,189	(353,507)	(83,139)	900,442	1,076,945

KEY INFORMATION



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2021**

**NOTE 10
GRANTS AND CONTRIBUTIONS**

Grants and Contributions

Description	Annual Budget	YTD Budget	YTD Actual	Variance
Operating grants, subsidies and contributions				
General Purpose Funding				
Grants Commission - General Purpose	276,000	69,000	63,574	(5,426)
Governance				
Insurance & Other Reimbursements	0	0	0	0
Department Primary Industries & Regional Development	35,000	35,000	35,000	0
Law, Order & Public Safety				
DFES - Bush Fire Brigades	31,547	0	0	0
Fire Mitigation Grant	84,825	0	0	0
Fire Prevention	12,990	0	0	0
Education & Welfare				
Stay on your feet	2,500	0	0	0
Community Amenities				
Other Income - Reimbursements	0	0	0	0
Recreation & Culture				
Mountain Bike Track Income	4,000	0	0	0
Youth Week Funding	1,000	0	0	0
Transport				
Main Roads - Direct Grant	87,145	87,145	87,145	0
Grants Commission - Roads Component	152,360	38,090	43,316	5,226
Economic Services				
Community Events	4,700	1,175	0	(1,175)
Other Property & Services				
Workers Compensation	10,000	0	0	0
Operating grants, subsidies and contributions Total	702,067	230,410	229,034	(1,376)
Non-operating grants, subsidies and contributions				
Education & Welfare				
Recreation & Culture				
Yornaning Dam Stage 4	15,156	15,156	15,156	0
Transport				
Main Roads - RRG	361,790	144,716	136,664	(8,052)
Roads to Recovery (RTR)	210,951	210,951	210,952	1
Black Spot (BS)	0	0	0	0
Wheatbelt Secondary Freight Network	1,171,254	0	0	0
Other Infrastructure				
Community Infrastructure Grants	49,815	19,926	0	(19,926)
Community Infrastructure Grants Phase 2	56,256	22,502	0	(22,502)
Community Infrastructure Grants Phase 3	495,536	0	0	0
Non-operating grants, subsidies and contributions Total	2,360,758	413,251	362,772	(27,977)
Grand Total	3,062,825	643,661	591,806	(29,353)

KEY INFORMATION

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

10.1.3 IT Disaster Recovery Plan

Applicant:	N/A
File Ref. No:	ADM40
Disclosure of Interest:	N/A
Date:	12 th October 2021
Author:	Bronwyn Dew, Deputy CEO
Attachments:	10.1.3A Draft Shire of Cuballing IT Disaster Recovery Plan

Summary

Council is to consider the adoption of a Shire of Cuballing Information Technology (IT) Disaster Recovery Plan.

Background

In May 2021, the Office of the Auditor General tabled a report on the general computer controls within Local Government.

The report concluded that Local Government entities need to improve their general computer controls. identify threats and risks to their operations arising from IT and implement good controls for IT operations.

Further to this, the report has recommended that Council's should have appropriate business continuity plan, disaster recovery plan and incident response plan to protect critical services and systems from disruptive events.

Comment

Staff in consultation with Council's IT services contractor has prepared a draft Shire of Cuballing IT Disaster Recovery Plan. This draft is included at Attachment 10.1.3A.

The IT Disaster Recovery Plan focuses specifically on the IT systems of the Shire of Cuballing.

The purpose of the plan is to protect the IT systems of the Shire of Cuballing, facilitating the restoration of normal operations with minimum disruption and cost. The plan also identifies the steps to be taken to minimise damage to the Shire's IT systems and enable staff to encounter an emergency with efficiency and practical ease.

Strategic Implications – Nil

Statutory Environment – Nil

Policy Implications

4.2 Use of Shire Information Technology (IT) Facilities for Staff
11.4 Risk Management Policy

Financial Implications – Nil

Economic Implication – Nil

Environmental Considerations – Nil

Consultation

Wallis Computer Solutions

Options

Council may resolve:

1. the Officer's Recommendation; or
2. resolve an amended IT Disaster Recovery Plan; or
3. to defer consideration at this time and request staff to provide a revised IT Disaster Recovery Plan for the future consideration of Council.

Voting Requirements – Simple Majority

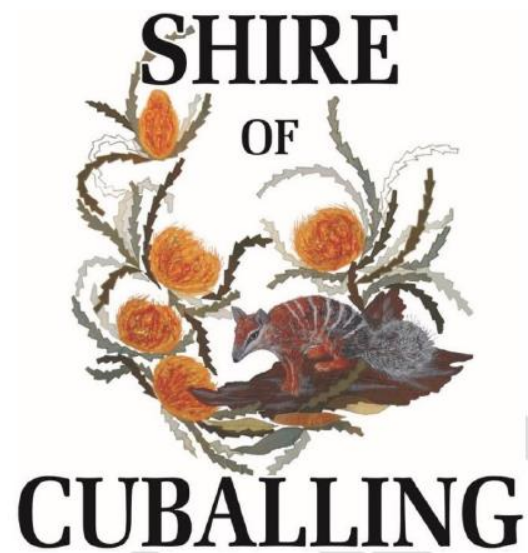
COUNCIL DECISION 2021/113:

That Council adopt the draft Shire of Cuballing IT Disaster Recovery Plan included at Attachment 10.1.3A.

Moved: Cr Christensen

Seconded: Cr Kowald

Carried: 6/0



IT Disaster Recovery Plan

2021

Revision History

Version	Version 1.0
Description of Change(s)	Document created
Revision <i>Deputy chief Executive Officer</i>	
Approval <i>Chief Executive Officer</i>	
Date	

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DRAFT

1. Overview

1.1. Introduction

A disaster event that causes significant damage to the Shire of Cuballing's information technology (IT) systems, can cause major disruption to the organisation's ability to operate effectively, with the possibility of resulting in financial loss, business failure and a loss of credibility to public perception.

The causes of a disaster are varied, including flooding, fire, industrial accidents, structural failure, hacking and computer viruses. Although the risk of a disaster will always exist, its impact and the cost of salvage and restoration can be mitigated by careful planning.

The purpose of this plan is to protect the IT systems of the Shire of Cuballing, facilitating the restoration of normal operations with minimum disruption and cost. The plan also identifies the steps to be taken to minimise damage to the Shire's IT systems and enable staff to encounter an emergency with efficiency and practical ease.

This document focuses specifically on the IT systems of the Shire of Cuballing.

The Shire's intention is to ensure the organisation's practices fall in line with the Office of the Auditor General, as shown in the OAG Report 23, tabled on 12 May 2021.

1.2. Definitions

For ease of reference and understanding the main terms used in this document and their meanings are provided:

consequence means the outcome of an event or situation expressed qualitatively or quantitatively, being a loss, injury, disadvantage or gain.

disaster means any even that creates a potential inability on an organisation's part to provide critical business functions for some predetermined period.

event means an incident or situation, which occurs in a particular place during a particular interval of time.

likelihood is used as a qualitative description of probability and frequency.

loss means any negative consequence, financial or otherwise.

probability means the likelihood of a specific outcome, measured by the ration of specific outcomes to the total number of possible outcomes.

risk means the change of something happening that will have an impact upon the Shire of Cuballing objectives. It is measured in terms of consequences and likelihood.

risk assessment means the objective process used to determine risk management priorities by evaluating and comparing the level of risk against predetermined standards and other criteria.

risk management means the systematic application of management policies, procedures and practices to the tasks of identifying, analysing, assessing, treating and monitoring risk.

1.3. Purpose

This document delineates the policies and procedures for technology disaster recovery, as well as the process-level plans for recovering critical technology platforms and the telecommunications infrastructure. This document summarises the recommended procedures. The mission is to ensure information system uptime, data integrity and availability, and business continuity.

1.4. Scope

This document covers the Shire of Cuballing's IT System and its framework.

1.5. Key Personnel Contact Information

Information Technology at the Shire is managed by the Deputy Chief Executive Officer with assistance from the Administration Officer. Market Creations and Wallis Computer Solutions are contracted by the Shire for additional IT services.

The IT area currently consists of the following members:

Team Member	Position	Telephone
1. Bronwyn Dew	Deputy Chief Executive Officer	0498 836 868
2. Nichole Gould	Administration Officer	08 9883 6031
3. Market Creations	Contracted Company	(08) 9920 8500
4. Wallis Computer Solutions	Contracted Company	(08) 9861 1803
5. IT Vision	Contracted Company	(08) 9315 7000

2. Planning

2.1. Plan Updates

It is necessary for the disaster recovery plan updating process to be properly structured and controlled. Whenever changes are made to the plan they are to be fully tested and appropriate amendments should be made to the training materials. This will involve the use of formalised change control procedures under the control of the Administration Officer, approved by the Deputy Chief Executive Officer.

2.2. Plan Documentation

Copies of this Plan, essential media, and hard copies will be stored in secure locations to be defined by the organisation. A hard copy of this plan to be filed in keyword for Council filing system.

A copy of this Plan will be sent to the Executive Management Team.

Supporting IT related information and documentation will be stored on the S:/Drive at: Council Documents/IT Disaster Recovery Plan.

2.3. Backup Strategies

Key technologies and the agreed backup strategy for each are listed below. Incremental file replication is undertaken on a daily basis, with a full onsite server and offsite server backup undertaken each week.

KEY TECHNOLOGY	BACKUP STRATEGY	ADDITIONAL INFORMATION
Servers	Backed up using Datto Siris Professional Onsite & Offsite.	A server is a piece of computer hardware and software combined which provides functionality for other programs and devices. The Shire uses a physical host with multiple virtual servers configured. These servers are being backed up every night incrementally and over the weekend a full backup occurred.
Storage (SAN)	Backed up using Datto.	Onsite backup, and a cloud backup occur using Datto
Data Volumes	Backed up using Datto.	The Shire is using Datto Siris Hardware appliance with 2000GB of Local Storage and unlimited Cloud Storage.
Databases (SQL)	Backed up using Datto.	2TB Backup appliance
Web servers (IIS)	Included in server snapshots.	
Phone systems	Commander PBX	The Shire of Cuballing uses the Commander PBX for its telephony system.
Web Site	Maintained by Market Creations.	The Shire website was designed and currently hosted by Market Creations. Market Creations are responsible to maintain and support the website.

Wallis Computer Solutions provides the Shire of Cuballing with an additional cloud-based backup server, utilising the existing Datto backup solution. This is taken from the existing backup server located onsite at the Administration building, and is replicated on Wallis Computer Solutions' cloud environment assigned to the Shire of Cuballing.

Although the Datto backup solution provides a sufficient cloud-based backup system, it should be noted that the organisation is required to take any necessary precautions in the instance of malfunction or loss of data that affects the system.

2.4. Emergency Contacts

The following table provides contact information for the *IT Disaster Response and Recovery Team (ITDRRT)*. These staff members should be contacted whenever IT systems are affected in an emergency situation.

Team Member	Position	Name	Telephone
1. Emergency Manager: first call	CEO	Gary Sherry	0427 836 031
1 Emergency Manager: second call relief	DCEO	Bronwyn Dew	0498 836 868
2 Emergency Manager: third call relief	MWS	Bruce Brennan	0427 836 063
3 IT Disaster Recovery Coordinator	IT Officer	Bronwyn Dew	0498 836 868
4 Assistant IT Disaster Recovery Coordinator	Administration Officer	Nichole Gould	0427 493 336
5 Emergency Recovery Team	Contracted Company	Wallis Computer Solutions	(08) 9661 1803

2.5. Responsibilities

The Emergency Manager is responsible for managing the overall response to an emergency, assessing potential hazards, and liaising with the emergency services.

The IT Disaster Recovery Coordinator has overall responsibility for the IT Disaster Recovery Plan and taking hands-on responsibility for recovery operations. Specific responsibilities of the IT Disaster Recovery Coordinator are:

- Establish facilities for an emergency level of service within 4 business hours.
- Restore key business services within 24 business hours of the incident.
- Recover to 'business as usual' within IT systems within 24 hours after the incident.
- Coordinate activities with the Emergency Recovery Team.
- Report to the Crisis Management Team.

The Assistant IT Disaster Recovery Coordinator shall provide assistance with disaster recovery functions and act as the IT Disaster Recovery Coordinator in the absence of the IT Officer.

The function of the ITDRRT is to provide logistical support, and assistance with disaster recovery operations as directed by the IT Disaster Recovery Coordinator.

The time taken for data to be extracted from the cloud-based server, located on the premises of Wallis Computer Solutions, is eight (8) hours.

Decisions made by the ITDRRT are to be documented in the form outlined in [Appendix 1: Event Log](#). This document will direct future decisions made by the ITDRRT, based on past actions and outcomes during the crisis.

3. Risk Assessment

3.1. Risk Management

There are many potential disruptive threats which can occur at any time and affect the normal business processes. A wide range of potential threats have been considered. Each potential environmental disaster or emergency situation has been examined.

3.2. Risk Management Process

The process used to identify and evaluate major risks is based on the Australian/New Zealand Standard AS/NZS 31000:2018, *Risk Management*. This Standard requires the following steps:

- Establish the context
- Identify the risks
- Analyse the risks
- Evaluate the risks
- Treat the risks
- Monitor and review
- Continual communication and consultation
- Pest or vermin infestations

3.3. Level of Risk

The organisation measures its risk appetite through the following, detailed in [Appendix 2: Shire of Cuballing Risk Appetite](#):

- Measures of Consequence: Measures a range of factors within any given circumstance, with a rating between 1 (Insignificant) and 5 (Extreme). Factors measured include people, interruption to service, reputation (social/community), compliance, property (plant, equipment, buildings) natural environment, financial impact and project (time and cost).
- Measures of Likelihood: Attributes the significance of an event with a numerical system, and the likelihood of a particular event occurring at any given time.
- Risk Matrix: Combines the 'Measure of Likelihood' with the severity of the event, to determine the consequence likelihood and the extremity of the event.

The Shire has defined its tolerance to risk, its risk appetites, through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. Organisational risks are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. Appendix 2 takes its information from the organisation's Policy 2.8 – Enterprise Risk Management, and the attachments of the Policy Schedule.

4. Scenario-Specific Checklists

4.1. Scenario 1: Destruction or Severe Damage of Server

Tasks	Who	Done
Contact IT Support (Contractors) to: <ul style="list-style-type: none"> Clarify the extent of the damage and any data loss Identify timeframes for the backup server to be operational and implemented Identify other staff able to assist the IT Department Determine restoration target timeframes Determine potential causes 		
Detail strategy and resources for recovery:		
Consider: <ul style="list-style-type: none"> Critical activities that rely on this system Time critical work functions System requirements Manual procedures or workarounds to complete critical time-sensitive business functions Any risk implications 		
Ensure ongoing interaction with ITDRRT for regular updates and feedback		
Consider the support and wellbeing of the IT Team and staff members who are directed to assist		
Invoke the IT Disaster Recovery Plan		
Other:		

Notes:

4.2. Scenario 2: Computer Virus / Hacking

Tasks	Who	Done
Contact IT Support (Contractors) to: <ul style="list-style-type: none"> Clarify the extent of the damage and any data loss Identify IT security measures Identify timeframes for the backup server to be operational and implemented Determine restoration target timeframes 		
Contact Cybersecurity Authorities to inform them of the security breach:		
Detail strategy and resources for recovery:		
Consider: <ul style="list-style-type: none"> What systems have been compromised? Is personal information and data of employees at risk? Alternative work system requirements for staff members Is there an ongoing risk? 		
Ensure ongoing interaction with ITDRRT for regular updates and feedback		
Consider the support and wellbeing of the IT Team and staff members who are directed to assist		
Invoke the IT Disaster Recovery Plan		
Other:		

Notes:

4.3. Scenario 3: Accidental Erasure of Data

Tasks	Who	Done
Contact IT Support (Contractors) to: <ul style="list-style-type: none"> Clarify the extent of data loss Identify IT security measures Identify timeframes for the backup server to be operational and implemented Determine restoration target timeframes Determine retrievable data 		
Detail strategy and resources for recovery:		
Consider: <ul style="list-style-type: none"> The extent of the data loss How did the data get erased? What measures can be implemented to avoid the occurrence into the future? Is there any ongoing risk? 		
Ensure ongoing interaction with ITDRRT for regular updates and feedback		
Consider the support and wellbeing of the IT Team and staff members who are directed to assist		
Invoke the IT Disaster Recovery Plan		
Other:		

Notes:

5. Emergency Response

5.1. Emergency Alert, Escalation and Disaster Recovery Plan Activation

This document has been established to ensure that in the event of a disaster or crisis, personnel will have a clear understanding of who should be contacted. Procedures have been addressed to ensure that communications can be quickly established while activating disaster recovery.

The disaster recovery plan will rely principally on key members of management and staff who will provide the technical and management skills necessary to achieve the technology and business recovery. Suppliers of critical equipment and services will continue to support recovery of business operations as the organisation returns to normal operating mode.

5.1.1 Emergency Alert

The Crisis Management Team, as detailed in point 2.4, is responsible for activating the disaster recovery plan for disasters, as well as in the event of any other occurrence that affects the company's capability to perform normally.

One of the tasks during the early stages of the emergency is to notify the ITDRRT that an emergency has occurred. The notification will request ITDRRT members to assemble at the emergency assembly point, determined by the Crisis Management Team, and will involve sufficient information to be available to effectively carry out the disaster recovery plan.

5.1.2 Activation of Emergency Response Team

When an incident occurs the IT Officer, being the IT Disaster Recovery Coordinator, will co-ordinate and work with the ITDRRT. The Crisis Management Team will then decide the extent to which the disaster recovery plan must be invoked. Responsibilities of the Crisis Management Team are to:

- Respond immediately to a potential disaster and contact emergency services;
- Assess the extent of the disaster and its impact on the organisation's business functions and service provisions;
- Decide which elements of the disaster recovery plan should be activated;
- Establish and manage disaster recovery team to maintain vital services and return to normal operation;
- Ensure employees are notified and allocate responsibilities and activities as required.

5.1.3 IT Disaster Recovery Team

The team will be contacted and assembled by the Crisis Management Team. The responsibilities of the ITDRRT include:

- Establish facilities for an emergency level of service within 4 business hours.
- Restore key business services within 24 business hours of the incident.
- Recover to 'business as usual' within IT systems within 24 hours after the incident.
- Coordinate activities with the Emergency Recovery Team.
- Report to the Crisis Management Team.

If the disaster occurs outside of normal operating hours the Emergency Manager should be contacted.

5.2 Budget Approval

The following personnel have purchasing authority thresholds, which can be utilised in an IT-related disaster:

1. Executive Management – Up to \$20,000
2. Chief Executive Officer – Whole Budget

In the instance that the Administration building is lost and a full relocation is required, the Executive Management and Chief Executive Officer are required to approve the expenditure to procure IT infrastructure to allow staff to work.

The Local Government Act section 6.8(1)(c) gives the Shire President the capacity to authorise expenditure from the municipal fund that is not included in the annual budget, in an emergency.

6. Disaster Recovery Plan Recovery Methodology

In the event of an IT system failure, the IT Officer will usually be aware, or quickly notified by the Executive Manager. From there, the IT Officer will make a plan to recover the affected system within the recovery time objective (RTO) as defined in section 6.

If the event is a major outage which affects the building and its ability to service, the IT Officer will activate the Plan once services are restored. Each backup by Wallis Computer Solutions cloud-based system is performed on a daily basis. Data uploaded between the time of the last performed backup and the major outage of the Shire system will be lost, due to this data only being uploaded to the server during each backup performed.

Key decisions that need to be made by the Crisis Management Team include staff working remotely or the need to relocate to the disaster recovery site.

6.1. Loss of Facility

In the event that the Administration building and or server room assets are non-recoverable (e.g. fire outbreak), operation systems will be resurrected using the cloud-based server located at the premises of Wallis Computer Solutions. Data uploaded or downloaded between the event and the last backup performed (the previous night) will not be recoverable.

Wallis Computer Solutions will be contacted to ensure the cloud-based backup server is working at full capacity, with the Shire's systems expected to be running within eight (8) business hours. Setup of IT infrastructure at an alternative site, such as the Cuballing Agricultural Hall, will commence at the coordination of the IT Disaster Recovery Coordinator.

6.2. Loss of Power

As the Administration Office is officially recognised as the primary Incident Control Centre for the organisation, the Shire owns a 25Kva generator, on a trailer, stored at the Shire Depot on Austral Street available in the event of a loss of power. The generator has sufficient capacity to power all of the normal operations of the Administration Office in the event that traditional power is unavailable.

Normal operations can be defined as: operating all computers; lighting; communications; heating and cooling; all of which is required to maintain the facility as an Incident Control Centre.

In the event of a predicted or prolonged power outage, the generator should be towed to the external meter board of the Shire Administration Office with an expected setup time of less than 30 minutes.

7. Recovery Plan

The below table identifies time-critical IT functions (Recovery Time Objective) and the given timeframe to complete this.

Recovery Time Objective: < 4 Hours
<p>The Shire's email uses Office 365, which will be active within the first four (4) hours and can be used to communicate via email. This can be setup on staff members' mobile phones.</p> <p>The CEO, Executive Managers' and Managers' mobile phones run through the Telstra network. This network will be active within the first four (4) hours of a disaster, provided the telecommunications network has not been affected by the disaster.</p> <p>The Shire's telephony system is a Commander system, the desk phones can be connected to any phone socket via a phone cable to commence being operational (alternatively phones can be redirected to mobile devices by the IT Officer).</p> <p>The Shire's website is hosted by Market Creations, and will be active within the timeframe, allowing the organisation's external stakeholders, such as ratepayers, to effectively lodge any works requests required.</p>
Recovery Time Objective: 8 Hours
<p>The Shire of Cuballing staff workstations, including desktops and laptops, can be set up at an alternate premises (ie the Cuballing Agricultural Hall).</p> <p>If the Administration internet capabilities are affected, this will affect the connectivity of the, Shire Depot, due to each location utilising the same internet connection through a wireless link. Should this occur, external internet connectivity can be setup through Telstra Wi-Fi dongles, or through mobile hot-spot.</p> <p>Once connectivity is operational, the Shire can contact Wallis Computer Solutions and remotely login to the cloud-based server. This will provide access to SynergySoft software for modules such as rates, payroll, creditors, records management etc.</p> <p>Traffic licencing is running independently of the Shire Network and can be accessed by calling Department of Transport IT Support remotely.</p>
Recovery Time Objective: 1 Day
<p>All vital systems, such as telecommunications, website and workstations to be fully functional by this stage. The IT disaster recovery plan specifies the maintenance and support of IT infrastructure to be operational within one (1) day of any disaster.</p>

8. IT System Information

8.1. Onsite Server

The onsite server is located in a lockable cabinet located in a designated locked server room which is located within the Administration building of the Shire. The staff members with access to the server room include the IT Officer, and Executive Management Team. The server room remains locked in order to strictly monitor staff who access it.

The onsite server undergoes the backup process on a daily basis. Incremental backups occur every evening starting at 6PM. A full backup replication occurs on weekends.

8.2. Offsite Server

The offsite server, which is a cloud-based server hosted by Wallis Computer Solutions, is located at a remote datacentre, operated by Wallis Computer Solutions. The offsite server undergoes an incremental backup on a daily basis, beginning at 5.20PM. A full backup replication occurs on weekends, beginning at 8.20PM.

8.3. Internet Connectivity

The Shire has two lines of NBN Internet Connection coming into the Administration Building, with 100/40 speeds. This is a fixed Wireless NBN service provided by AussieBroadband.

There is also a 4G Mlaas Teltonika Fail-Over managed Router solution connected which is configured to kick in whenever NBN connection is down.

8.4. Emails

The organisation uses the Office 365 for its email system, which is hosted externally by Microsoft. Emails undergo backup regulation by Microsoft, and can be accessible immediately following a disaster that affects the organisation.

8.5. Phone System

The organisation currently uses a Commander telephony system, hosted by Telstra. The Shire's phone system is independent from the network, however is dependent on external power. Should there be a loss of power, the telephony system cannot work.

8.6. Desktop PCs & Laptops

Office-bound staff members are provided either with laptops or desktop PCs to carry out their daily operational requirements. In the event of a disaster, this equipment can be moved to an alternative location decided upon by the Crisis Management Team.

8.7. Printers / Scanners

The organisation holds one locally contracted RICOH copier through Best Office Systems, which is configured to work on the existing network. Should the network be affected by the disaster, network capabilities will be set up in the alternative location decided upon by the Crisis Management Team.

8.8. SynergySoft Information

SynergySoft is hosted locally in the Shire of Cuballing's server and supported by IT Vision. SynergySoft is the system used by the organisation to carry out its business functions daily, which includes numerous modules for separate areas of practice (e.g. payroll, rates, creditors).

Once connectivity is operational, the Shire can contact Wallis Computer Solutions and remotely login to the cloud-based server. This will provide access to SynergySoft software for modules (such as rates, payroll, creditors, etc.).

Department of Transport licencing is running independently of the Shire Network and can be accessed by calling Department of Transport IT Support remotely.

8.9. Office 365

Office 365 is a subscription service provided by Microsoft. The organisation is using Microsoft Office 365 for email services, which is hosted in the cloud.

The Business Premium & Business Standard M365 licences for email exchange enables Shire staff to download and install the Office365 Suite (Outlook, Word, Excel, PowerPoint, OneNote, MS Teams) onto their desktops and the ability to access emails through any internet browser portal. Each user is provided with 50GB of mailbox size and 1TB of OneDrive for Business cloud storage space.

8.10. Passwords and Access

Each staff member is responsible for their own password and for keeping the password protected.

Should staff require their password to be reset Wallis Computer Solutions can provide that service.

Wallis Computer Solutions have their own administration password to gain access to the server, network, Office 365, Datto, and backup.

8.11 Equipment Requirements.

The cumulative quantities of office equipment, divided into each department, is shown below:

Shire of Cuballing Details	Cumulative quantities required within					
	Current	1 day	3 days	5 days	10 days	20 days
Office Equipment requirements:						
Administration Office						
Staffing	7	4	4	5	7	7
Workstations	4	1	2	3	4	4
Laptops	4	3	3	3	4	4
Phones / Mobiles	4	2	3	3	4	4
Works Department						
Staffing	13	5	10	13	13	13
Workstations	2	0	1	1	2	2
Laptops	0	0	0	0	0	0
Phones / Mobiles	4	4	4	4	4	4
Cumulative:						
Staffing	20	9	14	18	20	20
Workstations	6	2	3	4	6	6
Laptops	4	3	3	3	4	4
Phones / Mobiles	8	6	7	7	8	8

9. Reviewing the Disaster Recovery Plan

This *Disaster Recovery Plan* should be reviewed and updated on a biennial basis due to the likelihood of change to risks and the dynamics of this plan over time.

Subsequent to the occurrence of an actual disaster event it will be necessary to document the disaster in a formal report for management. A report is also needed to support an insurance claim by the Shire of Cuballing which can either be prepared as a separate document or the expenses incurred in the recovery efforts can be included as an appendix to this report.

A review undertaken following an actual disaster event should include an analysis of the following:

- A description of the disaster event including an explanation of how the disaster happened and whether it was preventable;
- The effectiveness of the existing counter-disaster measures;
- A summary of how the Shire of Cuballing responded to the disaster and an assessment of the effectiveness of this response;
- An assessment of the impact of the disaster on the Shire of Cuballing's IT systems;
- A description of any damage to buildings and equipment;
- An assessment of the effectiveness of supplies and hired equipment used in the recovery effort;
- An outline of any difficulties that were encountered during the recovery efforts;
- An assessment of the standard of cooperation and communication between all offices involved in the response to the disaster and of the ability of staff to perform their respective functions;
- An outline of occupational safety and health issues; and
- An assessment of the performance of outside agencies and consultants if they were involved.

Appendices should include photographs of the disaster and a detailed list of all expenses incurred in recovery operations (for insurance purposes).

Use the 'Event Log' to record information, decisions and actions.

[illegible]

Appendix 2: Shire of Cuballing Risk Appetite

Measures of Likelihood

Level	Rating	Description	Frequency
5	Almost Certain	The event is expected to occur in most circumstances.	More than once per year.
4	Likely	The event will probably occur in most circumstances.	At least once per year.
3	Possible	The event should occur at some time.	At least once in 3 years.
2	Unlikely	The event could occur at some time.	At least once in 10 years.
1	Rare	The event may only occur in exceptional circumstances.	At least once in 15 years.

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Measures of Consequence

Rating	People	Interruption to Service	Reputation (Social / Community)	Compliance	Property (Plant, Equipment, Buildings)	Natural Environment	Financial Impact
Insignificant (1)	No injuries or illness	No material service interruption Less than 1 hour	Unsubstantiated localised low impact on community trust, low profile or no media item	No noticeable or regulatory statutory impact	Inconsequential damage	Contained, reversible impact managed by on site response	Less than \$1,000
Minor (2)	First Aid Treatment	Short term temporary interruption – backlog cleared < 1 day	Substantiated, localised impact on community trust or low media item	Some temporary non compliances	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response	\$10,001 - \$25,000
Moderate (3)	Medical treatment / lost time injury >10 days	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Short term non-compliance but with significant regulatory requirements imposed	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies	\$25,001 - \$100,000
Major (4)	Lost time injury >30 days / temporary disability	Prolonged interruption of services – additional resources; performance affected < 1 month	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Non-compliance results in termination of services or imposed penalties to Shire/Officers	Significant damage to requiring internal & external resources to rectify	Uncontained, reversible impact management by a coordinated response from external agencies	\$100,001 - \$500,000
Extreme (5)	Fatality, permanent disability	Indeterminate prolonged interruption of services non-performance > 1 month	Substantiated, public embarrassment, widespread loss of community trust, high widespread media profile, third party actions	Non-compliance results in litigation, criminal charges, or significant damages or penalties to Shire/Officer	Extensive damage required prolonged period of restitution. Complete loss of plant, equipment & building	Uncontained, irreversible impact	More than \$500,000

10.2 CHIEF EXECUTIVE OFFICER:

Cr Dowdell declared a Direct Financial Interest in 10.2.1 in that he is the applicant and left the Council Chamber at 2.39pm.

Cr Bradford declared a Proximity Interest in 10.2.1 in that he leases property adjoining the property included in the application and left the Council Chamber at 2.39pm.

10.2.1 Proposed Subdivision – Lot 23 Wandering-Narrogin Road, Cuballing

Location:	Lot 23 (No. 3118) Wandering-Narrogin Road, Cuballing
Applicant:	Harley Dykstra for Peter & Heather Dowdell
File Ref. No:	161328
Disclosure of Interest:	Nil
Date:	6 October 2021
Author:	Gary Sherry
Attachments	10.2.1A Letter and plan from applicant 10.2.1B Location plan

Summary

A subdivision application, for Lot 23 Wandering-Narrogin Road, to create a homestead lot and a balance lot is not supported because the subdivision application is inconsistent with the local planning framework and would result in unplanned, ad-hoc fragmentation of rural land and set an undesirable precedent.

Background

The Western Australian Planning Commission (WAPC) has referred a subdivision application to the Shire for comment. Details provided by the applicant are provided in Attachment 10.2.1A.

The application site currently consists of one title which is 173.8407 hectares in area. The site is generally cleared, contains some native vegetation and has an existing dwelling and some sheds. The proposal is to:

- Create two new titles with Lot 'A' to be 21.7463 hectares in area to accommodate the existing dwelling and sheds; and
- Create a balance lot, 152.0944 hectares in area (Lot B), to continue to be used for rural farming purposes.

The site's location is outlined in Attachment 10.2.1A. The site is approximately 9.5 kilometres from the Cuballing townsite. The site adjoins the Wandering-Narrogin Road and has frontage to Nebrikinning Road.

Planning framework

In summary:

- The property is zoned 'General Agriculture' in the *Shire of Cuballing Local Planning Scheme No. 2* (LPS2);
- The property is classified as 'Rural' in the *Shire of Cuballing Local Planning Strategy*;
- Portions of the site are classified as a Bushfire Prone Area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>;

- *State Planning Policy 2.5 Rural Planning* includes an objective to 'provide investment security for existing, expanded and future primary production and promote economic growth in regional development on rural land for rural land uses'; and
- The WAPC's *Development Control Policy 3.4 Subdivision of Rural Land* (Policy DC3.4) outlines the WAPC will consider rural subdivision for a limited range of exceptional circumstances. One of these exceptional circumstances is for homestead lots subject to meeting relevant criteria. As part of this, the WAPC is to have due regard to the provisions of a local planning scheme and a local planning strategy.

Further details are outlined below.

Section 6.3 of Policy DC3.4 is of relevance to this application. The Policy, in part, states:

'The creation of homestead lots is intended to allow primary producers to continue to occupy their dwelling when they cease to farm, and provide settlement opportunities in areas where land fragmentation is limited and unlikely to increase. Homestead lots are to be created in a manner that is consistent with the rural character and landscape of a locality. Homestead lots may be facilitated through boundary rationalisation or the creation of a new lot'.

Clause 3.2(b) of LPS2 in part sets out the following objectives for the General Agriculture Zone:

- 'to preserve productive land suitable for grazing, cropping and other compatible productive rural uses in a sustainable manner;
- to ensure the preservation of the rural character and rural appearance of land within the zone;
- to protect the economic viability of rural zoned land through a presumption against subdivision except where such subdivision will enhance and/or promote the viability and diversity of general farming activity'.

The *Shire of Cuballing Local Planning Strategy* in part sets out:

- objectives in section 3.1 which include to 'promote and manage a sustainable settlement pattern to avoid unnecessary duplication of resources' and to 'promote agriculture as a key economic and social driver within the district';
- in section 3.5.1 'Farming is the core business of the district in the foreseeable future and must be protected to conduct normal operations. Due to the importance of agricultural land to the district economy, the Council considers it necessary to protect these areas from incompatible subdivision and development. Subdivision for residential, rural residential use and rural smallholding use are not supported outside of identified areas on the Strategy Plan. There is a general presumption against subdivision of rural land. This presumption against subdivision is in accord with WAPC SPP2.5 and DC3.4 with subdivision only considered in exceptional circumstances';
- Action 25 'Provide advice to the WAPC on subdivision applications which is guided to WAPC policy. In particular, to not generally support additional lots in rural areas but generally support boundary realignments'; and
- Advice 26 'Provide advice to the WAPC on homestead lot subdivision applications that it does generally not support creating an additional lot but will generally support a boundary realignment.'

Comment

The subdivision application, to create an additional lot in this location, is not supported. It is noted:

- The application is inconsistent with the local planning framework. The Council, in reviewing its Local Planning Strategy, specifically considered the matter of homestead lots and outlined it does not generally support the creation of additional lots in rural areas;
- The application represents an unplanned breakdown of rural land. This is likely to have a negative impact on the character of the area including the potential for introducing 'rural lifestylers' surrounded by farming operations. This is considered incompatible with the planning intent of the zone and would result in ad-hoc fragmentation of agricultural land;
- If approved, the proposal is likely to set an undesirable precedent for rural areas. The fragmentation of rural land is likely and this is inconsistent with Policy DC3.4;
- The Local Planning Strategy supports new subdivisions, creating additional lots, to be within or adjoining the Cuballing and Popanyinning townsites. The reasons include protecting agricultural land, maintaining and growing the local economy and service delivery considerations. This includes servicing new residents that are further from Cuballing and Popanyinning;
- There are a wide range of existing lot sizes in the Shire. Significantly, the Local Planning Strategy identifies generous areas for rural smallholding lots (4-40 hectares) that are close to the Cuballing and Popanyinning townsites;
- Given the size of Lot 'A', it appears the intention of the subdivision is to create a rural smallholding lot;
- The applicant has not addressed the implications of economic viability and precedent of creating essentially a rural smallholding lot in the rural area; and
- The applicant did not raise or consider the Local Planning Strategy.

Historically, homestead lots were considered on their merits in parts of Western Australia where the population was declining. This is not the case for the Shire of Cuballing.

The Shire has and should support applications for homestead lots that are facilitated through boundary rationalisation where no additional lots are created.

It is recommended that the Council advise the WAPC that subdivision application 161328 should be refused.

Strategic Implications

The unplanned breakdown of rural land is inconsistent with the local planning framework. It will create a precedent for creating similar proposals that will place pressure on agricultural production and the cost of acquiring rural land.

Statutory Environment

Planning and Development Act 2005 and LPS2.

Policy Implications

The application is inconsistent with the Local Planning Strategy.

Financial Implications – Nil

Economic Implications

The application creates an additional lot.

Social Implications – Nil

Environmental Considerations

There are minimal environmental considerations associated with the subdivision application.

Consultation

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

Options

The Council can resolve to:

1. recommend the application be refused;
2. support the subdivision application with no conditions; or
3. support the subdivision application with conditions.

Voting Requirements – Simple Majority

COUNCIL DECISION 2021/114 :

That Council does not support the subdivision application, of Lot 23 Wandering-Narrogin Road, Cuballing (WAPC 161328), for the following reasons:

- 1. The proposed subdivision is inconsistent with the General Farming zoning of the land in the Shire of Cuballing Local Planning Scheme No. 2. The purpose and intent of this zoning is to ensure the continued viability of agricultural production, to retain the rural character and amenity of the area and there is a presumption against subdivision.**
- 2. The proposed subdivision is contrary to the Shire of Cuballing Local Planning Strategy which has a general presumption against the subdivision of land designated 'Rural' to create additional lots. The application is inconsistent with the Strategy's objective to support rural land being retained for primary production. The proposed lot size of Lot 'A' is inconsistent with the settlement strategy which supports smaller lots close to the Cuballing and Popanyinning townsites in defined areas. Accordingly, the application represents the unplanned breakdown of rural landholdings.**

3. The proposed subdivision is contrary to State Planning Policy 2.5 - Rural Planning by reason that it would result in the ad hoc fragmentation of rural land, it would create rural settlement in an area remote from existing community services and infrastructure, and it would create increased potential for land use conflict.
4. The proposed subdivision is contrary to Development Control Policy 3.4 - Subdivision of Rural Land, on the basis that the subdivision of the subject land in the manner proposed has not been identified in a Local Planning Scheme or an endorsed Local Planning Strategy for closer settlement in the manner proposed and therefore represents the unplanned breakdown of landholdings.
5. The application will result in ad-hoc fragmentation of rural land.
6. The cumulative effect of the proposed development will adversely affect the character and amenity of the area.
7. The application does not comply with the planning intent for the zone or area and is inconsistent with orderly and proper planning for the area.
8. Approval to the subdivision would create an undesirable precedent for the further subdivision of other lots of a similar size in the General Farming Zone in this locality and in the Shire of Cuballing.

Moved: Cr Harris

Seconded: Cr Kowald

Carried 4/0

Cr Dowdell and Cr Bradford returned to the meeting at 2.48 pm.



Our Ref: 22800 – 20210810 – WAPC – QA: DM

11 August 2021

Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6000

ATTENTION: PLANNING IMPLEMENTATION DIVISION

Dear Sir/Madam,

PROPOSED SUBDIVISION – LOT 23 (NO. 3118) WANDERING-NARROGIN RD, CUBALLING

Harley Dykstra, on behalf of the landowners, is pleased to submit this application for the proposed subdivision of Lot 23 (No. 3118) Wandering-Narrogin Road, Cuballing for consideration and determination by the Western Australian Planning Commission (WAPC). In support of this application the following has been provided:

- A copy of the current Certificate of Title (**Appendix A**);
- A copy of the Plan of Subdivision (**Appendix B**);
- A copy of the letter received from the Department of Planning Lands and Heritage on 21 June 2021 **Appendix C**).
- A letter of consent from the landowners and accompanying Death Certificate; and
- A supporting bushfire justification letter.

Payment of \$3,547.00, being the prescribed fee for a two-lot subdivision, will be made via the WAPC's online eLodgement portal.

SUBJECT LAND & CONTEXT

Lot 23 has an area of 173.8407ha with legal frontage to Wandering-Narrogin Road and Nabrikinning Road. The property currently accommodates a homestead dwelling and associated outbuildings on proposed Lot A, with the balance Lot B comprising a vacant rural allotment for agricultural purposes. An aerial photograph has been included overleaf at **Figure 1**.

The subject land is located approximately 9.5km south west of the Cuballing town site, and 10.7km north west of the Narrogin townsite. The nearest intersection is where Wandering-Narrogin Road intersects with Nabrikinning Road south east of the subject land. A Location Plan has been included at **Figure 2 (overleaf)**.

A summary of the land particulars is provided in **Table 1 (below)** and the Certificate of Title is attached at **Appendix A**.

LOT NO.	PROPERTY ADDRESS	LANDOWNER	AREA	VOL.	FOLIO	PLAN NO.
23	3118 Wandering-Narrogin Road, Cuballing 6311	Heather Mary Dowdell Peter John Dowdell	173.8407ha	2227	749	DP 39761

TABLE 1 – LAND SUMMARY

PERTH & FORRESTDALE

Level 1, 252 Fitzgerald Street, Perth
15/2 Hensbrook Loop, Forrestdale
PO Box 316, Kelmscott WA 6991

T: 08 9228 9291

T: 08 9495 1947

E: metro@harleydykstra.com.au

ABN 77 503 764 248

www.harleydykstra.com.au



Albany

Bunbury

Busselton

Forrestdale

Perth

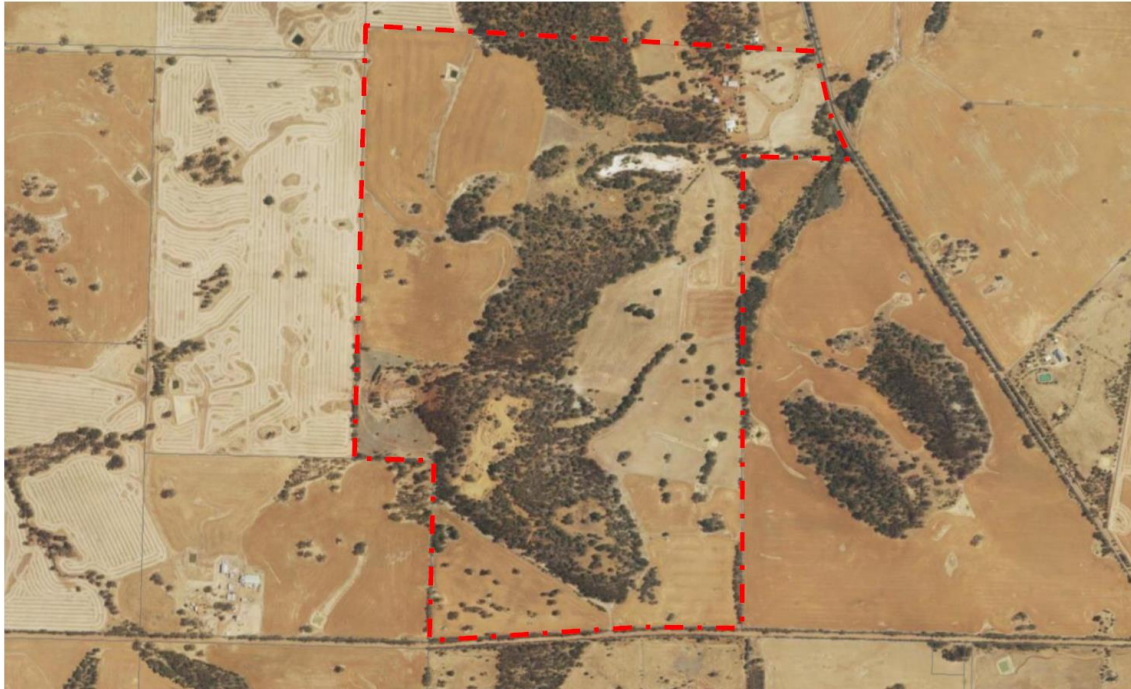


FIGURE 1 – AERIAL PHOTOGRAPH

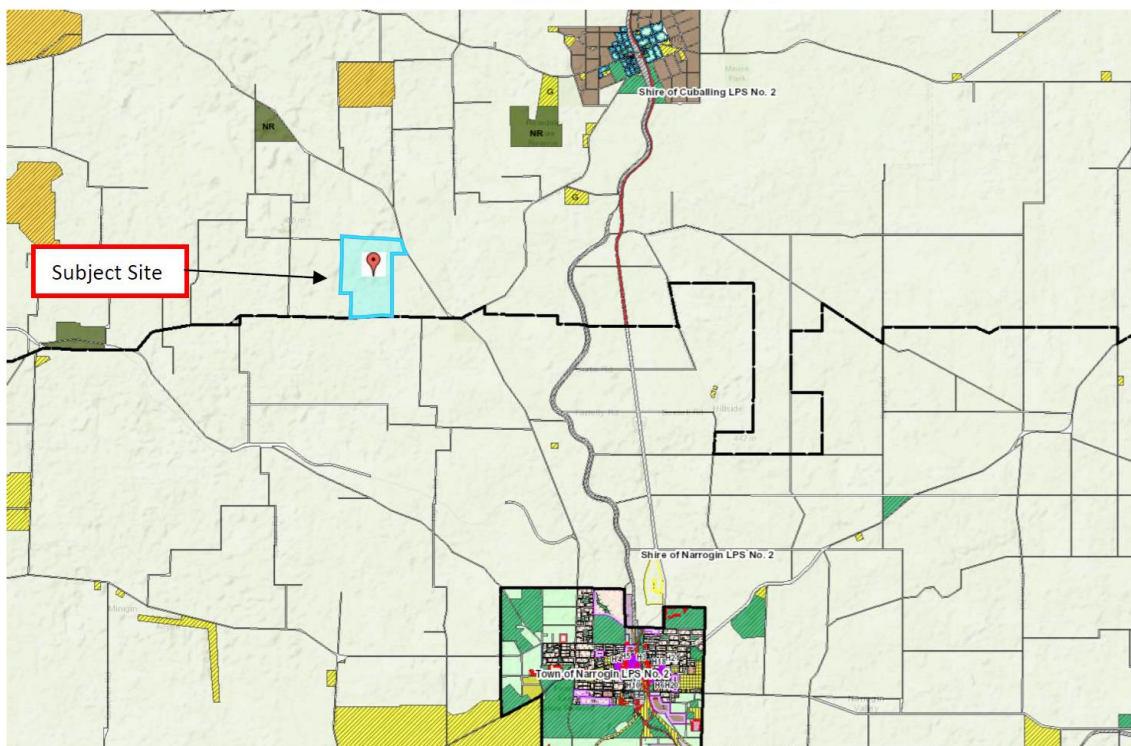


FIGURE 2 – LOCALITY PLAN

PROPOSED SUBDIVISION

Lot 23 (No. 3118) Wandering-Narrogin Rd, Cuballing

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BACKGROUND

On the 1st of June 2021, Harley Dykstra wrote to the Department of Planning Lands and Heritage (DPLH) seeking advice on the potential for subdivision of the subject land. On the 21st of June 2021, Harley Dykstra received a response letter from Cath Meaghan the Planning Director for Regional South (see **Appendix C**). The letter outlined that whilst the proposed subdivision would be broadly consistent with the planning framework, the initial proposed lot boundaries did not consider the impact on Threatened Ecological Communities (TEC) located within the subject land. The concern was that when establishing firebreaks along these boundaries, the TEC's would be impacted by clearing works. As such, it was recommended that prior to lodging a subdivision application, the proposed boundary locations be reconsidered to ensure minimal impact on the TEC's.

PROPOSED SUBDIVISION

The Attached Plan of Subdivision (**Appendix B**) has been amended to reflect the advice provided by DPLH. It is proposed that two lots be created from the existing subject lot, being a homestead lot and a balance lot for rural pursuits (agriculture). Both proposed lots have access to local roads and relevant services.

PLANNING FRAMEWORK & SUPPORTING RATIONALE

Shire of Cuballing Local Planning Scheme 2 (TPS 2)

The subject land is currently zoned 'General Agriculture' under the Shire of Cuballing Town Planning Scheme No. 2 (TPS 2). Clause 3.2.(a) of TPS 2 sets out the objectives of the 'General Agriculture' zone. A response to the scheme objectives is included in Table 2 below:

OBJECTIVE	COMPLIANCE STATEMENT
<i>To preserve productive land suitable for grazing, cropping and other compatible productive rural uses in a sustainable manner.</i>	Proposed Lot B is adequately sized so that it is capable of continuing to be used as a productive and sustainable parcel of land for farming purposes.
<i>To allow for the extraction of basic raw materials where it is environmentally and socially acceptable.</i>	Not Applicable.
<i>To ensure the preservation of the rural character and rural appearance of land within the zone.</i>	This subdivision of itself will not result in any significant intensification of development on the subject land. Both lots will continue to be used for rural type purposes and hence the rural character and appearance of the land will be maintained.
<i>To encourage intensive agriculture where soil conditions and location are appropriate and it can be demonstrated that off-site impacts (if any) will not adversely affect existing agricultural activities.</i>	This subdivision will enable the land to continue to be used for agricultural purposes and does not in itself prejudice the use of surrounding land for intensive agriculture should it be demonstrated to be suitable for this purpose.
<i>To protect the economic viability of rural zoned land through a presumption against subdivision except where such subdivision will enhance and/or promote the viability and diversity of general farming activity.</i>	The proposed subdivision will enable the current landowner to continue living on the land, whilst the balance is used for agricultural purposes. This application is made on the basis of DC 3.4 which provides for homestead lots be created on large rural properties where it would allow for an existing house on a large rural property to continue to be occupied.
<i>To preserve and protect the natural undeveloped land areas throughout the zone.</i>	The proposed subdivision has been designed in such a way that it will not impact on environmental assets. Where possible, the proposed lot boundaries avoid intersecting threatened ecological communities as visualised at Figure 4 .
<i>To ensure that natural drainage patterns/catchments throughout the Shire are recognised in land management practices.</i>	The proposed subdivision has been designed having regard to site topography, natural drainage lines and water catchments. Given the proposed subdivision will of itself not result in any significant land use intensification or development, drainage patterns/catchments will continue to function as is currently the case.

TABLE 2 – OBJECTIVE COMPLIANCE STATEMENT

PROPOSED SUBDIVISION

Lot 23 (No. 3118) Wandering-Narrogin Rd, Cuballing

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WAPC Development Control Policy 3.4

The Western Australian Planning Commission's Development Control Policy 3.4 (DC 3.4) – *Subdivision of Rural Land* sets out specific criteria which, if met, enable rural subdivision to be supported. Clause 6.6 'Homestead Lots' makes provision for lots to be created on rural land where an existing house on a large rural property continues to be occupied and where a number of provisions are complied with. Compliance with the provisions is demonstrated below:

- a) The subject land is located within the Homestead Lot Policy Area Cuballing (46).
- b) DC 3.4 generally requires homestead lots to be between 1 and 4ha or up to 20ha to respond to the landform and include features such as existing outbuildings, services or water sources. The proposed homestead lot has been sized to accommodate the existing dwelling and its associated infrastructure and to respect existing firebreaks, site topography and the occurrence of TECs on the subject land.
- c) The land area for Lot A (the homestead lot) has been extended to 22.3197ha to ensure that adequate water supply is available to the existing dwelling for domestic, land management and fire management purposes. Further, it aligns with the existing contours of the land accounting for the existing clay pit and the ridgeline to the northern boundary.
- d) The existing dwelling is already serviced by an electricity supply from the east. Power services are available to proposed Lot B from Nabrikinning Road. Given proposed Lot B would be greater than 50ha, connection to power would not be required as a condition of subdivision approval.
- e) The proposed homestead lot (Lot A) has access to Wandering-Narrogin Road via an existing driveway and crossover.
- f) The proposed homestead lot contains an existing residence which is setback in excess of 75m from neighbouring rural land uses.
- g) A homestead lot has not been excised from the larger landholding in the past.
- h) Proposed Lot B will remain suitable for the continuation of its current land use, and is consistent with the prevailing lot sizes in the locality.
- i) The existing dwelling on proposed Lot A is of habitable standard.

For the reasons set out above, the proposed subdivision is able to satisfy the requirements of Clause 6.6 of DC 3.4.

WAPC SPP 2.5 – Rural Planning

This proposal is entirely consistent with the relevant objectives of State Planning Policy No. 2.5 – *Rural Planning*, and in particular, complies with clause 5.3 and 6.5 relating to subdivision of rural land. The proposal also has due regard to clause 6.5.1 relating to the provision of a suitable water supply and electricity supply (further details are provided at Section 5.0 of this report).

Significantly, the proposed subdivision will not reduce the ability of the subject land to continue to be used for rural purposes.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

The Western Australian Planning Commission's State Planning Policy 3.7 – *Planning in Bushfire Prone Areas* (SPP 3.7) and accompanying Guidelines for Planning in Bushfire Prone Areas, sets out specific guidelines and requirements for

PROPOSED SUBDIVISION

Lot 23 (No. 3118) Wandering-Narrogin Rd, Cuballing

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subdivision and development in order to preserve life and reduce the impact of bushfire on property and infrastructure.

As identified by the Department of Fire and Emergency Services (DFES) mapping (**Figure 3**), the site is identified as bushfire prone. A bushfire management plan has not been prepared in support of this application given an existing dwelling is located on the proposed homestead lot (Lot A) and sufficient area is available on proposed Lot B for a dwelling to be constructed in a location that achieves a Bushfire Attack Level (BAL) rating of BAL 29 or less. Having regard to the pragmatic approach advocated in Planning Bulletin 111 in relation to subdivision applications of this type, a bushfire management plan is not necessary to support this proposal.

In addition, firebreaks are able to be installed and maintained in accordance with the Shire of Cuballing Annual Firebreak Notice without impacting upon Threatened Ecological Communities (TEC). Further details relating to the TECs found on the subject land are included overleaf.



potential clearing associated with the installation of firebreaks is avoided. Therefore, Harley Dykstra has amended the plan of subdivision which now clearly shows the proposed lot boundaries would have no impact on the TEC.



FIGURE 4 – THREATENED ECOLOGICAL COMMUNITY MAPPING

PLANNING RATIONALE

- The subject land is predominately zoned 'General Agriculture' under TPS 2. The proposed subdivision is considered to be consistent with each objective of the 'General Agriculture' zone.
- The proposed subdivision is considered to be able to meet the exceptional circumstance requirements listed under Development Control Policy 3.4. In particular, the proposal complies with the homestead lot criteria contained within section 6.6 of DC 3.4.
- The proposed plan of subdivision has been designed in accordance with advice received from the DPLH as contained in the letter attached at **Appendix C**. Significantly, it is noted the proposed alignment of the lot boundaries would have no impact on TECs found on the subject land.

PROPOSED SUBDIVISION

Lot 23 (No. 3118) Wandering-Narrogin Rd, Cuballing

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- The proposed subdivision will of itself not result in any significant intensification of development on the subject land. The proposed subdivision will not impact on the ability of the subject land to be used for agricultural purposes in the future.
- This proposal is entirely consistent with the relevant objectives of State Planning Policy No. 2.5 – *Rural Planning*.
- Having regard to the pragmatic approach advocated in Planning Bulletin 111 in relation to subdivision applications of this type, a bushfire management plan is not necessary to support this proposal. an existing dwelling is located on the proposed homestead lot (Lot A) and sufficient area is available on proposed Lot B for a dwelling to be constructed in a location that achieves a Bushfire Attack Level (BAL) rating of BAL 29 or less.
- No change to the current access and servicing arrangements is required by this application as detailed below.

SERVICING

Roads

The surrounding road network has already been established and constructed. Access to the homestead lot (Lot A) will continue to occur from Wandering-Narrogin Road. Access to the balance lot (Lot B) would occur via the existing crossover onto Nabrikinning Road.

Power

The structures on proposed Lot A are connected to an electricity supply service. This service will be retained as part of this application. While there is no electricity service connection to Lot B, an electricity supply would not be required given the proposed lot size (152ha).

Water & Effluent Disposal

A reticulated water supply is not available to the subject land, or in close proximity to the land. The proposed lots will continue to be serviced with an adequate sustainable and potable water supply for domestic and firefighting purposes.

Effluent disposal for the existing dwelling will continue to occur via the already established on-site effluent disposal methods.

Drainage

The proposed lots are appropriately sized to ensure that stormwater is able to continue to be appropriately managed on site.

CONCLUSION

The proposed subdivision of Lot 23 (No. 3118) Wandering-Narrogin Road, Cuballing is consistent with the zoning of the land under the Shire of Cuballing Town Planning Scheme No. 2, the provisions of State Planning Policy 2.5, and the exceptional circumstances in which subdivision may be supported as contained in Development Control Policy 3.4. Therefore, in view of the abovementioned considerations and the conclusion of the letter received from the Department of Planning Lands and Heritage dated 21 June 2021, support for the attached Plan of subdivision is sought.

PROPOSED SUBDIVISION

Lot 23 (No. 3118) Wandering-Narrogin Rd, Cuballing

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We trust that the information provided above and enclosed is sufficient for the WAPC's purposes and respectfully request the WAPC's consideration and determination of this application at its earliest convenience. Please do not hesitate to contact the undersigned should you have any queries regarding this application.

Yours sincerely

Benjamin Houweling
Town Planner
HARLEY DYKSTRA PTY LTD

E-mail: benh@harleydykstra.com.au

APPENDIX A | CERTIFICATE OF TITLE

WESTERN



AUSTRALIA

RECORD OF CERTIFICATE OF TITLE UNDER THE TRANSFER OF LAND ACT 1893

REGISTER NUMBER 23/DP39761	
DUPLICATE EDITION 2	DATE DUPLICATE ISSUED 13/9/2007

VOLUME 2227 FOLIO 749

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 23 ON DEPOSITED PLAN 39761

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

PETER JOHN DOWDELL
HEATHER MARY DOWDELL
BOTH OF POST OFFICE BOX 1058, NARROGIN
AS JOINT TENANTS

(T J411271) REGISTERED 29/8/2005

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. J411272 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 29/8/2005.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP39761
PREVIOUS TITLE: 1031-857
PROPERTY STREET ADDRESS: 3118 WANDERING-NARROGIN RD, CUBALLING.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF CUBALLING

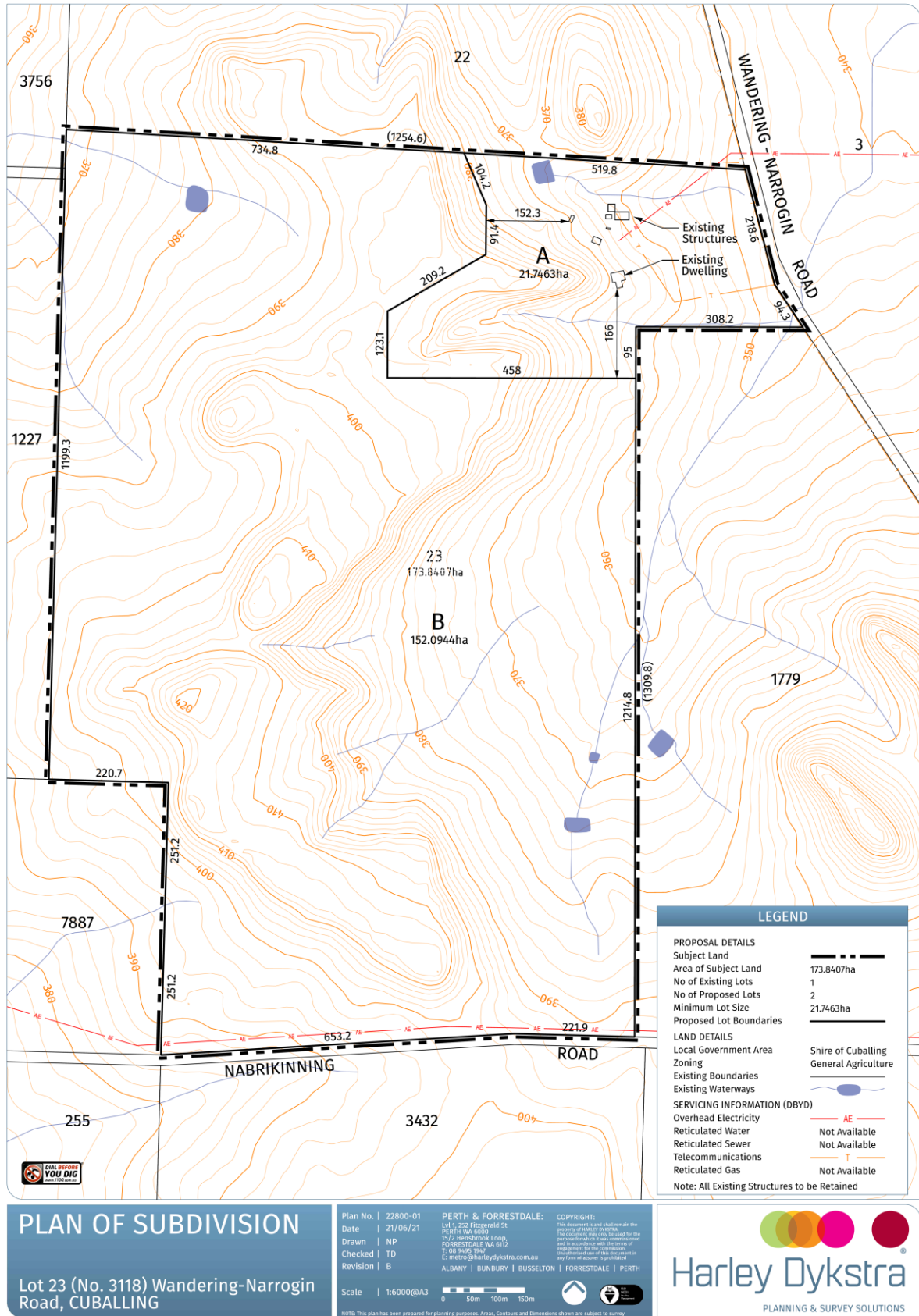
NOTE 1: N693118 DUP CT NOT PRODUCED FOR DOCUMENT N693118

LANDGATE COPY OF ORIGINAL NOT TO SCALE 21/06/2021 04:37 PM Request number: 62179672

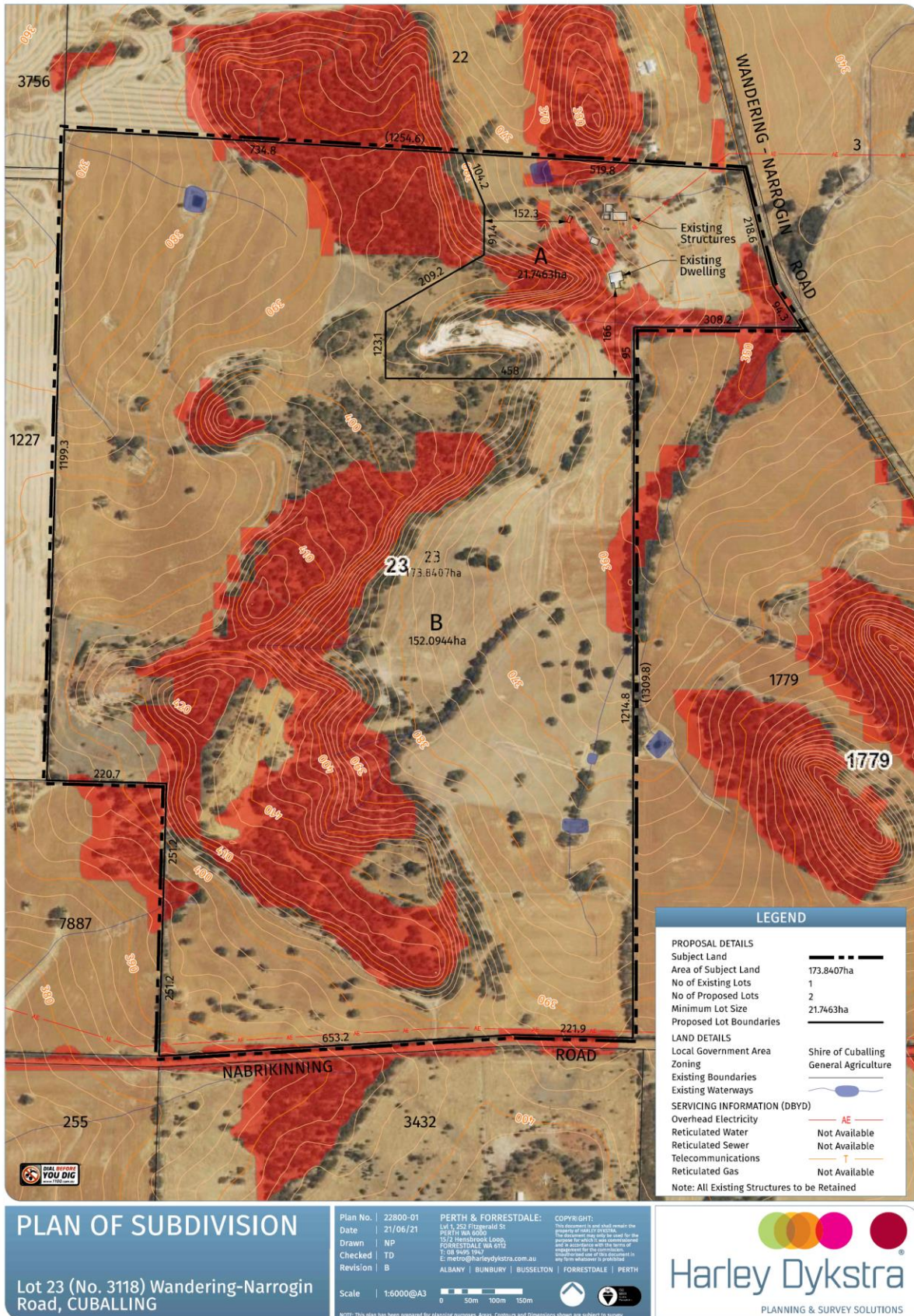


www.landgate.wa.gov.au

APPENDIX B | PLAN OF SUBDIVISION







APPENDIX C | DPLH LETTER – 21 JUNE 2021



Department of Planning,
Lands and Heritage

Your ref: 22800- 20210526
Our ref: 001/04/09/0001P
Enquiries: Aleisha D'Costa (6551 9472)

Travis Dykstra
Harley Dysktra
Level 1, 252 Fitzgerald Street
PERTH WA 6000

Transmitted via email only to: travisd@harleydykstra.com.au

Dear Travis

PROPOSED SUBDIVISION OF LOT 23 (NO. 3118) WANDERING-NARROGIN ROAD, CUBALLING

Thank you for your correspondence dated 1 June 2021 regarding the potential subdivision of Lot 23 (No. 3118) Wandering-Narrogin Road, Cuballing into one homestead lot (22.3197 ha) and one balance lot (151.521 ha).

A preliminary review has indicated that whilst the proposal is broadly consistent with the planning framework (including *Operational Policy 1.1 Subdivision of Land – General Principles* and *Development Control Policy – Subdivision of Rural Land*), the location of the new boundaries may be problematic in terms of environmental protection.

Part of the lot contains Eucalyptus Woodlands of Western Australian Wheatbelt, a Threatened Ecological Community (TEC) listed as endangered under the Commonwealth's *Environmental Protection and Biodiversity Conservation Act 1999*. The enclosed map shows the estimated location of the TEC in relation to the site. The proposed boundary line will cut through a portion of the TEC which could pose an issue when establishing fire breaks and fencing which may result in clearing. The Department is generally not supportive of proposals which involve the clearing of protected vegetation.

In light of the above, you may wish to consider modifying the proposed boundaries such that they avoid the TEC, and possibly align with tracks along the base of the ridgeline, rather than the top.

Should you have any further queries regarding this matter, please contact Aleisha D'Costa, Planning Officer, on 6551 9472 or via email at aleisha.d'costa@dplh.wa.gov.au.

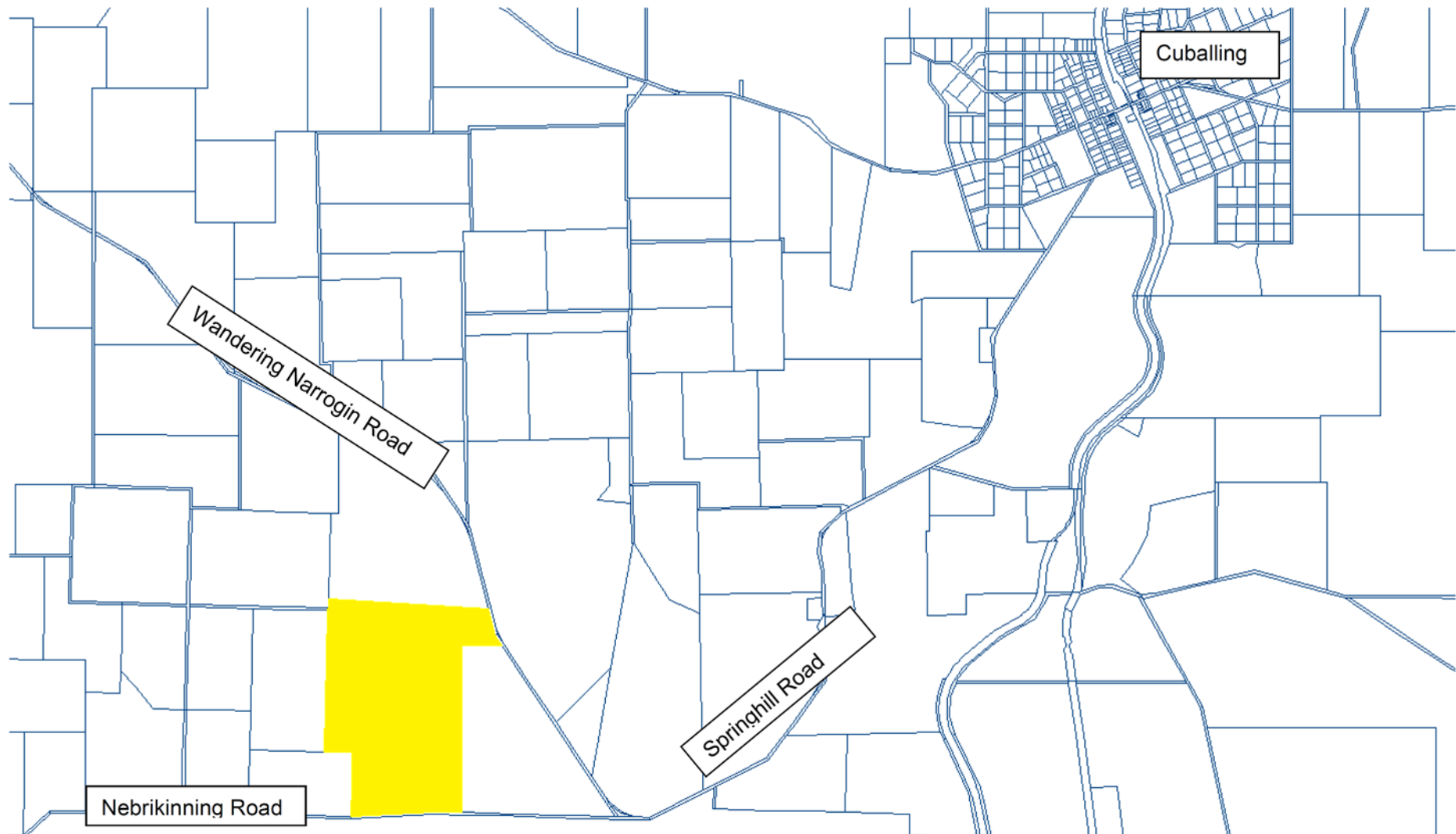
Yours sincerely

Cath Meaghan
Planning Director, Regional South
Land Use Planning

21 June 2021

Encl. TEC Inquiry Map

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 8002 Fax: (08) 6551 9001 info@dplh.wa.gov.au www.dplh.wa.gov.au
ABN 68 565 723 484
wa.gov.au



10.2.2 Related Party Transactions Policy

Applicant:	N/A
File Ref. No:	ADM118
Disclosure of Interest:	Nil
Date:	6 th October 2021
Author:	Gary Sherry
	Nil
Attachments:	10.2.2A Draft Policy 2.14 Related Party Transactions

Summary

Council is to consider a revised Council Policy for Related Party Transactions in accordance with AASB124.

Background

Policies set guiding direction for Council staff to manage the operations of the Shire on a daily basis without the need to present matters to Council for consideration.

In March 2015 the Australian Accounting Standards Board issues a Standard that extended the scope of AASB124 for Related Party Disclosures to include not for profit entities, including local governments. The standard came into effect on the 1st July 2016 for the financial year ending 30th June 2017.

A Related Party is a person or entity that is related to the local government and that is preparing its financial statements. The standard seeks to include in financial statements the total value of Related Party Transactions between the Shire of Cuballing and the Key Management Personnel. Transactions that need to be declared are purchases and sales of goods, property or assets, rendering or receiving services and leases. The Standard applies to all Related Party Transactions which include Key Management Personnel, entities subject to significant influence by the Shire and joint ventures.

Key Management Personnel (KMP) are defined as those persons that have authority and responsibility for planning, directing and controlling activities of the local government, specifically Councillors, the CEO and Senior Staff. Entities with significant influence are defined as those that have the power to participate in the financial and operating decision of the Shire but does not have final control. Significant influence is by close relationships to Key Management Personnel or their interest in other entities.

Comment

Council adopted policy relating to Related Party Transactions at their June 2017 Ordinary Meeting. However this policy was, in error, not included in Council's Policy Manual and was subsequently not included with other revisions of Council's Policy Manual since 2017. While not included in Council's Policy Manual, this policy has been followed by staff.

Council's auditors have advised Council recently that a Related Party Transaction policy is required.

The draft Policy for consideration by Council is included at Attachment 10.1.2A. This draft policy includes in strikethrough font the omissions from the original policy adopted in 2017 and additions in red font.

One particular amendment to the draft policy is the treatment of transactions that are included under the Accounting Standard but are "Ordinary Citizen Transactions". These transactions are provided under the same conditions to all citizens and therefore have no bearing on Council decision making. An example of such transactions are Rates payments. The previous

policy required an annual decision by Council each financial year outlining which transactions fall into this category and will not need to be declared. The draft policy identifies such transactions in the policy.

Some Related Party Transaction are already included in the Annual Report, such as Councillor Payments and total employment packages of employees that exceed \$100,000. Total amounts are provided in the Financial Statements as well as the number of Related Parties, rather than a specific breakdown of each transaction.

The draft policy still requires KMP to complete the Related Party Declaration each quarter.

Strategic Implications – Nil

Shire of Cuballing Strategic Community Plan 2017-2027

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

Goals

- Governance structures that ensure accountable, transparent and ethical decision making.

	Strategy	Outcome
4.2	Maintain a clear, transparent and ethical decision making process.	Openness and transparency in Council decisions.

Statutory Environment

AASB 124 Related Party Disclosures

Policy Implications

Council is setting policy for future application.

Financial Implications – Nil

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

The Council can resolve:

1. the Officer's Recommendation;
2. resolve to adopt the attached Draft Policy Manual addition with amendment or in part;
3. defer and seek additional information.

Voting Requirements – Simple Majority

COUNCIL DECISION 2021/115:

That Council:

1. declares that the Related Party Transactions including:

- a. Paying Rates;**
- b. Fines;**
- c. Use of Shire of Cuballing owned facilities such as Recreation Centre, Civic Centre, library, parks, ovals and other public open spaces (whether charged a fee or not); and**
- d. attending Council functions that are open to the public;**

are Ordinary Citizen Transactions and will have been provided to Key Management Personnel, as defined in AASB124, on the same terms and conditions that apply to the general public and have been provided in the course of delivering public service objectives and are unlikely to influence the decision that users of Council's financial statements make; and

2. adopts the draft Related Party Transactions Policy included at Attachment 10.2.2A.

Moved: Cr Christensen

Seconded: Cr Kowald

Carried 6/0

2.14 Related Party Disclosures

Background

The scope of AASB 124 Related Party Disclosures was extended in July 2015 to include application by not-for-profit entities, including local governments. The operative date for Local Government is 1 July 2016, with the first disclosures to be made in the Financial Statements for year ended 30 June 2017. This policy outlines required mechanisms to meet the disclosure requirements of AASB 124.

The objective of the standard is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and transactions.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire of Cuballing must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.

The purpose of this procedure is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

Identification of Related Parties

AASB 124 provides that the Shire of Cuballing will be required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances.

Related parties includes a person who has significant influence over the reporting entity, a member of the Key Management Personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person. KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

For the purposes of determining the application of the standard, the Shire of Cuballing has identified the following persons as meeting the definition of Related Party:

- an elected Council member;
- a person employed under section 5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer, **Deputy Chief Executive Officer or Manager** ~~Director~~;
- close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner; and
- entities that are controlled or jointly controlled by a KMP or their close family members. entities may include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

The Shire of Cuballing will therefore assess all transactions made with these persons or entities.

Identification of Related Party Transactions

A Related Party Transaction is a transfer of resources, services or obligations between the Shire of Cuballing (reporting entity) and the related party, regardless of whether a price is charged.

For the purposes of determining whether a Related Party Transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

- Paying rates;
- Fines;
- Use of Shire of Cuballing owned facilities such as Recreation Centre, parks, ovals and other public open spaces (whether charged a fee or not);
- Attending Council functions that are open to the public;
- Employee compensation whether it is for KMP or close family members of KMP;
- Application fees paid to the Shire of Cuballing for licences, approvals or permits;
- Lease agreements for housing rental (whether for a Shire of Cuballing owned property or property sub-leased by the Shire of Cuballing through a Real Estate Agent);
- Lease agreements for commercial properties;
- Monetary and non-monetary transactions between the Shire of Cuballing and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire of Cuballing (trading arrangement);
- Sale or purchase of any property owned by the Shire of Cuballing, to a person identified above;
- Sale or purchase of any property owned by a person identified above, to the Shire of Cuballing;
- Loan Arrangements; and
- Contracts and agreements for construction, consultancy or services

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with Council and are referred to as an Ordinary Citizen Transaction (OCT).

Where the Shire of Cuballing can determine that an OCT was provided at arms length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

Disclosure Requirements

For the purposes of determining relevant Related Party Transactions, KMP will be required to complete a Related Party Disclosures - Declaration form for submission to financial services.

Ordinary Citizen Transactions (OCTs)

~~The Shire Administration will recommend to Council annually, declaring, in its opinion and based on the facts and circumstances, the OCTs that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make.~~

Ordinary Citizen Transactions (OCTs) are transactions provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make.

Council declares that:

1. Paying Rates;
2. Fines;

3. Use of Shire of Cuballing owned facilities such as Recreation Centre, Civic Centre, library, parks, ovals and other public open spaces (whether charged a fee or not); and
 4. attending Council functions that are open to the public;
- are OCTs and have been provided to KMP, as defined in AASB124 on the same terms and conditions that apply to the general public and have been provided in the course of delivering public service objectives and are unlikely to influence the decision that users of Council's financial statements make.

Disclosure of the **declared** OCTs will not be required in the quarterly Related Party Disclosures - Declaration form.

Related Party Transactions Disclosure

Where these services were not provided at arms length and under the same terms and conditions applying to the general public, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures - Declaration form about the nature of any discount or special terms received.

All Related Party Transactions are to be declared in the Related Party Disclosures - Declaration form.

Frequency of disclosures

Elected Council members and KMP will be required to complete a Related Party Disclosures - Declaration form each quarter.

Disclosures must also be made:

- by **KMP who are** Councillors immediately prior to any ordinary or extraordinary election; and
- by KMP **who are staff** immediately prior to the termination of employment.

Confidentiality

All information contained in a disclosure return, will be treated in confidence. Generally, related party disclosures in the annual financial reports will be reported in aggregate and as such, individuals are not specifically identified. Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified, if the disclosure requirements of AASB 124 so demands.

Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements. In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

Associated Regulatory Framework

~~AASB 124 Related Party Disclosures~~

~~Local Government Act 1995~~

~~Local Government (Financial Management) Regulations 1996~~

~~Further Information~~

~~Related Party Disclosures – Declaration form~~

10.2.3 Appointment to Committees and of Delegates

Applicant: N/A
File Ref. No: ADM 66, ADM 323, ADM 67, ADM 318, ADM 319, ADM315
Disclosure of Interest: Nil
Date: 6th October 2021
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider appointments to Committees of Council and Council delegate to organisations and Committees to which Council has membership or representation.

Background

At the Ordinary Meeting of Council held on Thursday 19th October 2019, Council appointed the following delegates to committees:

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

Council subsequently appointed Cr Harris as delegate and Cr Bradford as proxy delegate to the Shire of Narrogin's Shire of Narrogin's CATS (Community Assisted Transport Scheme) Stakeholder Reference Group

Comment

A review of some of the committees and delegates that Council participates in may be appropriate.

Committee/Service	Comment
Audit Committee	<p>In the past all Councillors have been members of this committee. Council can continue this or select only a portion of the Council. Council can also appoint delegates with valuable or worthwhile skills to the committee from outside Council.</p> <p>This Committee meets irregularly and nearly always prior to Council Meetings.</p>
Cemeteries Advisory Committee	<p>This new committee will be established to make recommendations to Council on matters relating to the Popanyinning Cemetery, the Cuballing Cemetery, lonely and heritage graves, niche facilities, the Shire of Cuballing Cemeteries Local Law 1998 generally, including but not limited to;</p> <ul style="list-style-type: none"> • Fees and charges; • Maintenance quality, practices and procedures; • Infrastructure requirements; • Design elements; • Relevant and required Policies; • Availability of supply and; • Trends in cemetery management and community expectations and needs <p>This Committee has one Council delegate and 4 delegates appointed by Council. This Committee was scheduled to meet in March 2020 but was interrupted by COVID.</p> <p>With appointment of a Council delegate this Committee is will decide their own meeting schedule. This is expected to be several times each year.</p>
Bush Fire Advisory Committee	<p>Council can appoint any people it is believes appropriate to this Committee under the Bush Fires Act. It is appropriate to have a Councillor appointed as a delegate to this committee.</p> <p>This committee meets twice a year, in evenings in April and September.</p>
Dryandra Regional Equestrian Park Management Committee	<p>Committee with representation from Council, Dryandra Regional Equestrian Assoc. and Dryandra Pony Club. Meet irregularly to discuss management of Dryandra Regional Equestrian Centre.</p>
Dryandra Voluntary Regional Organisation of Councils (DVROC)	<p>This Committee has not met in the last four years. The Committee's purpose was to allocate Royalties for Regions regional funding allocations. Suggest maintain a delegate a proxy in case further meetings are required.</p>
Education (School Awards, etc)	<p>Council Delegate is anticipated to attend school events to present awards.</p> <p>This delegate will be invited to attend events at local schools, particularly presentation nights in October and November.</p>

Committee/Service	Comment
Cuballing Wickepin Local Emergency Management Committee	<p>Continue with Delegate and Proxy. It may be in the interests of the Proxy to attend a meeting to observe this Committee for at least some meetings.</p> <p>It is suggested that the CEO be at least one of the proxy delegates to permit the CEO to attend and vote on matters of importance when a Council delegate is unable to attend.</p> <p>This committee meets twice a year, in afternoons in April and September.</p>
Popanyinning Progress Association	<p>No formal membership of this committee is required and there is no formal role for the delegate. While Councillors may choose to nominate and be appointed, other Councillors with interests in Popanyinning may still attend meetings.</p> <p>This Committee meets at 6.30pm on the last Wednesday of each month other than December and January.</p>
Wheatbelt South Regional Road Group	<p>Continue with Delegate and Proxy. It may be in the interests of the Proxy to attend a meeting to observe this Committee.</p> <p>This Committee meets several times a year, normally on mornings in Wickepin. The Delegate may also attend subgroup meetings in Williams.</p>
Great Southern Regional Waste Alliance	<p>This group has not met in the last four years. Made up of delegates from 7 Shires in the region, the purpose was to pursue regional waste management resource sharing and funding opportunities. While the alliance hasn't met in the last two years, it is suggested to maintain a delegate and proxy in case further meetings are required..</p>
Dryandra Country Visitors Centre Committee	<p>Committee with representation from tourism industry and Shire of Narrogin oversee the Dryandra Country Visitors Centre in Narrogin. By providing funding support, Council is permitted to participate in the committee.</p> <p>It is suggested that the CEO be at least one of the proxy delegates to permit the CEO to attend and vote on matters of importance when a Council delegate is unable to attend.</p> <p>The Committee meets irregularly, but Council continues to provide a funding contribution.</p>
Central Country Zone of WALGA	<p>This group is made up of 13 member Councils of the WALGA. Council is entitled to two delegates.</p> <p>It is suggested that the CEO be at least one of the proxy delegates to permit the CEO to attend and vote on matters of importance when a Council delegate is unable to attend.</p> <p>This Committee meets 7 times a year, with two teleconferences and 5 meetings in locations around the district. Meetings take up six hours with travel.</p>

Committee/Service	Comment
Development Assessment Panel	<p>Council can nominate 2 delegates and 2 Deputy Delegates to this panel to sit on DAP reviews of large planning applications in the Shire of Cuballing. Council's nominees must be appointed by the Minister and are required to complete training.</p> <p>The Shire of Cuballing has convened a DAP meeting in 2020.</p>
Plant Management Review Group	<p>This is an informal group of 2 elected members, CEO and MWS who meet to discuss Council plant management. Matters discussed at this meetings are decided by full Council.</p> <p>This group meets for about twice each year, normally early in the morning. Meetings last for about an hour.</p>
Wheatbelt South Aged Housing Alliance	<p>This group has worked to obtain aged housing in this region. Council should appoint a delegate and a proxy delegate.</p> <p>The committee meet several times a year, in afternoons in Wickopin.</p>
Cuballing Volunteer Action Group	<p>No formal membership of this committee is required and there is no formal role for the delegate.</p> <p>The group has reduced its meetings to about 3 monthly and now hold them in a private residence.</p>
Shire of Narrogin's CATS Stakeholder Reference Group	<p>This committee is made up of contributors to the Shire of Narrogin's CATS program.</p> <p>This group meets once each year, to make recommendations on funding matters of the program.</p>

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027

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

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

	Strategy	Outcome
4.1	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.

	Strategy	Outcome
4.4	Actively engage with the community to inform decision making and improve conversations within the community.	The community have a variety of opportunities to be involved and are able to make meaningful contributions to decision making.

Statutory Environment

Local Government Act (1995)

5.10 Appointment of committee members

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

**Absolute majority required.*

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

5.11. Tenure of committee membership

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

whichever happens first.

Policy Implications – Nil

Financial Implications

Council has delegates to several committees that have significant influence over annual funding allocations to Council.

Economic Implication – Nil

Social Implication

Council has delegates and representatives on several community groups.

Environmental Considerations – Nil

Consultation – Nil

Options

Council can resolve an allocation of elected members to the various committees.

Voting Requirement – Absolute Majority

COUNCIL DECISION 2021/116:

That Council appoint the following as members of Committees of Council and as delegates of Council to the respective committee or organisation as included in the following:

1	Audit Committee	All Councillors	N/A
2	Cemeteries Advisory Committee	Cr Christensen	Cr Kowald
3	Bush Fire Advisory Committee	Cr Harris	Cr Bradford
4	Dryandra Regional Equestrian Park Management Committee	Cr Dowdell	Cr Christensen
5	Dryandra Voluntary Regional Organisation of Councils (DVROC)	Cr Dowling	Cr Harris
6	Education (School Awards, etc)	Cr Harris	Cr Bradford
7	Cuballing Wickopin Local Emergency Management Committee	Cr Dowling	Cr Harris CEO
8	Popanyinning Progress Association	Cr Kowald	Cr Christensen
9	Wheatbelt South Regional Road Group	Cr Dowdell	Cr Harris
10	Great Southern Regional Waste Alliance	Cr Dowling	Cr Kowald
11	Dryandra Country Visitors Centre	Cr Bradford	Cr Kowald

			CEO
12	Central Country Zone of WALGA	Cr Dowling Cr Harris	Cr Christensen CEO
13	Development Assessment Panel	Cr Kowald Cr Dowling	Cr Bradford Cr Dowdell
14	Plant Management Review Group	Cr Bradford Cr Dowdell	Cr Harris Cr Kowald
15	Wheatbelt South Aged Housing Alliance	Cr Christensen	Cr Dowling
16	Cuballing Volunteer Action Group	Cr Kowald	Cr Dowdell
17	Shire of Narrogin's CATS Stakeholder Reference Group	Cr Bradford	Cr Christensen
Moved: Cr Bradford		Seconded: Cr Kowald	
			Carried 6/0

Cr Harris declared an Impartiality Interest in 10.2.4 in that he is the nominee.

10.2.4	Nomination for Local Government Representation (Inland) - Peel Harvey Catchment Council
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Applicant:	N/A
File Ref. No:	ADM066
Disclosure of Interest:	Nil
Date:	11 th October 2021
Author:	Gary Sherry
Attachments:	Nil

Summary

Council is to consider endorsement of Cr Harris's nomination to the Peel-Harvey Catchment Council.

Background

The Peel-Harvey Catchment Council (PHCC) is an incorporated, not-for-profit, community based Natural Resource Management organisation that promotes an integrated approach to catchment management and the way we protect and restore the environment within the Peel-Harvey catchment.

With a strong emphasis on partnerships, the PHCC works with landholders, community groups, industry, the Australian Government, Government of Western Australia and local governments to affect change 'on-ground' and in the way we manage our environment.

The PHCC completes activities that address sustainable natural resource management (NRM) including climate change, river and wetland restoration, biodiversity protection, sustainable agriculture and building community capacity. The past ecological collapse of the Peel-Harvey Estuarine System demands a continued emphasis on water quality issues.

The PHCC board membership is comprised of 8 community members, 2 local government representatives and representatives of the Departments of Agriculture and Food, Environment and Conservation, Water and the Peel Development Commission. The PHCC board is skills based, with members selected by an independent panel based on their experience and understanding of Natural Resource Management.

The objectives of the PHCC, as defined in their constitution, are to:

- Inform, inspire and involve people in sustainable natural resource management (NRM) within the catchment.
- Provide strategic direction for NRM within the catchment by facilitating an integrated, iterative NRM planning process.
- Provide leadership on NRM matters within the catchment and facilitate partnerships with the State and Australian Governments to promote the sharing of responsibility for NRM with all levels of government.
- Actively seek and promote support for the integrated NRM planning process and the integrated NRM Plan at all levels of government, community and industry.
- Identify and seek resource opportunities for environmental improvement of the catchment and for organisations who undertake this role.
- Coordinate the efficient allocation of resources for NRM across the catchment and assist agencies to target their actions to be compatible with catchment priorities.
- Encourage institutional reform to achieve sustainable outcomes.
- Support communication and information sharing to improve the coordination of NRM activities within the catchment.

- Actively assist with implementation of any relevant regional NRM strategy.

The current board of the PHCC currently includes:

Name	Affiliation/location	Membership Expiry
Cr Caroline Knight	City of Mandurah	December 2019
Darralyn Ebsary - Deputy Chairman	Community Member	October 2023
Marilyn Gray - Treasurer	Community Member	October 2021
Paddi Creevey OAM - Secretary	Community Member	October 2019
Bob Pond	Department of Water and Environmental Regulation	Nominated by agency
Andy Gulliver	Community Member	October 2021
Claire Reid	Community Member	October 2023
Howard Mitchell	Community Member	October 2023
Sue Fyfe	Community Member	October 2023
David Prattent	Community Member	October 2021
Cr Rob Harris	Shire of Cuballing	October 2021
Cr Brad Cardilini	Shire of Murray	October 2021
Dr Rob Summers	Department of Agriculture and Food	Nominated by agency
Mark Cugley	Department of Biodiversity, Conservation & Attractions	Nominated by agency
Suzanne Brown	Water Corporation	Nominated by agency,
Andrew Ward	Peel Development Commission	Nominated by agency,
Scott Haine	Department of Planning, Lands and Heritage	Nominated by agency

After the completion of the October Local Government elections, the PHCC has invited regional local governments to nominate and Elected Member to be a Member or Deputy Member of the PHCC. The successful applicant will become the Local Government Member (or Deputy), representing all inland local governments within the Peel-Harvey Catchment.

The PHCC hold formal meetings a minimum of six times a year with travel costs for these meetings being reimbursed by the PHCC. Members are expected to be active ambassadors and contribute beyond general meeting attendance, on behalf of all inland Councils. The successful applicant will be provided clarity as to these expectations via an induction process and mentoring.

The selection will be made via a recommendation from an independent panel to the December 2021 meeting of the PHCC.

Applications are requested in writing, with endorsement from Council, outlining the applicant's reasons for nominating and the knowledge and experience in relation to natural resource management, local government, board governance, strategic planning and/or any other relevant skills that they can bring to the PHCC.

Comment

As an existing board member, Cr Harris has indicated an interest in re-nominating for the PHCC and has requested Council's endorsement.

Cr Harris has extensive experience in NRM in the Wheatbelt area of the Peel Harvey Catchment. In addition Cr Dowling would bring to the role employment experience of his personal experience of living and farming in the region.

The appointment of Cr Harris as a PHCC board member would provide a board member with strong links to the geographic eastern edge of the PHCC region. Most board members have links to Mandurah or Pinjarra, the state government representatives are from Peel region offices of their Department. Only one other board member appears to have links with the Wheatbelt region.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027

ENVIRONMENT - Our Environment, Resource Management and Services

Goals

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

	Strategy	Outcome
2.1	Protect, restore and enhance the Shire's natural assets.	An environment which is effectively managed for future generations and for the intrinsic value of its biodiversity.
2.3	Provide equitable access for all users to our environment while balancing the protection of natural assets.	A range of parks, reserves and trails which the broadest community can access.
2.5	Plan for and adapt to changes in our climate and the impacts of increased water and energy vulnerability.	A Shire which address the challenges and opportunities presented by climate change and water and energy vulnerability.

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

The PHCC make a significant financial and in-kind contribution to environmental projects within the PHCC region.

Economic Implication – Nil

Social Implication

The PHCC provides financial and technical assistance to community environmental groups through the Peel Harvey Catchment.

Environmental Considerations

The PHCC provides technical assistance to Council and community environmental groups through the Peel Harvey Catchment to improve environmental outcomes.

Consultation

Cr Harris

Peel Harvey Catchment Council

Options

The Council can resolve:

1. the Officer's Recommendation; or
2. to not endorse Cr Harris nomination to the PHCC.

Voting Requirements – Simple Majority

COUNCIL DECISION 2021/117:

That Council endorse the application of Cr Harris to the Peel Harvey Catchment Council.

Moved: Cr Bradford

Seconded: Cr Christensen

Carried 6/0

Cr Harris declared a Proximity Interest in 10.2.5 in that he owns property beside the road and left the Council Meeting at 3.18pm.

10.2.5	Increased Mass Heavy Haulage – Cuballing East Road
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Applicant:	N/A
File Ref. No:	ADM129
Disclosure of Interest:	Nil
Date:	13 th October 2020
Author:	Gary Sherry
Attachments:	10.2.5A RAV Combinations

Summary

Council has been invited to comment on an application for road trains of an increased mass to operate on the Cuballing East Road.

Background

Cuballing East Road has been a recognised freight route for some considerable time, particularly with the reduction of grain being moved by rail.

The most recent road counts collected from Cuballing East Road in the 3 months to September 2021 has 150 vehicles per day using the road with an average of 20 of these vehicles being road trains.

In comparison to September 2015, the total number of all vehicles using Cuballing East Road has increased by 6%, with the number of road trains increasing by 22%.

Main Roads WA (MRWA) have 3 levels of approval for restricted access vehicles being:

1. Restricted Access Vehicles (RAV) classification

Routes are classified according to a vehicles length, axle configuration and weight. A table showing the various RAV categories are included at Attachment 10.2.5A. Most roads in the Shire of Cuballing, with exception of some townsite streets, are classified as RAV 4 routes.

2. Accredited Mass Management Scheme (AMMS):

The AMMS allows for approved combinations to operate at three (3) concessional mass levels greater than the general RAV categories. AMMS does not prescribe specific loading methods nor restrict commodity types.

3. Performance Based Standards (PBS) Scheme

The PBS Scheme offers potential for heavy vehicle operators to achieve higher productivity and improved safety through innovative vehicle designs. The PBS Scheme focuses on how well a vehicle performs on the road, by assessing the particular vehicle design against a set of safety standards, rather than assessing a vehicle based on prescriptive limits. Some of these benefits include:

- improved braking capability and vehicle stability with a requirement for Electronic Braking Systems (EBS) and Rollover Stability Systems (RSS). These are not a requirement on conventional road trains;
- PBS vehicles are often height restricted which further reduces the rollover risk and improves overall stability; and

- Vehicle combinations approved under the PBS scheme are assessed, certified and approved based on a specific vehicle design. To ensure PBS vehicles continue to perform to a high standard, PBS Audits are carried out.

MRWA have has received an application from Qube Logistics Pty Ltd to operate a 30 metre long A-Double PBS Scheme Vehicle Access Approval application, requesting AMMS Level 3 mass being 17.5t for tandem axle groups and 23.5t for tri axle groups.

Technical drawing of a truck chassis showing dimensions for the chassis and trailer. The drawing includes the following dimensions:

- Overall length: 30000 (max)
- Chassis length: 0 - 250
- Chassis wheelbase: 3000 (max)
- Trailer length: 3000 (max)
- Trailer wheelbase: 750 - 950

Comment

The sections of Cuballing East Road in the worst condition all with poor drainage, poor quality road base materials and small amounts of road base materials.

This request for access under the PBS scheme will allow some of the freight traffic on the Cuballing East Road to have an increased weight load per axle, however will also reduce the total number of truck movements required to move the same amount of Kaolin.

- by safer trucks;
- with less truck movements; and
- by trucks that are likely to less damage the road infrastructure.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027

ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

- Community infrastructure and services delivered in a timely manner, are well utilised, effective and meet the expectations of the community.
- Transport systems that are functional, efficient, economical and safe, coupled with continuous improvement to meet the safety and amenity needs of the community.
- Managing community assets in a whole of life and economically sustainable manner.

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

Statutory Environment

Main Roads WA provide approvals for restricted vehicles to all roads in Western Australia.

Policy Implications

Council Policy 5.10 *Heavy Vehicle Operations* has Council supporting use of Cuballing East Road by RAV 6 classified vehicles.

Financial Implications

In the short term the increased use by heavy haulage vehicles of the Cuballing East Road will have no financial impact on Council. Over the longer term, increased traffic will deteriorate the road faster than otherwise.

To complete upgrades on the Cuballing East Road, Council has received funding in the last 10 years for works on the Cuballing East Road under the Grain Freight Routes program and Wheatbelt Secondary Freight Network. With the increased traffic levels, and particularly freight traffic levels, this is likely to continue.

Economic Implication

The Cuballing East Road is an important secondary freight route in the wheatbelt region for the agricultural and now mining industries.

Social Implication

The increased traffic on the Cuballing East Road will impact on those local residents who use this road.

Environmental Considerations

Environmental considerations are made when the road is upgraded. The increased traffic will not significantly impact the local environment.

Consultation

MRWA Heavy Vehicle Office
Qube Logistics Pty Ltd
Shire of Wickepin

Options

Council may resolve:

1. the Officer's Recommendation; or
2. to defer consideration at this time and request staff provide Council specified additional information prior to a future consideration of the application; or
3. to not support the application, providing reasons.

Voting Requirements – Simple Majority

COUNCIL DECISION 2021/118:

That Council support the application for a 30m A-Double Performance Based Standard Scheme Vehicle Access Approval application submitted to Main Roads WA requesting Accredited Mass Management Scheme Level 3 mass limits.

Moved: Cr Bradford

Seconded: Cr Dowdell

Carried 5/0

Cr Harris entered the Meeting at 3.29pm

Prime Mover, Trailer Combinations

VEHICLE DESCRIPTION AND CONFIGURATION CHART (RAV) – PRIME MOVER, TRAILER COMBINATIONS EXAMPLES							Axle Spacing Table	Length (m)	Mass (T) Maximum Permitted Mass	Height (m) (1) = see NOTES	Axle Groups	RAV Network		
Category 1	(A) PRIME MOVER, SEMI TRAILER TOWING A PIG TRAILER 	(C) SHORT B-DOUBLE 	(D) TWINSTEER PRIME MOVER TOWING SEMI TRAILER 	(A)	A	≤20	50	≤4.6	(4)	4	Network 1			
	(B) PRIME MOVER TOWING AN OVERHEIGHT SEMI TRAILER 	(C) B-DOUBLE 	(D) SHORT B TRIPLE 	(E) CAR CARRIER SEMI TRAILER 	(B)	A	≤27.5	65.5	≤4.6	(4)	4	Network 2		
					(C)	A	≤20	42.5	≤4.6	(3)	3			
						(D)	A	≤27.5	67.5	≤4.6	(4)		4	
						(E)	A	≤27.5	87.5	≤4.6	(4)		5	
Category 3	(A) PRIME MOVER, SEMI TRAILER TOWING A DOG TRAILER 	<div>Example of Axle Groups Example of Axle Group with an Optional Axle Optional Axle</div>			(A)	B	≤27.5	84	≤4.6	(4)	5	Network 3		
Category 4	(A) PRIME MOVER, SEMI TRAILER TOWING 6 AXLE DOG TRAILER 				(A)	A	≤27.5	87.5	≤4.6	(4)	5	Network 4		
Category 5	(A) PRIME MOVER, SEMI TRAILER TOWING A DOG TRAILER 	(C) B-DOUBLE TOWING A CONVERTER DOLLY 	(D) B-TRIPLE 	(A)	B	>27.5, ≤36.5	84	≤4.6	(4)	5	Network 5			
	(B) PRIME MOVER, SEMI TRAILER TOWING A DOG TRAILER AND CONVERTER DOLLY 			(B)	B	>27.5, ≤36.5	84+d	≤4.6	(4)	6				
				(C)	A	>27.5, ≤36.5	67.5+d	≤4.6	(4)	5				
				(D)	A	>27.5, ≤36.5	84	≤4.6	(4)	5				
Category 6	(A) PRIME MOVER, SEMI TRAILER TOWING 6 AXLE DOG TRAILER 	(B) B-TRIPLE 	(C) PRIME MOVER SEMI TRAILER TOWING A 6 AXLE TRAILER & CONVERTER DOLLY 	(A)	A	>27.5, ≤36.5	87.5	≤4.6	(4)	5	Network 6			
				(B)	A	>27.5, ≤36.5	87.5	≤4.6	(4)	5				
				(C)	A	>27.5, ≤36.5	87.5+d	≤4.6	(4)	6				
Category 7	(A) PRIME MOVER, TOWING SEMI TRAILER AND B DOUBLE 	(B) B-DOUBLE TOWING A DOG TRAILER 		(A)	A	>27.5, ≤36.5	107.5	≤4.6	(4)	6	Network 7			
				(B)	A	>27.5, ≤36.5	107.5	≤4.6	(4)	6				
Category 9	(A) PRIME MOVER, SEMI TRAILER TOWING 2 X DOG TRAILERS 	(B) PRIME MOVER, SEMI TRAILER TOWING A DOG TRAILER AND CONVERTER DOLLY 	(D) PRIME MOVER, SEMI TRAILER TOWING A B-DOUBLE 	(A)	B	>36.5, ≤53.5	120.5	≤4.6	(4)	7	Network 9			
				(B)	B	>36.5, ≤53.5	84+d	≤4.6	(4)	6				
					(C)	A	>36.5, ≤45	107.5	≤4.6	(4)		6		
					(D)	A	>36.5, ≤45	107.5	≤4.6	(4)		6		
Category 10	(A) PRIME MOVER, SEMI TRAILER TOWING 2 X 6 AXLE DOG TRAILERS 	(B) B-DOUBLE TOWING A CONVERTER DOLLY CONNECTED TO 2 SEMI TRAILERS 		(A)	A	>36.5, ≤53.5	127.5	≤4.6	(4)	7	Network 10			
				(B)	A	>36.5, ≤53.5	127.5	≤4.6	(4)	7				
				(C)	A	>36.5, ≤53.5	147.5	≤4.6	(4)	8				
				(D)	A	>36.5, ≤53.5	147.5	≤4.6	(4)	8				
				(E)	A	>36.5, ≤53.5	147.5	≤4.6	(4)	8				
				(F)	A	>36.5, ≤53.5	87.5+d	≤4.6	(4)	6				
	(C) PRIME MOVER, SEMI TRAILER TOWING B TRIPLE 	(D) B-DOUBLE TOWING 2 DOG TRAILERS 												
	(E) DOUBLE ROAD TRAIN TOWING B-DOUBLE TRAILERS 	(F) PRIME MOVER, SEMI TRAILER TOWING A 6 AXLE DOG TRAILER AND CONVERTER DOLLY 												
NOTES														

- NOTES
- Operators using a category of RAV outlined in this document must operate that RAV in accordance with the OPERATING CONDITIONS and only on the network specified.
 - These diagrams are a visual indication of the vehicle only.
 - Operators must refer to the OPERATING CONDITIONS for the full vehicle description.

- The height of the vehicle can exceed 4.3 m but MUST NOT exceed 4.6 m when it is:
 - built to carry livestock or;
 - carrying a crane to carry livestock or;
 - carrying vehicles on more than one deck or;
 - carrying a multi-modal container or;
 - carrying a large indivisible item or;
 - When operating with an appropriately licenced over height curtain side or pantechon trailer.
- Maximum height of Pig Trailer only.

Heavy Vehicle Operations
 Tel: 138 HVO (138 466)
 Email: hvo@mainroads.wa.gov.au
 Website: www.mainroads.wa.gov.au



10.2.6	Pingelly Virtual Village Establishment Committee – Cuballing Representative
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Applicant:	N/A
File Ref. No:	ADM236
Disclosure of Interest:	Nil
Date:	14 th October 2020
Author:	Gary Sherry
Attachments:	10.2.6A Draft Terms of Reference Pingelly Virtual Village Establishment Committee

Summary

Council is to consider nominating a community representative to the Pingelly Somerset Alliance Inc's Pingelly Virtual Village Establishment Committee

Background

The Pingelly Somerset Alliance Inc's (PSA) Pingelly Virtual Village concept seeks to provide services to residents of Pingelly and surrounding districts who are older, frail or becoming dependent on care and support (even to a nursing home level of service), who have a disability, or are becoming isolated.

In the past residents have been leaving the district because they could not be assured of the support they may need if they want to stay at home and yet needed high levels of care and support or nursing home care, and the state and national; government do not have the answers for this in small, ageing rural populations. The Pingelly Virtual Village project is a response to this.

The Pingelly Virtual Village Project seeks to

1. Support older and disabled people to live and age well in their own home;
2. Build on existing community assets, natural networks & local business.
3. maximise access to home care, personal services, clinical care in the home as required.

The Pingelly Virtual Village Project would:

- Provide a *Concierge* service – This service would promote and support village activities, strong advocate for members, information hub, social connector using GENIE, receive alert feedback;
- accommodation options – The project would advocate for and connect to local housing, respite, dementia friendly options, palliative care and culturally appropriate accommodation in the local community;
- Village technology – The project will use of leading edge technology to wrap our community around our people, build digital literacy, utilise GENIE (social mapping tool) for new vulnerable members, SPARK (digital market place for small acts of kindness), InteliCare (smart home technology);
- Build community capability in community awareness, understanding, knowledge and skills to support older/disabled people. The project would complete asset and skills audits and support a local community workforce of contractors, volunteers, neighbours, family and friends to provide support. This would link members to funded services, service providers and local workers to provide care and support for people to stay at home until end of life; and
- be a regional demonstration model. The project has interest from other, similar rural communities and the project will publish outcomes and assist other communities.

Neighbouring Shires, including the Shire of Cuballing, were used in developing the business case to government to fund the Pingelly Virtual Village plan.

The Pingelly Virtual Village project has secured a \$377,750 grant over 3 years from the Australian Government's Senior's Connected Program to start "The Village" across the Shires of Cuballing, Wickepin, Wandering and Pingelly. This funding supports the establishment of the project and fund a part time project officer for 18 months and the concierge staff.

After obtaining funding to set up the Virtual Village project, the PSA are seeking input from stakeholders, including the neighbouring Shires, to form a project Establishment Committee. The purpose of the Establishment Committee is to assist the PSA to establish The Village across the Shires of Pingelly, Wandering, Cuballing and Wickepin. Draft Terms of Reference for the committee are included at Attachment 10.2.6A.

Comment

The PSA have requested that the Shire of Cuballing nominate the Cuballing representative to the Establishment Committee. To maximise the value of this project to the Shire of Cuballing, the Officer's Recommendation suggests participation in the Virtual Village project and the Establishment Committee.

The committee members are expected to become the main link between the Establishment Committee and the local community. It is planned to commence liaising with community connectors from mid November 2021.

As a member of the Establishment Committee the representative would be expected to advise the Establishment Committee of important local issues such as –

- timing of local newsletters, who to contact and other relevant information;
- social media options in each locality and who to contact;
- local activities and events that The Village can promote and support members to attend;
- advice to the EC about potential options to survey local residents in each community about a range of aspects of The Village – such as activities and events people may wish to see established, membership options etc;
- encourage and support local residents to become involved in one or more of the various activities or seek support through The Village.
- be a sounding board for the EC in their community – providing feedback on what will work or will not work and why, and suggesting a different approach that may work better.
- assist The Village concierge to connect to local people who may have questions about The Village.

The representative could be:

- A Council member;
- A Shire of Cuballing staff member; or
- An appropriate member of the community.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027

SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

- A healthy and caring community which has strong support for all ages and abilities.
- A safe community where residents feel secure and comfortable at home, work and play.
- A healthy community engaging in positive and rewarding lifestyles with access to recreational and leisure opportunities.

	Strategy	Outcome
1.1	Create a vibrant social environment that is accessible and inclusive for all ages and abilities.	The community feel welcome involved and connected to each other.
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.
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 – Nil

Policy Implications – Nil

Financial Implications

Support of the Pingelly Virtual Village Project will have some staff and in-kind costs such as publication in The Cuby News newsletter and Shire of Cuballing Facebook page.

Economic Implication – Nil

Social Implication

The services provided by the Pingelly Virtual Village Project will have benefit to the older residents of the Shire of Cuballing.

Environmental Considerations – Nil

Consultation

PSA, Helen Morton

Options

Council may resolve:

1. to appoint a representative to the Pingelly Virtual Village Establishment Committee; or
2. defer selection at this time, request the CEO to approach potentially interested local residents who could be suitable representatives and delegate the CEO to make the appointment of such an interested local resident who would be a suitable Shire of Cuballing representative; or
3. to not participate in the Pingelly Virtual Village Establishment Committee.

Voting Requirements – Simple Majority

COUNCIL DECISION 2021/119:

That Council appoint the CEO to the Pingelly Virtual Village's Establishment Committee.

Moved: Cr Bradford

Seconded: Cr Christensen

Carried 6/0

THE VILLAGE ESTABLISHMENT COMMITTEE (EC)

DRAFT TERMS OF REFERENCE

PURPOSE

The purpose of the EC is to assist the PSA to establish The Village across Pingelly, Wandering, Cuballing and Wickepin. The EC will be a voluntary committee assisted by the Project Officer (PO) and the Concierge Staff (CS). The EC will assist the PSA to put in place the governance, organisational structure and operational requirements for the sustainable long-term operation of The Village.

The EC will assist the PSA to determine if The Village should stay under the auspice of the PSA or another incorporated body and assist to facilitate any transitional arrangements.

DURATION

The Committee will operate until June 2022.

MEMBERSHIP

The membership will include the following representatives from –

- the PSA who will chair the committee.
- Wandering
- Cuballing
- Wickepin
- Pingelly
- the University of WA.
- the ATSI community.

The PO and CS will be ex officio members.

If it becomes clear that the EC requires ongoing specific advice in areas such as ethics/law, accountancy, technology or marketing, the committee will have the ability to appoint person/s with experience/expertise to assist them.

SUB-COMMITTEES

It is anticipated that the EC will, as the need presents, establish a range of sub-committees including an activities sub-committee, membership subcommittee, services and delegations.

FREQUENCY AND METHOD OF MEETINGS

For the first 8 weeks, meetings are likely to be weekly. Gradually, these will reduce to fortnightly and then monthly as The Village organizational structure develops.

Members wishing to attend remotely will have an online meeting appointment provided however they will need to have access to internet, camera & microphone.

The PO and CS will as required circulate information electronically between meetings for feedback and approval.

REPORTING

The EC will report to the PSA on a monthly basis and in an agreed format that will enable the PSA to track progress of the hub against scope of the project, timeliness, budget and quality of performance for reporting to the national manager of the project.

10.2.7 Risk Management Policy - Update

Applicant:	N/A
File Ref. No:	ADM118
Disclosure of Interest:	Nil
Date:	14 th October 2021
Author:	Gary Sherry
Attachments:	10.2.7A Policy 11.4 Risk Management Policy 10.2.7B Draft Policy 11.4 Risk Management

Summary

Council is to consider updating their Risk Management Policy.

Background

Council adopted policy 11.4 Risk Management Policy on 21st April 2016, included at Attachment 10.2.7A. Council's policy outlines Council commitment to managing risk and incorporating risk management into Council's operations.

Councils Risk Management Policy is incorporated into a Risk Management Governance Framework that further develops Council's Risk Management Appetite and Risk Management Procedures.

Comment

As part of Council's 2020/21 audit process, staff have been made aware that policy 11.4 is now obsolete with replacement of Australian Standard *AS/NZS ISO 31000:2009 Risk Management* by *AS/NZS ISO 31000:2018 Risk management – Guidelines*.

Staff have prepared a compliant draft policy, included at Attachment 10.2.7B that seeks to continue Council's commitment to risk management principles but is statutorily compliant.

The consideration of this policy by Council is the first stage of a review of the Risk Management Governance Framework.

Strategic Implications – Nil

Shire of Cuballing Strategic Community Plan 2017-2027

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

- 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 – Nil

Policy Implications

The adopted policy will be retained in Council's Policy Manual.

Financial Implications – Nil at this time.

Economic Implication – Nil

Social Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

1. the Officer's Recommendation; or
2. to defer consideration at this time and request staff provide Council specified additional information prior to future consideration; or

Voting Requirements – Simple Majority

COUNCIL DECISION 2021/120:

That Council adopt the amended policy 11.4 Risk Management included at Attachment 10.2.7B.

Moved: Cr Harris

Seconded: Cr Bradford

Carried 6/0

11.4 Risk Management Policy

Policy Statement:

It is the Shire's Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.

The Shire's Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every employee within the Shire is recognised as having a role in risk management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

Subject to budget constraints consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

DEFINITIONS (FROM AS/NZS ISO 31000:2009)

Risk: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

Risk Management: Coordinated activities to direct and control an organisation with regard to risk.

Risk Management Process: Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

RISK MANAGEMENT OBJECTIVES

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Ensure the ongoing health and safety of all employees and contractors in the workplace
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Limit loss or damage to Council's assets and limit interruption to business continuity.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations.

ROLES AND RESPONSIBILITIES

The level of responsibility across the Shire is as follows:

- All executives, managers and supervisors are responsible and accountable for ensuring that all staff manage the risks in their work areas. Risks should be anticipated and reasonable measures accordingly;
- All staff are encouraged to alert management to risks that exist in there are without fear of recrimination. Open and honest reporting is encouraged by all staff and reports should be escalated as needed;
- All staff will conduct risk assessments during their daily duties as required. The level of assessment required will be in proportion to the scope of the task and the level of associated risk identified;
- Staff will, with appropriate training, adopt the principles of risk management and comply with all policies, procedures and practices relating to risk management; and
- Failure by staff to observe reasonable directions from supervisors regarding the management of risks and/or failure of staff to take reasonable care in identifying and treating risks in the workplace may result in disciplinary action

MONITOR & REVIEW

The CEO will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

This policy will be reviewed by the Council as required.

Objective:

The Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire's strategies, goals or objectives.

Resolution No: 9.2.6
Resolution Date: 21st April 2016

11.4 RISK MANAGEMENT

OBJECTIVE

To encourage an integrated, effective and organisation wide approach to risk management within the Shire of Cuballing, facilitating value creation and protection.

POLICY STATEMENT

Council is committed to the use of risk management in the course of achieving its strategic objectives and delivery of services to the community. Management of risk is considered the responsibility of all elected members, employees and contractors, and is to be integrated throughout the Shire.

A Risk Management Governance Framework is to be maintained and implemented utilising the Principles, Framework and Process as defined within AS/NZS ISO 31000:2018 Risk management - Guidelines.

RISK TOLERANCE AND APPETITE:

Risk tolerance or risk appetite refers to the amount and type of risk that the Shire is willing to take in order to meet its strategic objectives. As a public body, there is an expectation the Shire will maintain an inherent low appetite for risk and as a consequence adopt policies and maintain systems and procedures to create value and protect the Shire, and its stakeholders.

Council's risk tolerance and appetite is articulated with the Risk Management Governance Framework and any change to the level of risk tolerance and appetite within the Framework can only be made with Council approval.

RISK MANAGEMENT COMMITMENT:

Council will maintain a continual commitment to risk management through the appropriate allocation of resources to facilitate application of the principles, framework and process as defined within AS/NZS ISO 31000:2018, through the Risk Management Governance Framework. The Risk Management Governance Framework will assist the organisation to integrate risk management into decision making and operational activities, across the organisation. This commitment will work towards:

- aligning the objectives, culture and strategy of the Shire with risk management;
- addressing and recognising all obligations (including voluntary commitments) of the Shire;
- communicating the risk appetite of the Shire to guide the establishment of risk criteria, to all employees, contractors and elected members and stakeholders;
- promoting and conveying the value of risk management across the Shire;
- encouraging methodical monitoring of risks; and
- ensuring that the Risk Management Governance Framework remains relevant to and considers the context of the organisation.

Cr Harris declared a:

- **Financial Interest in 10.2.8 in that he has a contract with Council to supply gravel to the project; and**
 - **Proximity Interest in 10.2.8 in that he owns property beside the road project.**
- and left the Council Chamber at 3.35pm.**

10.2.8	Cuballing East Road – Amended Schedule of Works in 2021/22
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Applicant:	N/A
File Ref. No:	ADM121
Disclosure of Interest:	Nil
Date:	14 th October 2021
Author:	Gary Sherry
Attachments:	10.2.8A Amended Schedule of Works – Cuballing East Road

Summary

Council is to consider seeking to amend the Council's scope of works for 2021/22 in the Wheatbelt Secondary Freight Network's Priority 1 – 5-Year Delivery Plan.

Background

The Wheatbelt Secondary Freight Network (WSFN) in the WA Wheatbelt Region comprises some 4,400km of Local Government managed roads across 53 routes that connect with State and National highways to provide access for heavy vehicles into the region.

WSFN, as an organisation, consists of 42 LGs of the Wheatbelt region who have worked collaboratively for over 4 years to identify to secure \$187M of Federal, State and Local Government funding to improve secondary freight network routes on Local Government Roads in the Wheatbelt.

In 2019 the WSFN established a Steering Committee is to provide oversight and governance to the program. A Multiple Criteria Analysis (MCA) determined prioritisation of the routes for Priority 1 funding and associated projects over a 5-year delivery plan. This MCA provided a priority ranking of the 53 WSFN routes. The Priority 1 Proposed Routes were endorsed by Wheatbelt South and Wheatbelt North Regional Road Groups at their July 2020 Meetings as follows.

	Routes	Priority 1 - Budget
1.	Lancelin to Meckering	\$ 26,000,000
2.	Dumbleyung to Nyabing	\$ 3,900,000
3.	Cuballing to Wickpin	\$ 4,800,000
4.	Dowerin to Dalwallinu	\$ 25,000,000
5.	Merredin to Kondinin	\$ 15,300,000
6.	Jurien Bay to Dalwallinu	\$ 25,600,000
7.	Corrigin to Katanning	\$ 16,400,000
8.	Cunderdin to Quairading (Pilot)	\$ 1,600,000
	TOTAL	\$ 118,600,000

Capital works for projects along these routes commenced in the 2020/21 financial year. Over the course of the 2020/21 financial year the respective Councils developed a WSFN Priority 1 - 5 Year Delivery Plan of specific projects each year for the total project duration of 5 years along their nominated route.

The overall WSFN Priority 1 - 5 Year Delivery Plan and each Council's suite of projects was endorsed by WSFN Steering Committee and approved by the RRG in March 2021.

A summary of the Shire of Cuballing's component of the WSNF 5-Year Delivery Plan approved in March 2021 includes:

Start SLK	End SLK	Length KM	Works	YEAR				
				2020-21	2021-22	2022-23	2023-24	2024-25
0	9	9	Preliminary Works	78,000				
0	18.11	18.11	Remove Vegetation	220,000				
0	18.11	18.11	Clearing Permit	20,000	82,000			
9	18.11	9.11	Preliminary Works		53,000			
0.1	4.55	4.45	Reconstruct/ Upgrade		1,060,813			
0.1	4.55	4.45	Final Seal			102,500		
4.55	8.51	3.96	Reconstruct/ Upgrade			1,216,203		
4.55	8.51	3.96	Final Seal				124,880	
8.51	13.5	4.99	Reconstruct/ Upgrade				1,154,612	
13.5	18.11	4.61	Reconstruct/ Upgrade					1,142,975
8.51	18.11	9.6	Final Seal					258,520
Total				318,000	1,195,813	1,318,703	1,279,492	1,401,495
Total								5,513,503

Further work is currently being undertaken with relevant LGs to determine routes for Priority 2 funding. This includes development of individual projects with detailed scope of works and budgets for inclusion in WSNF Priority 2 - 5 Year Delivery Plan. It is envisaged this will be presented to Steering Committee and RRG in July 2021, with works commencing in the financial year 2022/23 and completion 2026/27.

Comment

The construction works as part of the Wheatbelt Secondary Freight Network project on the Cuballing included in WSNF Priority 1 – 5-Year Delivery Plan and in the Shire of Cuballing's 2021-22 Budget is the 4.45km section commencing in the townsite of Cuballing and moving east.

However Recent CBH bin to bin grain transfers from the Wickepin to Brookton via the Cuballing East Rd during August and September appear to have resulted in significant increased pavement deterioration on the road. This is especially the case in the low lying section from SLK 7.13 to 10.44, which is prone to waterlogging. This accelerated pavement damage is the result of contributing factors occurring at a critical time. The contributing factors include:

1. the CBH bin to bin transfers occurring at the end of the winter period in the second wettest winter in the last thirty years. During this time the subgrade soil was waterlogged with water sitting along the side of the road;
2. the CBH bin to bin transfers have increased the daily equivalent standard axles (ESA) increasing from between 200 to 32 from previous late winter ESA measurements for this road. ESA is a recognised measure of the freight vehicles using a road;
3. the lack of drainage located along both verges along the SLK 7.13 to 10.44 section of the Cuballing East Road;
4. the loaded traffic lane is located on the upstream side of the natural surface slope and groundwater is flowing towards the loaded traffic lane, backing up against the road

- compaction zone and subsequently saturating the subgrade and pavement materials under this traffic lane; and
5. the subgrade soil in this section is clay with very low soaked California Bearing Ratio (CBR) values. The CBR is a measure of the strength of the subgrade of a road or other paved area, and of the materials used in its construction.

Staff have prepared a works proposal to amend the schedule of the entire WSNF project that would complete the works in the failing section from SLK 7.13 to 10.44 first, and then complete other areas in later years.

The amended works proposed for 2021/23 include:

- Reconstructing 3.31km from SLK 7.13 to 10.44 (Hotham River Bridge). This section includes all the current identified failures. The proposed works, following engineering investigation and advice, include stabilising all road subgrade with hydrated Lime and cement and stabilising the topped up, basecourse layer with cement;
- Reconstruct and Upgrade Short Rd Intersection at SLK 8.75 and Asphalt; and
- Extend 1 x Culvert and install new End Treatments and install 3 x new Crossover Culverts.

The budget for the proposed works would be the same as that included in the Shire's 2021/22 budget, but within the contingency provided by the WSNF project. A revised budget for the proposed 2021/22 construction works is included at Attachment 10.2.8A.



As part of a review of the WSNF scope of works for future years prior to a budget submission in December 2021, staff have identified additional works that could be completed as part of the project. This increases the total project cost from to \$6,137,100

Year	Start SLK	Finish SLK	Length KM	Approved Cost	Possible Cost
2021-22	7.13	10.44	3.31	1,111,329	1,163,601
2022-23	2.42	7.13	4.71	1,379,754	1,581,824
2023-24	0.1	2.42	2.32	1,337,128	1,629,070
	10.48	12.8	2.32		
2024-25	12.8	18.11	5.31	1,462,963	1,762,605
TOTAL			17.97	5,291,174	6,137,100

The approval of the Wheatbelt Secondary Freight Network Steering Committee is required for:

- A change of the scope of works to be completed in 2021-22; and
- Any increase in the total project budget.

While approval of the scope of works to be completed in 2021-22 can be anticipated, a further increase in budget is possible, but is not guaranteed. In this instance a further reduction in the works to be completed as part of the project can be expected.

Strategic Implications

Shire of Cuballing Strategic Community Plan 2017-2027

ECONOMY - Our Economy, Infrastructure, Systems and Services.

Goals

- Transport systems that are functional, efficient, economical and safe, coupled with continuous improvement to meet the safety and amenity needs of the community.
- Managing community assets in a whole of life and economically sustainable manner.
- Promoting sustainable and diverse economic development opportunities that make the Shire of Cuballing an attractive place to live, work and visit.

	Strategy	Outcome
3.3	Deliver and advocate for a diverse and safe transport system which is efficient and meets the needs of all users.	A diverse and safe transport system that balances the needs of all users including pedestrians, cyclists, private vehicles, public transport and freight.
3.4	Create and strengthen partnerships to advocate for and deliver community facilities, and services and major infrastructure.	The community has access to a range of education, health, cultural, recreational and transport opportunities to maximise their potential.

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

The funding break-down for WSN projects is 80% Federal Government, 13.3% State Government and 6.7% Local Government.

Local Governments with projects approved over the course of the WSN program will be required to contribute approximately 7% of each individual project's total cost. The remaining funding will be provided by Federal Government 80% and State Government 13%.

Economic Implication

The WSN projects will be delivered to the most important freight networks in the Shire of Cuballing. This will provide long term economic benefit to the industries, based within and outside the Shire of Cuballing.

Social Implication

The WSN will deliver improved roads within the Shire of Cuballing, improving road safety for both freight users and local residents.

Environmental Considerations

The Shire of Cuballing will need to obtain clearing permits to complete most of the WSFN projects.

Consultation

WSFN Project Manager

Options

Council may resolve:

1. the Officer's Recommendation; or
2. the Officer's Recommendation with minor amendment; or
3. to defer consideration and seek further information from staff prior to deciding this matter.

Voting Requirements – Absolute Majority

COUNCIL DECISION 2021/121:

That Council:

1. **seek the Wheatbelt Secondary Freight Network (WSFN) Steering Committee to change the scope of the Council's WSFN 2021-22 works program to complete works to reconstructing 3.31km of Cuballing East Road from SLK 7.13 to 10.44;**
2. **with the approval of the WSFN Steering Committee, endorse the expenditure as outlined in Attachment 10.2.8A;**
3. **endorse staff to seek to increase the WSFN project allocation to the Cuballing East Road over the remaining term of the project.**

Moved: Cr Bradford

Seconded: Cr Kowald

Carried 5/0

Cr Harris returned to the meeting at 3.51pm.

ROAD NAME	Cuballing East				SLK From	7.13	SLK To	10.44
WORKS DESCRIPTION	Reconstruct 3.31km within low lying section from SLK 7.13 to 10.44 (Bridge). Work includes stabilising all subgrade with Hydrated Lime and Cement Stabilising the topped up Basecourse Layer.							
	Reconstruct and Upgrade Short Rd Intersection at SLK 8.75 and Asphalt							
	Extend 1 x Culvert and install new End Treatments and install 3 x new Crossover Culverts							
CONSTRUCTION YEAR	21/22	LENGTH OF WORKS (m)			3,310	PAVEMENT WIDTH (m)		10.0
No. CONSTRUCTION DAYS	62	SEAL WIDTH (m)			8.0	IMPORTED PAVEMENT DEPTH (mm)		100.0
	Normal Hrs		O/Time Hrs x 1.5		O/Time Hrs x 2.0		PWO %	141%
Labour	Hrs	Rate	Hrs	x 1.5	Hrs	x 2.0	Wages Total	Total
level 3				\$0.00		\$0.00	\$0	\$ -
level 4	2,856	\$25.00	305	\$37.50		\$50.00	\$82,838	\$ 199,638.38
level 5				\$0.00		\$0.00	\$0	\$ -
Casuals				\$0.00		\$0.00	\$0	\$ -
					TOTALS		\$82,838	\$ 199,638.38
Plant machinery, fuel, maintenance & depreciation.			Hrs	P.O.C Rate	Plant Op. Cost Total	Depn Rate	Depn Total	COST
CN397 Grader (Cat M140)		P260	284	\$50.00	\$14,200.00	\$30.00	\$8,520.00	\$ 22,720.00
CN387 Grader (Komatsu GD)		P261	42	\$50.00	\$2,100.00	\$30.00	\$1,260.00	\$ 3,360.00
CN026 UD Truck		P150	320	\$55.00	\$17,600.00	\$15.00	\$4,800.00	\$ 22,400.00
CN047 Isuzu Truck Semi		P151	204	\$55.00	\$11,220.00	\$15.00	\$3,060.00	\$ 14,280.00
CN272 Isuzu Truck Semi		P262	204	\$55.00	\$11,220.00	\$15.00	\$3,060.00	\$ 14,280.00
CN2.IsuzuTruck		P152	45	\$40.00	\$1,800.00	\$13.50	\$607.50	\$ 2,461.00
CN930 Cat Loader		P202	60	\$50.00	\$3,000.00	\$15.00	\$900.00	\$ 3,900.00
CN1906 Komatsu Loader		P209	230	\$55.00	\$12,650.00	\$15.00	\$3,450.00	\$ 16,100.00
CN404 Bomag Roller		P204	180	\$55.00	\$9,900.00	\$15.00	\$2,700.00	\$ 12,600.00
CN151 Multipac		P205	180	\$55.00	\$9,900.00	\$15.00	\$2,700.00	\$ 12,600.00
Machinery Float		P265	10	\$40.00	\$400.00	\$13.50	\$135.00	\$ 535.00
CN1806 Tractor and Broom		P207	50	\$35.00	\$1,750.00	\$22.50	\$1,125.00	\$ 2,875.00
CN1552 John Deer Tractor		P206		\$35.00	\$0.00	\$22.50	\$0.00	\$ -
CN 157 Hino Truck		P263	56	\$40.00	\$2,240.00	\$13.50	\$756.00	\$ 2,996.00
CN0 Ute		P106	56	\$10.15	\$568.40	\$6.75	\$378.00	\$ 946.40
CN1 Supervisors Ute		P105	120	\$10.15	\$1,218.00	\$6.75	\$810.00	\$ 2,028.00
					\$99,766.40		\$34,261.50	\$ 134,081.40
Contractors (ex GST)	Qty	Unit	Cost Rate					
Optic Fibre Location		\$/Item						\$0
Excavator - Install Culverts	30	\$/Hr	\$130.00					\$3,900
Excavator - Tree Removal	56	\$/Hr	\$320.00					\$17,920
Asphalting Contractor	940	\$/mtr2	\$33.00					\$31,020
Drainage Contractor (Cast Insitu Headwalls)		\$/Item	\$18,000.00					\$0
Line Marking Contractor - Yr 1 (Sacrificial)	1	\$/Item	\$15,000.00					\$15,000
Line Marking Contractor - Yr 1 (Permanent)		\$/Item	\$15,000.00					\$0
Line Marking Contractor - Yr - (Permanent)		\$/Item	\$15,000.00					\$0
Steel Drum Hire	42	\$/Day	\$380.00					\$15,960
Traffic Control (3 x TCs + 2 x Utilities)	34	\$/Day	\$1,690.00					\$57,460
Traffic Control (4 x TCs + 2 x Utilities)	-	\$/Day	\$2,070.00					\$0
Semi Side Tipper Hire	198	\$/Hr	\$135.00					\$26,730
Road Train Side Tipper Hire		\$/Hr	\$190.00					\$0
Foot Path Concrete		\$/mtr2	\$80.00					\$0
Dozer Hire Push Gravel	9,500	\$/mtr3	\$2.00					\$19,000
Primerseal - Yr 1 (14mm Single Coat - excl Agg)	27,500	\$/mtr2	\$2.50					\$68,750
Final Seal Yr 1 (10mm Single Coat - incl Agg)		\$/mtr2	\$3.20					\$0
Final Seal Yr - (10mm Single Coat - incl Agg)		\$/mtr3	\$3.20					\$0
Reseal Yr 1 (10mm Single Coat - incl Agg)		\$/mtr2	\$3.20					\$0
Stabilise Subgrade - 2.4% Q/Lime at 250 Deep	33,100	\$/mtr2	\$8.12					\$268,772
Stabilise Subbase - 2.0% Cem OR Q/Lime at 250 Deep		\$/mtr2	\$5.40					\$0
Stabilise Subbase - 1.5% Cement at 220 Deep		\$/mtr2	\$4.42					\$0
Stabilise Basecourse - 1.0% Cement at 200 Deep	33,100	\$/mtr2	\$3.57					\$118,167
Wetmix S/B or B/C to 200 Deep with Recycling M/C		\$/mtr2	\$1.15					\$0
Materials (ex GST)	Qty	Unit	Cost Rate					
Guide Posts	50	\$/Item	\$15.00					\$750
Signs	16	\$/Item	\$320.00					\$5,120
Water	2,000	\$/kl	\$10.00					\$20,000
Gravel	7,600	\$/mtr3	\$2.20					\$16,720
1200mm Pipes (incl. freight)	0.0	\$/mtr	\$1,480.00					\$0
900mm Pipes (incl. freight)	0.0	\$/mtr	\$960.00					\$0
750mm Pipes (incl. freight)	0.0	\$/mtr	\$650.00					\$0
600mm Pipe (incl. freight)	0.0	\$/mtr	\$540.00					\$0
450mm Pipe (incl. freight)	0.0	\$/mtr	\$290.00					\$0
375mm Pipes (incl. freight)	0.0	\$/mtr	\$240.00					\$0
300 mm Pipes (incl.freight)	56.0	\$/mtr	\$170.00					\$9,520
Edging mix		\$/tonne	\$250.00					\$0
Aggregate 10mm (incl.freight)		\$/tonne	\$54.00					\$0
Aggregate 14mm (incl.freight)	475	\$/tonne	\$54.00					\$25,650
Precast Concrete Headwalls (incl.freight)	9	\$/Item	\$550.00					\$4,950
Miscellaneous		\$/Item						\$0
Length of Gravel Lead - Round Trip				6	km	Contractors		\$642,679
Location of Gravel Pit	Harris Gravel Pit off Short Rd					Materials		\$82,710
Area of Subgrade Stabilisation - 2.4% Quick Lime at 250 Depth (includes pulverising existing Pavement Layer first and temporarily removing to access Subgrade Layer)	33,100	m2				Labour	Wages	\$82,838
Area of Subbase Stabilisation - 2.0% Cement or Quick Lime at 250 Depth	-	m2					PWO	\$116,801
Area of Basecourse Stabilisation - 1.0% Cement at 200 Depth	33,100	m2					Plant Op Costs	\$99,766
Area of S/B or B/C Wetmixing with Recycling Machine at 200 Depth	-	m2				Plant	Plant Depn	\$34,262
Single Coat Cutback Bitumen Primerseal BAR Rate	1.45	L/m2 @ 15C					TOTAL	\$1,059,055
Single Coat Cutback Bitumen Primerseal Aggregate Size	14	mm						
Single Coat Cutback Bitumen Seal BAR Rate		L/m2 @ 15C				4.936%	Contingency	\$52,273
Single Coat Cutback Bitumen Seal Aggregate Size		mm					GRAND TOTAL	\$1,111,328

10.3 MANAGER OF WORKS AND SERVICES:

Nil

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

Nil

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

12.1.1 Urgent Business – Resignation of the Chief Executive Officer

Applicant:	N/A
File Ref. No:	ADM52
Disclosure of Interest:	Nil
Date:	19 th October 2021
Author:	Gary Sherry
Attachments:	Nil

Summary

Council is to consider reviewing urgent business relating to the resignation of the Chief Executive Officer.

Background – Nil

Comment

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

Statutory Environment

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

3.10 Urgent Business Approved By the Person Presiding or by Decision

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

Strategic Implications – Nil

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

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

Voting Requirements – Simple Majority

COUNCIL DECISION 2021/122:

That Council consider the urgent business relating to the resignation of the Chief Executive Officer.

Moved: Cr Bradford

Seconded: Cr Dowdell

Carried 6/0

Mr Gary Sherry declared a Direct Financial Interest in 12.1.2 in that he is the Officer involved and left the Council Meeting at 3.52pm.

12.1.2	Resignation of the Chief Executive Officer
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Applicant:	N/A
File Ref. No:	Personal
Disclosure of Interest:	Direct Financial Interest in that the author is the Officer in question
Date:	19 th October 2021
Author:	Gary Sherry
Attachments:	Nil

Summary

Council is to consider the resignation of the Chief Executive Officer.

Background

On Friday 15th October 2021 the Chief Executive Officer (CEO) formally resigned from the Shire of Cuballing to take up a similar position with the Shire of Brookton. Mr Sherry's resignation advised that:

I wish to formally resign from the position of Chief Executive Officer of the Shire of Cuballing. I have accepted an alternative position as Chief Executive Officer of the Shire of Brookton.

Under the terms of my Employment Contract with the Shire of Cuballing, I wish to give the required three months notice of the termination of my employment on 15th January 2021.

I would take this opportunity to thank you, the Council and Shire of Cuballing for the opportunity to work in the position as Chief Executive Officer for the past seven years. This period has been a challenging time of significant change, but I have found it very rewarding personally.

I wish you, the Council and Shire staff the best for the future.

Comment

Mr Sherry has provided Council with the 3 month notice period required under his employment contract. This period expires on Saturday 15th January 2021.

Mr Sherry has requested Council to consider finishing his employment on Wednesday 5th January 2021. In making this request Mr Sherry has considered the leave requests of other senior staff, that Mr Sherry will be available to the Shire of Cuballing during the office closure period from Saturday 25th December to Monday 3rd January 2021 and that Mr Sherry was planning to take annual leave in January.

At the finalisation of this employment, Mr Sherry has requested that a period of two weeks be provided for him to pack his belongings and move from the Council residence provided as part of his employment contract.

Strategic Implications – Nil at this time.

Statutory Environment

Mr Sherry's Employment Contract, in part, reads:

11. TERMINATION

11.1 Automatic termination at end of Term

Unless the Term is extended or terminated earlier in accordance with this Contract, Your employment must conclude on the Expiry Date, without the requirement for either party to give notice.

11.2 Termination by the Local Government at will

- (1) This clause does not apply to a termination of Your employment under clause 11.3.
- (2) The Council may terminate Your employment at any time for any reason.
- (3) If the Council terminates Your employment under this clause, the Local Government must pay to You the lesser of –
 - (a) an amount equal to 100% of the Remuneration Package; or
 - (b) the balance of the Remuneration Package payable for the Term.
- (4) If the Council terminates Your employment under this clause as a result (wholly or partially) of an order made under section 2.1 of the Act, the Local Government must pay to You the lesser of –
 - (a) an amount equal to 100% of the annual Remuneration Package; or
 - (b) the balance of the Remuneration Package payable for the Term.
- (5) A payment under this clause –
 - (a) includes any and all other entitlements You may have in respect of termination of employment; and
 - (b) does not include payment for leave accrued but not taken at the date of termination.

11.3 Termination by the Local Government – Your default

- (1) Summary termination
The Council may summarily terminate Your employment at any time by notice in writing if You –
 - (a) are guilty of any serious misconduct or wilful neglect in the performance of the Functions;
 - (b) wilfully disobey any lawful direction by the Council;
 - (c) commit a serious breach of any of the provisions of this Contract;
 - (d) are convicted of a serious offence, or have been convicted of a 'serious local government offence' within the meaning of that term in section 2.22 of the Act; or
 - (e) do anything else which would lawfully enable the Local Government to terminate Your employment without notice.
- (2) Termination with notice
The Council may terminate Your employment at any time by giving You 4 weeks' notice in writing, or payment in lieu of notice, if –
 - (a) You commit a persistent breach of any of the provisions of this Contract and again breach the provision after being given notice of the breach by the Council;
 - (b) You become incapacitated by injury or illness from performing in full the Functions for an aggregate period of more than 90 days in any period of 12 consecutive months (but that period is not to include any accumulated paid leave taken);
 - (c) the Guardianship and Administration Board makes a guardianship order in relation to You under section 43 or section 64 of the Guardianship and Administration Act 1990; or

- (d) You fail to substantially measure up to and achieve the Performance Criteria and continue to do so for a period of 4 weeks after the Council gives You written notice of that failure and of the course of action which the Council wishes You to follow in order to address and correct that failure.

11.4 Termination by You at will

- (1) You may, for any reason, terminate Your employment on a date specified by You at any time by giving 3 months' notice in writing to the Council.
- (2) The period of notice may be varied by mutual agreement between the Council and You.

11.5 Deductions and set-off

On the termination of Your employment, or expiry of the Term, the Local Government may set-off any amounts that You owe the Local Government against any amount the Local Government owes You at the date of termination or expiry.

Policy Implications – Nil

Financial Implications

Mr Sherry, under his employment contract, is provided:

- rent free occupation of the residence; and
- utilities as part of his employment contract.

Following the resignation of Mr Sherry, Council will separately employ an Acting CEO until the search for a permanent officer is completed. At this time the cost of this action has not been calculated.

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Consultation

Mr Sherry

Options

The Council can resolve:

1. the Officer's Recommendation;
2. an amended Officer's Recommendation with an alternative notice period or amended time to finish the residential tenancy.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council accept the resignation of Chief Executive Officer Mr Gary Sherry and advise Mr Sherry that Council:

1. requires Mr Sherry to serve the entire 3 months notice period required under his employment contract; and
2. will permit Mr Sherry to rent the Council residence under the terms of his employment contract for two weeks until Saturday 29th January 2021.

COUNCIL DECISION 2021/123:

That Council accept the resignation of Chief Executive Officer Mr Gary Sherry and advise Mr Sherry that Council:

- 1. requires Mr Sherry to serve the entire 3 months' notice period required under his employment contract and cease employment on 15th January 2021;**
- 2. will permit Mr Sherry to rent the Council residence under the terms of his employment contract for two weeks until Saturday 29th January 2021; and**
- 3. will allow Mr Sherry to take annual leave from 6th to 15th January 2021 inclusive.**

Moved: Cr Bradford

Seconded: Cr Harris

Carried 6/0

13. CONFIDENTIAL MATTERS:

Nil

14. NEXT MEETING:

Ordinary Council Meeting, 2.00pm, Wednesday 17th November 2021 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

15. CLOSURE OF MEETING:

There being no further business, the Shire President, Cr Dowling, closed the meeting at 4.01pm.