



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

Shire of Cuballing – Council Meeting

# AGENDA

**To Be Held**

Wednesday 18<sup>th</sup> March 2026  
3.00 pm  
Cuballing CWA Hall

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# 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 Shire.

## 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.

# Shire of Cuballing Strategic Community Plan 2023-2033

## Our Heart, Our Home

### VISION

A charming rural community, in a unique part of the world, growing and prospering while protecting its natural environment.

### GOALS

#### Social

- ☑ A place where people of all ages, abilities and stages of life are active and connected.

#### Economic

- ☑ Business is thriving, with ample local employment, and opportunities for existing and new businesses to grow.

#### Natural Environment

- ☑ The natural environment is protected, enhanced, and managed, and enjoyed by locals, and proudly shared with visitors.

#### Built Environment

- ☑ People and goods can move easily in and around the Shire, which is well planned for community needs, respecting the past and building the future.

#### Governance

- ☑ Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.

### STRATEGIC PRIORITIES

#### Social

- ☑ Enhancing focus on emergency management (incl. dual use of Equestrian Centre for evacuation).
- ☑ Improving Cuballing Recreation Centre.
- ☑ Increasing community gatherings and spaces.

#### Economic

- ☑ Defining and developing Town Centres.
- ☑ Establishing a Light Industrial Area (LIA).
- ☑ Increasing tourism, particularly through trail development.
- ☑ Developing and promoting the equestrian sector.

#### Natural Environment

- ☑ Restoring the river at Popanyinning.
- ☑ Establishing Popanyinning wetlands.
- ☑ Reducing pests and weeds, working with Peel Harvey Catchment.
- ☑ Increasing native planting.

#### Built Environment

- ☑ Improving footpaths, linking aged units to Cuballing Town Centre.
- ☑ Upgrading major roads (esp. Wheatbelt Secondary Freight Network).
- ☑ Improving drainage.
- ☑ Increasing heritage protection and telling our story.

#### Governance

- ☑ Enhancing community information and engagement.

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**1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS:**

**2. RECORD OF ATTENDANCE/ APOLOGIES/ LEAVE OF ABSENCE:**

**3.1.1 Attendance**

**Elected Members**

Cr Adrian Kowald - President  
Cr Robert Harris – Deputy President  
Cr Scott Ballantyne  
Cr Steve Sexton  
Cr Matthew Dent  
Cr Sarah Hawksley

**Staff**

Mr Chris Paget	Chief Executive Officer
Mr Sam Curulli	Deputy Chief Executive Officer
Mr Bruce Brennan	Manager of Works and Services

**Visitors**

**3.1.2 Apologies**

Nil

**3.1.3 Leave of Absence**

### **3. PUBLIC QUESTION TIME:**

The Shire of Cuballing maintains a policy on the Management of Public Question Time. The policy is available in full in the Shire Policy Manual which can be found on the Shire's website:

[www.cuballing.wa.gov.au](http://www.cuballing.wa.gov.au)

Some of the notable provisions are:

- 1 Persons are encouraged to provide a written copy of their question.
- 2 Public question time will be limited to two minutes per member of the public, with a limit of two questions per member of the public.
- 3 Statements are not to precede the asking of a question during public question time.
- 4 Public question time will be limited 15 minutes. It may be extended in intervals of up to ten minutes by resolution of the Council, but the total time allocated will not exceed forty-five (45) minutes in total.
- 5 Questions are to be directed to the Presiding Member and should be asked politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or Shire employee. The Presiding Member shall decide to:
  - Accept or reject any question and his/her decision is final.
  - Nominate a member of the Council and/or Shire employee to respond to the question.
  - Take a question on notice. In this case a written response will be provided as soon as possible and included in the agenda of the next Council meeting.
- 6 Where an elected member is of the opinion that a member of the public is:
  - asking a question at a Council meeting, that is not relevant to the operations of the Shire of Cuballing; or
  - making a statement during public question time.they may bring it to the attention of the meeting.
- 7 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 8 Public Question Time should be used as a means to obtain information that would not be made available if it were sought from the Shire's records under *Section 5.94* of the *Local Government Act 1995* or the *Freedom of Information (FOI) Act 1992*.
- 9 Where the response to a question(s) would require a substantial commitment of the Shire's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the Shire and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.
- 10 Responses to questions not submitted in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

4.1 Response to Previous Questions Taken on Notice

4.2 Written Questions Provided in Advance

4.3 Public Questions from The Gallery

**4. STANDING ORDERS:**

**OFFICER'S RECOMMENDATION:**

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

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

**5. APPLICATIONS FOR LEAVE OF ABSENCE:**

**6. CONFIRMATION OF MINUTES:**

6.1.1 Ordinary Meeting of Council held on Wednesday 18<sup>th</sup> February 2026

**OFFICER'S RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of Council held on Wednesday 18<sup>th</sup> February 2026 be confirmed as a true record of proceedings.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

**7. PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:**

**8. DISCLOSURE OF FINANCIAL INTEREST:**

**DISCLOSURE OF FINANCIAL INTEREST AND PROXIMITY INTEREST**

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

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

<b>Name</b>	<b>Item No</b>	<b>Interest</b>	<b>Nature</b>

**DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY**

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

<b>Name</b>	<b>Item No</b>	<b>Interest</b>	<b>Nature</b>

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

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

#### **9.1.1 List of Payments – February 2026**

File Ref. No:	NA
Disclosure of Interest:	Nil
Date:	12 <sup>th</sup> March
Author:	Careese Ranieri
Attachments:	9.1.1A List of Municipal Accounts 9.1.1B List of Credit Card Transactions 9.1.1C Petty Cash and Coles Card

#### **Summary**

**Council is to review payments made under delegation in February 2026.**

Background – Nil

Comment

Council is provided with details of payments and credit card transactions made during the month of February 2026 as listed in the attachments.

Strategic Implications – Nil

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications – Nil

Economic Implication – Nil

Environmental Considerations – Nil

Consultation – Nil

Options

Council may resolve:

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

Voting Requirements – Simple Majority

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

**That Council receives:**

1. **the List of Accounts paid in February 2026 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 \$628,007.05 included at Attachment 9.1.1A.**
2. **a summary of transactions completed on Credit Cards by Council Staff for the period ending 28<sup>th</sup> February 2026 included at Attachment 9.1.2B.**
3. **a summary of transactions completed on Petty Cash for the period ending 28<sup>th</sup> February 2026.**

9.1.1A List of Payments – February 2026

Chq/EFT	Date	Name	Description	Amount
859	02/02/2026	Police Licensing Payments	Police Licensing Payments	-238.55
20400	04/02/2026	Water Corporation	Water Charges - Ridley Street	-34615.37
20399	04/02/2026	Synergy	Electricity Charges - 138 Campbell Street, Cuballing	-2425.49
20398	04/02/2026	Department Of Transport	12 Month Renewal for OCN	-468.35
EFT10301	04/02/2026	Parrys Narrogin	1 X Pair Of Work Boots	-209.95
EFT10299	04/02/2026	Narrogin Tyrepower	Repair Leaking Loader Tyre	-3600.00
EFT10306	04/02/2026	Westrac	Repairs To Cat 140 Grader After Accident 19/11/25	-33465.03
EFT10305	04/02/2026	Warda Kadak	Traffic Management and Traffic Control Cuballing East Road WSFN	-26918.65
EFT10304	04/02/2026	Team Global Express Pty Ltd	2025/2026 Freight Charges	-66.84
EFT10303	04/02/2026	T.C.Williamson & Co SSJ Transport Pty Ltd	Hire Of 1 X Semi Side Tipper for Cuballing East Road WSFN	-8118.00
859	04/02/2026	Police Licensing Payments	Police Licensing Payments	-797.40
EFT10302	04/02/2026	Scavenger Supplies	PPE For Bush Fire Volunteers	-460.35
EFT10298	04/02/2026	Narrogin Pumps Solar and Spraying	1 X 3m 20mm Hose for Sprayer 4 X Clamps	-49.28
EFT10297	04/02/2026	Narrogin Bearing Services	1 X 5m of 8mm Chain 2 X Hooks 8mm 1 X Packet Cable Ties	-175.42
EFT10296	04/02/2026	Mcdougall Weldments	Repairs To Cat 930 Loader Bucket	-412.50
EFT10295	04/02/2026	Industrial Automation Group Pty Ltd	Install New 50mm Motorized Control Valve to Popanyinning	-1863.40
EFT10300	04/02/2026	Pingelly Tyre Service	New Tyre for Fire Truck	-984.50
EFT10293	04/02/2026	Great Southern Waste Disposal	Rubbish Removal – January 2026	-10306.76
EFT10294	04/02/2026	Hancocks Home Hardware	Monthly Account	-494.60
EFT10286	04/02/2026	Air Response	Supply And Install New Toshiba Air conditioner	-4310.00
EFT10287	04/02/2026	Ascentive Pty Ltd	Preparation Of Business Case & Funding Application for Regional Housing Support Fund Round 1	-9123.66
EFT10288	04/02/2026	Bruce Brennan	Staff Reimbursement 50% Electricity	-163.56
EFT10289	04/02/2026	Best Office Systems	Monthly Photocopying Charges 25/26 - 20/12/2025 - 20/01/2026	-193.66
EFT10290	04/02/2026	Cloud Collections Pty Ltd	Debt Collection Services 25/26	-1875.00
EFT10291	04/02/2026	Fulford Earthmoving & Civil	Gravel Stocking Of 4,000m3	-7040.00
EFT10292	04/02/2026	G.S. Hobbs Contracting	Wet Hire Semi Water Cart for Cuballing East Road	-13332.00
859	05/02/2026	Ato Clearing Account Bas	ATO Clearing Account Bas	-6877.00
859	05/02/2026	Police Licensing Payments	Police Licensing Payments	-2280.65
859	06/02/2026	Ato Clearing Account Bas	Ato Clearing Account Bas	26621.00
859	06/02/2026	Police Licensing Payments	Police Licensing Payments	-1036.30
859	09/02/2026	Police Licensing Payments	Police Licensing Payments	-507.15
859	10/02/2026	Police Licensing Payments	Police Licensing Payments	-883.95
EFT10307	10/02/2026	Cm O'keefe	Quantity Surveyor Services - Concept Design Cost Estimate for Regional Housing Support Fund Application	-1320.00
EFT10308	10/02/2026	Mcleods Lawyers	Legal Fees & Representation at Court	-1527.24
859	11/02/2026	Police Licensing Payments	Police Licensing Payments	-439.05
DD5125.10	11/02/2026	Rest	Superannuation Contributions	-713.29

DD5137.1	11/02/2026	National Australia Bank	Credit Card January 2026	-5750.12
DD5125.9	11/02/2026	Colonial First State	Superannuation Contributions	-379.64
DD5125.8	11/02/2026	Hostplus Super	Superannuation Contributions	-89.42
DD5125.7	11/02/2026	MLC Super Fund	Superannuation Contributions	-1452.35
DD5125.6	11/02/2026	Care Super	Superannuation Contributions	-327.07
DD5125.5	11/02/2026	Mercer Superannuation	Superannuation Contributions	-599.81
EFT10310	11/02/2026	St John Ambulance Western Australia Ltd	4 X First Aid Training for Shire Staff	-180.00
DD5125.1	11/02/2026	Australian Super	Payroll Deductions	-2928.74
DD5125.2	11/02/2026	Brisbane Smart Monday	Superannuation Contributions	-15.91
DD5125.3	11/02/2026	Aware Super Pty Ltd	Superannuation Contributions	-3866.82
DD5125.4	11/02/2026	Matrix Superannuation	Superannuation Contributions	-325.04
EFT10315	12/02/2026	Cloud Collections Pty Ltd	Debt Collection Services 25/26	-4298.11
EFT10316	12/02/2026	Cuballing Roadhouse Restaurant & LPO Pty Ltd	Monthly Account – January 26	-372.14
EFT10317	12/02/2026	Cuballing Windscreens, Panel, Paint and Towing	Recovery Of Ford Focus - Taken to Shire Yard	-440.00
EFT10318	12/02/2026	Christopher PAGET	Reimbursement For Fuel	-138.94
EFT10319	12/02/2026	Farmworks Narrogin	1 X Led Beacon Magnetic	-145.00
EFT10320	12/02/2026	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery 25/26	-4597.65
EFT10321	12/02/2026	Great Southern Waste Disposal	Rubbish Removal – December 25	-9257.60
EFT10322	12/02/2026	Hancocks Home Hardware	Philips Fluid Tubes	-23.85
EFT10323	12/02/2026	Haulmore Trailer Sales	1 X New Wp24-3 Closed Coupled Hydraulic Driven Water Pump Assembly	-5027.00
EFT10324	12/02/2026	Melchiorre Plumbing and Gas	Disconnect All Plumbing from Old Kitchen Re Install Plumbing into New Kitchen	-346.00
EFT10325	12/02/2026	Narrogin Packaging and Motorcycles & Accessories	6 X Boxes of Toilet Paper	-366.00
EFT10326	12/02/2026	Narrogin Pumps Solar and Spraying	7.5 Metres 75mm Suction Hose 4 X H/Duty Clamps	-431.78
EFT10327	12/02/2026	Narrogin Tyrepower	4 X Trailer Tyres 11r22.5 For Side Tipping Trailer	-2069.10
EFT10328	12/02/2026	Pressure Masters	1 X Pressure Gun for Pressure Cleaner	-311.30
EFT10329	12/02/2026	R Munns Engineering Consulting Services	Consulting Engineer Works for Cuballing East Road WSN	-15057.97
EFT10330	12/02/2026	S W Young Farming Co	Purchase Of 4,000m3 Of Gravel	-8800.00
EFT10331	12/02/2026	Shire Of Narrogin	CESM Claim - Oct 25 to Dec 25	-4700.45
EFT10332	12/02/2026	St John Ambulance Western Australia Ltd	4 X First Aid Training for Shire Staff	-180.00
EFT10333	12/02/2026	Warda Kadak	Traffic Management and Traffic Control Cuballing East Road WSN	-8783.50
EFT10334	12/02/2026	Winc Australia Pty Limited	Stationary Supplies for the Office	-418.73
EFT10335	12/02/2026	Zircodata Pty Ltd	Monthly Archive Storage Fees 25/26	-40.05
EFT10336	12/02/2026	Landgate	Slip Subscription Services 25/26	-2681.00
EFT10314	12/02/2026	BKS Electrical	Smoke Detectors Servicing	-1716.00
EFT10313	12/02/2026	Bitutek	Supply And Lay Bitumen Surfacing on Cuballing East Rd Primer Seal	-63063.00
EFT10312	12/02/2026	Barry Thomas Dillon	Reimbursement	-75.00
EFT10311	12/02/2026	Ashley Blyth Tree Lopping	Remove Trees in Powerline with Cherry Picker	-1210.00
859	12/02/2026	Police Licensing Payments	Police Licensing Payments	-174.25
20402	12/02/2026	Shire Of Cuballing	Petty Cash January 26	-169.05

20401	12/02/2026	Synergy	Electricity Charges - 42 Asutral Street, Cuballing (Shire Depot)	-1625.37
859	13/02/2026	Police Licensing Payments	Police Licensing Payments	-455.05
EFT10338	13/02/2026	Omnicom Media Group Australia Pty Ltd	Deputy Ceo Recruitment Ad	-1112.60
859	16/02/2026	Police Licensing Payments	Police Licensing Payments	-1096.25
DD5155.1	16/02/2026	Telstra	Landline, Mobile, Harvest ban and Sign Board Charges February 26	-1037.58
859	17/02/2026	Police Licensing Payments	Police Licensing Payments	-2511.45
859	18/02/2026	Police Licensing Payments	Police Licensing Payments	-478.75
EFT10351	19/02/2026	Southwest Vehicle Group - Narrogin Ford	90,000 Km Service with Fuel Filter and Gear Box Check	-800.00
EFT10352	19/02/2026	Team Global Express Pty Ltd	2025/2026 Freight Charges	-90.16
EFT10353	19/02/2026	Western Stabilisers	Supply Of Materials for Stabilisation and Wet Mixing on the Cuballing East Road	-143091.54
EFT10349	19/02/2026	Parrys Narrogin	3 Work Shirts and Pants – Depot Worker	-340.73
859	19/02/2026	Police Licensing Payments	Police Licensing Payments	-251.60
EFT10350	19/02/2026	Scavenger Supplies	PPE For Bush Fire Fighters Volunteers	-460.35
EFT10348	19/02/2026	Octave Holdings T/A Narrogin Toyota Mazda	Supply Of 1 Toyota 4x4 SR5 Including Trade of CN0 Toyota SR5	-30576.00
EFT10339	19/02/2026	Bks Electrical	Replace Popanyinning Light Switch in Toilet	-338.80
EFT10340	19/02/2026	BMR Mechanical, B & A Rowe Pty Ltd Atf the Rowe Family Trust	2 X Rear Boosters for Trailer and Fitting Semi Side Tipper	-1410.11
EFT10341	19/02/2026	C&D Cutri	Bridge 3173 Maintenance Stratherne Road	-17490.00
EFT10342	19/02/2026	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery 25/26	-5599.10
EFT10347	19/02/2026	Narrogin Tyrepower	2 X Steer Tyres Fitted and Balanced to Isuzu Prime Mover	-1800.00
EFT10346	19/02/2026	Narrogin Glass & Quickfit Windscreens & Narrogin Window Tinting	Install Tint on New Sr 5 Toyota Daul Cab Ute	-385.00
EFT10345	19/02/2026	Narrogin Embroidery	4 x Work Shirts to be Embroidered	-66.00
EFT10344	19/02/2026	Kalexpress & Quality Transport	Monthly Freight Charges - Metro count	-118.62
EFT10343	19/02/2026	Hancocks Home Hardware	Monthly Account	-117.30
DD5156.1	20/02/2026	National Australia Bank	January Credit Card 2026	-2486.81
859	20/02/2026	Police Licensing Payments	Police Licensing Payments	-1070.90
EFT10354	23/02/2026	Bill & Bens Hot Bread Shop	Bread For Australia Day 2026	-35.00
EFT10355	23/02/2026	Pingelly Quality Meats	8 Kg of Bacon For 2026 Australia Day	-288.00
859	24/02/2026	Police Licensing Payments	Police Licensing Payments	-1554.05
EFT10363	25/02/2026	Hersey Safety Pty Ltd	List Of Products on Delivery Docket 49015 11/2/26	-2147.62
20403	25/02/2026	Department Of Transport	Licence Renewal for Cn039	-930.05
20404	25/02/2026	Synergy	Electricity Charges - Street Lights X 43	-664.28
20406	25/02/2026	Water Corporation	Water Charges - Ridley Strett, Cuballing Lot 301 Res 10329	-34670.24
20407	25/02/2026	Shire Of Cuballing	Standpipe Charges	-34508.05
EFT10362	25/02/2026	Hancocks Home Hardware	Monthly Account	-88.00

EFT10361	25/02/2026	Great Southern Fuel Supplies	Bulk Diesel Fuel Delivery 25/26	-7316.45
EFT10360	25/02/2026	Dews Mini Excavations	Back Filling Kerb and Foot Path	-1155.00
EFT10359	25/02/2026	Corsign (WA) Pty Ltd	37 X Galv 60mm OD Signposts 3.25m 37x Galv Cap	-2484.90
EFT10358	25/02/2026	Burgess Rawson (WA) Pty Ltd	War Memorials – Water Charge	-240.09
EFT10357	25/02/2026	Air & Power	Annual Service of Air compressors	-1844.24
EFT10356	25/02/2026	Aylmore Fabrication & Welding	Repairs To Mower Deck on Husqvarna Ride On Mower	-345.95
EFT10366	25/02/2026	Westrac	3,000hr Service on Cat 140 Grader	-2989.70
EFT10364	25/02/2026	Kalexpress & Quality Transport	Monthly Freight Charges -Metro	-118.62
859	25/02/2026	Police Licensing Payments	Police Licensing Payments	-8734.25
EFT10365	25/02/2026	Power Networkx	Telstra Internet Fibre Network 25/26	-416.90
EFT10367	25/02/2026	Wheatbelt Strength & Conditioning	Exercise Classes Each Fortnight 25/26	-198.00
DD5171.1	25/02/2026	Australian Super	Payroll Deductions	-2875.77
DD5171.2	25/02/2026	Aware Super Pty Ltd	Superannuation Contributions	-3675.62
DD5171.3	25/02/2026	Matrix Superannuation	Superannuation Contributions	-291.08
DD5171.4	25/02/2026	Mercer Superannuation	Superannuation Contributions	-599.81
DD5171.5	25/02/2026	Care Super	Superannuation Contributions	-301.01
DD5171.6	25/02/2026	MLC Super Fund	Superannuation Contributions	-1452.35
DD5171.7	25/02/2026	Hostplus Super	Superannuation Contributions	-58.42
DD5171.8	25/02/2026	Colonial First State	Superannuation Contributions	-379.64
DD5171.9	25/02/2026	Rest	Superannuation Contributions	-391.50
859	27/02/2026	Police Licensing Payments	Police Licensing Payments	-962.05
<b>Total</b>				<b>-628007.05</b>

9.1.1B List of February 2026 Credit Card Transactions

Date	Name	Description	Amount
25/02/2026	Flag World	New Flags for Shire Building x 2	\$ 351.07
20/02/2026	Best Office Systems	Toner cartridges for CEO printer	\$ 525.00
20/02/2026	Cuballing Tavern	Councillor Dinners for Shire Council Meeting	\$ 330.34
18/02/2026	Starlink	Internet for the Popanyinning Hub	\$ 139.00
16/02/2026	EFTSURE	Creditor Monthly Subscription Fee	\$ 676.50
16/02/2026	Narrogin Newsagency	Boxes of paper for Shire Office	\$ 428.10
16/02/2026	Officeworks	USB hub for CEO laptop	\$ 139.00
16/02/2026	More Telecom	Internet for CEO Residence - Monthly	\$ 94.00
12/02/2026	Coles Narrogin	Refreshments for Shire Council Meeting	\$ 170.26
4/02/2026	The West Australian	Quarterly Newspaper Subscription 25/26	\$ 96.00
3/02/2026	BP OPT Picton Trucks	Fuel for CEO Vehicle	\$ 24.48
29/01/2026	BP Baldivis	Fuel for CEO Vehicle	\$ 145.63
16/01/2026	Repco - Bunbury	Products for CEO vehicle - Fuel & Oil	\$ 42.00
23/02/2026	Good Sportsman Marketing	Monthly Charge	\$ 28.48
23/02/2026	NAB	International Transaction Fee	\$ 0.85
3/02/2026	Pivotel	Tracks Spotting for Works Crew	\$ 93.00
2/02/2026	MainRoads	RAV permit for CN10015	\$ 432.00
9/01/2026	Shire of Cuballing	New Vehicle Registration - CN0	\$ 154.45
30/01/2026	Shire of Cuballing	Plate Change and Plate Remake - CN0	\$ 84.10
29/01/2026	Steelos Guns and Outdoors	Bullets for Disposal of Vermin	\$ 26.00
<b>Total</b>			<b>\$ 3,980.26</b>

9.1.1C List of February 2026 Petty Cash Transactions

	Refreshments	Aus Day	Shire Office	Admin Other	Popo School	
Item Description	1041050	CE26	J4114	1042390	J198	Total
Groceries	30.25	80.15		97.00		207.40
Misc(Cleaning supplies)			25.20			25.20
Stationary/Postage						
Materials					39.50	39.50
					<b>Total</b>	<b>\$272.10</b>

### 9.1.3 Statement of Financial Activity – February 2026

Applicant: N/A  
File Ref. No: ADM214  
Disclosure of Interest: Nil  
Date: 10<sup>th</sup> March 2026  
Author: Chris Paget - Chief Executive Officer  
Attachments: 9.1.2A Statement of Financial Activity February 2026

#### Summary

For Council to receive the Statement of Financial Activity for February 2026.

#### Background

As per the Financial Management Regulation 34 each Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month with the following detail.

- The annual budget estimates, including budget amendments.
- 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 through to 28<sup>th</sup> February 2026 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

Nil

Strategic Implications – Nil

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications – Nil

#### Consultation

Martin Whitely – LG Corporate Solutions

#### Voting Requirements

Simple Majority

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

**That the Statement of Financial Activity for the Shire of Cuballing for period ending 28<sup>th</sup> February 2026 be received.**

**SHIRE OF CUBALLING**  
**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**  
**For the period ending 28 February 2026**

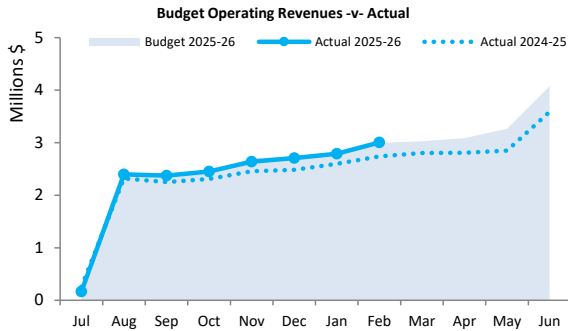
*LOCAL GOVERNMENT ACT 1995*  
*LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*

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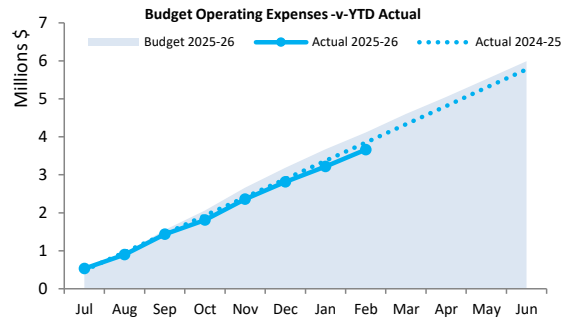
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**OPERATING ACTIVITIES**

**OPERATING REVENUE**

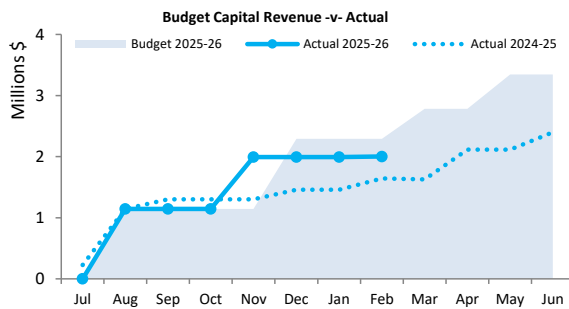


**OPERATING EXPENSES**

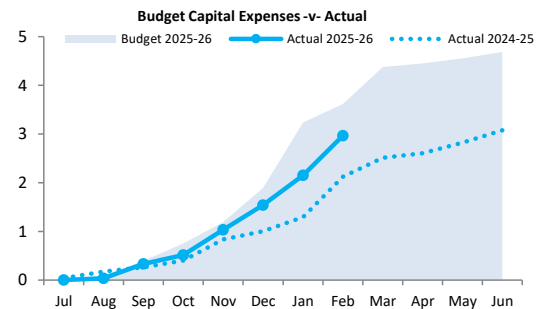


**INVESTING ACTIVITIES**

**CAPITAL REVENUE**

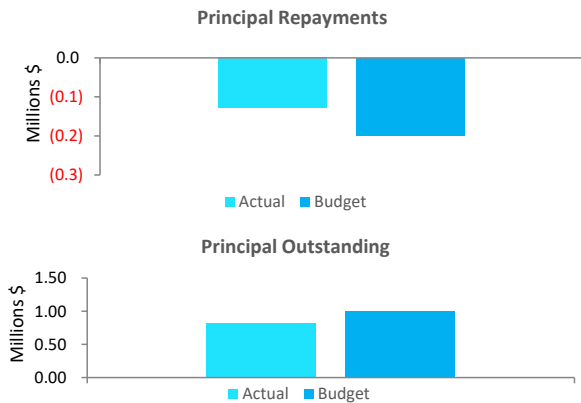


**CAPITAL EXPENSES**

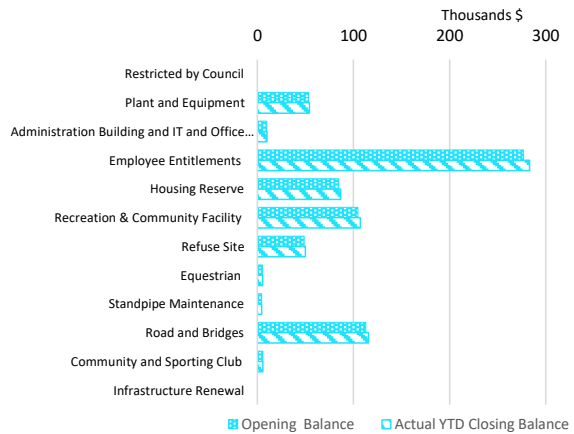


**FINANCING ACTIVITIES**

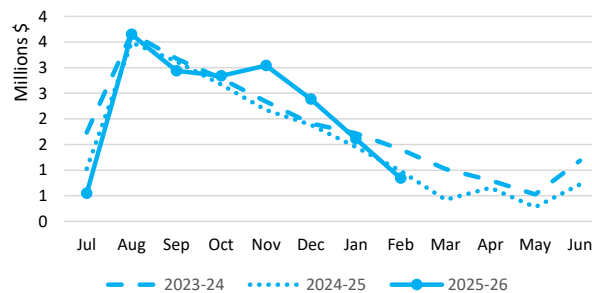
**BORROWINGS**



**RESERVES**



**Closing funding surplus / (deficit)**



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

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$0.53 M	\$0.53 M	\$0.62 M	\$0.10 M
Closing	\$0.00 M	(\$0.37 M)	\$0.84 M	\$1.22 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$0.84 M	49.8%
Restricted Cash	\$0.84 M	50.2%

Refer to Note 2 - Cash and Financial Assets

Payables		
	\$	% Outstanding
Trade Payables	\$0.35 M	
0 to 30 Days		99.4%
Over 30 Days		0.6%
Over 90 Days		0%

Refer to Note 5 - Payables

Receivables		
	\$	%
Rates Receivable	\$0.15 M	90.9%
Trade Receivable	\$0.16 M	% Outstanding
Over 30 Days		82.2%
Over 90 Days		\$ . M

Refer to Note 3 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.85 M	\$0.74 M	\$1.23 M	\$0.48 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$1.88 M	
YTD Budget	\$1.86 M	0.9%

Refer to Statement of Financial Activity

Operating Grants and Contributions		
	\$	% Variance
YTD Actual	\$0.65 M	
YTD Budget	\$0.73 M	(10.2%)

Refer to Note 11 - Operating Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$0.37 M	
YTD Budget	\$0.29 M	28.0%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$1.24 M)		(\$0.86 M)	(\$0.86 M)

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.10 M	
Amended Budget	\$0.10 M	2.1%

Refer to Note 6 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$2.97 M	
Amended Budget	\$4.69 M	(36.7%)

Refer to Note 7 - Capital Acquisitions

Capital Grants		
	\$	% Received
YTD Actual	\$2.00 M	
Amended Budget	\$3.34 M	(40.1%)

Refer to Note 7 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.14 M)	(\$0.42 M)	(\$0.15 M)	\$0.27 M

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.13 M
Interest expense	(\$0.02 M)
Principal due	\$0.83 M

Refer to Note 8 - Borrowings

Reserves	
Reserves balance	\$0.72 M
Interest earned	\$0.02 M

Refer to Note 9 - Cash Reserves

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

## KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 28 FEBRUARY 2026

### REVENUE

#### RATES

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

#### OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers 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 identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

#### REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

#### FEES AND CHARGES

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

#### PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

## NATURE OR TYPE DESCRIPTIONS

### EXPENSES

#### EMPLOYEE COSTS

All costs associated 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, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, 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)

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

Shortfall between the value of assets received over the net book value for assets on their disposal.

#### 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, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026

BY NATURE OR TYPE

	Ref Note	Amended Budget (a)	YTD Budget (b)	YTD Actual (c)	Variance \$ (c) - (b)	Variance % ((c) - (b))/(b)	Var.
		\$	\$	\$	\$	%	
<b>Opening funding surplus / (deficit)</b>	1(c)	528,029	528,029	624,622	96,593	18.29%	▲
<b>Revenue from operating activities</b>							
Rates		1,839,478	1,863,478	1,881,429	17,951	0.96%	
Rates (excluding general rate)		701	701	0	(701)	(100.00%)	
Operating grants, subsidies and contributions	11	1,671,139	725,846	652,095	(73,751)	(10.16%)	▼
Fees and charges		396,374	292,129	374,011	81,882	28.03%	▲
Interest earnings		90,700	60,456	38,961	(21,495)	(35.55%)	▼
Other revenue		69,770	46,488	52,040	5,552	11.94%	▲
Profit on disposal of assets	6	8,000	8,000	6,214	(1,786)	(22.33%)	
		<b>4,076,162</b>	<b>2,997,098</b>	<b>3,004,750</b>	7,652	0.26%	
<b>Expenditure from operating activities</b>							
Employee costs		(1,304,853)	(869,552)	(666,871)	202,681	23.31%	▲
Materials and contracts		(1,350,489)	(975,626)	(619,352)	356,274	36.52%	▲
Utility charges		(174,753)	(92,460)	(143,184)	(50,724)	(54.86%)	▼
Depreciation on non-current assets		(2,808,152)	(1,872,000)	(1,895,140)	(23,140)	(1.24%)	
Interest expenses		(45,978)	(31,798)	(22,151)	9,647	30.34%	▲
Insurance expenses		(238,568)	(238,568)	(253,983)	(15,415)	(6.46%)	
Other expenditure		(59,466)	(36,947)	(57,272)	(20,325)	(55.01%)	▼
Loss on disposal of assets	6	(9,000)	(9,000)	(4,600)	4,400	48.89%	
		<b>(5,991,259)</b>	<b>(4,125,951)</b>	<b>(3,662,553)</b>	463,398	(11.23%)	
Non-cash amounts excluded from operating activities	1(a)	2,767,400	1,873,000	1,886,682	13,682	0.73%	
<b>Amount attributable to operating activities</b>		<b>852,303</b>	<b>744,147</b>	<b>1,228,879</b>	484,732	65.14%	
<b>Investing activities</b>							
Proceeds from non-operating grants, subsidies and contributions	12	3,344,919	2,290,836	2,002,638	(288,198)	(12.58%)	▼
Proceeds from disposal of assets	6	96,000	96,000	98,014	2,014	2.10%	
Fair value adjustments to financial assets at fair value	8	0	0	0	0	0.00%	
Payments for property, plant and equipment and infrastructure	7	(4,685,371)	(3,618,731)	(2,965,305)	653,426	18.06%	▲
<b>Amount attributable to investing activities</b>		<b>(1,244,452)</b>	<b>(1,231,895)</b>	<b>(864,653)</b>	367,242	(29.81%)	
<b>Financing Activities</b>							
Proceeds from new debentures	8	250,000	(250,000)	0	250,000	(100.00%)	
Transfer from reserves	9	50,000	0	0	0	0.00%	
Repayment of debentures	8	(198,381)	(150,248)	(128,441)	21,807	14.51%	▲
Transfer to reserves	9	(237,499)	(14,976)	(16,642)	(1,666)	(11.12%)	
<b>Amount attributable to financing activities</b>		<b>(135,880)</b>	<b>(415,224)</b>	<b>(145,083)</b>	270,141	(65.06%)	
<b>Closing funding surplus / (deficit)</b>	1(c)	<b>0</b>	<b>(374,943)</b>	<b>843,765</b>	1,218,708	325.04%	

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Refer to Note 15 for an explanation of the reasons for the variance.

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

**BASIS OF PREPARATION**

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying Regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has 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 Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 13 to these financial statements.

**SIGNIFICANT ACCOUNTING POLICES**

**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 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 not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimation of fair values of certain financial assets
- estimation of fair values of fixed assets shown at fair value
- impairment of financial assets

**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.

**ROUNDING OFF FIGURES**

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

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 11 March 2025

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026**

**(a) Non-cash items excluded from operating activities**

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Notes	Amended Budget	YTD Budget (a)	YTD Actual (b)
<b>Non-cash items excluded from operating activities</b>				
		\$	\$	\$
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals	6	(8,000)	(8,000)	(6,214)
Less: Movement in liabilities associated with restricted cash		(41,752)	0	6,629
Movement in pensioner deferred rates (non-current)		0	0	(13,473)
Add: Loss on asset disposals	6	9,000	9,000	4,600
Add: Depreciation on assets		2,808,152	1,872,000	1,895,140
<b>Total non-cash items excluded from operating activities</b>		<b>2,767,400</b>	<b>1,873,000</b>	<b>1,886,682</b>

**(b) Adjustments to net current assets in the Statement of Financial Activity**

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

		Amended Budget Opening 30 June 2025	Last Year Closing 30 June 2025	Year to Date 28 February 2026
<b>Adjustments to net current assets</b>				
Less: Reserves - restricted cash	9	(893,562)	(706,061)	(722,703)
Add: Borrowings	8	229,369	176,573	48,132
Add: Provisions employee related provisions	10	234,901	276,652	283,281
<b>Total adjustments to net current assets</b>		<b>(429,292)</b>	<b>(252,836)</b>	<b>(391,290)</b>

**(c) Net current assets used in the Statement of Financial Activity**

**Current assets**

Cash and cash equivalents	2	1,105,754	1,403,040	1,678,618
Rates receivables	3	149,928	95,507	147,726
Receivables	3	0	23,239	156,924
Other current assets	4	45,284	118,736	91,131
<b>Less: Current liabilities</b>				
Payables	5	(331,374)	(263,255)	(475,347)
Borrowings	8	(229,369)	(176,573)	(48,132)
Contract liabilities	10	(116,006)	(126,627)	(119,253)
Provisions	10	(194,925)	(196,609)	(196,609)
<b>Less: Total adjustments to net current assets</b>	1(b)	<b>(429,292)</b>	<b>(252,836)</b>	<b>(391,290)</b>
<b>Closing funding surplus / (deficit)</b>		<b>0</b>	<b>624,622</b>	<b>843,765</b>

**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. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026**

**OPERATING ACTIVITIES  
NOTE 2  
CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Municipal Cash at Bank		794,321	119,253	913,574	0	NAB	TBA	N/A
Municipal Cash Investments (Online and at call account)		41,640	0	41,640	0	NAB	TBA	N/A
Investment Account - Restricted Funds		0	0	0	0	NAB	TBA	N/A
Investment Account - Unrestricted Funds		1	722,703	722,704	0	NAB	TBA	N/A
Petty Cash		700	0	700	0	N/A	N/A	N/A
<b>Total</b>		<b>836,662</b>	<b>841,956</b>	<b>1,678,618</b>	<b>0</b>			
<b>Comprising</b>								
Cash and cash equivalents		836,662	841,956	1,678,618	0			
		<b>836,662</b>	<b>841,956</b>	<b>1,678,618</b>	<b>0</b>			

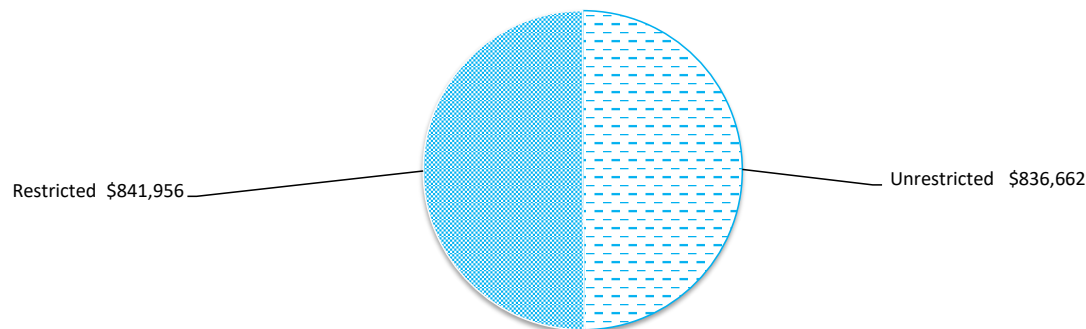
**KEY INFORMATION**

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

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026

OPERATING ACTIVITIES  
NOTE 4  
OTHER CURRENT ASSETS

	Opening Balance 1 July 2025	Asset Increase	Asset Reduction	Closing Balance 28 February 2026
<b>Other current assets</b>	\$	\$	\$	\$
<b>Inventory</b>				
Fuel	11,419	0	0	11,419
<b>Other Assets</b>				
Prepayments	5,469	0	(5,469)	0
Accrued income	22,136	0	(22,136)	0
<b>Contract assets</b>				
Contract assets	79,712	0	0	79,712
<b>Total other current assets</b>	<b>118,736</b>	<b>0</b>	<b>(27,605)</b>	<b>91,131</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

**Inventory**

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 28 FEBRUARY 2026**

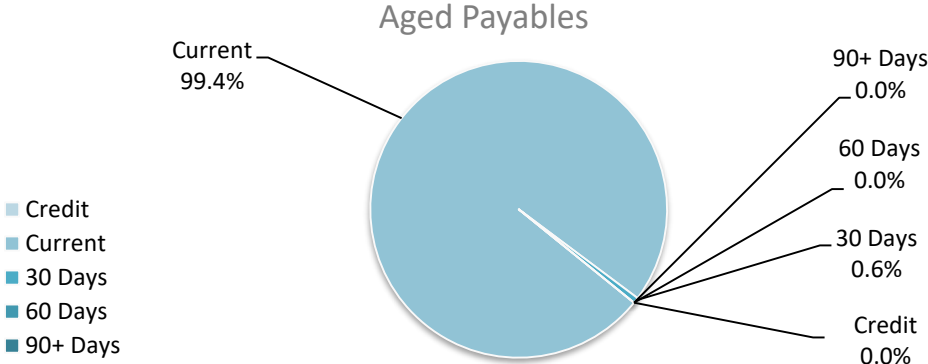
**OPERATING ACTIVITIES  
NOTE 5  
PAYABLES**

<b>Payables - general</b>	<b>Credit</b>	<b>Current</b>	<b>30 Days</b>	<b>60 Days</b>	<b>90+ Days</b>	<b>Total</b>
	\$	\$	\$	\$	\$	\$
Payables - general	0	73,567	460	0	0	74,027
Percentage	0%	99.4%	0.6%	0%	0%	
<b>Balance per trial balance</b>						
Sundry creditors						353,148
ATO liabilities						57,219
Bonds & Deposits						14,702
Prepaid Rates						53,414
<b>Total payables general outstanding</b>						<b>475,347</b>

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

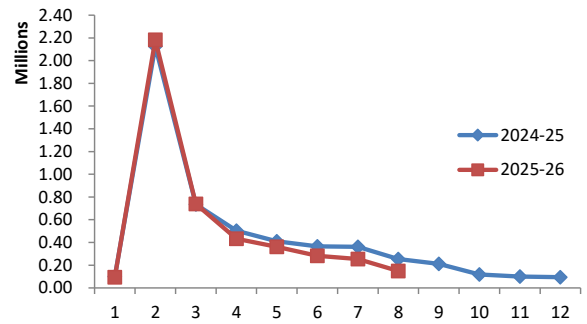
Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026**

**OPERATING ACTIVITIES  
NOTE 3  
RECEIVABLES**

Rates receivable	30 June 2025	28 Feb 2026
	\$	\$
Opening arrears previous years	173,082	99,902
Levied this year	1,831,638	1,881,429
Less - collections to date	(1,871,373)	(1,800,160)
Gross rates collectable	<b>133,347</b>	<b>181,171</b>
Net rates collectable	<b>99,902</b>	<b>147,726</b>
% Collected	93.3%	90.9%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(544)	6,221	204	295	25,772	31,948
Percentage	-1.70%	19.47%	0.64%	0.92%	80.67%	100.00%
<b>Balance per trial balance</b>						
Sundry receivable						31,948
GST receivable						124,976
<b>Total receivables general outstanding</b>						<b>156,924</b>

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

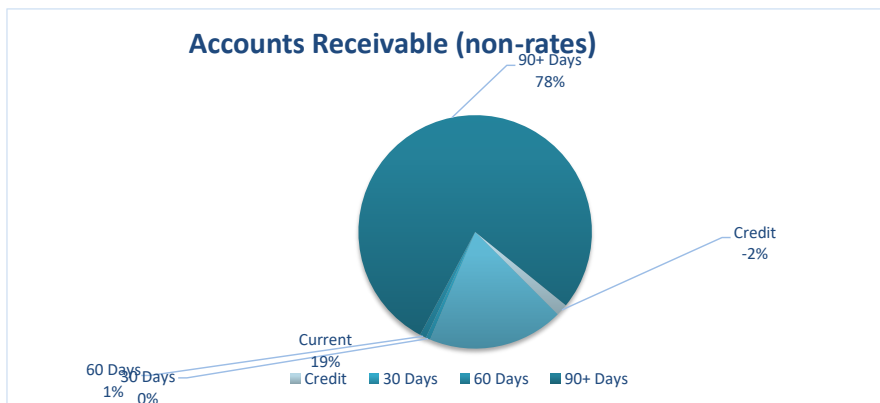
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

**Classification and subsequent measurement**

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

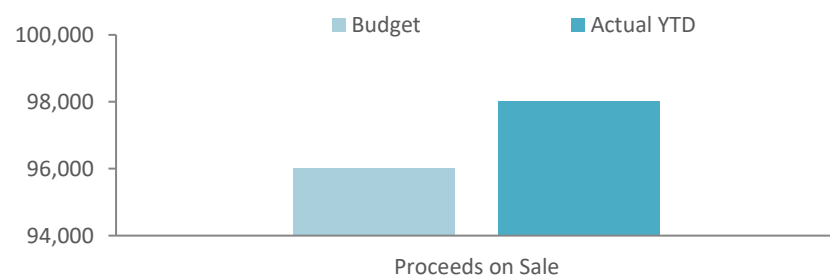
Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026**

**OPERATING ACTIVITIES  
NOTE 6  
DISPOSAL OF ASSETS**

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	<b>Plant and equipment</b>								
	<b>Governance</b>								
10107	CEO Vehicle Changeover	43,000	51,000	8,000	0	44,269	50,483	6,214	0
	<b>Transport</b>								
10114	Works Manager Vehicle Changeover	54,000	45,000	0	(9,000)	52,131	47,531	0	(4,600)
		<b>97,000</b>	<b>96,000</b>	<b>8,000</b>	<b>(9,000)</b>	<b>96,400</b>	<b>98,014</b>	<b>6,214</b>	<b>(4,600)</b>



Capital acquisitions	Amended		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land	250,000	0	0	0
Buildings	70,600	70,600	263	(70,337)
Furniture and equipment	25,600	18,600	10,295	(8,305)
Plant and equipment	465,000	390,000	457,700	67,700
Infrastructure - roads	3,624,171	2,979,531	2,470,031	(509,500)
Infrastructure - bridges	40,000	20,000	17,400	(2,600)
Infrastructure - parks, ovals & playgrounds	116,500	101,500	1,500	(100,000)
<b>Payments for Capital Acquisitions</b>	<b>4,685,371</b>	<b>3,618,731</b>	<b>2,965,305</b>	<b>(653,426)</b>
<b>Capital Acquisitions Funded By:</b>				
	\$	\$	\$	\$
Capital grants and contributions	3,344,919	2,290,836	2,002,638	(288,198)
Borrowings	250,000	(250,000)	0	250,000
Other (disposals & C/Fwd)	96,000	96,000	98,014	2,014
Contribution - operations	1,044,452	1,481,895	864,653	(617,242)
<b>Capital funding total</b>	<b>4,685,371</b>	<b>3,618,731</b>	<b>2,965,305</b>	<b>(653,426)</b>

**SIGNIFICANT ACCOUNTING POLICIES**

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

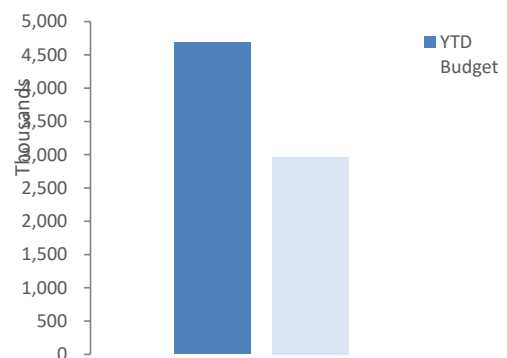
**Initial recognition and measurement for assets held at cost**

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

**Initial recognition and measurement between mandatory revaluation dates for assets held at fair value**

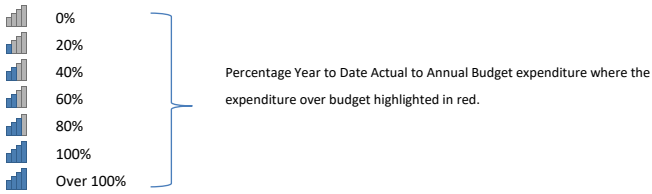
In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

**Payments for Capital Acquisitions**



Capital expenditure total

Level of completion indicators



Level of completion indicator, please see table at the end of this note for further detail.

Account Description	Amended			Variance
	Budget	YTD Budget	YTD Actual	Under/(Over)
	\$	\$	\$	\$
<b>Land</b>				
C214 Land Purchase - Light Industrial Area	250,000	0	0	0
<b>Total Buildings</b>	<b>250,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Land &amp; Buildings</b>				
11057 CCTV Camera's	5,100	5,100	83	5,017
C215 Popanyinning School House (Lrci Funding)	10,000	10,000	0	10,000
C226 Popanyinning School House - Unisex Toilet & Ramp	10,500	10,500	0	10,500
C162 Cuballing Town Hall - Capital Works	45,000	45,000	180	44,820
<b>Total Buildings</b>	<b>70,600</b>	<b>70,600</b>	<b>263</b>	<b>70,337</b>
<b>Furniture &amp; Equipment</b>				
04247 Photocopier Capital Purchase	12,000	12,000	10,295	1,705
C220 Administration Laptops	6,600	6,600	0	6,600
C221 Administration Office Furniture	7,000	0	0	0
<b>Total Furniture &amp; Equipment</b>	<b>25,600</b>	<b>18,600</b>	<b>10,295</b>	<b>8,305</b>
<b>Plant &amp; Equipment</b>				
12406 Capital Purchase - Dual Cab Utility	70,000	0	75,328	(75,328)
12414 Capital Purchase - CEO Vehicle Prado GXL	78,000	78,000	76,846	1,154
12420 Capital Expenditure - Plant & Equipment - Small Plant Items	10,000	5,000	0	5,000
12425 Capital Expenditure - Plant & Equipment - Variable Message Board	32,000	32,000	30,650	1,350
12433 EXCAVATOR - 15 TONNE	275,000	275,000	274,876	124
<b>Total Plant &amp; Equipment</b>	<b>465,000</b>	<b>390,000</b>	<b>457,700</b>	<b>(67,700)</b>
<b>Roads</b>				
R001H Rrg: Stratherne Road - Widen & Reconstruct Slk 12.77 - 13.82	412,872	212,872	168,598	44,274
R010A Rrg: Springhill Road - Widen & Reconstruct Slk'S 0.08 - 0.58 & Slk 3.85	352,128	158,128	13,867	144,261
RTR011 Rtr: Williams Road - Gravel Sheeting Slk 16.30 - 17.90	59,573	0	0	0
RTR029 Rtr: Congelin-Narrogin Road - Gravel Sheeting Slk'S 4.58 - 6.87 & Slk 8.:	191,067	0	12,800	(12,800)
RTR095 Roads To Recovery - Alton Street	0	0	1,350	(1,350)
RTR096 Roads To Recovery - Austral Street	0	0	0	0
RTR139 Roads To Recovery - Darcy Street	0	0	0	0
RTR139A Rtr: Darcy Street - Completion Of 24/25 Street Alignment Slk 0.00 - 0.3	86,875	86,875	24,219	62,656
WF129D Wsfm - 2022/23 Narrogin Wandering Road-Development	0	0	9,243	(9,243)
WSF008 Wsfm - Cuballing East Reconstruction Slk'S 0.10 - 10.48 & 2.42 - 12.80	0	0	123	(123)
WSF009 Wsfm: Cuballing East Road - Reconstruct 5.31K Section Slk 12.80 - 18.1:	2,270,559	2,270,559	2,063,679	206,880
WSH008R Wsfm: Cuballing East Road - 24/25 Reconstruction Works Final Seal Slk'	251,097	251,097	176,152	74,945
<b>Total Roads</b>	<b>3,624,171</b>	<b>2,979,531</b>	<b>2,470,031</b>	<b>509,500</b>
<b>Bridges</b>				
11214 Bridge Improvements - Capital Upgrades	40,000	20,000	17,400	2,600
<b>Total Bridges</b>	<b>40,000</b>	<b>20,000</b>	<b>17,400</b>	<b>2,600</b>
<b>Parks, Ovals &amp; Playgrounds</b>				
C207 Heritage Walk Trail	15,000	0	0	0
C216 Popanyinning Recreation Grounds	85,000	85,000	1,500	83,500
C223 Yornaning Dam Playground Fencing	16,500	16,500	0	16,500
<b>Total Parks, Ovals &amp; Playgrounds</b>	<b>116,500</b>	<b>101,500</b>	<b>1,500</b>	<b>100,000</b>
<b>Other Infrastructure</b>				
C225 Remote Weather Stations	10,000	10,000	0	10,000
C201 Cuballing Railway Reserve	20,000	0	0	0
C222 Cuballing Town Centre Master Plan	20,000	0	0	0
C227 Popanyinning War Memorial	20,000	20,000	0	20,000
C228 Popanyinning Community Shed	15,000	0	0	0
C224 Cuballing Dam Retic Pump	8,500	8,500	8,116	384
<b>Total Other Infrastructure</b>	<b>93,500</b>	<b>38,500</b>	<b>8,116</b>	<b>30,384</b>
<b>TOTAL CAPITAL EXPENDITURE</b>	<b>4,685,371</b>	<b>3,618,731</b>	<b>2,965,305</b>	<b>653,426</b>

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026**

**FINANCING ACTIVITIES  
NOTE 8  
BORROWINGS**

**Repayments - borrowings**

Information on borrowings Particulars	Loan No.	1 July 2025	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Education and welfare</b>										
Aged Accommodation	56	633,805	0	0	(38,955)	(78,795)	594,850	555,010	15,935	27,945
<b>Transport</b>										
Grader	67	253,617	0	0	(81,283)	(81,283)	172,334	172,334	5,440	9,143
<b>Other property and services</b>										
Austral Land	64	68,171	0	0	(8,203)	(16,495)	59,968	51,676	776	1,390
Industrial Land	68	0	0	250,000	0	(21,808)	0	228,192	0	7,500
<b>Total</b>		955,593	0	250,000	(128,441)	(198,381)	827,152	1,007,212	22,151	53,478
Current borrowings		198,381					48,132			
Non-current borrowings		757,212					779,020			
		955,593					827,152			

All debenture repayments were financed by general purpose revenue.

The Shire has no unspent debenture funds as at 30th June 2025, nor is it expected to have unspent funds as at 30th June 2026.

**KEY INFORMATION**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026**

**OPERATING ACTIVITIES  
NOTE 9  
RESERVE ACCOUNTS**

**Reserve accounts**

<b>Reserve name</b>	<b>Opening Balance</b>	<b>Budget Interest Earned</b>	<b>Actual Interest Earned</b>	<b>Budget Transfers In (+)</b>	<b>Actual Transfers In (+)</b>	<b>Budget Transfers Out (-)</b>	<b>Actual Transfers Out (-)</b>	<b>Budget Closing Balance</b>	<b>Actual YTD Closing Balance</b>
	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Restricted by Council</b>									
Plant and Equipment	53,158	2,995	998	85,000	0	0	0	141,153	54,156
Administration Building and IT and Office Equipment	9,834	30	236	0	0	0	0	9,864	10,070
Employee Entitlements	276,652	8,248	6,629	0	0	(50,000)	0	234,900	283,281
Housing Reserve	84,651	2,523	2,028	0	0	0	0	87,174	86,679
Recreation & Community Facility	104,683	3,571	2,508	0	0	0	0	108,254	107,191
Refuse Site	48,817	1,455	1,170	0	0	0	0	50,272	49,987
Equestrian	5,277	11	126	0	0	0	0	5,288	5,403
Standpipe Maintenance	4,401	131	105	0	0	0	0	4,532	4,506
Road and Bridges	112,874	3,365	2,705	0	0	0	0	116,239	115,579
Community and Sporting Club	5,714	170	137	0	0	0	0	5,884	5,851
Infrastructure Renewal	0	0	0	130,000	0	0	0	130,000	0
	<b>706,061</b>	<b>22,499</b>	<b>16,642</b>	<b>215,000</b>	<b>0</b>	<b>(50,000)</b>	<b>0</b>	<b>893,560</b>	<b>722,703</b>

	Note	Opening Balance 1 July 2025	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 28 February 2026
		\$		\$	\$	\$
<b>Other current liabilities</b>						
<b>Other liabilities</b>						
- Capital grant/contribution liabilities		126,627	0	0	(7,374)	119,253
<b>Total other liabilities</b>		126,627	0	0	(7,374)	119,253
<b>Employee Related Provisions</b>						
Annual leave		108,588	0	0	0	108,588
Long service leave		88,021	0	0	0	88,021
<b>Total Employee Related Provisions</b>		196,609	0	0	0	196,609
<b>Total other current assets</b>		<b>323,236</b>	<b>0</b>	<b>0</b>	<b>(7,374)</b>	<b>315,862</b>
Amounts shown above include GST (where applicable)						

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 12

#### KEY INFORMATION

##### Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

##### Employee Related Provisions

###### Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

###### Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

##### Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

##### Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026

NOTE 11  
OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability 1 July 2025	Increase in Liability	Decrease in Liability (As revenue)	Liability 28 Feb 2026	Current Liability 28 Feb 2026	Amended Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Operating grants and subsidies</b>								
<b>Governance</b>								
Income - Grant - Traineeship Incentives	7,374	0	(7,374)	0	0	7,374	7,374	7,374
<b>General purpose funding</b>								
Income - Grants Commission	0	0	0	0	0	646,351	262,787	262,786
<b>Law, order, public safety</b>								
Income - Fire Prevention - Grants	0	0	0	0	0	79,000	59,250	63,250
Income Fire Mitigation Grants	0	0	0	0	0	91,200	91,200	0
Income - DFES Aware Grant	0	0	0	0	0	20,900	0	0
<b>Recreation and culture</b>								
Income - Youth Activity Funding	0	0	0	0	0	1,000	1,000	0
Income - CSRFF Funding and Contributions	0	0	0	0	0	0	0	(4,545)
<b>Transport</b>								
Income - Grant - MRWA Direct	0	0	0	0	0	129,940	129,940	129,940
Income - Grants Commission Local Road Grant	0	0	0	0	0	695,374	174,295	174,295
	<b>7,374</b>	<b>0</b>	<b>(7,374)</b>	<b>0</b>	<b>0</b>	<b>1,671,139</b>	<b>725,846</b>	<b>633,100</b>

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026

NOTE 12

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue		
	Liability	Increase in	Decrease in	Liability	Current	Amended	YTD	YTD
	1 July 2025	Liability	Liability	28 Feb 2026	Liability	Budget	Budget	Revenue
	\$	\$	(As revenue)	\$	\$	\$	\$	\$
<b>Non-operating grants and subsidies</b>								
<b>General purpose funding</b>								
Income - LRCI Phase 4	109,197	0	0	109,197	0	145,019	0	0
<b>Community amenities</b>								
Community Development & Events - Grants	0	0	0	0	0	10,000	0	5,000
<b>Transport</b>								
Regional Road Grants	1,352	0	0	1,352	0	510,000	408,000	204,000
Wheatbelt Secondary Freight Network	8,704	0	0	8,704	0	2,342,385	1,882,836	1,793,638
Roads to Recovery	0	0	0	0	0	337,515	0	0
	<b>119,253</b>	<b>0</b>	<b>0</b>	<b>119,253</b>	<b>0</b>	<b>3,344,919</b>	<b>2,290,836</b>	<b>2,002,638</b>

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026**

**NOTE 13  
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2025	Amount Received	Amount Paid	Closing Balance 28 Feb 2026
	\$	\$	\$	\$
Cuballing Cricket Club	200	0	0	200
Department of Transport - Licensing	8,374	212,600	(207,447)	13,527
	<b>8,574</b>	<b>212,600</b>	<b>(207,447)</b>	<b>13,727</b>

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 28 FEBRUARY 2026**

**NOTE 14  
BUDGET AMENDMENTS**

Proposed amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	<b>Budget Adoption</b>						0
	Nil						
				0	0	0	0

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 Actual materially.

The material variance adopted by Council for the 2025-26 year is \$5,000 or 10.00% whichever is the greater.

Nature or type	Var. \$	Var. %	Timing / Permanent	Explanation of positive variances
				Comments
	\$	%		
<b>Opening funding surplus / (deficit)</b>	96,593	18.29%	▲ Permanent	EOFY Adjustments processed after budget adoption
<b>Revenue from operating activities</b>				
Rates	17,951	0.96%	Timing	Not Material
Operating grants, subsidies and contributions	(73,751)	(10.16%) ▼	Timing	DFES Fire Mitigation Grants
Fees and charges	81,882	28.03% ▲	Timing	Sale of Scrap Metal (\$23k), Town Planning Fees (\$15K), Standpipe Charges (\$22k) & Other (\$22k)
Interest earnings	(21,495)	(35.55%) ▼	Timing	Less interest earned on surplus funds
Other revenue	5,552	11.94% ▲	Timing	Workers Compensation Claim
Profit on disposal of assets	(1,786)	(22.33%) ▼	Permanent	CEO Vehicle Changeover
<b>Expenditure from operating activities</b>				
Employee costs	202,681	23.31% ▲	Timing	Staff on Workers Compensation and not all budgeted FTE's filled
Materials and contracts	356,274	36.52% ▲	Timing	Plant Operation Costs, Road Maintenance, Waste Collection, Audit Costs, Fire Mitigation, Valuation Costs, Community Events & Other
Utility charges	(50,724)	(54.86%) ▼	Timing	Standpipe Costs (Recovered)
Depreciation on non-current assets	(23,140)	(1.24%) ▼	Permanent	Roads & Aged Accommodation (Non Cash)
Interest expenses	9,647	30.34% ▲	Timing	24/25 Interest Accrual Reversal
Insurance expenses	(15,415)	(6.46%) ▼	Permanent	Additional Workers Compensation Costs
Other expenditure	(20,325)	(55.01%) ▼	Timing	Not Material
Loss on disposal of assets	4,400	48.89%		Not Applicable
Non-cash amounts excluded from operating activities	13,682	0.73%	Timing	Movement in pensioner deferred rates & depreciation
<b>Investing activities</b>				
Proceeds from non-operating grants, subsidies and contributions	(288,198)	(12.58%) ▼	Timing	WSFN
Proceeds from disposal of assets	2,014	2.10%	Timing	CEO Vehicle Changeover
Payments for property, plant and equipment and infrastructure	653,426	18.06% ▲	Timing	Road Replacement Program
Non-cash amounts excluded from investing activities	0	0.00%	Timing	Not Applicable
<b>Financing activities</b>				
Proceeds from new debentures	250,000	(100.00%) ▼	Timing	Loan hasn't been raised
Transfer from reserves	0	0.00%	Timing	Not Applicable
Payments for principal portion of lease liabilities	0	0.00%	Timing	Not Applicable
Repayment of debentures	21,807	14.51% ▲	Timing	Loan Repayments (New Loan & Loan 64)
Transfer to reserves	(1,666)	(11.12%) ▼	Timing	Not Material
<b>Closing funding surplus / (deficit)</b>	1,218,708	325.04%		As per explanations above

## 9.2 CHIEF EXECUTIVE OFFICER:

### 9.2.1 Code of Conduct for Council Members, Committee Members and Candidates

Applicant: Internal document  
File Ref. No:  
Disclosure of Interest: Nil  
Date: 11<sup>th</sup> March 2026  
Author: Chris Paget - Chief Executive Officer  
Attachments: 9.2.1A Proposed Code of Conduct – updated March 2026

#### Summary

For Council to consider and approve the proposed updated Shire of Cuballing Code of Conduct for Council Members, Committee Members and Candidates.

#### Background/Comment

Amendments to the *Local Government Act 1995* and associated regulations took effect on the 1<sup>st</sup> January 2026, which included changes to the Model Code of Conduct. These changes require Local Governments to amend their existing Code of Conduct to incorporate the new changes by the 31<sup>st</sup> March 2026, and the CEO must then publish the updated Code on the Shire website.

The changes relate substantially to the role of the Local Government Inspector and the manner in which any complaints about a breach of the Council's Code of Conduct are dealt with. These have been highlighted in the attached document. As a result of this, additional changes will also be required to Council's Behavioural Breach complaint forms and our associated Complaints Management Policy and procedures. These changes will be presented to Council for consideration at a later date.

#### Statutory/Legal Implications

- *Local Government Act 1995* sections 5.103 Model code of conduct and 5.104 Adoption of model code of conduct
- Local Government (Model Code of Conduct) Regulations 2021
- Local Government (Administration) Regulations 1996
- Local Government (Local Government Inspector) Regulations 2025

#### Policy Implications

Nil with the Code of Conduct, however some changes will be required to Complaints Management policy and procedures as noted in this report.

#### Financial Implications

Nil

#### Strategic Implications

##### **Shire of Cuballing Strategic Community Plan 2023-2033:**

##### Governance

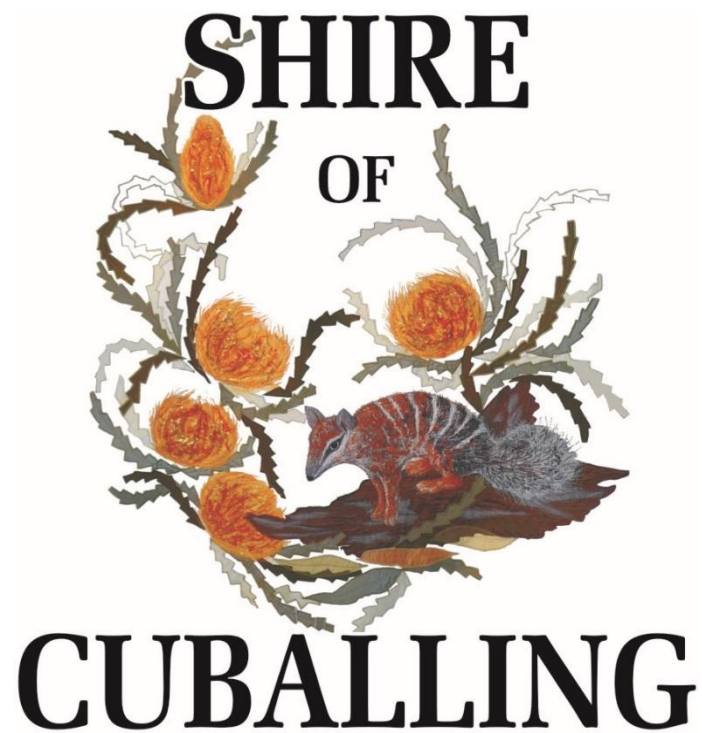
- Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.
- Enhancing community information and engagement.

#### Voting Requirements

Absolute majority

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

**That Council adopts the updated Shire of Cuballing Code of Conduct for Council Members, Committee Members and Candidates.**



**CODE OF CONDUCT  
FOR COUNCIL MEMBERS,  
COMMITTEE MEMBERS AND  
CANDIDATES**

Adopted:

## Division 1 — Preliminary provisions

### 1. Citation

This is the Shire of Cuballing Code of Conduct for Council Members, Committee Members and Candidates.

### 2. Terms used

(1) In this code —

**Act** means the Local Government Act 1995;

**candidate** means a candidate for election as a council member;

**complaint** means a complaint made under clause 11(1);

**publish** includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act unless the contrary intention appears.

## Division 2 — General principles

### 3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

### 4. Personal integrity

(1) A council member, committee member or candidate should —

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and
- (e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

- (a) act in accordance with the trust placed in council members and committee members; and
- (b) participate in decision making in an honest, fair, impartial and timely manner; and
- (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
- (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

### 5. Relationship with others

(1) A council member, committee member or candidate should —

- (a) treat others with respect, courtesy and fairness; and
- (b) respect and value diversity in the community.

(2) A council member or committee member should maintain and contribute to a harmonious, safe and productive working environment.

## **6. Accountability**

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

## **Division 3 — Behaviour**

### **7. Overview of Division**

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

### **8. Personal integrity**

- (1) A council member, committee member or candidate —
  - (a) must ensure that their use of social media and other forms of communication complies with this code; and
  - (b) must only publish material that is factually correct.
- (2) A council member or committee member —
  - (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
  - (b) must comply with all policies, procedures and resolutions of the local government.

### **9. Relationship with others**

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

### **10. Council or committee meetings**

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and

- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

## 11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
  - (a) in writing in the form approved by the local government; and
  - (b) to a person authorised under subclause (3); and
  - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.
- (4) A complaint must be dealt with under clauses 12 to 15 unless —
  - (a) the complaint is referred to the Inspector in accordance with subclause (5); and
  - (b) the Inspector refers the complaint to be dealt with under Part 8A Division 5 of the Act.

Note for this subclause: See Section 5.105(1) of the Act.

- (5) If the Local Government (Model Code of Conduct) Regulations 2021 regulation 3A applies to a complaint, a person authorised under subclause (3) must refer the complaint to the Inspector under section 5.;105(3) of the Act.
- (6) A complaint must also be dealt with under clauses 12 to 15 if the Inspector refers the complaint to the local government under the Local Government (Local Government Inspector) Regulations 2025 regulation 6.

[Clause 11 amended: SL 2025/208 r.43]

## 12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.

Note for this subclause: See also clause 14A in relation to the appointment of a monitor to assist the local government to deal with matters raised by a complaint.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
  - (a) take no further action; or
  - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
  - (a) engage in mediation;
  - (b) undertake counselling;
  - (c) undertake training;
  - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
  - (a) its finding and the reasons for its finding; and
  - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

[Clause 12 amended: SL 2025/208 r.44.]

### **13. Dismissal of complaint**

- (1) The local government must dismiss a complaint if it is satisfied that —
  - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
  - (b) either —
    - (i) the behaviour was dealt with by the person presiding at the meeting; or
    - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

### **14. Withdrawal of complaint**

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
  - (a) in writing; and
  - (b) given to a person authorised under clause 11(3).

### **14A. Appointment of a monitor**

- (1) The Inspector may appoint a monitor for the local government to assist the local government to deal with matters raised by a complaint.
- (2) If the Inspector appoints a monitor —
  - (a) The Inspector may direct the local government to defer further dealing with the complaint until the monitor reports to the Inspector on the outcome of the monitoring assignment; and
  - (b) The local government must comply with the direction.

[Cause 14A inserted: SL 2025/205 r.45.]

### **14B. Performance of local government's functions under cl. 12 and 13**

- (1) The local government's functions under clauses 12 and 13 must be performed by the council.
- (2) Despite subclause (1), the council may, by resolution carried with an absolute majority of the council, authorise a committee of the council comprising council members only to perform a function for and on behalf of the local government.
- (3) Despite subclause (1), the council may, by resolution carried with an absolute majority of the council, authorise a person who is none of the following to perform a function for and on behalf of the local government —
  - (a) A member of the council of any local government;
  - (b) A member of the governing body of any regional subsidiary;
  - (c) An employee of and local government or regional subsidiary;
  - (d) An employee of WALGA of the Local Government Professionals Australia (WA);

- (e) A member of the governing body of, or an employee of, a body corporate the activities of which are, wholly or partly, advocating or otherwise acting for, or on behalf of, 1 or more of the following:
- i. Local governments;
  - ii. Members of councils;
  - iii. Employees of local governments.

(4) A resolution made under subclause (3) must include the following –

- (a) A statement to the effect that the council is satisfied that the person being authorised is suitably qualified and experienced to perform the function;
- (b) An explanation as to why the council is satisfied as referred to in paragraph (a);
- (c) A statement to the effect that the council is satisfied that the person being authorised is impartial and has no close association with any member of the council or any employee of the local government.

(5) Nothing in this clause prevents an employee of the local government from providing in relation to the performance of a function, any advice or other assistance to the council, a committee authorised under subclause (2) or a person authorised under subclause (3).

[Clause 14B inserted: SL 2025/208 r.45.]

## 15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.
- (3) Clauses 14A and 14B do not apply in relation to a complaint made before 1 January 2026.

Note for this clause: See also section 5.105(4) and (5) of the Act for restrictions on the activities of a person who makes a complaint or who is alleged to have breached a requirement set out in this Division.

[Clause 15 amended: SL 2025/208 r.46.]

## Division 4 — Rules of conduct

Notes for this Division:

1. Under section 8A.3(1) of the Act a council member commits a conduct breach if the council member contravenes a rule of conduct. Section 8A.3(2) of the Act extends this to the contravention of a rule of conduct that occurred when the council member was a candidate.
2. A conduct breach is dealt with under Part 8A Division 5 of the Act.

## 16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

## 17. Misuse of local government resources

- (1) In this clause —

**electoral purpose** means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the Electoral Act 1907 or the Commonwealth Electoral Act 1918;

**resources** of a local government includes —

- (a) local government property; and
- (b) services provided, or paid for, by a local government.

- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

#### **18. Securing personal advantage or disadvantaging others**

- (1) A council member must not make improper use of their office —
  - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
  - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or The Criminal Code section 83.

#### **19. Prohibition against involvement in administration**

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

#### **20. Relationship with local government employees**

- (1) In this clause —

**local government employee** means a person —

- (a) employed by a local government under section 5.36(1) of the Act; or
- (b) engaged by a local government under a contract for services.

- (2) A council member or candidate must not —
  - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
  - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
  - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

- (a) make a statement that a local government employee is incompetent or dishonest; or
  - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV.

## 21. Disclosure of information

- (1) In this clause —

### ***closed meeting*** —

- (a) means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2), (3) or (4) of the Act; and
- (b) includes a council or committee meeting held before 1 January 2026, or a part of a council or committee meeting held before 1 January 2026, that was closed to members of the public under section 5.23(2) of the Act as in force before 1 January 2026;

***confidential document*** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

***document*** includes a part of a document;

***non confidential document*** means a document that is not a confidential document.

- (2) A council member must not disclose information that the council member —
- (a) derived from a confidential document; or
  - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
- (a) at a closed meeting; or
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

[Clause 21 amended: SL 2025/208 r.48.]

## 22. Disclosure of interests

- (1) In this clause —

### ***interest*** —

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
- (b) includes an interest arising from kinship, friendship or membership of an association.

- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
  - (a) in a written notice given to the CEO before the meeting; or
  - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
  - (a) that they had an interest in the matter; or
  - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
  - (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
  - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
  - (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
  - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

### **23. Compliance with plan requirement**

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

## 9.2.2 2025-26 Annual Budget Review

Applicant: Internal report  
File Ref. No: ADM102  
Disclosure of Interest: Nil  
Date: 12 March 2026  
Author: Chris Paget – Chief Executive Officer  
Attachments: 9.2.2A 2025-26 Annual Budget Review

### Summary

For Council to consider and adopt the Budget Review as presented in the document 2025-26 Annual Budget Review for the period 1 July 2025 to 28 February 2026.

### Background

The 2025/26 Budget Review incorporating year-to-date budget variations and the projected forecasts to 30 June 2026 is presented for Council consideration. The Local Government (Financial Management) Regulations 1996, Regulation 33A as amended, requires that local governments conduct a budget review between 1 January and the last day of February in each financial year. Upon adoption, a copy of the review and determination is to be provided to the Department of Local Government within 14 days thereafter.

This review considers the financial position as of 28 February 2026 and projects Council's annual budget position by the end of the financial year.

### Comment

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. Council adopted a 10% and a \$5,000 minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

These projections are estimates done to the best of the abilities of the staff via thorough review of current accounts, forecast expenditure levels and income projections. These estimates do not guarantee that the 2025/2026 projected results will match the end of year result.

The attached Budget Review report details and provides explanations for predicted variances shown in the review forecasts for this financial year.

### Statutory Environment

Local Government (Financial Management) Regulations 1996  
Part 3 Annual budget — s. 6.2

#### 33A. Review of budget

(1) Between 1 January and last day of February in each year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must –

- (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
- (b) consider the local government's financial position as at the date of the review; and
- (c) review the outcomes for the end of that financial year that are forecast in the budget; and
- (d) include the following –
  - (i) the annual budget adopted by the local government;
  - (ii) an update of the estimates included in the annual budget;
  - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;

(iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.

(2) The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.

(3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*\*Absolute majority required.*

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

#### Policy Implications

Nil

#### Financial Implications

The review incorporates projected variances and proposed budget amendments that will result in an anticipated balanced closing budget with nil surplus or deficit at 30 June 2026.

#### Consultation

Internal            Executive management team  
                          Martin Whitely, Finance Consultant

#### Strategic Implications

##### **Shire of Cuballing Strategic Community Plan 2023-2033:**

##### Governance

- Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.
- Enhancing community information and engagement.

#### Voting Requirements

Absolute majority required

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

**That Council adopt the Budget Review for the financial year 2025/2026 as conducted in accordance with Regulation 33A(2) and (3) of the Local Government (Financial Management) Regulations 1996.**



**SHIRE OF CUBALLING  
BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 28 FEBRUARY 2025**

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

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**SHIRE OF CUBALLING  
STATEMENT OF BUDGET REVIEW  
(NATURE OR TYPE)  
FOR THE PERIOD ENDED 28 FEBRUARY 2025**

	Note	Budget v Actual		Predicted	
		Annual Budget (a)	YTD Actual (b)	Variance Permanent (c)	Year End (a)+(c)
<b>OPERATING ACTIVITIES</b>					
<b>Net current assets at start of financial year</b>		\$ 528,029	\$ 624,622	\$ 96,593	\$ 624,622 ▲
<b>Revenue from operating activities (excluding rates)</b>					
Operating grants, subsidies and contributions	4.1.3	1,671,140	652,095	(82,812)	1,588,328 ▼
Fees and charges	4.1.2	396,374	374,011	73,000	469,374 ▲
Interest earnings	4.1.4	90,700	38,961	(35,000)	55,700 ▼
Other revenue	4.1.5	69,770	52,040	67,500	137,270 ▲
Profit on asset disposals	4.1.1	8,000	6,214	(1,786)	6,214 ▼
		<u>2,235,983</u>	<u>1,123,321</u>	<u>20,902</u>	<u>2,256,885</u>
<b>Expenditure from operating activities</b>					
Employee costs	4.2.1	(1,304,853)	(666,871)	0	(1,304,853) ▼
Materials and contracts	4.2.2	(1,350,489)	(619,352)	(20,000)	(1,370,489) ▼
Utility charges	4.2.3	(174,753)	(143,184)	(40,000)	(214,753) ▼
Depreciation on non-current assets	4.2.4	(2,808,152)	(1,895,140)	0	(2,808,152) ▼
Interest expenses	4.2.5	(45,978)	(22,151)	7,500	(38,478) ▲
Insurance expenses	4.2.6	(238,568)	(253,983)	(15,415)	(253,983) ▼
Loss on asset disposals	4.2.7	(9,000)	(4,600)	4,400	(4,600) ▲
Other expenditure	4.2.8	(59,466)	(57,271)	(46,636)	(106,103) ▼
		<u>(5,991,259)</u>	<u>(3,662,552)</u>	<u>(110,151)</u>	<u>(6,101,409)</u>
Non-cash amounts excluded from operating activities	4.5.3	2,767,400	1,886,683	(2,614)	2,764,786 ▼
<b>Amount attributable to operating activities</b>		<u>(459,846)</u>	<u>(27,926)</u>	<u>4,730</u>	<u>(455,116)</u>
<b>INVESTING ACTIVITIES</b>					
Non-operating grants, subsidies and contributions	4.3.1	3,344,919	2,002,638	(84,000)	3,260,919 ▼
Purchase land held for resale	4.4.1	0	0	0	0
Purchase land and buildings	4.4.2	(320,600)	(263)	0	(320,600) ▼
Purchase plant and equipment	4.4.3	(465,000)	(457,700)	(0)	(465,000) ▼
Purchase furniture and equipment	4.4.4	(25,600)	(10,295)	(2,195)	(27,795) ▼
Purchase and construction of infrastructure - roads	4.4.5	(3,624,171)	(2,470,030)	60,000	(3,564,171) ▲
Purchase and construction of infrastructure - bridges	4.4.6	(40,000)	(17,400)	0	(40,000) ▼
Purchase and construction of infrastructure - parks & gardens	4.4.7	(116,500)	(1,500)	(40,000)	(156,500) ▼
Purchase and construction of infrastructure - other	4.4.8	(93,500)	(8,116)	0	(93,500) ▼
Proceeds from disposal of assets	4.3.2	96,000	98,014	2,014	98,014 ▲
<b>Amount attributable to investing activities</b>		<u>(1,244,452)</u>	<u>(864,651)</u>	<u>(64,181)</u>	<u>(1,308,633)</u>
<b>FINANCING ACTIVITIES</b>					
Repayment of borrowings	4.4.9	(198,380)	(128,440)	21,808	(176,573) ▲
Payments for principal portion of lease liabilities	4.4.9	0	0	0	0
Proceeds from new borrowings	4.3.3	250,000	0	0	250,000 ▲
Transfers to cash backed reserves	4.3.4	(237,500)	(16,643)	0	(237,500) ▼
Transfers from cash backed reserves	4.3.5	50,000	0	0	50,000 ▲
<b>Amount attributable to financing activities</b>		<u>(135,880)</u>	<u>(145,084)</u>	<u>21,808</u>	<u>(114,073)</u>
<b>Budget deficiency before general rates</b>		<u>(1,840,179)</u>	<u>(1,037,661)</u>	<u>(37,643)</u>	<u>(1,877,822)</u>
<b>Estimated amount to be raised from general rates</b>		<u>1,840,179</u>	<u>1,881,429</u>	<u>37,643</u>	<u>1,877,823</u> ▲
<b>Closing funding surplus(deficit)</b>	3	<u>0</u>	<u>843,768</u>	<u>0</u>	<u>0</u>

**SHIRE OF CUBALLING**  
**NOTES TO AND FORMING PART OF THE BUDGET REVIEW REPORT**  
**FOR THE PERIOD ENDED 28 FEBRUARY 2025**

## **1. BASIS OF PREPARATION**

The budget review report has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authorities 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 budget review report are presented below and have been consistently applied unless stated otherwise.

The report has 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 Shire of Cuballing controls resources to carry on its functions have been included in the financial statements forming part of this budget review.

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.

### **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.

### **2025/26 ACTUAL BALANCES**

Balances shown in this budget review report as 2025/26 Actual are as forecast at the time of budget review preparation and are subject to final adjustments.

### **ROUNDING OFF FIGURES**

All figures shown in this budget review report are rounded to the nearest dollar.

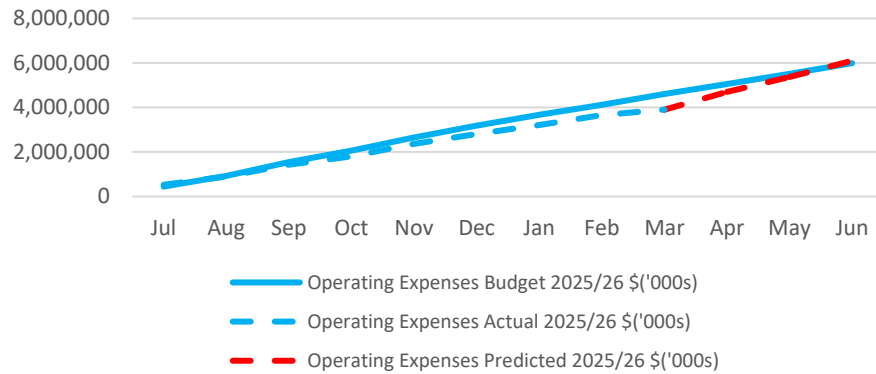
### **BUDGET COMPARATIVE FIGURES**

Unless otherwise stated, the budget comparative figures shown in this budget review report relate to the original budget estimate for the relevant item of disclosure.

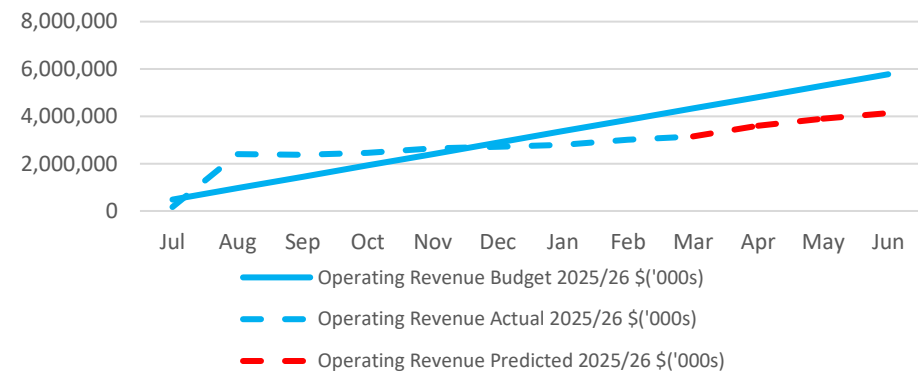
**SHIRE OF CUBALLING  
SUMMARY GRAPHS - BUDGET REVIEW  
FOR THE PERIOD ENDED 28 FEBRUARY 2025**

**2. SUMMARY GRAPHS - BUDGET REVIEW**

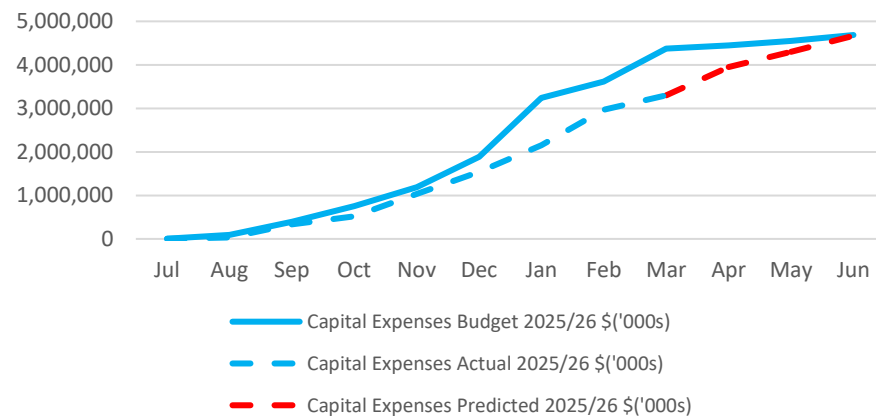
**Operating Expenses**



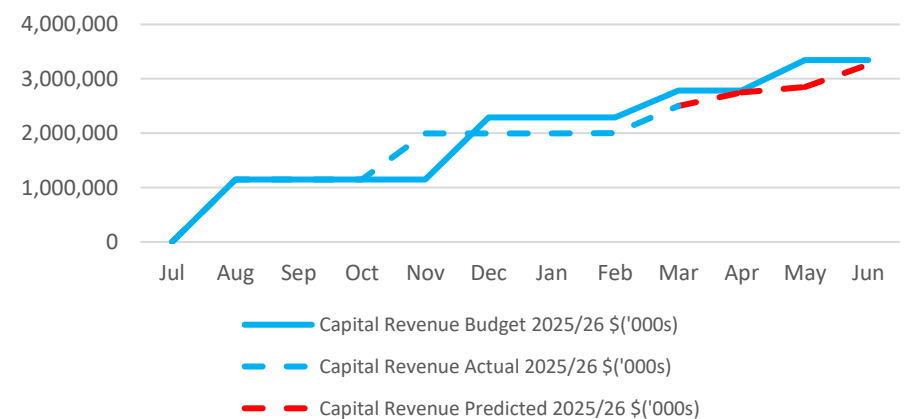
**Operating Revenue**



**Capital Expenditure**



**Capital Revenue**

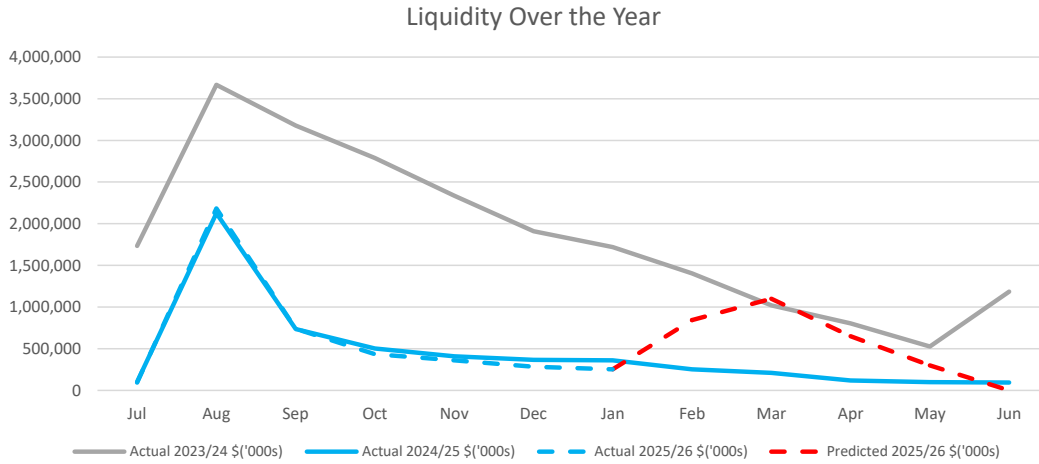


This information is to be read in conjunction with the accompanying financial statements and notes.

**SHIRE OF CUBALLING  
NOTES TO THE BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 28 FEBRUARY 2025**

**3a. NET CURRENT FUNDING POSITION**

	Last Years Closing Jun-25	This Time Last Year Feb-25	Year to Date Actual Feb-25
	\$	\$	\$
<b>Current assets</b>			
Cash unrestricted	696,979	1,165,834	955,914
Cash restricted	706,061	689,429	722,704
Receivables - rates and rubbish	62,062	253,559	147,726
Receivables - other	57,594	136,067	110,584
Inventories	11,419	16,343	11,419
Other Assets	107,317	24,815	79,712
	1,641,433	2,286,047	2,028,060
<b>Less: current liabilities</b>			
Payables	(147,288)	(26,657)	(350,012)
ATO Payables	(910)	(26,656)	(10,879)
Prepaid Rates	(46,502)	(31,637)	(53,414)
Other Payables	(69,466)	(26,655)	(14,702)
Contract Liabilities	(126,627)	(26,654)	(119,253)
Long term borrowings	(176,573)	(26,653)	(48,132)
Provisions - employee	(196,609)	(26,652)	(196,609)
	(763,975)	(191,564)	(793,002)
<b>Adjustments and exclusions permitted by FM Reg 32</b>			
Less: Cash reserves	(706,061)	(689,429)	(722,704)
Add: Provisions - employee	276,653	270,028	283,282
Add: Long term borrowings	176,573	26,653	48,132
	624,622	1,701,735	843,768



**SHIRE OF CUBALLING  
NOTES TO THE BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 28 FEBRUARY 2025**

**SIGNIFICANT ACCOUNTING POLICIES**

**CASH AND CASH EQUIVALENTS**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, 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 shown as short term borrowings in current liabilities note of the budget.

**TRADE AND OTHER RECEIVABLES**

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

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other

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.

**INVENTORIES**

**General**

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**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 Shire of Cuballing's operational cycle. In the case of liabilities where the Shire of Cuballing 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 sale where it is held as non-current based on the Shire of Cuballing's intentions to release for sale.

**LOANS AND RECEIVABLES**

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss. Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

**TRADE AND OTHER PAYABLES**

Trade and other payables represent liabilities for goods and services

financial year that are unpaid and arise when the Shire of Cuballing becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

**EMPLOYEE BENEFITS**

**Short-Term Employee Benefits**

Benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire of Cuballing's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current of financial trade and other payables in the statement position. Shire of Cuballing's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

**PROVISIONS**

Provisions are recognised when the Shire of Cuballing has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**RATES, GRANTS, DONATIONS AND OTHER CONTRIBUTIONS**

Rates, grants, donations and other contributions are recognised as revenues when the Shire of Cuballing 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.

**SHIRE OF CUBALLING**  
**NOTES TO THE REVIEW OF THE ANNUAL BUDGET**  
**FOR THE PERIOD ENDED 28 FEBRUARY 2025**

**4. PREDICTED VARIANCES**

<b>Comments/Reason for Variance</b>	<b>Variance \$ Permanent</b>
<b>4.1 OPERATING REVENUE (EXCLUDING RATES)</b>	
<b>4.1.1 PROFIT ON ASSET DISPOSAL</b>	
Annual Plant Replacement Program	(1,786)
<b>4.1.2 FEES AND CHARGES</b>	
Aged Accommodation Rental	(6,000)
Planning Application Fees	16,000
Sale of Scrap Metal	23,000
Standpipe Charges	40,000
<b>4.1.3 GRANTS, SUBSIDIES AND CONTRIBUTIONS</b>	
DFES Administration Fee	4,000
Financial Assistance 26/27 Advanced Payment	(86,812)
<b>4.1.4 INTEREST EARNINGS</b>	
Interest on Municipal Funds	(35,000)
<b>4.1.5 OTHER REVENUE</b>	
Workers Compensation Claims	67,500
<b>4.2 OPERATING EXPENSES</b>	
<b>4.2.1 EMPLOYEE COSTS</b>	
Administration Staff	97,500
Outside Staff	(30,000)
Workers Compensation Claims	(67,500)
<b>4.2.2 MATERIAL AND CONTRACTS</b>	
Administration - Subscriptions (Council Connect Costs Re-allocated)	13,910
Administration - Economic Development	(25,000)
Administration - Support Services	(30,000)
ICT Related (Council Connect Costs Re-allocated)	(13,910)
Bush Fire Vehicle Servicing	(40,000)
Rubbish Collection	0
Road Maintenance	75,000
<b>4.2.3 UTILITY CHARGES</b>	
Standpipe Costs	(40,000)
<b>4.2.4 DEPRECIATION (NON CURRENT ASSETS)</b>	
Plant Depreciation	0

**SHIRE OF CUBALLING**  
**NOTES TO THE REVIEW OF THE ANNUAL BUDGET**  
**FOR THE PERIOD ENDED 28 FEBRUARY 2025**

**4. PREDICTED VARIANCES**

<b>Comments/Reason for Variance</b>	<b>Variance \$ Permanent</b>
	<hr/>
<b>4.2.5 INTEREST EXPENSES</b>	
Proposed New Loan for Industrial Land	7,500
<b>4.2.6 INSURANCE EXPENSES</b>	
LGIS Scheme - Workers Compensation	(15,415)
<b>4.2.7 LOSS ON ASSET DISPOSAL</b>	
Plant Replacement Program	4,400
<b>4.2.8 OTHER EXPENDITURE</b>	
Rates written Off (Reclassified as Other Expenditure)	(40,000)
Bank Merchant Fees	(3,000)
Bad Debts Written Off	(3,636)
<b>4.3 CAPITAL REVENUE</b>	
<b>4.3.1 GRANTS, SUBSIDIES AND CONTRIBUTIONS</b>	
Wheatbelt Secondary Freight Network	(84,000)
<b>4.3.2 PROCEEDS FROM DISPOSAL OF ASSETS</b>	
Annual Plant Replacement Program	2,014
<b>4.3.3 PROCEEDS FROM NEW DEBENTURES</b>	
No Material Variance	0
<b>4.3.4 TRANSFER TO RESERVES (RESTRICTED ASSETS)</b>	
No Material Variance	0
<b>4.3.5 TRANSFER FROM RESERVES (RESTRICTED ASSETS)</b>	
Equestrian Reserve	0
<b>4.4 CAPITAL EXPENSES</b>	
<b>4.4.1 LAND HELD FOR RESALE</b>	
No Material Variance	0
<b>4.4.2 LAND AND BUILDINGS</b>	
No Material Variance	0

**SHIRE OF CUBALLING**  
**NOTES TO THE REVIEW OF THE ANNUAL BUDGET**  
**FOR THE PERIOD ENDED 28 FEBRUARY 2025**

**4. PREDICTED VARIANCES**

**Comments/Reason for Variance**

**Variance**  
**\$**  
**Permanent**

**4.4.3 PLANT AND EQUIPMENT**

Works Manager Vehicle Changeover	(5,328)
CEO Vehicle Changeover	1,154
Small Plant Items	2,700
Variable Message Board	1,350
15 Tonne Excavator	124

**4.4.4 FURNITURE AND EQUIPMENT**

Administration Photocopier	1,705
Administration Laptops	(3,900)

**4.4.5 INFRASTRUCTURE ASSETS - ROADS**

Wheatbelt Secondary Freight - Cuballing East Reconstruction	90,000
Black Spot - Springhill / Wandering Narrogin Rd intersection	(30,000)

**4.4.6 INFRASTRUCTURE ASSETS - BRIDGES**

No Material Variance	0
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**4.4.7 INFRASTRUCTURE ASSETS - PARKS & OVALS**

Popanyinning Recreation Grounds	(40,000)
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**4.4.8 INFRASTRUCTURE ASSETS - OTHER**

No Material Variance	0
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**4.4.9 REPAYMENT OF DEBENTURES**

Industrial Land Loan	21,808
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**4.5 OTHER ITEMS**

**4.5.1 RATE REVENUE**

Rates written Off (Reclassified as Other Expenditure)	30,000
Rates Discounts Allowed	7,643

**4.5.2 OPENING FUNDING SURPLUS (DEFICIT)**

Finalisation of the 2024/25 annual financial statements	96,593
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**4.5.3 NON-CASH WRITE BACKS**

Profit on Sale of Assets	1,786
Loss on Sale of Assets	(4,400)
Depreciation	0

**Total Predicted Variances as per Annual Budget Review**

**(0)**

**SHIRE OF CUBALLING**  
**NOTES TO THE BUDGET REVIEW REPORT**  
**FOR THE PERIOD ENDED 28 FEBRUARY 2025**

**5. BUDGET AMENDMENTS**

GL Acc	Program	Description	Council Resolution	Classification	Non Cash Adjustments	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance	Explanation
					\$	\$	\$	\$	
		<b>Budget Adoption</b>						0	
		Opening Surplus(Deficit)		Opening Surplus(Deficit)			96,593	96,593	Finalisation of 2024/25 financial statements
03162	General Purpose Funding	Income - Rates Written-off	Proposed	Operating Expenses		30,000		126,593	Rates written off reallocated to other expenditure
03168	General Purpose Funding	Income - Less Discount Allowed	Proposed	Operating Expenses		7,643		134,236	Additional provision allowed for rate discounts
05150	Law, Order & Public Safety	Income - Fire Prevention - Grants	Proposed	Operating Revenue		4,000		138,236	ESL Administration Fee
12185	Transport	Income - Grants Commission Local Road Grant	Proposed	Operating Revenue			(86,812)	51,425	Revised forward estimate for advanced payment
12451	Transport	Income - Profit on Disposal of Assets	Proposed	Operating Revenue	(1,786)			51,425	Annual Plant Replacement Program (non cash)
08404	Education & Welfare	Aged Accommodation Units - Rental Income	Proposed	Operating Revenue			(6,000)	45,425	Vacant unit for part of the financial year
10650	Community Amenities	Income Relating to Town Planning & Regional Development	Proposed	Operating Revenue		16,000		61,425	One off planning application
12177	Transport	Income - Sale of scrap	Proposed	Operating Revenue		23,000		84,425	Sale of scrap metal to Sims Metal
13455	Economic Services	Income - Standpipe - Charges	Proposed	Operating Revenue		40,000		124,425	Standpipe water charges (offset by additional costs)
03201	General Purpose Funding	Income - Interest Received - Municipal Account	Proposed	Operating Revenue			(35,000)	89,425	Less surplus funds invested in term deposits than budgeted
14555	Other Property & Services	Income - Less Workers Compensation Claimed	Proposed	Operating Revenue		67,500		156,925	Employee claims reimbursed
12164	Transport	Wheatbelt Secondary Freight Network	Proposed	Operating Revenue			(84,000)	72,925	Project completed under budget / surplus funds returned
12480	Transport	Income - Proceeds on Disposal of Assets	Proposed	Operating Revenue		2,014		74,939	Annual Plant Replacement Program
04235	Governance	Expenditure - Administration Salaries	Proposed	Operating Expenses		97,500		172,439	Administration positions budgeted not filled
12205	Transport	Expenditure - Maintenance on streets and roads	Proposed	Operating Expenses			(30,000)	142,439	Outside staff positions budgeted not filled
14510	Other Property & Services	Expenditure - Workers Compensation Paid	Proposed	Operating Expenses			(67,500)	74,939	Workers compensation claims (reimbursed)
04107	Governance	Expenditure - Members - Subscriptions	Proposed	Operating Expenses		13,910		88,849	Council Connect costs (reallocated to ICT)
04239	Governance	Expenditure - Administration Other	Proposed	Operating Expenses			(25,000)	63,849	Assistance with business cases & funding applications
04248	Governance	Expenditure - Administration Support Services	Proposed	Operating Expenses			(30,000)	33,849	Additional support in absence of DCEO
04293	Governance	Expenditure - Computer Equipment - Mtnce	Proposed	Operating Expenses			(13,910)	19,939	Council Connect costs (budgeted under subscriptions)
05108	Law, Order & Public Safety	Expenditure - Mtnce of Plant and Equipment	Proposed	Operating Expenses			(40,000)	(20,061)	Additional maintenance for fire trucks
12205	Transport	Expenditure - Maintenance on streets and roads	Proposed	Operating Expenses		75,000		54,939	Lower use of contractors than budgeted
13410	Economic Services	Expenditure - Standpipe costs	Proposed	Operating Expenses			(40,000)	14,939	Standpipe water charges (offset by additional revenue)
13461	Economic Services	Interest on Loans - Loan 68 Industrial Land	Proposed	Operating Expenses		7,500		22,439	No repayment due in 25/26 if new loan is raised
04238	Governance	Expenditure- Insurance Administration	Proposed	Operating Expenses			(15,415)	7,024	Additional premium costs for workers compensation
12402	Transport	Expenditure - Loss on Disposal of Assets	Proposed	Operating Expenses	4,400			7,024	Annual Plant Replacement Program (non cash)
03162	Other Property & Services	Income - Rates Written-off	Proposed	Operating Expenses			(40,000)	(32,976)	Some additional rates written off (\$30k budgeted under rates)
04237	Governance	Expenditure - Merchant Bank Fees	Proposed	Operating Expenses			(3,000)	(35,976)	Additional merchant fees
04262	Governance	Expenditure - Bad Debts Written Off	Proposed	Operating Expenses			(3,636)	(39,612)	Groovefest sponsorship written off
04247	Capital Expenditure	Photocopier Capital Purchase	Proposed	Capital Expenses		1,705		(37,907)	Purchase came in under budget
C220	Capital Expenditure	Administration Laptops	Proposed	Capital Expenses			(3,900)	(41,807)	Purchase of additional laptop
12406	Capital Expenditure	Works Manager Vehicle Changeover	Proposed	Capital Expenses			(5,328)	(47,135)	Vehicle changeover more than budget due to new model
12414	Capital Expenditure	CEO Vehicle Changeover	Proposed	Capital Expenses		1,154		(45,981)	Item came in slightly under budget
12420	Capital Expenditure	Small Plant Items	Proposed	Capital Expenses		2,700		(43,281)	Reduced purchased to balance Plant Replacement Program
12425	Capital Expenditure	Variable Message Board	Proposed	Capital Expenses		1,350		(41,931)	Item came in slightly under budget
12433	Capital Expenditure	15 Tonne Excavator	Proposed	Capital Expenses		124		(41,807)	Item came in slightly under budget
WSF009	Capital Expenditure	WSFN - Cuballing East Rd SLK 12.80 - 18.11	Proposed	Capital Expenses		90,000		48,193	Project completed under budget / surplus funds returned
BS129	Capital Expenditure	Black Spot - Springhill / Wandering Narrogin Intersection	Proposed	Capital Expenses			(30,000)	18,193	Land payment for intersection
12148	Capital Expenditure	Loan 68 - Industrial Land Development	Proposed	Capital Expenses		21,808		40,000	No repayment due in 25/26 if new loan is raised
C216	Capital Expenditure	Popanyinning Recreation Grounds	Proposed	Capital Expenses			(40,000)	0	Additional scope of works required
<b>Amended Budget Cash Position as per Council Resolution</b>						2,614	502,907	(502,908)	0

### 9.2.3 Updated Employees Code of Conduct – Secondary Employment Provisions

Applicant: Internal document  
File Ref. No:  
Disclosure of Interest: Nil  
Date: 12 March 2026  
Author: Chris Paget - Chief Executive Officer  
Attachments: 9.2.3A Updated Employees Code of Conduct

#### Summary

This report seeks Council's review and endorsement of amendments to the Shire of Cuballing Code of Conduct for Employees, specifically the clause relating to secondary employment.

The proposed changes clarify approval, disclosure and compliance requirements for employees engaging in secondary employment, and ensure alignment with recent legislative and regulatory reforms under the *Local Government (Administration) Regulations 1996* and associated amendments that came into effect from 1 January 2026.

The amendments strengthen governance controls, mitigate conflict of interest risks, and provide clearer administrative processes for both employees and management.

#### Background

The Shire of Cuballing maintains an Employee Code of Conduct in accordance with section 5.51A of the *Local Government Act 1995* and Part 4A of the *Local Government (Administration) Regulations 1996*.

Clause 2.17 of the current Code addresses secondary employment and presently requires employees to obtain the Chief Executive Officer's prior written approval before undertaking secondary employment.

Recent local government regulatory reforms that commenced on 1 January 2026 have placed increased emphasis on:

- transparency
- proactive disclosure
- management of conflicts of interest
- protection of organisational performance and safety
- appropriate oversight of external engagements

To ensure compliance and best practice governance, administration has reviewed and updated the clause to provide greater clarity regarding employee responsibilities, approval processes and the circumstances in which secondary employment may be refused or withdrawn.

#### Comment

The revised clause introduces clearer procedural and risk management requirements, including:

- mandatory prior written approval from the CEO
- formal disclosure of the nature, hours and employer of the secondary employment
- assessment of conflicts of interest (actual, potential or perceived)
- confirmation that Shire duties, availability, safety and performance are not adversely affected

- prohibition where secondary employment involves competitors, contractors, suppliers, or parties with dealings with the Shire unless expressly approved
- authority for the CEO to impose conditions or withdraw approval where risks arise

These changes:

- align with contemporary local government governance standards
- protect organisational integrity and public confidence
- support employee transparency
- reduce legal and reputational exposure
- provide clear administrative processes for enforcement

The amendments are administrative in nature and do not materially restrict legitimate secondary employment, where risks are appropriately managed.

#### Legal Implications

The amendment ensures continued compliance with:

- *Local Government Act 1995 (s.5.51A)*
- *Local Government (Administration) Regulations 1996 (including Reg 19ADA and related provisions)*
- Local Government Act and Regulations amendment reforms effective 1 January 2026

Failure to update the Code may expose the Shire to governance and compliance risks relating to unmanaged conflicts of interest or misconduct.

#### Policy Implications

Employee Code of Conduct – Clause 2.17 Secondary Employment

#### Financial Implications

Nil

#### Strategic Implications

##### **Shire of Cuballing Strategic Community Plan 2023-2033:**

Governance

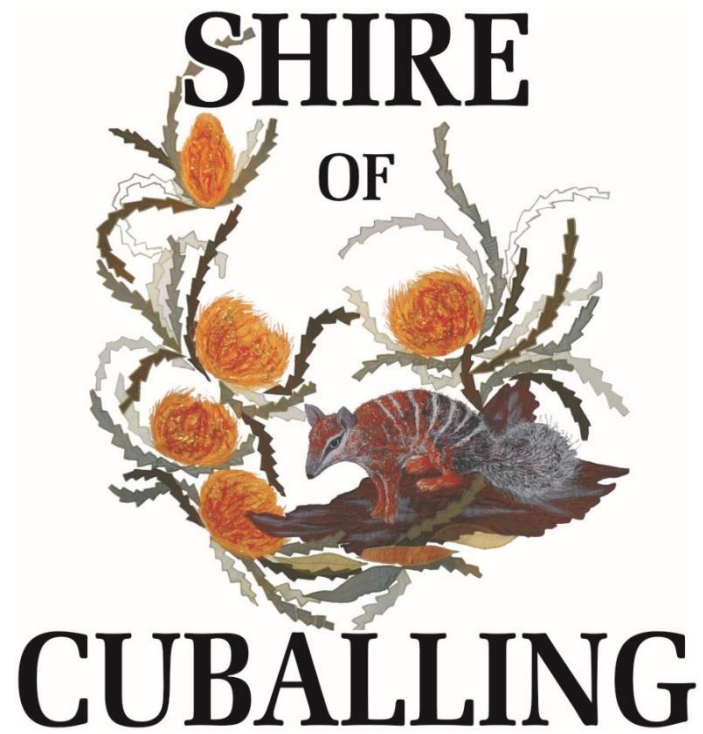
- Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.
- Enhancing community information and engagement.

#### Voting Requirements

Simple majority

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

**That Council endorses and adopts the amended Employee Code of Conduct incorporating the revised clause 2.17 – Secondary employment.**



**EMPLOYEES  
CODE OF CONDUCT**

Adopted:

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# 1 Introduction

The Shire of Cuballing Employee Code of Conduct (the Code) provides employees with clear guidelines for the standards of professional conduct expected of them in carrying out their functions and responsibilities.

The Code addresses the broader issue of ethical responsibility and encourages transparency and accountability. The Code expresses the Shire of Cuballing's commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.

The Code is complementary to the principles adopted in the *Local Government Act 1995* (the Act) and associated regulations, which incorporate four fundamental aims:

- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government.

## 1.1 Statutory environment

The Code addresses the requirement in section 5.51A of the Act for the CEO to prepare and implement a code of conduct to be observed by employees of the Local Government, and includes the matters prescribed in Part 4A of the *Local Government (Administration) Regulations 1996*. It also observes statutory requirements of the *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021* and the *Corruption, Crime and Misconduct Act 2003*.

The Code should be read in conjunction with the Act and associated regulations. Employees should ensure that they are aware of their statutory responsibilities under this and other legislation.

## 1.2 Application

For the purposes of the Code, the term employees includes persons employed by the Shire of Cuballing or engaged by the Shire of Cuballing under a contract for services. The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities. Clause 3.15 of this Code (Gifts), does not apply to the CEO (sections 5.71A and 5.71B of the *Local Government Act* apply instead).

# 2 Code of Conduct

## 2.1 Role of Employees

The role of employees in Local Government is determined by the functions of the CEO as set out in section 5.41 of the Act.

### 5.41. Functions of CEO

*The CEO's functions are to:*

- (a) *advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) *ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) *cause council decisions to be implemented;*
- (d) *manage the day to day operations of the local government;*

- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- (f) *speak on behalf of the local government if the mayor or president agrees;*
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

*Local Government Act 1995*

## **2.2 Principles affecting employment by the Shire of Cuballing**

The principles set out in section 5.40 of the Act apply to the employment of the Shire of Cuballing's employees:

### *5.40. Principles affecting employment by local governments*

*The following principles apply to a local government in respect of its employees —*

- (a) *employees are to be selected and promoted in accordance with the principles of merit and equity; and*
- (b) *no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and*
- (c) *employees are to be treated fairly and consistently; and*
- (d) *there is to be no unlawful discrimination against employees or persons seeking employment by the City on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and*
- (e) *employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and*
- (f) *such other principles, not inconsistent with this Division, as may be prescribed.*

*Local Government Act 1995*

## **2.3 Personal Behaviour**

Employees will:

- (a) act, and be seen to act, properly, professionally and in accordance with the requirements of the law, the terms of this Code and all policies of the Shire of Cuballing;
- (b) perform their duties impartially and in the best interests of the Shire of Cuballing, uninfluenced by fear or favour;
- (c) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire of Cuballing and the community;
- (d) make no allegations which are improper or derogatory (unless true and in the public interest);
- (e) refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (f) always act in accordance with their obligation of fidelity to the Shire of Cuballing.

## **2.4 Honesty and Integrity**

Employees will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) be frank and honest in their official dealing with each other; and
- (c) report any dishonesty or possible dishonesty on the part of any other employee to their Supervisor, any Manager, the Deputy CEO or the CEO in accordance with this Code and the Shire of Cuballing's policies.

## **2.5 Performance of Duties**

While on duty, employees will give their whole time and attention to the Shire of Cuballing's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire of Cuballing.

## **2.6 Compliance with Lawful and Reasonable Directions, Decisions and Policies**

- (a) Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including, but not limited to, their Supervisor, any Manager, the Deputy CEO or the CEO.
- (b) Employees will give effect to the lawful decisions and policies of the Shire of Cuballing, whether or not they agree with or approve of them.

## **2.7 Administrative and Management Practices**

Employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

## **2.8 Intellectual Property**

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Shire of Cuballing upon its creation unless otherwise agreed by separate contract.

## **2.9 Recordkeeping**

Employees will ensure complete and accurate local government records are created and maintained in accordance with the Shire of Cuballing's Recordkeeping Plan.

## **2.10 Dealing with Other Employees**

- (a) Employees will treat other employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.
- (b) Employees must be aware of, and comply with, their obligations under relevant law and the Shire of Cuballing's policies including Occupational Safety & Health Policy, Equal Opportunity in the Workplace Policy, Risk Management Policy, and Smoke Free Workplace Policy.

- (c) Employee behaviour should reflect the Shire of Cuballing's values and contribute towards creating and maintaining a safe and supportive workplace.

## **2.11 Dealing with community**

- (a) Employees will treat all members of the community with respect, courtesy and professionalism.
- (b) All Shire of Cuballing services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly and equitably.

## **2.12 Professional Communications**

- (a) All aspects of communication by employees (including verbal, written and electronic), involving the Shire of Cuballing's activities should reflect the status, values and objectives of the Shire of Cuballing.
- (b) Communications should be accurate, polite and professional.

## **2.13 Personal Communications and Social Media**

- (a) Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether intended or not.
- (b) Employees must not, unless undertaking a duty in accordance with their employment, disclose information, make comments or engage in communication activities about or on behalf of the Shire of Cuballing, its Council Members, employees or contractors, which breach this Code.
- (c) Employee comments which become public and breach the Code of Conduct, or any other operational policy or procedure, may constitute a disciplinary matter and may also be determined as misconduct and be notified in accordance with the *Corruption, Crime and Misconduct Act 2003*.

- (d) Employees must be aware of and comply with the Shire of Cuballing's Social Media and Usage of Information Technology policies.

## **2.14 Personal Presentation**

Employees are expected to comply with professional, neat and responsible dress standards at all times, in accordance with the Shire of Cuballing's relevant policies and procedures.

## **2.15 Gifts**

- (a) Application

This clause does not apply to the CEO who is bound by separate gift provision under the Local Government Act 1995

- (b) Definitions

In this clause –

**activity involving a local government discretion** means an activity —

- (a) that cannot be undertaken without an authorisation from the local government; or
- (b) by way of a commercial dealing with the local government;

[r.19AA of the *Local Government (Administration) Regulations 1996*]

**associated person** means a person who —

- (a) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (b) it is reasonable to believe, is intending to undertake an activity involving a local government discretion;

[r.19AA of the *Local Government (Administration) Regulations 1996*]

**gift** means —

(a) has the meaning given in section 5.57 of the *Local Government Act 1995*; but

(b) does not include —

- (i) a gift from a relative as defined in section 5.74(1); or
- (ii) a gift that must be disclosed under the *Local Government (Elections) Regulations 1997* regulation 30B; or
- (iii) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
- (iv) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876), the Local Government Supervisors Association of WA Inc. (ABN 85 632 532 544), the Local Government Professionals Australia WA (ABN 91 208 607 072) or the LG Professionals Australia (ABN 85 004 221 818);

[r.19AA of the *Local Government (Administration) Regulations 1996*]

(c) a conferral of a financial benefit (including disposition of property) made by one person in favour of another person unless adequate consideration in money of money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or

(d) a travel contribution.

**prohibited gift**, in relation to a local government employee, means —

- (a) a gift worth the threshold amount or more; or
- (b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more;

**reportable gift** means:

- (a) a gift worth more than \$50 but less than \$300; or
- (b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth more than \$50 but less than \$300.

**relative**, in relation to a relevant person, means any of the following —

- (a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;
- (b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a),

whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and

whether the relationship is a natural relationship or a relationship established by a written law.

**threshold amount** has the meaning given to it in the *Local Government (Administration) Regulations 1996*, subject to the CEO's determination under subclause (c).

**token gift** means a gift, or multiple gifts, that are less than the minimum notifiable gift threshold.

**travel** includes accommodation incidental to a journey.

**travel contribution** means a financial or other contribution made by 1 person to travel undertaken by another person.

(c) Determination

In accordance with Regulation 19AF of the *Local Government (Administration) Regulations 1996* the CEO has determined \$300 as the threshold amount for prohibited gifts.

(d) Employees must not accept a prohibited gift from an associated person.

(e) An employee who accepts a reportable gift from an associated person is to notify the CEO in accordance with subclause (f) and within 10 days of accepting the gift.

(f) The notification of the acceptance of a reportable gift must be in writing and include:

- (i) the name of the person who gave the gift; and
- (ii) the date on which the gift was accepted; and
- (iii) a description, and the estimated value, of the gift; and
- (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
- (v) if the gift is one of two or more accepted from the same person within a period of one year:
  - (1) a description;
  - (2) the estimated value; and
  - (3) the date of acceptance,

of each other gift accepted within the one year period.

(g) The CEO will maintain a register of reportable gifts and record in it details of notifications given to comply with subclause (f).

(h) The CEO will arrange for the register maintained under subclause (g) to be published on the Shire of Cuballing's official website.

(i) As soon as practicable after a person ceases to be an employee, the CEO will remove from the register all records relating to that person. The removed records will be retained for a period of at least 5 years.

## 2.16 Conflict of Interest

(a) Employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.

(b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of Cuballing, without first disclosing the interest to the CEO. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.

- (c) Employees will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Shire of Cuballing, or which may otherwise be in conflict with the Local Government's functions (other than purchasing the principal place of residence).
- (d) Employees who exercise a recruitment or any other discretionary function will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and will disqualify themselves from dealing with those persons.
- (e) Employees will conduct themselves in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

## 2.17 Secondary Employment

In accordance with Regulation 19ADA of the *Local Government (Administration) Regulations 1996*, employees must obtain the Chief Executive Officer's prior written approval before engaging in any secondary employment, whether paid or unpaid.

## 2.18 Disclosure of Financial Interests

- (a) All employees will apply the principles of disclosure of financial interest as contained within the Act.
- (b) Employees who have been delegated a power or duty, have been nominated as 'designated employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under the Act.

## 2.19 Disclosure of Interests Relating to Impartiality

- (a) In this clause, **interest**—
  - (i) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
  - (ii) includes an interest arising from kinship, friendship or membership of an association.
- (b) An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest:
  - (i) in a written notice given to the CEO before the meeting; or
  - (ii) at the meeting immediately before the matter is discussed.
- (c) An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter:
  - (i) in a written notice given to the CEO before the meeting; or
  - (ii) at the time the advice is given.
- (d) A requirement described under (b) and (c) excludes an interest referred to in Section 5.60 of the Act.
- (e) An employee is excused from a requirement made under (b) or (c) to disclose the nature of an interest because they did not now and could not reasonably be expected to know:
  - (i) that they had an interest in the matter; or

- (ii) that the matter in which they had an interest would be discussed at the meeting and they disclosed the nature of the interest as soon as possible after the discussion began.
- (f) If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of (b) or (c), then:
- (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
  - (ii) at the meeting the person presiding must bring the notice and its contents to the attention of persons present immediately before a matter to which the disclosure relates is discussed.
- (g) If:
- (i) to comply with a requirement made under item (b), the nature of an employee's interest in a matter is disclosed at a meeting; or
  - (ii) a disclosure is made as described in item (e)(ii) at a meeting; or
  - (iii) to comply with a requirement made under item (f)(ii), a notice disclosing the nature of an employee's interest in a matter is brought to the attention of the persons present at a meeting,
- the nature of the interest is to be recorded in the minutes of the meeting.

## **2.20 Use and Disclosure of Information**

- (a) Employees must not access, use or disclose information held by the Shire of Cuballing except as directly required for, and in the course of, the performance of their duties.
- (b) Employees will handle all information obtained, accessed or created in the course of their duties responsibly, and in accordance with this Code, the Shire of Cuballing's policies and procedures.
- (c) Employees must not access, use or disclose information to gain improper advantage for themselves or another person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body, or the Shire of Cuballing.
- (d) Due discretion must be exercised by all employees who have access to confidential, private or sensitive information.
- (e) Nothing in this section prevents an employee from disclosing information if the disclosure:
  - (i) is authorised by the CEO or the CEO's delegate; or
  - (ii) is permitted or required by law.

## **2.21 Improper or Undue Influence**

- (a) Employees will not take advantage of their position to improperly influence Council Members or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.
- (b) Employees must not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body.

- (c) Employees must not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

## 2.22 Use of Shire of Cuballing Resources

- (a) In this clause –

**Shire of Cuballing resources** includes local government property and services provided or paid for by the Shire of Cuballing;

**local government property** means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government

- (b) Employees will:
  - (i) be honest in their use of the Shire of Cuballing resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
  - (ii) use the Shire of Cuballing resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies and procedures; and
  - (iii) not use the Shire of Cuballing's resources, including the services of employees, for private purposes (other than when supplied as part of a contract of employment) unless properly authorised to do so or appropriate payments are made as determined by the CEO.

## 2.23 Use of Shire of Cuballing Finances

- (a) Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire of Cuballing's finances.
- (b) Employees will use Shire of Cuballing finances only within the scope of their authority, as defined in their position descriptions and Shire of Cuballing's Delegations Register, and all of the Shire policies relating to finance and accounting along with all associated administrative procedures.
- (c) Employees with financial management responsibilities will comply with the requirements of the *Local Government (Financial Management) Regulations 1996*.
- (d) Employees exercising purchasing authority will comply with the Shire of Cuballing's Purchasing Policy, and the systems and procedures established by the CEO in accordance with regulation 5 of the *Local Government (Financial Management) Regulations 1996*.
- (e) Employees will act with care, skill, diligence, honesty and integrity when using local government finances.
- (f) Employees will ensure that any use of Shire of Cuballing finances is appropriately documented in accordance with the relevant policy and procedure, including the Shire of Cuballing's Recordkeeping Plan.

## **2.24 Reporting of Suspected Breaches of the Code of Conduct**

Employees may report suspected breaches of the Code to their Supervisor, any Manager, the Deputy CEO or the CEO.

## **2.25 Handling of Suspected Breaches of the Code of Conduct**

Suspected breaches of the Code will be dealt with in accordance with the relevant Shire of Cuballing policies and procedures, depending on the nature of the suspected breach.

## **2.26 Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour**

- (a) Employees may report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their Supervisor, any Manager, the Deputy CEO or the CEO in accordance with Shire of Cuballing's Fraud and Corruption Prevention Policy.
- (b) In accordance with the *Corruption, Crime and Misconduct Act 2003*, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify:
  - (i) the Corruption and Crime Commission, in the case of serious misconduct; or
  - (ii) the Public Sector Commissioner, in the case of minor misconduct.
- (c) Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.
- (d) Employees, or any person, may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour, using the Shire of Cuballing's Public Interest Disclosure Procedures, published on the Shire of Cuballing's website.

## **2.27 Handling of Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour**

Suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour will be dealt with in accordance with the appropriate Shire of Cuballing policies and procedures, and where relevant, in accordance with the lawful directions of the appropriate statutory body.

## 9.2.4 Popanyinning Rail Reserve – Public Transport Authority WA Licence to Occupy

Applicant: Public Transport Authority  
File Ref. No: ADM249  
Disclosure of Interest: Nil  
Date: 12 March 2026  
Author: Chris Paget - Chief Executive Officer  
Attachments: 9.2.4A PTA Licence to Occupy precedent template

### Summary

This report is for Council's review and acceptance of a new Licence to Use/Occupy Rail Corridor Land at Popanyinning (including the old Railway Station building). The Public Transport Authority of WA has offered the Shire of Cuballing a new licence to for this railway reserve land to replace a previous licence that expired in October 2006.

### Background / Comment

Between May 1996 and October 2006, a licence to occupy existed between the Shire of Cuballing and the then Westnet Rail ("Westrail") for a portion of the railway reserve at Popanyinning fronted by Francis Street/Great Southern Highway and encompassing the land containing the Railway Station building and platform, current public toilets, car parking area and the local war memorial.

Administration has located documents indicating there was a new licence proposed in 2015 with Arc Infrastructure, but we are unable to ascertain why this was not progressed at the time. Further discussions occurred with Arc and PTAWA in 2022 and 2023, however these did not result in a form of agreement acceptable to all parties.

The PTA has now offered to enter into a new Licence to Occupy for a further 10-year period, with the land covered by the licence shown in the picture below.

The terms and conditions of the licence are:

Lessee: Shire of Cuballing  
Address of premises: Under Certificate of Title on a portion of Lot 95 on Deposited Plan 23390, LR3143/782 along Francis St, Popanyinning  
Lease Number: L3076  
Location/Region: Popanyinning/Corridor  
Use: Community Purpose (War Memorial and Tourist Facilities)  
Rent: Peppercorn agreement - \$1 per annum  
Reviews: Not applicable  
Term: 10 years  
Options: Not applicable  
Start date: TBA (from acceptance & signing date)  
Area: 18,057sqm  
Lease Plan attached: Yes  
Type of Agreement: PTA Precedent Licence to Occupy  
Special Conditions:

- Low environmental
- PTA's Environmental Services Branch (ESB) confirm Popanyinning Rail Station contains items of Asbestos Containing Material (ACM) and Presumed Asbestos Containing Material (PACM). As a condition of a new agreement PTA will perform a disclosure in accordance with *Work Health and Safety (General) Regulations 2022*. Please note PTA ESB recommends that an asbestos inspection is undertaken prior to any intrusive works.
- The boundary of the licence area is to be fenced adjacent to the active rail line. Please refer to attached plan. Licensee must provide full design specifications and methodology of fencing works for PTA and Arc approval prior to commencement.
- There is an above ground water pipeline which runs through the rail

reserve in close vicinity to the licence area. The licensee must perform due diligence with Water Corporation prior to any works.

- Delegated Authority as per Local Government Act 1995
- Licensee to pay legal fees/Lease Preparation fees
- Insurance – Licensee to provide copies of Certificates of Currencies of insurance premiums in accordance with licence requirements (annually in advance)

The cost for the legal and lease preparation fees is expected to be approximately \$660 inclusive of GST.

#### Statutory Environment

Not applicable

#### Policy Implications

Nil

#### Financial Implications

Aside from the preparatory legal costs, there are no ongoing expenses that relate to the licence. As the use of the land is consistent with “community purposes”, the annual licence fee has been set at \$1 peppercorn rental if and when demanded.

#### Consultation

Public Transport Authority of WA  
Burgess Rawson (PTA Property Managers)

#### Strategic Implications

##### **Shire of Cuballing Strategic Community Plan 2023-2033:**

Social

- A place where people of all ages, abilities and stages of life are active and connected.

Natural Environment

- The natural environment is protected, enhanced, managed, enjoyed by locals, and proudly shared with visitors.

Governance

- Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.
- Enhancing community information and engagement.

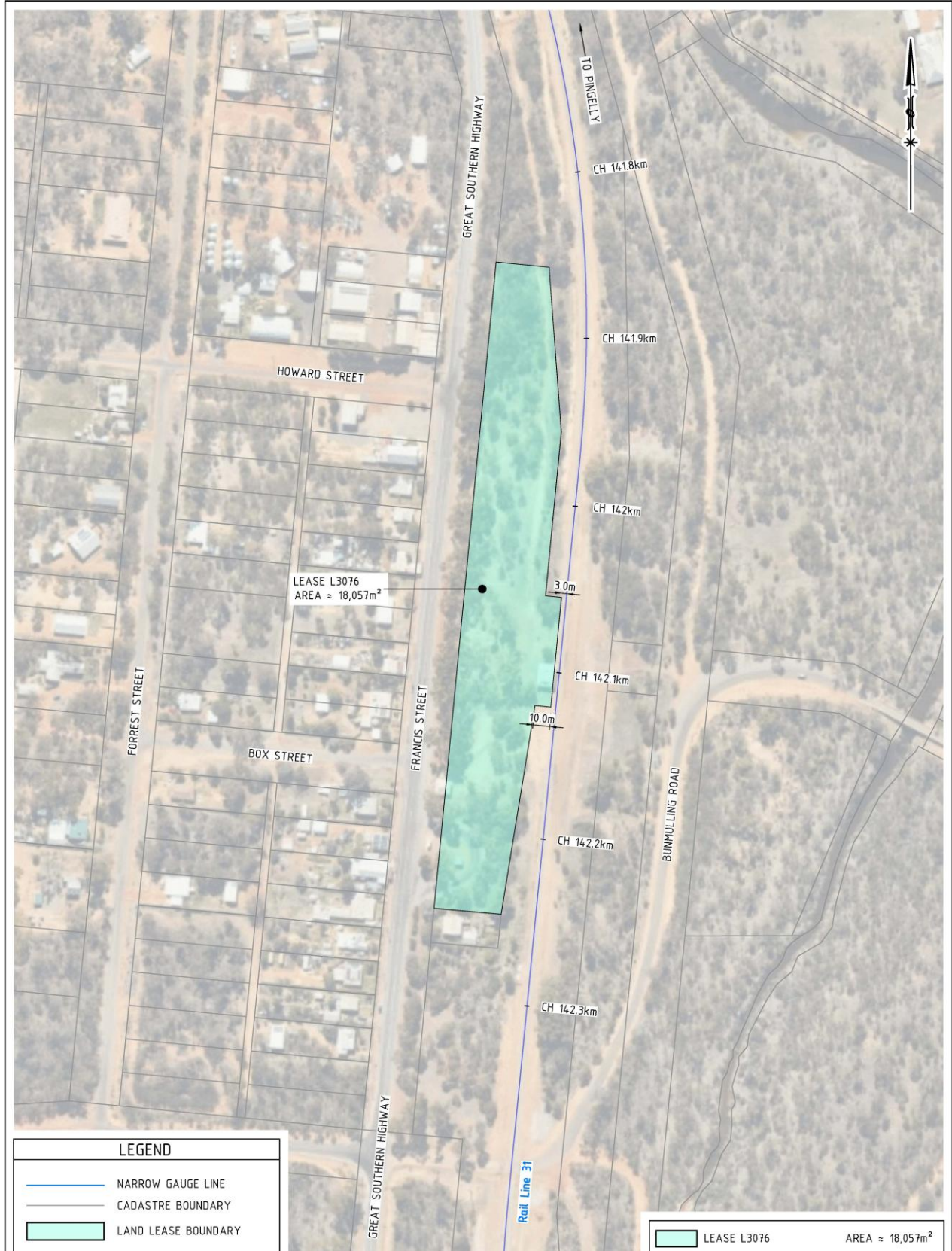
#### Voting Requirements

Simple majority

#### **OFFICER’S RECOMMENDATION:**

**That Council:**

- 1. Accepts the officer from the Public Transport Authority (including the terms and conditions therein) to enter into a new Licence to Occupy for Lease Agreement L3076**
- 2. Authorises the signing of the new Lease Agreement document when finalised.**



LEGEND	
	NARROW GAUGE LINE
	CADASTRE BOUNDARY
	LAND LEASE BOUNDARY

LEASE L3076      AREA ≈ 18,057m<sup>2</sup>

REV	DATE	AMENDMENT	DSN	ERN	CHKD	APPD
B	22/10/24	AREA AMENDED				
A	12/07/23	FIRST ISSUE				

REFERENCES	
PK	
PK	

SCALE :	1:2000	(@ A3)
DATUM :		
HORIZONTAL :		
VERTICAL :		
PTA ACCEPTANCE STAMP		

DESIGNED	
DRAWN	
CHECKED	
APPROVED FOR ISSUE	
DIRECTIVE DIRECTOR	
PTA Director / External Company	
DATE	

**PROPERTY MANAGEMENT**  
**LICENCE TO OCCUPY TO SHIRE OF CUBALLING**  
**POPANYINNING**  
**RAIL LINE 31, BETWEEN CH 14.18km AND CH 14.23km**  
 PTA Drawing No: **L3076**      REV : **B**

LAD DRAWING PATHNAME: G:\SPLS\01\_Projects\100\_General\00\_3500\_IPLS\_Lands\_Requests\103\_IPFOR\_Work\Lease Plans\L3076\_B - Popanyinning.dwg

**LICENCE TO OCCUPY**  
**L [insert no] – [insert location]**

**PARTIES**

**PUBLIC TRANSPORT AUTHORITY  
OF WESTERN AUSTRALIA**  
**(Licensor)**

**[Insert name of licensee]**  
**(Licensee)**

## Schedule

Item 1      **Licensor**

**PUBLIC TRANSPORT AUTHORITY OF WESTERN AUSTRALIA** (ABN 61 850 109 576) of PO Box 8125, Perth Business Centre, Perth, Western Australia, 6849 (**PTA**)

Item 2      **Licensee**

[**Name of Licensee**] of [**address**] (**Licensee**)

Item 3      **Grant of Licence to Occupy**

PTA grants a licence to the Licensee and the Licensee takes a licence of the Licensed Area on the terms set out in this Licence.

Item 4      **Licensed Area**

The Licensed Area the subject of this Licence is located in the rail reserve at [location] and known as [street **address**, if known] as identified on plan number [**number**].

The Licensed Area is shown [**hachured/stippled/coloured (insert colour) – delete what is not applicable**] on the plan attached to this Licence.

The Licensed Area includes any PTA's Property situated in the Licensed Area.

The PTA's Property includes the following specific items:

[**state NIL or specify items of PTA's Property comprised in this Licence**]

Item 5      **Term**

The term is [ ] [ days/months/years] commencing on [ ] and ending on [ ]

Item 6      **Licence fee**

The licence fee payable by the Licensee for this Licence is \$1.00 each year payable if and when demanded.

Item 7      **Outgoings**

The Licensee must pay to the relevant supplier or Authority or as otherwise directed by the PTA before they become overdue:

- all charges for services (including but not limited to electricity, gas water and sewerage and telephone and communication services) used by the Licensee in connection with the Licensed Area;

- any rates and taxes and similar charges and assessments levied in respect of the Licensed Area or the Licensee's use or occupation of the Licensed Area; and
- management and administration fees reasonably charged by the PTA in respect of this Licence,

as invoiced to the Licensee by the PTA. In the case of any amounts which are levied on other land as well as the Licensed Area, the Licensee must pay reasonable proportion of such charges, rates, and taxes relevant to the Licensed Area as reasonably determined by the PTA.

**Item 8 Permitted Use**

The Licensed Area may only be used for [description] subject to the Licensee obtaining all relevant written approvals from all Authorities for the use of the Licensed Area for this purpose.

**Item 9 Insurance Requirements**

The Licensee must take out the following insurances:

- (1) public risk insurance for an amount not less than \$20,000,000.
- (2) insurance for all buildings, structures and improvements comprised in the Licensed Area and all the PTA's Property to their full insurable value on a replacement or reinstatement basis against those risks which the PTA may reasonably require.
- (3) insurance for all Licensee's Property to its full insurable value on a replacement or reinstatement basis against those risks which the PTA may reasonably require.
- (4) employer's indemnity insurance against any liability under common law or statute to pay damages to an employee.

Without limiting clause 5 of the General Licence Terms the Licensee must no later than:

- (1) the Commencement Date; and
- (2) each anniversary of the renewal date as specified in the relevant insurance policy,

provide the PTA with a certificate of currency issued by the insurer and noting the interests of the PTA to confirm that each required policy of insurance has been taken out and is current as required by this Licence.

**Item 10 Licensee's Obligations**

The Licensee covenants with the PTA to comply with the Licensee's Obligations.

Item 11      **PTA's General Licence Terms**

The PTA General Licence Terms in the form attached to this Licence are incorporated in this Licence.

Item 12      **Defined Terms**

Words defined in the PTA General Licence Terms have the same meaning when used in this Licence and are shown with an initial capital letter.

Item 13      **Additional Terms**

The additional terms attached to this Licence are incorporated in this Licence.

**Dated**

**2023**

EXECUTED as a deed.

Signed for and on behalf of the )  
**PUBLIC TRANSPORT AUTHORITY** )  
**OF WESTERN AUSTRALIA** by )

)  
)  
)  
)  
)  
an officer of the Authority duly )  
authorised by the Authority pursuant to )  
section 51(5) of the *Public Transport* )  
*Authority Act 2003* for that purpose in )  
the presence of:

.....  
Signature of Duly Authorised Officer

.....  
Name (Please Print)

.....  
Witness (signature)

.....  
Position held

.....  
Name (Please Print)

.....

.....  
Address

.....  
Occupation

**[PROVISION FOR SIGNING BY LICENSEE]**

# Plan

## **Additional Terms**

### **1 Lights**

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The Licensee is to ensure that there is not at any time any light (white or coloured) on the Licensed Area in a position where it can affect any person on a train or other railway vehicle.

### **2 Plants and Trees**

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The Licensee is not to plant or allow any other person to plant a tree or shrub within the Licensed Area which is closer than 5 metres to any level crossing or which is within any area shown hatched black on the plan attached to the Licence as an area where trees or shrubs cannot be planted. The Licensee must maintain (including trimming and lopping) all plants and trees within the Licensed Area.

### **3 Licensee's Property and the PTA's Property**

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The Licensee is to ensure that at all times all items of Licensee's Property and the PTA's Property in the Licensed Area are:

- (1) kept in a good state of repair and well maintained;
- (2) properly painted or treated; and
- (3) otherwise kept in a presentable and tidy condition.

### **4 Stock**

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The Licensee is to ensure that at all times no stock or other animals stray on to the Licensed Area or through the Licensed Area on to other property owned by the PTA.

### **5 No building, stacking or obstruction of views**

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The Licensee is to ensure that at all times:

- (1) no building or other structure is constructed or allowed to remain; and
- (2) no property is stacked or otherwise stored; and
- (3) no other item of property is installed, positioned or located,

on any part of the Licensed Area if the result is to obstruct the view of any person driving a train or other railway vehicle.

### **6 Drainage System**

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If required by the PTA or any other person or Authority responsible for the condition of the railway, as soon as reasonably possible after the Commencement Date the Licensee is to construct a drainage system on the Licensed Area to prevent water damage to the railway line running through or near the Licensed Area. The Licensee

is to construct the drainage system in accordance with the design and specifications stipulated by the PTA. The cost of the drainage system, including the cost of complying with the PTA's reasonable directions, is to be paid by the Licensee. The Licensee is to properly maintain the drainage system after it is constructed and if it is damaged the Licensee is to repair the damage as soon as reasonably possible.

## **7 Firebreaks**

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The Licensee is to provide firebreaks to comply with the requirements of any Authority and all laws, including by-laws and regulations.

## **8 Telephone Pole**

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The Licensee is to do everything reasonably possible to prevent damage occurring to any telephone pole and associated equipment including aerial lines belonging to the PTA and located on or near the Licensed Area.

## **9 Telecommunications Cable**

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The Licensee is not to interfere with or disturb any telecommunications cable on the Licensed Area and is to prevent any other person interfering with or disturbing any such telecommunications cable.

## **10 Fences**

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If required by the PTA, the Licensee is to erect and maintain fences on the Licensed Area to the satisfaction of the PTA.

## **11 Environmental Obligations**

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### **11.1 Definitions**

In this clause:

- (1) **Authorisation** includes a consent, declaration, authorisation, registration, agreement, certificate, permission, licence, approval, authority or exemption from, by or with a Government Agency, including any renewal or amendment;
- (2) **Contamination** means the presence of a substance in, on or under water or land at a concentration above the concentration at which the substance is normally present in the same locality, being a concentration that presents, or has the potential to present, a risk of harm to human health, the Environment or any Environmental Aspect;
- (3) **Environment** has the same meaning as that term is defined in the *Environmental Protection Act 1986 (Western Australia)* (as amended);
- (4) **Environmental Aspect** means in respect of any area:
  - (a) each interaction of any activity on the area or of the area itself within the Environment;
  - (b) each of the following aspects of that area;

- (c) heritage items on the land within the area or heritage values or significance of the area or anything on it;
    - (i) the flora and fauna in the area including threatened species, populations or ecological communities or their habitats in the area;
    - (ii) critical habitat in the area;
    - (iii) the propensity of the area to be affected by natural disasters such as bushfires, flooding or geotechnical characteristics of the area or any structures on it; and
  - (d) the zoning or permissible uses of the area.
- (5) **Environmental Expert** means a reputable person who is suitably qualified and experienced in identifying and remediating Contamination, Pollution and Environmental Harm;
- (6) **Environmental Harm** means any serious or material harm, damage or detriment to the Environment or an Environmental Aspect which is not Pollution or Contamination;
- (7) **Environmental Law** means any law relating to any aspect of the Environment or health or having as its objective the protection or enhancement of the Environment or any Environmental Aspect;
- (8) **Environmental Notice** means any notice, direction, order, demand or other requirement to take any action or refrain from taking any action from any Government Agency, whether written, oral or otherwise and in connection with any Environmental Law;
- (9) **Government Agency** means:
- (a) a government or government department or other government body;
  - (b) governmental, semi-governmental, or judicial person, entity or authority; or
  - (c) a person (whether autonomous or not) who is charged with the administration of any law.
- (10) **Pollution** means any unauthorised alteration of the Environment or an Environmental Aspect to its detriment or degradation which involves the release of any substance, the discharge of waste, an emission of noise, odour or electromagnetic radiation or the transmission of electromagnetic radiation;
- (11) **Relevant Land** means the Licensed Area and the Surrounding Land;
- (12) **Remediation Date** means the earlier of:
- (a) the date on which the Licensee assigns this Licence;

- (b) the date on which the Term of this Licence expires; or
  - (c) 60 days after this Licence is terminated.
- (13) **Remedial Work** means any work to restore land affected by Contamination, Pollution or Environmental Harm, including to:
- (a) remove, destroy or reduce;
  - (b) dispose of or disperse;
  - (c) contain or encapsulate;
  - (d) treat;
  - (e) manage (including restrict or prohibit access to or use of the affected land); or
  - (f) abate or control,
- any Contamination, Pollution or Environmental Harm and to remove or minimise any risk or potential risk it presents to human health, the Environment or any Environmental Aspect;
- (14) **Surrounding Land** means any land adjacent to or in the vicinity of the Licensed Area.

## 11.2 Licensee's obligations

The Licensee must:

- (1) obtain any Authorisation required for the Permitted Use, before that use is undertaken and must keep all such Authorisations in full force and effect throughout the Term;
- (2) use the Licensed Area in a manner which complies with each Environmental Law and each Authorisation held by the Licensee in accordance with paragraph (1) and any other Authorisation provided to the Licensee by the PTA;
- (3) not do or omit to do any act which might directly or indirectly result in the revocation, suspension or modification of:
  - (a) an Authorisation relating to:
    - (i) the Licensed Area; or
    - (ii) any conduct or activity relating to the Permitted Use, or
  - (b) any Authorisation from time to time relating to the Relevant Land when a copy of such Authorisation is provided by the PTA to the Licensee;

- (4) not cause or allow Pollution, Contamination, or Environmental Harm to occur in, on or under the Relevant Land and if any of those do occur the Licensee must minimise and remediate any resultant damage and harm to the reasonable satisfaction of the PTA;
- (5) notify the PTA immediately on becoming aware of:
  - (a) the existence of any Contamination affecting the Relevant Land;
  - (b) any Pollution affecting the Relevant Land;
  - (c) the making of a complaint to any person, including but not limited to, the Licensee or the commencement of proceedings against the Licensee relating to an alleged failure by the Licensee to comply with an obligation under an Environmental Law or Authorisation; or
  - (d) an Environmental Notice being served on the Licensee or any other person which relates to or arises from the Licensee's use of the Licensed Area;
- (6) at the Licensee's cost, comply with every Environmental Notice issued in respect of, arising from or relating to, the Licensee's use of the Licensed Area, whether the notice is served on the PTA or the Licensee;
- (7) provide to the PTA on demand, copies of all Authorisations relating to the Licensee's use of the Licensed Area.

### **11.3 No representation or warranty in respect of Contamination, Pollution or Environmental Harm**

The PTA makes no warranties or representations concerning the existence or non-existence of Contamination, Pollution or Environmental Harm on the Relevant Land. The Licensee relies on its own investigations concerning the existence or non-existence of Contamination, Pollution or Environmental Harm on the Relevant Land.

### **11.4 Licensee to Remediate at end of Term**

- (1) If the Licensee does not comply with clause 11.2, the Licensee must, at its cost, perform any necessary Remedial Work in relation to the Relevant Land by the Remediation Date.
- (2) The PTA may direct the Licensee to, at the Licensee's expense, engage an Environmental Expert to certify that the Licensee has completed the Remedial Work in accordance with paragraph (1).
- (3) If the PTA terminates this Licence, or the Licensee fails to comply with this clause 11.4, the PTA may engage an Environmental Expert to do those things outlined in this clause 11.4 at the Licensee's expense and the Licensee indemnifies the PTA against all costs incurred by the PTA under this paragraph (3).
- (4) The Licensee's obligations in this clause 11.4 survive termination of this Licence.

- (5) To the extent that the Licensee's obligation under this Licence is to perform Remedial Work that the PTA or another person would otherwise be responsible for under any Environmental Law, the Licensee must do everything necessary to transfer that responsibility from the PTA or that other person to the Licensee in accordance with any Environmental Law.

## **11.5 Environmental Release**

The Licensee releases the PTA from all claims, actions, loss, damage, liability, costs and expenses arising from or connected with (directly or indirectly) the presence of any Contamination, Pollution or Environmental Harm in, on or under the Relevant Land at any time.

## **12 Termination before end of Term**

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### **12.1 Notice of Termination**

Notwithstanding any other provision of this Licence if a party wants to terminate this Licence before the end of the Term for any reason, that party may terminate this Licence by giving the other party written notice. The termination is to take effect on the date specified in the notice. That date must be at least 6 months after the notice is given unless the other party agrees to a shorter period. If no date is specified in the notice, the termination is to take effect 6 months after the notice is given.

### **12.2 On termination**

On the termination date, this Licence will terminate and the Licensee, and any sub-Licensee or occupier of the Licensed Area, is to give up vacant possession of the Licensed Area to the PTA.

### **12.3 Liability for payment and obligations**

The Licensee remains liable for the payment of all money due under this Licence and to comply with its other obligations under this Licence until the termination date, and in the case of obligations which are expressed to survive the termination of this Licence, until they have been met.

## **13 Increase in Licence fee on Change in Use**

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If at any time the Licensee requests the PTA to allow the Licensee to change the Permitted Use, the PTA may, as a condition of agreeing to that request, require that the Licence fee be increased from a date (after the Licensee's request) stipulated by the PTA and that this Licence be otherwise varied in the manner required by the PTA. The Licensee is responsible for and must pay the PTA's reasonable costs incurred as a result of any change of the Permitted Use and anything required under this clause.

## **14 Access**

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### **14.1 Access Location**

If any part of the land owned by the PTA and adjoining the Licensed Area is shown on the plan attached to the Licence as available for the purpose of access to and from the Licensed Area, the Licensee may use that part, subject to this clause 14. The

Licensee may not use that land for any other purpose. The Licensee is to ensure that no vehicles are parked on that land and that it is not obstructed in any way by the Licensee's Employees, Agents and Visitors.

#### 14.2 **Compliance with directions**

The Licensee is to promptly comply with directions given by the PTA concerning the use of the land referred to in this clause for access purposes.

#### 14.3 **Application of indemnity**

Every indemnity given by the Licensee in the Licence and the provisions of the Licence imposing obligations on the Licensee to maintain insurance apply to the land used by the Licensee for access purposes as if that land forms part of the Licensed Area.

#### 14.4 **Non-Liability**

The PTA is not liable to the Licensee in any way if the Licensee is not able to use the land referred to in this clause for access purposes, except if the Licensee is prevented from using the land without lawful reason by the PTA or by an employee or agent or other person under the control of the PTA.

### 15 **Access to Services**

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The Licensee is to allow any Authority (including its employees, contractors, agents, consultants or other authorised representatives) access to any Services on the Licensed Area for any purpose lawfully required by the Authority.

### 16 **Redecoration**

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The Licensee is to redecorate the interior of any building on the Licensed Area to the reasonable satisfaction of the PTA at least once in every period of [period] years from the Commencement Date. Redecoration of the building includes replacing floor coverings, wall coverings (including wall tiles) curtains, blinds, lights and other furnishings which are worn or damaged, repainting all surfaces previously repainted with at least 2 coats of high quality paint in colours approved by the PTA and otherwise treating all surfaces in the manner previously treated.

### 17 **Goods and Services Tax**

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#### 17.1 **Definitions**

Unless otherwise stated, in this clause:

**GST** means a tax levied on the value of a good or service or property supplied, including but not limited to the value represented by the Licence fee and Outgoings or other money payable to the PTA for goods or services or property.

**Supply** means a good or service or property supplied under this Licence, including but not limited to the Licensed Area, and other goods or services or property the cost of which comprises part of the Outgoings.

### **17.2 Licensee must pay GST**

The Licensee must pay to the PTA the amount of any GST the PTA pays or is liable to pay on a Supply.

### **17.3 Licensee must pay GST at same time**

The Licensee must pay to the PTA the amount of the GST that the Licensee is liable to pay at the same time and in the same manner as the Licensee is obliged to pay for that Supply, including in relation to Licence fee, Operating Expenses and Rates and Taxes, at the time the Licensee is obliged to pay those amounts.

### **17.4 Prices do not include GST**

The price for each Supply, including Licence fee, fixed or determined under this Licence does not include GST on that Supply and the Licensee must pay the amount of GST in addition to the price for that Supply fixed or determined under this Licence.

### **17.5 Apportionment of GST**

Where a Supply is not separately supplied to the Licensee, the liability of the Licensee for any amount for GST in relation to that Supply is determined on the same basis as the Licensee's Contribution to Operating Expenses is determined.

### **17.6 Statement of GST paid is conclusive**

A written statement given to the Licensee by the PTA of the amount of GST that the Supplier pays or is liable to pay is conclusive as between the parties except in the case of an obvious error.

## **18 Electrical Work**

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### **18.1 Landlord's consent**

The Licensee must not carry out any electrical work in or upon the Licensed Area without the prior written consent of the PTA, such consent not to be unreasonably withheld.

### **18.2 Licensed Electrical contractor**

The Licensee must ensure that any electrical work carried out in or on the Licensed Area:

- (1) is performed by an electrical contractor who is duly qualified and licensed as required by all relevant acts, regulations and by-laws; and
- (2) complies with all requirements of any statute (State or Federal) regulation or by-law relating to the work and is carried out in accordance with best industry practice.

## **19 Holding over**

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If the Licensee continues to occupy the Licensed Area after the end of the Term with the consent of the PTA:

- (1) the Licensee is a monthly Licensee of the Licensed Area: and
- (2) the monthly licence may be terminated by either party giving to the other at least 1 month's notice which may expire on any day; and
- (3) all the provisions of this Licence apply to the monthly tenancy except any option to extend the Term.

## **20 Graffiti**

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The Licensee must remove all graffiti appearing on the Licensed Area after the Licensee becomes aware of it, or is made aware of it by the PTA, within the following periods:

- (1) in the case of offensive or obscene graffiti – 1 hour;
- (2) in the case of other graffiti – 24 hours.

# PTA General Licence Terms

These terms may be incorporated in any licence granted by the PTA.

Words which are defined at the end of these the PTA General Licence Terms have an initial capital letter.

## **1 Term**

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### **1.1 Term Specified in the Schedule**

The Licence is granted for the Term specified in Item 5 of the Schedule, subject to clause 1.2.

### **1.2 Immediate Termination by the PTA**

Without limitation, the PTA may terminate the Licence by notice to the Licensee at any time that:

- (1) the PTA determines in the PTA's discretion that the Licensed Area is required for the provision of services or other use or uses for the benefit of the general public; or
- (2) the Licensee does not comply with the Licensee's Obligations in the Licence.

### **1.3 No compensation**

No compensation is payable by the PTA to the Licensee if the PTA terminates the Licence under clause 1.2.

## **2 Licence fee and Outgoings**

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The Licensee is to pay the Licence fee and the Outgoings to the PTA as specified in the Schedule.

## **3 Assignment and sub-letting**

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### **3.1 No interest to be created without consent**

The Licensee must not assign, transfer, sub-licence or otherwise part with or give any person any right or interest in the Licence or the Licensed Area or allow any person to use or occupy the Licensed Area without the PTA's consent in writing, and then only subject to any conditions on which consent is given.

### **3.2 Requirements**

If the PTA consents to a proposed assignment or sub-licence, then the Licensee is to, before the proposed date of change in possession deliver to the PTA a deed executed by the proposed assignee or sub-licensee in a form prepared by or approved by the PTA, by which the proposed assignee or sub-licensee agrees to be bound by the Licence from the date that the assignment or sub-licence takes effect.

If the Licensee is a corporation the shares in which are not quoted on the Australian Stock Exchange, any change in ownership or control of the shares is deemed to be an assignment of the Licence and clause 3.1 applies accordingly.

### **3.3 Exclusion of statutory provisions**

The provisions of sections 80 and 82 of the Property Law Act 1969 do not apply to the Licence.

### **3.4 Costs and expenses**

The Licensee is to pay to the PTA on demand all fees and expenses incurred by the PTA in connection with a proposed assignment or sub-licence.

## **4 Use of Licensed Area**

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### **4.1 Permitted Use**

The Licensee must use the Licensed Area only for the Permitted Use and the Licensee must not use the Licensed Area for any other purpose unless the PTA consents.

### **4.2 Licensee's own enquiries**

The Licensee acknowledges that it has relied on its own enquiries as to how the Licensed Area may be used and not on any representation from the PTA.

### **4.3 Approval for Use**

The Licensee must obtain all approvals required from all Authorities for the Permitted Use and if requested must give a copy of any such approval to the PTA.

### **4.4 No Warranty by the PTA**

The PTA does not warrant that the Licensed Area is suitable for any purpose for which the Licensee intends to use it. To the extent permitted by law, any warranty in relation to the Licensed Area which is implied by law is excluded and does not apply to the Licence.

## **5 Insurances**

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In respect of insurances required by the Licence, the Licensee must:

- (1) give the PTA a certificate of currency whenever requested by the PTA;
- (2) pay each premium before the due date; and
- (3) give notice to the PTA immediately if an event occurs which may give rise to a claim under any of the insurances or which could adversely affect any of them or if any insurance is cancelled.

Without limitation, if the Licensee does not comply with the obligation to take out and maintain any insurance required by the Licence, the PTA may take out and maintain

that insurance and the Licensee must pay all costs incurred by the PTA in doing so on demand.

## **6 Indemnity**

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### **6.1 By the Licensee**

The Licensee indemnifies the PTA against any cost, expense, loss or other liability resulting from:

- (1) any loss or damage to the Licensed Area or other property; or
- (2) the death of or injury to or illness of any person,

caused by:

- (3) any act, negligence or default of the Licensee or the Licensee's Employees, Agents and Visitors; or
- (4) any danger created by the Licensee or the Licensee's Employees, Agents and Visitors.

### **6.2 PTA not liable**

The PTA is not liable for any cost, expense, loss or other liability resulting from any accident, loss of life, injury, damage, malfunction or other event in or affecting the Licensed Area unless caused by the negligence of the PTA or any employee or agent of the PTA.

## **7 Compliance with laws and requirements**

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The Licensee must comply with all requirements of any Authority and all laws in connection with the Licensed Area, the Licensee's Property and the Licensee's Activities.

## **8 Maintenance, repair and alteration**

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### **8.1 Maintenance and repair**

The Licensee must at all times:

- (1) keep and maintain the Licensed Area in a clean and tidy condition and promptly remove any rubbish or waste;
- (2) maintain all authorised signs in or attached to the Licensed Area in good condition;
- (3) maintain any drains and pipes on the Licensed Area in a clean and free flowing condition; and
- (4) keep the Licensee's Property in good repair and condition.

## **8.2 No interference with Services**

The Licensee must not modify or interfere with the Services serving the Licensed Area or any equipment connected to those Services.

## **8.3 Alterations to the Licensed Area**

The Licensee must not make any alteration or addition to the Licensed Area unless the PTA consents.

## **8.4 Damage to the Licensed Area**

The Licensee must not cause or allow damage to the Licensed Area.

## **8.5 Building work**

In carrying out its obligations to maintain the Licensed Area in good condition and to redecorate and if making any alterations or additions to the Licensed Area the Licensee must:

- (1) before carrying out any building work, obtain the PTA's approval to the plans and specifications for the work;
- (2) (if the PTA consents) comply with any conditions of consent and also comply with the requirements of any Authority and all laws and standards which apply to the work at the time the work is carried out; and
- (3) carry out the work in a safe and proper manner.

## **9 Licensee's general obligations**

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### **9.1 Positive obligations**

The Licensee must:

- (1) carry out all Licensee's Activities in the Licensed Area in a safe and proper manner;
- (2) install and maintain in safe working order residual current free devices to all fixed electricity supply sockets in the Licensed Area which may be used for portable or hand held electrical equipment in accordance with the Occupational Safety and Health Regulations 1996;
- (3) immediately comply with the PTA's directions for the purpose of protecting property or persons in the Licensed Area;

### **9.2 Negative obligations**

In connection with the Licensed Area, the Licensee must not:

- (1) do anything which is offensive or a nuisance;
- (2) interfere with or obstruct access to the Services;

- (3) use facilities in or near the Licensed Area, including the toilets and drains, for any improper purpose;
- (4) put up any signs, notices or advertisements without the PTA's consent.

## **10 PTA's Entry Rights**

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The PTA may at any reasonable time and without the need for prior notice enter the Licensed Area with or without workmen, plant, equipment and materials to:

- (1) inspect the state of repair of the Licensed Area;
- (2) verify that the Licensee is complying with the Licensee's Obligations;
- (3) maintain, repair or alter the Licensed Area or the Services;
- (4) carry out structural alterations or other works to the Licensed Area required by the PTA or an Authority; and
- (5) remove harmful substances.

## **11 Termination for Default**

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If at any time:

- (1) any money payable by the Licensee remains unpaid for 14 days after becoming due; or
- (2) the Licensee is in breach of any other Licensee's Obligation for more than 14 days after notice has been given to the Licensee of the breach;
- (3) a judgment, order or an encumbrance is enforced, or becomes enforceable against the Licensee's interest in the Licence or the Licensee's Property; or
- (4) an Insolvency Event occurs in respect of the Licensee,
- (5) the Licensee abandons the Licensed Area or otherwise repudiates the Licence,

the PTA may terminate the Licence by re-entering the Licensed Area without notice or by notice to the Licensee.

## **12 Licensee's Obligations on termination**

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### **12.1 Licensee to vacate**

Immediately on the termination of the Licence for any reason, the Licensee must vacate the Licensed Area, remove the Licensee's Property and make good to the satisfaction of the PTA any damage caused by that removal.

## 12.2 Non-removal

The obligation to remove the Licensee's Property in clause 12.1 does not apply to any buildings, improvements or other fixtures which the PTA requires, by notice to the Licensee, not to be removed.

## 12.3 Removal of Licensee's Property

If the Licensee does not comply with clause 12.1, the PTA may remove the Licensee's Property from the Licensed Area and dispose of it in any manner.

## 13 Costs, expenses, duties and fees

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The Licensee must pay or reimburse the PTA on demand for all the PTA's costs and expenses, including legal costs and expenses and consultants and agents fees, in relation to the preparation of the Licence.

## 14 Interpretation

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### 14.1 Definitions

In these PTA General Licence Terms and in the Licence:

- (1) **Authority** means any governmental or other public body, local authority or other authority of any kind.
- (2) **Commencement Date** means the commencement date of the Term stated in the Licence.
- (3) **Insolvency Event** means the happening of any of the following events in relation to the Licensee:
  - (a) an application is made to a court for it to be wound up or for the appointment of a provisional liquidator;
  - (b) it becomes an externally-administered body corporate (within the meaning of the Corporations Act 2001);
  - (c) the appointment of a controller, as defined by the Corporations Act 2001, in respect of any of its assets;
  - (d) it is wound up or dissolved;
  - (e) it proposes to enter into or enters into any form of arrangement (formal or informal) with its creditors or any of them;
  - (f) it is, or is deemed to be or is presumed by law to be insolvent or unable to pay its debts; or
  - (g) it becomes an insolvent under administration as defined in section 9 of the *Corporations Act 2001*.

- (4) **Licence** means any licence which incorporates these PTA General Licence Terms.
- (5) **Licensed Area** has the meaning given in Item 4 of the Schedule.
- (6) **Outgoings** means the outgoings referred to in Item 7 of the Schedule.
- (7) **Permitted Use** means the use of the Licensed Area stated in the Licence.
- (8) **PTA's Property** means all the plant and equipment, fixtures, fittings, furniture including curtains, blinds and lights in or fixed to the Licensed Area that are not the Licensee's Property, including any items specified in the Schedule.
- (9) **Licence fee** means the annual licence fee stated in the Licence.
- (10) **Services** means services running through or servicing the Licensed Area including air conditioning equipment, power, water, sewerage, drainage, gas, telecommunications and fire sprinkler system.
- (11) **Licensee** means the person stated in the Licence as the Licensee including successors and any assignee or sub-Licensee.
- (12) **Licensee's Activities** any activities of the Licensee in connection with the Licensed Area.
- (13) **Licensee's Employees, Agents and Visitors** means each of the Licensee's employees, agents, contractors, service suppliers, sub-lessees, licensees, other visitors, and any other person who at any time is on the Licensed Area with the consent of the Licensee.
- (14) **Licensee's Obligations** means the obligations of the Licensee in the Licence.
- (15) **Licensee's Property** means any buildings, improvements, other fixtures, and any plant or equipment, fittings, furniture and furnishings or other property which the Licensee constructs on or installs in or fixes to the Licensed Area or brings on to the Licensed Area.
- (16) **Schedule** means the Schedule in the Licence.
- (17) **Term** means the term specified in the Licence.

## 14.2 Interpretation Rules

In these PTA General Licence Terms and the Licence, unless otherwise stated:

- (1) a reference to a statute, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them occurring at any time before or after the date of the Licence;
- (2) the singular includes the plural and vice versa;
- (3) the word person includes a firm, a body corporate, an unincorporated association or an Authority;

- (4) an obligation, representation or warranty on the part of two or more persons binds them jointly and severally;
- (5) where a period of time is expressed to be calculated from or after a specified day, that day is included in the period, and
- (6) a reference to a month is to a calendar month;
- (7) where the word 'including' or 'include' is used, it is to be taken to be followed, where the context permits, by the words: 'but not limited to'; and
- (8) a reference to the PTA includes any person authorised by the PTA to represent the PTA in connection with the Licence.

## 9.2.5 WALGA Electoral Reform Consultation

Applicant: WA Local Government Association  
File Ref. No:  
Disclosure of Interest: Nil  
Date: 12 March 2026  
Author: Chris Paget - Chief Executive Officer  
Attachments: 9.2.5A Draft Electoral Reform submission

### Summary

The Western Australian Local Government Association (WALGA) is seeking Council-endorsed feedback from local governments to inform a sector-wide response to anticipated State Government proposals relating to local government electoral reform.

Council is requested to consider and endorse the attached submission outlining the Shire of Cuballing's position on proposed electoral reform matters, including council spill provisions, voting systems, councillor terms, and voting methods.

### Background / Comment

WALGA has advised that the State Government is considering potential reforms to the Local Government electoral framework. As part of this process, WALGA is gathering feedback from local governments across Western Australia to develop a coordinated sector-wide response.

The anticipated reform areas may include matters such as:

- the potential introduction of full council spill provisions
- voting systems used in local government elections
- councillor term structures
- methods of voting (postal and in-person)
- processes for internal council elections.

Given the potential implications for governance and representation within rural and regional local governments, WALGA has requested that councils provide endorsed feedback to inform its advocacy on behalf of the sector.

### Comment

As a small rural local government, the Shire of Cuballing considers stability, continuity of leadership and retention of local knowledge to be critical to effective governance.

The current electoral structure, whereby councillors serve four-year terms with half of Council elected every two years, provides an appropriate balance between democratic renewal and continuity of governance.

The Shire's proposed submission to WALGA supports:

- retaining the current staggered election model (half council elections every two years)
- retaining four-year councillor terms
- retaining both postal and in-person voting options to ensure accessibility for rural electors
- retaining first-past-the-post voting for internal council elections

- recognising first-past-the-post voting as the preferred voting method for rural councils.

The submission also notes that if preferential voting remains the State's preferred voting system, the proportional representation component should be removed to maintain simplicity and transparency in the electoral process.

The attached submission reflects the governance realities of small rural councils and seeks to ensure that any reforms support stable and effective local government representation in regional communities.

#### Consultation

WA Local Government Association  
Shire of Narrogin

#### Statutory Environment/Implications

The consultation relates to potential amendments to the *Local Government Act 1995 (WA)* and associated electoral regulations.

At this stage, Councils are only being asked to provide feedback to WALGA to inform sector advocacy. No legislative changes have been enacted.

#### Policy Implications

Nil

#### Financial Implications

Nil

#### Strategic Implications

##### **Shire of Cuballing Strategic Community Plan 2023-2033:**

##### Governance

- Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.
- Enhancing community information and engagement.

#### Voting Requirements

Simple majority

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

##### **That Council:**

- 1. Endorses the Shire of Cuballing's submission to WALGA regarding proposed local government electoral reforms; and**
- 2. Authorises the submission to be provided to WALGA to inform the sector-wide response to anticipated WA State Government electoral reform proposals.**

## **Submission – Electoral Reform Consultation Shire of Cuballing**

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### **Background**

WALGA is seeking Council-endorsed feedback from Local Government to inform the sector-wide response at anticipated State Government proposals for Local Government electoral reform.

### **Introduction**

The Shire of Cuballing appreciates the opportunity to provide feedback on proposed reforms to the Western Australian local government electoral system. As a Band 4 rural local government, the Shire represents a small population base where councillors play an important and highly engaged role within the community.

In rural communities such as Cuballing, councillors are often deeply embedded in local organisations, community groups, and volunteer networks. The structure of local government elections must therefore support continuity, stability, and retention of local knowledge and experience to ensure effective governance.

The Shire's comments below reflect the operational realities of rural local governments and aim to ensure that any changes to the electoral framework remain practical and sustainable for smaller communities.

### **1. Spill or Full Council Elections**

The Shire of Cuballing does not support the introduction of full council spills.

For small rural councils, a spill mechanism creates unnecessary instability and the potential loss of significant institutional knowledge and experience. Councillors in rural communities develop deep understanding of local infrastructure, agricultural economies, community needs and regional partnerships over time.

Removing an entire council at once risks:

- Loss of governance continuity
- Loss of accumulated local knowledge and experience
- Reduced leadership stability
- Disruption to long-term planning and projects
- Reduced community confidence in council operations

In small rural communities where the councillor pool is limited, replacing an entire council simultaneously may also be difficult.

The current structure, where councillors serve staggered four-year terms with half of council elected every two years, provides an appropriate balance between democratic renewal and governance stability.

This model ensures:

- continuity of leadership
- retention of institutional knowledge

- mentoring opportunities between experienced and newly elected councillors
- consistent community representation

The Shire strongly supports retaining the current half-council election system every two years.

## **2. Councillor Terms**

The Shire supports the continuation of four-year councillor terms.

Four-year terms allow councillors sufficient time to:

- gain an understanding of governance and compliance requirements
- develop leadership capability
- contribute meaningfully to strategic planning
- support long-term infrastructure and community development projects

Shorter terms would reduce governance effectiveness and increase administrative burden.

## **3. Voting Methods (Postal vs In-Person)**

The Shire of Cuballing strongly supports retaining both postal voting and in-person voting options.

Rural communities face unique geographic and accessibility challenges, including:

- large distances between townsites and farms
- limited transport options
- seasonal agricultural workloads

Postal voting has proven highly effective in regional communities and encourages greater participation in local government elections.

Providing multiple voting options ensures that all community members have equitable access to the democratic process.

## **4. Internal Council Elections (President/Deputy President)**

The Shire supports the continuation of first-past-the-post voting for internal council elections, including the election of the President and Deputy President. First-past-the-post is:

- simple
- transparent
- well understood by councillors
- efficient for internal governance processes

Alternative voting systems are unnecessary for small councils and would introduce unnecessary complexity.

## **5. Voting System for Local Government Elections**

The Shire of Cuballing considers first-past-the-post voting to be the most appropriate system for rural local government elections. This method:

- is simple for voters to understand
- reduces informal votes

- is transparent and easy to administer
- reflects the practical realities of small communities where voters know candidates personally

For small rural electorates with a limited number of candidates, complex voting systems such as proportional representation provide little benefit and may reduce voter understanding and confidence.

## **6. Preferential Voting and Proportional Representation**

If preferential voting remains the State's preferred system for local government elections, the Shire would support removing the proportional representation component.

Proportional representation systems are generally designed for large multi-member electorates and political party-based elections. These systems are less suited to small rural councils where:

- candidate numbers are limited
- councillors run as individuals rather than party representatives
- communities are small and highly connected

Removing the proportional component would simplify the voting system and make election outcomes easier for the community to understand.

### **Conclusion**

The Shire of Cuballing supports an electoral framework that recognises the unique characteristics of rural local governments. The Shire therefore recommends:

- Retaining the current half-council election cycle every two years
- Retaining four-year councillor terms
- Rejecting the introduction of full council spills
- Retaining postal and in-person voting options
- Retaining first-past-the-post voting for internal council elections
- Recognising first-past-the-post as the preferred voting system for rural councils
- If preferential voting remains, removing the proportional representation component

These measures will help ensure stability, leadership continuity, and effective governance for small regional and rural communities such as Cuballing.

## 9.2.6 Community Emergency Services Manager – Quarterly Progress Report

Applicant: Internal document  
File Ref. No:  
Disclosure of Interest: Nil  
Date: 12 March 2026  
Author: Paul Gibson – CESM  
Attachments: Nil

### Summary

For Council to receive the Shire of Cuballing CESM quarterly progress report based on the agreed Business Plan with DFES and the Shires of Cuballing, Narrogin and West Arthur.

### Comment

The key strategic intentions and progress indicators are listed in the report below.

### Statutory Environment

*Emergency Management Act 2005*

Joint Shires & DFES MOU for the Provision of a Local Government Employed CESM

### Policy Implications

Nil

### Financial Implications

Shared CESM costs to each Shire and DFES are outlined in the MOU.

### Strategic Implications

#### **Shire of Cuballing Strategic Community Plan 2023-2033:**

Social

- Enhancing focus on emergency management.

Natural Environment

- The natural environment is protected, enhanced, managed, enjoyed by locals, and proudly shared with visitors.

Governance

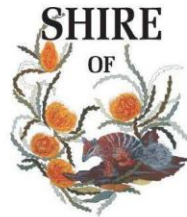
- Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.
- Enhancing community information and engagement.

### Voting Requirements

Simple majority

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

**That Council receives and notes the CESM Quarterly Progress Report.**



## CUBALLING

### CESM Business Plan Qtr Report

#### *Strategic Intention 1: Prevention*

<p><b>Critical Outcomes – Bushfire Risk Management Plan (BRMP) maintained for the Local Government as per State Hazard Plan – Fire</b></p> <ul style="list-style-type: none"> <li>• BRMP Review</li> <li>• Mitigation Activities</li> <li>• Scheduled Works</li> <li>• Mitigation Activity Fund Submission</li> </ul>	<p>A review is underway to ensure mitigation objectives for the 2026/27 period align with the BRMP. A February planning meeting was held with the CESM, CEO, CBFCO, CDO, Shire President in attendance, to confirm the scope of mitigation activities for the upcoming MAF application and inform planning for the next 1–2 years, with works prioritised in the highest-risk areas. Asset information within the Bushfire Risk Management System is currently being reviewed and updated in preparation for treatment planning following the meeting.</p> <p>There are still funds available for this financial years mitigation works to which the CBFCO and CESM are working towards fulfilling.</p>
<p><b>Critical Outcomes - Administration of relevant Regulations, Local By Laws, Policies and Procedures</b></p> <ul style="list-style-type: none"> <li>• Ensure Compliance with relevant Acts, Regulations, SEMC policies and local laws</li> </ul>	<p>The CESM and administrative staff reviewed Fire and Harvest Vehicle Movement Ban notifications, procedures and protocols to ensure compliance, with updates made to streamline the process and support efficient implementation of HVMBs.</p>
<p><b>Support Community Engagement and awareness programs as identified in BRMP or as developed for the Local Governments</b></p>	<p>A pre-season Community Information Session was initiated on 16<sup>th</sup> December, co-facilitated with DFES, targeting vulnerable and at-risk community members and focusing on preparedness, prevention and available tools. Insights from that session allows for planning for a broader pre-season forum, with planning underway for a whole-of-community pre-season bushfire information session around October 2026, along with continued delivery of educational programs and community engagement as required.</p>
<p><b>Emergency Services Strategic Planning</b></p> <ul style="list-style-type: none"> <li>• Effective planning for emergency services</li> <li>• Develop, review and update brigade response plans</li> </ul>	<p>Brigade appliances, equipment and capability are being regularly reviewed in consultation with Brigade leadership and the CBFCO to ensure the most effective bushfire response and mitigation outcomes, and to maintain alignment with the latest State Hazard Plan requirements</p>

## Strategic Intention 2: Preparedness

<p><b>Critical Outcomes – Volunteer Bush Fire Brigade Training Coordination</b></p> <ul style="list-style-type: none"> <li>• Training Calendar</li> <li>• Local Trainers</li> <li>• Records</li> </ul>	<p>A training needs analysis is underway to identify capability gaps across the Shire. An expression of interest has been issued to volunteers for the DFES Workplace Trainer Assessor course. Training requirements will be reviewed in consultation with the CBFCCO to ensure alignment with the 2025 State Hazard Plan and minimum training standards, with actions ongoing.</p>
<p><b>Critical Outcomes – LGGS Operation and Capital Grants Management.</b></p>	<p>LGGS Application due on the 27<sup>th</sup> of March &amp; On track for early submission. Review underway for previous expenditure and volunteer numbers to support a revised funding request, identify priority capital items and associated quotations, and consider future fleet and facility upgrades. Ongoing LGGS priorities for the current and future financial years will be determined in consultation with the CBFCCO &amp; CEO.</p>
<p><b>Support Key Bushfire Meetings &amp; Committees (BFAC,ROAC,DOAC) % Brigade Meetings</b></p> <ul style="list-style-type: none"> <li>• CESM Reports</li> <li>• Attend brigade meetings</li> <li>• Provide feedback to council on BFAC</li> </ul>	<p>CESM reporting to meetings on business plan deliverables is ongoing and on target, including updates on bushfire mitigation, training, LGGS, fleet and community engagement activities. Attendance at brigade meetings occurs on a needs basis, with frequency and purpose to be confirmed in consultation with the CBFCCO, noting increased operational demands during bushfire and harvest periods.</p>
<p><b>Critical Outcome - Local Emergency Management Committee</b></p> <ul style="list-style-type: none"> <li>• Updates to LEMA</li> <li>• Planning &amp; establishment of exercise regime for LEMA</li> </ul>	<p>The Shire of Narrogin &amp; Cuballing have been provided an opportunity to utilise a new template for the LEMA, which has recently been approved for use after a Pilot Program involving several shires. The new template allows for a Shire led and produced document, utilising departments within the Shire to contribute and create more awareness of the documents intended purpose. The information in the current template will be transferred to the new style documents.</p> <p>During the Joint LEMC, appreciation was expressed from both Shire CBFCCOs for the on-going support one another provide in regards to assistance during bushfires.</p>
<p><b>Local Government Incident Management Capacity/Capability</b></p> <ul style="list-style-type: none"> <li>• Identify and coordinate IMT qualification and training requirements commensurate with Local Government responsibility.</li> <li>• Develop and enhance Local Government IMT capacity and capability.</li> </ul>	<p>It is recommended that the Shire continue to develop internal Incident Management Team (IMT) and IMT support capability by utilising existing staff in roles aligned with their business-as-usual functions, such as management support and logistics. Providing internal training and registering staff as bushfire brigade volunteers will enable access to incident management training and build organisational capacity, resilience and efficiency during emergency responses.</p>

### ***Strategic Intention 3: Response***

<p><b>Critical Outcome – Support BFBs to respond to Emergency Incidents</b></p> <ul style="list-style-type: none"> <li>Act as local Govt representative</li> </ul>	<p>Incident responses by the CESM have focused on supporting the CBFCO and FCOs through functions such as public information, situation reporting to ComCen, resource coordination and operational advice, allowing Incident Controllers to remain focused on crew coordination. The Shire has had a notable and commendable presence in neighbouring Shires assisting with a number of small scale and large scale bushfires.</p> <p>Where attendance has not been required, support has been provided remotely. Incident responses within the Shire of West Arthur have been managed effectively and professionally by the CBFCO and FCOs, with incidents attended at the request of DFES, the local government or when defined triggers were met.</p>
<p><b>Critical Outcome – Incident Reporting</b></p>	<p>LG Monthly report is reviewed. Information has previously been provided to the CBFCO on request, regarding outstanding Incident Reports, so that it can be reviewed and completed -</p>

### ***Strategic Intention 4: Recovery***

<p><b>Critical Outcome – Management of Volunteer and Staff Health and Safety including Mental Health</b></p>	<p>Recent incidents in adjacent shires and across the Great Southern have reinforced the importance of PPE, with strong leadership from the CBFCO and support from the CESM and brigade leadership. Welfare considerations have also been addressed. Ongoing emphasis will be placed on promoting available welfare and support services for both community members and firefighters, with relevant resources to be provided to the CBFCO for distribution to crews and talking points and the next BFAC.</p>
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### ***Strategic Intention 5: Special Projects -Nothing to Report***

### ***Strategic Intention 6: Administration Duties***

<p><b>Critical Outcome - Management of Bushfire Brigade Fleet Maintenance Program</b></p>	<p>Engagement has occurred with the DFES Regional Fleet Coordinator to confirm appropriate servicing requirements for Shire fire appliances based on usage and kilometres. An adaptable maintenance schedule has been obtained and is being refined in consultation with the CBFCO, with the intent of seeking quotations and capability statements from local or regional mechanics to undertake appliance servicing.</p>
<p><b>Critical Outcome – Management of Personal Protective Equipment</b></p>	<p>In response to increased PPE awareness and volunteer growth, a PPE register will be implemented to track allocation and location of equipment and to support forward planning and budgeting, with this identified as a focus area for the 2026/27 LGGS.</p>
<p><b>Critical Outcome – Individual Training and Development Plan</b></p>	<p>While some formal training courses are yet to be undertaken, the CESM is actively gaining experience in relevant Incident Management Team (IMT) roles at Level 2 and Level 3 incidents, with endorsement pathways underway. This experience complements existing qualifications and will be further supported through DFES and nationally accredited professional development opportunities. Participation in incidents is being managed to</p>

	ensure endorsement requirements are met while maintaining balance with local government workload and responsibilities, and without detracting from support to DFES-managed incidents.
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All communications to be addressed to: Chief Executive Officer, PO Box 13, CUBALLING WA 6311  
**OFFICE HOURS: Monday to Friday 8.30am to 4.30pm**  
Ph: 08 9883 6031, Fax: 08 9883 6174, Email: [enquiries@cuballing.wa.gov.au](mailto:enquiries@cuballing.wa.gov.au)

**9.3 MANAGER OF WORKS AND SERVICES:**

Nil

**10. COMMITTEE REPORTS**

Nil

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

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

**13. CONFIDENTIAL MATTERS**

Nil

**14. NEXT MEETING**

Ordinary Council Meeting, 3.00pm. Wednesday 15<sup>th</sup> April 2026 at the Shire of Cuballing CWA Hall, Campbell Street, Cuballing.

**15. CLOSURE OF MEETING**