



**AGENDA
ORDINARY MEETING
OF COUNCIL**

19 MAY 2020

NOTICE OF MEETING

Please be advised that the next

Ordinary Meeting of Council

is to be held on

Tuesday, 19 May 2020

commencing at **6:30pm**

in the Council Chambers at 73 Austin Street, Cue



Rob Madson

Chief Executive Officer

15 May 2020

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations, which have not yet been adopted by Council.

SHIRE OF CUE

DISCLOSURE OF FINANCIAL INTEREST AND INTERESTS AFFECTING IMPARTIALITY

To: Chief Executive Officer

As required by section 5.65(1)(a) or 5.70 of the Local Government Act 1995 and Council's Code of Conduct, I hereby declare my interest in the following matter/s included on the Agenda paper for the Council meeting to be held on _____(Date)

Item No.	Subject	Details of Interest	Type of Interest Impartial/Financial	*Extent of Interest

(see below)

* Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions of the decision making process (see item 6 below). Employees must disclose extent of interest if the Council or Committee requires them to.

Name (Please Print)

Signature

Date

NB

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have declared an interest is discussed, Section 5.65(1) (a) & (b).
2. It remains Councillors'/Employees' responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor's/Employee's responsibility to ensure the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. The responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are confirmed.
5. It is recommended that when previewing Agenda, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of the Council. Where Councillors request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor's application.

Remember: The responsibility to declare an interest rests with individual Councillors / Employees. If in any doubt seek legal opinion or, to be absolutely sure, make a declaration.

Office Use Only: Date/Initials

1. Particulars of declaration given to meeting _____
2. Particulars recorded in the minutes: _____
3. Signed by Chief Executive Officer _____

Local Government Act 1995 - SECT 5.23

Meetings generally open to the public

5.23.(1) Subject to subsection (2), the following are to be open to members of the public:

- (a) All Council meetings; and
 - (b) All meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following --
- (a) A matter affecting an employee or employees;
 - (b) The personal affairs of any person;
 - (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) A matter that if disclosed, would reveal;
 - (i) A trade secret;
 - (ii) Information that has a commercial value to a person; or
 - (iii) Information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) A matter that if disclosed, could be reasonably expected to;
 - (i) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) Endanger the security of the local government's property; or
 - (iii) Prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
 - (g) Information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
 - (h) Such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

SHIRE OF CUE

REVOKING OR CHANGING DECISIONS MADE AT COUNCIL MEETINGS

Local Government (Administration) Regulations 1996 (**Regulation No.10**)

If a previous Council decision is to be changed then support for a revocation motion must be given by an **Absolute Majority** of Councillors (that is at least 4 Councillors) if a previous attempt to rescind has occurred within the past three months or, if no previous attempt has been made the support must be given by at least **1/3rd** of all Councillors (that is at least 3 Councillors).

Regulation 10(1a) also requires that the support for revocation must be in writing and signed by the required number of Councillors, including the Councillor who intends to move the revocation motion.

Any revocation motion must be carried by the kind of vote that put the motion into place in the first instance (that is, if carried originally by an Absolute Majority or Special Majority vote then the revocation motion must also be carried by that same kind of vote).

If the original motion was carried by a Simple Majority vote then any revocation motion must be carried by an Absolute Majority vote.

To the Presiding Member,

The following Councillors give notice of their support for the bringing forward to the Council meeting to be held on _____ of a motion for revocation of Council resolution number _____ as passed by the Council at its meeting held on _____

Councillor's Names

Councillor's Signature

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

SHIRE OF CUE
Ordinary Council Meeting
AGENDA

To be held in the Council Chambers, 73 Austin Street Cue on
 Tuesday 19 May 2020 commencing at 6:30pm

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1. DECLARATION OF OPENING

The Presiding Member welcomed those present and read the following disclaimer:

No responsibility whatsoever is implied or accepted by the Shire of Cue for any act, omission or statement or intimation occurring during this Meeting.

It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of council's decision, which will be provided within fourteen (14) days of this Meeting.

PRESENT:

Councillor Ross Pigdon, Shire President

Councillor Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Leonie Fitzpatrick

Councillor Fred Spindler

Councillor Liz Houghton

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Ms Tracy Bachraty, Customer Service Officer

GALLERY:

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

3. DISCLOSURE OF MEMBERS' INTERESTS

4. PUBLIC QUESTION TIME

5. CONFIRMATION OF MINUTES

Council Decision:

Voting Requirement: Simple Majority

MOVED:

SECONDED:

That the Minutes of the Ordinary Meeting of 21 April 2020 are confirmed as a true and correct record of the meeting.

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. DEPUTATIONS

8. PETITIONS

9. ANNOUNCEMENTS WITHOUT DISCUSSION

10. REPORTS

10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 15 May 2020

Matters for Consideration:

To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on 19 May 2020 as attached – see [Appendix 1](#).

Background:

The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.

Comments:

The list of accounts is for the month of April 2020.

Statutory Environment:

Local Government (Financial Management Regulations) 1996 – Clause 13.

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

Nil.

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council endorse the payments for the period 1 April to 31 April 2020 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank	EFTs	8344 - 8406	\$370,867.95
Direct Debit Fund Transfer			\$ 21,755.19
Payroll			\$ 80,492.32
BPAY			\$ 23,067.39
Cheques			\$ -
Total			\$496,182.85

Council Decision:

Voting requirement: Simple Majority

MOVED:

SECONDED:

APPENDIX 1

List of Accounts Paid April 2020

		Date	Name	Description	Amount	Bank	Type
	Direct Debit						
1	Direct Debit	02/04/2020	1 - CBA MERCHANT FEE	CBA MERCHANT FEE	- 40.72	1	FEE
2	Direct Debit	02/04/2020	1 - CBA MERCHANT FEE	CBA MERCHANT FEE	- 20.20	1	FEE
3	Direct Debit	15/04/2020	2 - BANK FEES	BANK FEES	- 33.15	1	FEE
4	Direct Debit	15/04/2020	2 - BANK FEES	BANK FEES	- 2.18	1	FEE
5	Direct Debit	15/04/2020	2 - BANK FEES	BANK FEES	- 17.34	1	FEE
6	Direct Debit	07/04/2020	Caltex Australia Petroleum Pty Ltd	Fuel Card Purchases for Shire of Cue - March 2020 (\$504.03)	- 504.03	1	CSH
7	Direct Debit	30/04/2020	Superchoice	Superannuation contributions	- 19,119.56	1	CSH
8	Direct Debit	30/04/2020	Commonwealth Bank	Card Purchases for April 2020 (\$2,018.01), Decals for P8 Rubbish Compactor (\$18.00), Decals for P8 Rubbish Compactor (\$22.34), Skype subscription (\$9.90), Fuel for CEO Landcruiser (\$131.91), New Blade for staff house Mower (\$25.98), Zoom Subscription for 12 months (\$230.89), Purchase of Drone (\$1,457.99), Flowers for Cr Houghton (\$121.00).	- 2,018.01	1	CSH
9					- 21,755.19		
10	EFT						
11	EFT8344	01/04/2020	Apple Pty Ltd	iPhones & iPads + Accessories for Council (\$7,804.00)	- 7,804.00	1	CSH
12	EFT8345	01/04/2020	Easifleet	Vehicle Lease & Recharge Expense for Staff Member (Salary Sacrifice) April 2020 (\$1213.27)	- 1,213.27	1	CSH
13	EFT8346	01/04/2020	Exteria Street & Park Outfitters	Bin for within the skate park grounds (\$1,570.80)	- 1,570.80	1	CSH
14	EFT8347	01/04/2020	LO-GO Appointments	Fee for Contract Rates Officer - Week ending 28/03/2020 (\$363.32)	- 363.32	1	CSH
15	EFT8348	01/04/2020	GLEEMAN TRUCK PARTS	Air receiver/dryer for P61 - Mack Prime Mover (\$1,022.57)	- 1,022.57	1	CSH
16	EFT8349	01/04/2020	Great Northern Rural Services	Retic controller box for Parks (\$327.27)	- 327.27	1	CSH
17	EFT8350	01/04/2020	Midwest Fire Protection Service & Eye Spy Security	Gate access cards, USB card reader for Depo (\$393.14)	- 393.14	1	CSH
18	EFT8351	01/04/2020	Toll Ipec Pty Ltd	Freight expense for delivery of toilet paper, cleaning chemicals for Office Supplies, fans for P8 - CAT Rubbish Compactor (\$51.43)	- 29.68	1	CSH
19	EFT8352	01/04/2020	WesTrac	Cable for P8 - CAT Rubbish Compactor (\$369.80)	- 369.80	1	CSH
20	EFT8353	01/04/2020	Greenfield Technical Services	Management of AGRN863 Flood Damage Works (\$8,849.13)	- 8,849.13	1	CSH
21	EFT8354	01/04/2020	Geraldton Mower Repair & Specialist	Whipper snipper heads for P19 - Whipper Snippers (\$300.00)	- 300.00	1	CSH
22	EFT8355	01/04/2020	Great Northern Rural Services	Potting mix, soil improver, blood and bone, other fertiliser for Parks, Street Trees, Oasis, Tourist Park (\$698.85), Filter for P20 - Weed Sprayer (\$12.76)	- 711.61	1	CSH
23	EFT8356	01/04/2020	Hoppys Parts R Us	Bolts, nuts, washers for P55, P39 - Water Carts (\$133.85)	- 133.85	1	CSH
24	EFT8357	01/04/2020	JMH Mechanical Services	Safety check and mechanical service for P65 - Houlotte EWP (\$2,136.79)	- 2,136.79	1	CSH
25	EFT8358	01/04/2020	JR & A Hersey Pty Ltd	Hand sanitiser for OHS (\$486.75)	- 486.75	1	CSH

List of Accounts Paid April 2020

		Date	Name	Description	Amount	Bank	Type
26	EFT8359	01/04/2020	Neil Barnden	Contractor works for Shire of Cue 10/2/20 - 25/3/20 (\$2,695.00)	- 2,695.00	1	CSH
27	EFT8360	01/04/2020	Western Independent Foods	Coffee for Staff Amenities, Toilet paper for Public Conveniences, Freight expense for delivery of bolts, nuts, washers for P39, P55 - Water Carts, exhaust parts for P44 - Iveco Rubbish Truck, filter for P20 - Weed Sprayer (\$264.42)	- 264.42	1	CSH
28	EFT8361	08/04/2020	Australia Post	Postage supply for period ending 31/03/2020 (\$78.09)	- 78.09	1	CSH
29	EFT8362	08/04/2020	CS Legal	Professional Fees - Debt Recovery - A4836 Hince, J, A (\$104.00)	- 104.00	1	CSH
30	EFT8363	08/04/2020	Cue Roadhouse & General Store	Petrol for P19 Whipper Snippers (\$15.30)	- 15.30	1	CSH
31	EFT8364	08/04/2020	Landgate	Mining Tenements Chargable 04/02/2020 - 13/03/2020 (\$72.00), Mining Tenements Chargable 14/01/2020 - 03/02/2020 (\$39.80)	- 111.80	1	CSH
32	EFT8365	08/04/2020	Moore Stephens	Staff attendance at the 2020 Financial Reporting teleconference (\$1,782.00)	- 1,782.00	1	CSH
33	EFT8366	08/04/2020	Murchison Club Hotel	Meals following council forum (\$45.00)	- 45.00	1	CSH
34	EFT8367	08/04/2020	Trephleene Pty Ltd T/A Canine Control	Ranger Services for the Shire of Cue 25/03/2020 (\$1,466.94)	- 1,466.94	1	CSH
35	EFT8368	08/04/2020	URL Networks Pty Ltd	VOIP Usage & Charges March 2020 (\$144.34)	- 144.34	1	CSH
36	EFT8369	08/04/2020	Winc Australia Pty Ltd	Folder dividers, dishwashing detergent, fly spray, and lollies for Councillors (\$221.77), Spray n wipe 5lt and toilet paper (\$166.76), Air freshner and staples for office (\$26.26), Kitchen tidy bags for Office (\$39.37), Permanent markersn laundry liquid and sticky tape (\$103.77)	- 557.93	1	CSH
37	EFT8370	08/04/2020	Polaris Central	Oil filter, engine oil for P29 - Polaris Ranger (\$99.85)	- 99.85	1	CSH
38	EFT8371	08/04/2020	Toll Ipec Pty Ltd	Freight expense for delivery of cable for P8 - CAT Compactor, Microphone for P9 - CAT 140H Grader (\$23.10)	- 23.10	1	CSH
39	EFT8372	08/04/2020	Totally Workwear Geraldton	Protective clothing for Outside Crew - Boots, shirt, pants (\$2,124.67)	- 2,124.67	1	CSH
40	EFT8373	08/04/2020	WesTrac	Water pump, core charge for P8 - CAT Compactor (\$1,779.73), 2-way microphone for P9 - CAT 140H Grader (\$20.15)	- 1,897.37	1	CSH
41	EFT8374	16/04/2020	Bunnings Group Limited	Tap timers, batteries for Tourist Park, Vine plant for Depot, Light bulb for SH03 - 18 Dowley St Staff House (\$177.97)	- 177.97	1	CSH
42	EFT8375	16/04/2020	D A Christie Pty Ltd	Electric BBQ for Victoria St Park (\$10,363.54)	- 10,363.54	1	CSH
43	EFT8376	16/04/2020	The Block Makers	Blocks for Marshall St/Austin St Wall (\$442.60)	- 442.60	1	CSH
44	EFT8377	16/04/2020	Western Independent Foods	Long life milk for Office Supplies, Freight expense for delivery of boots for Outside Crew (\$115.42)	- 115.42	1	CSH
45	EFT8378	16/04/2020	Woodlands Distributors & Agencies	Carton of dog waste bags for Oval (\$137.50)	- 137.50	1	CSH
46	EFT8379	22/04/2020	Bell & Co	Compost for Street Trees (\$78.40)	- 78.40	1	CSH
47	EFT8380	22/04/2020	Great Northern Rural Services	Retic control box for Tourist Park (\$236.43)	- 236.43	1	CSH

List of Accounts Paid April 2020

		Date	Name	Description	Amount	Bank	Type
48	EFT8381	22/04/2020	Great Southern Fuel Supplies	Purchase and delivery of 10,009L of diesel to Shire Depot (\$10,991.18)	- 10,991.18	1	CSH
49	EFT8382	22/04/2020	Murchison Club Hotel	Drinks and meals for councillors and staff following council meeting on 17/3/20 (\$470.00)	- 470.00	1	CSH
50	EFT8383	22/04/2020	WesTrac	Credit for core return - water pump for P8 - CAT Compactor (- \$978.85cr), Seals, belts, filters for P8 - CAT Rubbish Compactor (\$587.69), Seal kit for P8 - CAT Rubbish Compactor (\$371.25), 2-way microphones for P70 - CAT 12M Grader (\$40.30)	- 120.46	1	CSH
51	EFT8384	22/04/2020	Bunnings Group Limited	Supplies for renovation of Tourist Park buildings (\$1,339.46), Supplies including Battery drill kit, battery angle grinder, dynabolts, LED worklights for Workshop, PVC door curtains for Depot, Tap timers, batteries for Tourist Park (\$1,261.49)	- 2,600.95	1	CSH
52	EFT8385	22/04/2020	K-Line Fencing Group	Partial payment for supply of link mesh fencing for Rubbish Tip (\$2,691.70)	- 2,691.70	1	CSH
53	EFT8386	22/04/2020	Midwest Windscreens and Windows	Labour and parts to fit new windscreen and tint to P75 - Road Crew Fuso Truck, Fit new glass to P8 - CAT Compactor (\$1,672.00)	- 1,672.00	1	CSH
54	EFT8387	22/04/2020	Purcher - International Pty Ltd	Pipe, exhaust manifold for P44 - Rubbish Truck (\$693.10), Parts and labour to rectify issues with water tanker to comply with inspection for registration for P79 - Holmwood Tanker (\$88.52)	- 781.62	1	CSH
55	EFT8388	22/04/2020	WA Temporary Fencing Supplies	Temporary fencing kit for Heydon PI Development (\$3,520.00)	- 3,520.00	1	CSH
56	EFT8389	22/04/2020	Western Independent Foods	Freight expense for delivery of retic control box for Tourist Park (\$14.80)	- 14.80	1	CSH
57	EFT8390	22/04/2020	AIT Specialists Pty Ltd	Professional Services 01/03/2020 - 31/03/2020 (\$160.38)	- 160.38	1	CSH
58	EFT8391	22/04/2020	LO-GO Appointments	Fee for Contract Rates Officer - Week ending 04/04/2020 (\$304.79), Fee for Contract Rates Officer - Week ending 11/04/2020 (\$219.45)	- 524.24	1	CSH
59	EFT8392	22/04/2020	Leonie Fitzpatrick	Elected Member - Expenses Claim 17/03/2020 (\$647.00)	- 647.00	1	CSH
60	EFT8393	22/04/2020	Peter Groom Settlements	Settlement Fees - Lot 234 Darlot Street (\$1,129.74)	- 1,129.74	1	CSH
61	EFT8394	22/04/2020	Professional Pc Support Pty Ltd	PPS Managed Service - Monthly Billing May (\$1,903.00), Set up of Fibre Connection (internet) and Laptop for Shire Office (\$429.00)	- 2,332.00	1	CSH
62	EFT8395	22/04/2020	RICHARD DAVID TOWELL	Reimbursement - Showerhead & Mixer Tap Fastening Kit for SH08 - 10 Chesson Street (\$38.10)	- 38.10	1	CSH
63	EFT8396	22/04/2020	RSM Australia Pty Ltd	Accounting Services for April 2020 (\$6,305.82)	- 6,305.82	1	CSH
64	EFT8397	23/04/2020	Cue Roadhouse & General Store	Ice and Fuel for Variouse Equipment (\$92.18)	- 92.18	1	CSH
65	EFT8398	23/04/2020	Greenfield Technical Services	Flood Damage Administration AGRN888 (\$968.00)	- 968.00	1	CSH
66	EFT8399	23/04/2020	LO-GO Appointments	Fee for Contract Rates Officer - Week ending 18/04/2020 (\$35.35)	- 35.35	1	CSH
67	EFT8400	23/04/2020	Rockingham Chrysler Jeep Dodge	Purchase of Jeep Grand Cherokee Night eagle (\$26,158.95)	- 26,158.95	1	CSH

List of Accounts Paid April 2020

		Date	Name	Description	Amount	Bank	Type
68	EFT8401	23/04/2020	Trephleene Pty Ltd T/A Canine Control	Ranger Services for the Shire of Cue 31/03/2020 (\$1,466.94)	- 1,466.94	1	CSH
69	EFT8402	23/04/2020	WALGA	21/04/2020 Online Training for Councillors Fitzpatrick & Houghton - Understanding Financial Reports & Budgets (\$900.00)	- 900.00	1	CSH
70	EFT8403	23/04/2020	General Terrain Services Pty Ltd	Contract Flood Damage Supervisor - multiple rds 25/03/2020 - 08/04/2020 (\$23,871.79)	- 23,871.79	1	CSH
71	EFT8404	23/04/2020	Greenfield Technical Services	Management of AGRN863 Flood Damage Works (\$5,659.50)	- 5,659.50	1	CSH
72	EFT8405	23/04/2020	Lacy Bros Pty Ltd	Supply of Equipment & Labour For Flood Damage 26/03/2020 - 08/04/2020 (\$212,800.50)	-212,800.50	1	CSH
73	EFT8406	30/04/2020	WATER CORPORATION	Water usage and charges Shire of Cue April 2020 10 Chesson Street - Staff House (\$148.20), 12 Chesson Street- Staff House (\$98.87), 15 Allen Street- Staff House (\$2,114.51), 15 Wittenoom St - Big Bell Camp (\$549.55), 18 Dowley Street - Staff House (\$2,078.35), 19 Burt Street - Staff House (\$98.87), 2 Chesson St - Tourist Park (\$1629.51), 23 Allen Street - Staff House (\$199.85), 29 Robinson Street - Staff House (\$280.29), 33 Robinson St - Brockman Park (\$1,768.56), 47 Dowley St - Staff House (\$36.36), 47 Marshall St - Staff House (\$86.08), 52-58 Dowley St - Tennis Courts (\$288.27), 57 Marshall St - Staff House (\$118.97), L5 Austin St - Median Strip (\$1,088.14), 72 Austin St - Post Office (\$7.79), 75 Austin St - Admin Office (\$599.91), 79 Austin St - Public Water Access (\$23.37), 8 Victoria St Water - Playground (\$1,233.58), L22-23 Austin St - Depot (\$1,083.70), Darlot St - Median Strip (\$57.13), L51 Marshall St - Standpipe (\$1,721.82), L637 Wittenoom St - Oval (\$732.95), L500 Robinson St - Median Strip (\$41.55), Heydon Place Lot 592 (\$45.34), Heydon Place Lot 593 (\$45.34), 46 Dowley St (\$18.18), 64 Austin St (\$44.06)	- 16,241.10	1	CSH
74					-370,867.95		
75	BPAY						
76	BPAY	03/04/2020	The Good Guys Geraldton	Vacuum cleaner for Cleaning Supplies (\$699.00)	- 699.00	1	CSH
77	BPAY	02/04/2020	Horizon Power	Electricity Supply for Period 03/02/2019 - 01/04/2020 (\$18,434.06)	- 18,434.06	1	CSH
78	BPAY	21/04/2020	Australian Taxation Office	BAS Payment March 2020 (\$1443.00)	- 1,443.00	1	CSH
79	BPAY	21/04/2020	Horizon Power	Electricity Supply for 59 Days from 03/02/2020 - 01/04/2020 - LOT 4 Austin Street / Cuerosity Shop (\$123.04)	- 123.04	1	CSH
80	BPAY	21/04/2020	TELSTRA CORPORATION LTD	Mobile usage and charges March 2020 (\$438.06)	- 438.06	1	CSH
81	BPAY	19/04/2020	DHS Official Administered Receipts CSA Account	Payroll deductions	- 620.66	1	CSH

List of Accounts Paid April 2020

		Date	Name	Description	Amount	Bank	Type
82	BPAY	30/04/2020	Pivotel Satellite Pty Limited	Satellite Phone usage and charges Shire of Cue - April 2020 (\$150.34)	- 150.34	1	CSH
83	BPAY	30/04/2020	WATER CORPORATION	Water Use & Service Charge - 28 Dowley Street (\$44.06)	- 44.06	1	CSH
84	BPAY	30/04/2020	TELSTRA CORPORATION LTD	Landline Phone Usage & Charges - Shire of Cue April (\$1,060.17), Tourist Park Landline Usage & Charges April 2020 (\$55.00)	- 1,115.17	1	CSH
85					- 23,067.39		
86	Payroll						
87	Payroll	05/04/2020	Payroll Direct Debit Of Net Pays	Payroll Direct Debit Of Net Pays	- 41,181.47	1	PAY
88	Payroll	19/04/2020	Payroll Direct Debit Of Net Pays	Payroll Direct Debit Of Net Pays	- 39,310.85	1	PAY
					- 80,492.32		
				TOTAL PAYMENTS	-496,182.85		
				Total Direct Debits	- 21,755.19		
				Total EFTs	-370,867.95		
				Total BPAY	- 23,067.39		
				Total Cheque			
				Total Payroll	- 80,492.32		
				TOTAL PAYMENTS	-496,182.85		

10.2 FINANCIAL STATEMENT

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Richard Towell – Deputy Chief Executive Officer
 DATE: 15 May 2020

Matters for Consideration:

The Statement of Financial Activity for the period ended 30 April 2020 including the following reports:

- Statement of Financial Activity
- Significant Accounting Policies
- Graphical Representation – Source Statement of Financial Activity
- Net Current Funding Position
- Cash and Investments
- Major Variances
- Budget Amendments
- Receivables
- Grants and Contributions
- Cash Backed Reserve
- Capital Disposals and Acquisitions
- Trust Fund

see [Appendix 2](#).

Background:

Under the *Local Government (Financial Management Regulations 1996)*, a monthly Statement of Financial Activity must be submitted to an Ordinary Council meeting within 2 months after the end of the month to which the statement relates. The statement of financial activity is a complex document but presents a complete overview of the financial position of the local government at the end of each month. The Statement of Financial Activity for each month must be adopted by Council and form part of the minutes.

Comments:

The Statement of Financial Activity is for the month of April 2020.

Statutory Environment:

Local Government (Financial Management Regulations) 1996 – Clause 14.

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

RSM Australia Pty Ltd.

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 April 2020, as presented at [Appendix 2](#).

Council Decision:

Voting requirement: Simple Majority

MOVED:

SECONDED:

APPENDIX 2



Shire of Cue

73 Austin Street Cue WA 6640

PO Box 84 Cue WA 6640

T +61 (0) 8 9943 0988

www.cue.wa.gov.au

SHIRE OF CUE

MONTHLY FINANCIAL REPORT

For the Period Ending 30 April 2020

RSM Australia Pty Ltd

Level 1, 12 Bayly Street Geraldton WA 6530

PO Box 61 Geraldton WA 6531

T +61 (0) 8 9920 7400

F +61 (0) 8 9920 7450

www.rsm.com.au

Compilation Report

To the Council

Shire of Cue

Scope

We have compiled the accompanying special purpose financial statements.

The specific purpose for which the special purpose financial report has been prepared is to provide information relating to the financial performance and financial position of the Shire that satisfies the information needs of the Council and the *Local Government Act 1995* and associated regulations.

The responsibility of the Shire

The Shire is solely responsible for the information contained in the special purpose financial report and have determined that the accounting policies used are consistent and are appropriate to satisfy the requirements of the Council and the *Local Government Act 1995* and associated regulations.

Our responsibility

On the basis of information provided by the Shire, we have compiled the accompanying special purpose financial statements in accordance with the significant accounting policies adopted as set out in Note 1 to the financial statements and APES 315: Compilation of Financial Information.

Our procedures use accounting expertise to collect, classify and summarise the financial information, which the Management provided, into a financial report. Our procedures do not include any verification or validation procedures. No audit or review has been performed and accordingly no assurance is expressed.

To the extent permitted by law, we do not accept liability for any loss or damage which any person, other than the Shire of Cue, may suffer arising from negligence on our part.

This report was prepared for the benefit of the Council of the Shire of Cue and the purpose identified above. We do not accept responsibility to any other person for the content of the report.



Signed at GERALDTON

Date 15th May 2020

RSM Australia Pty Ltd
Chartered Accountants

THE POWER OF BEING UNDERSTOOD
AUDIT | TAX | CONSULTING

RSM Australia Pty Ltd is a member of the RSM network and trades as RSM. RSM is the trading name used by the members of the RSM network. Each member of the RSM network is an independent accounting and consulting firm which practices in its own right. The RSM network is not itself a separate legal entity in any jurisdiction.

RSM Australia Pty Ltd ACN 009 321 377 atf Birdanco Practice Trust ABN 65 319 382 479 trading as RSM

Liability limited by a scheme approved under Professional Standards Legislation

SHIRE OF CUE
MONTHLY FINANCIAL REPORT
For the Period Ending 30 April 2020
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SHIRE OF CUE
MONTHLY FINANCIAL REPORT
For the Period Ending 30 April 2020
EXECUTIVE SUMMARY

Statement of Financial Activity

Income Statements are presented on pages 6 - 7 showing a surplus as at 30 April 2020 of \$4,677,108

Significant Revenue and Expenditure

	Collected / Completed %	Annual Budget \$	YTD Budget \$	YTD Actual \$
Significant Projects				
GROH Houses	4%	980,000	816,650	37,889
Old Railway Building and Youth Centre	3%	513,000	427,490	14,975
Caravan Park House and Office	1%	400,000	333,310	4,018
Deep Sewerage Plan	0%	240,000	200,000	-
	2%	2,283,000	1,902,450	56,882
Grants, Subsidies and Contributions				
Operating Grants, Subsidies and Contributions	59%	1,369,718	1,141,390	809,749
Non-operating Grants, Subsidies and Contributions	22%	6,145,378	5,121,130	1,379,181
	29%	7,515,096	6,262,520	2,188,930
Rates Levied	101%	2,359,000	1,965,830	2,392,235

% - Compares current YTD actuals to the Annual Budget

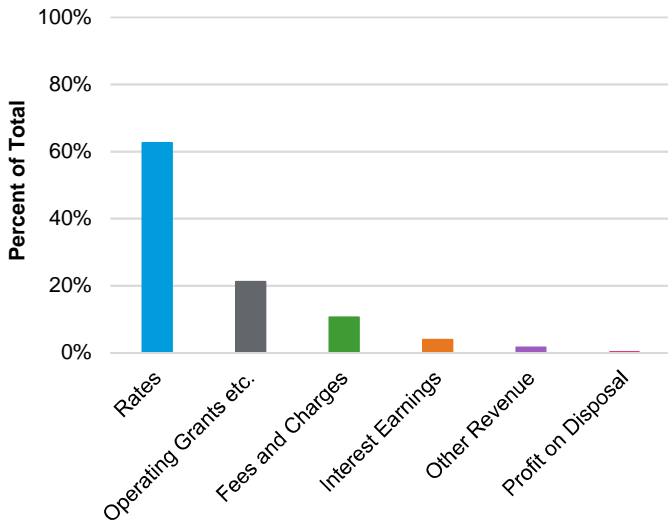
Financial Position

Account	Difference to Prior Year %	Current Year 30 Apr 20 \$	Prior Year 30 Apr 19 \$
Adjusted Net Current Assets	220%	4,677,108	2,130,683
Cash and Equivalent - Unrestricted	300%	3,404,652	1,133,497
Cash and Equivalent - Restricted	103%	5,773,963	5,601,565
Receivables - Rates	118%	407,322	345,198
Receivables - Other	5902%	1,038,695	17,599
Payables	120%	66,406	55,298

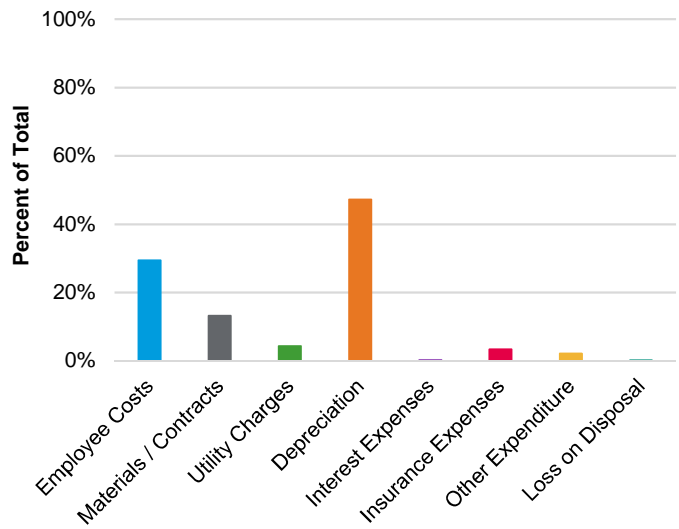
% - Compares current YTD actuals to prior year actuals

SHIRE OF CUE
MONTHLY FINANCIAL REPORT
For the Period Ending 30 April 2020
SUMMARY GRAPHS - OPERATING

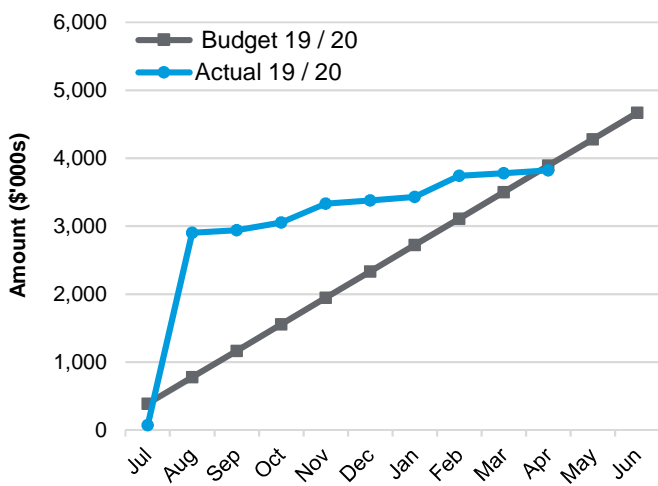
Operating Revenue



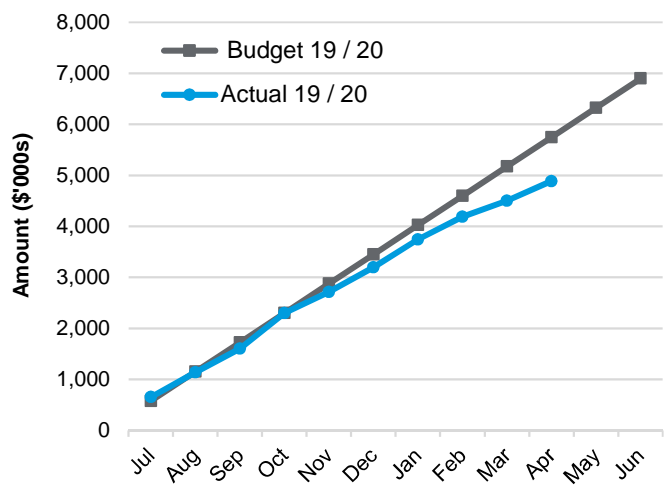
Operating Expenditure



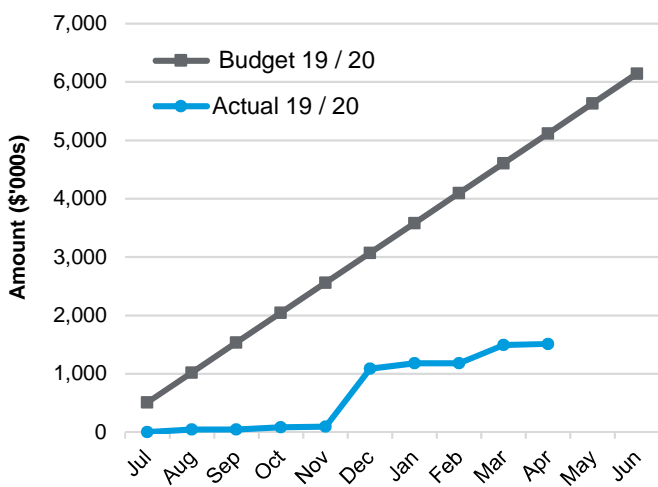
Operating Revenue



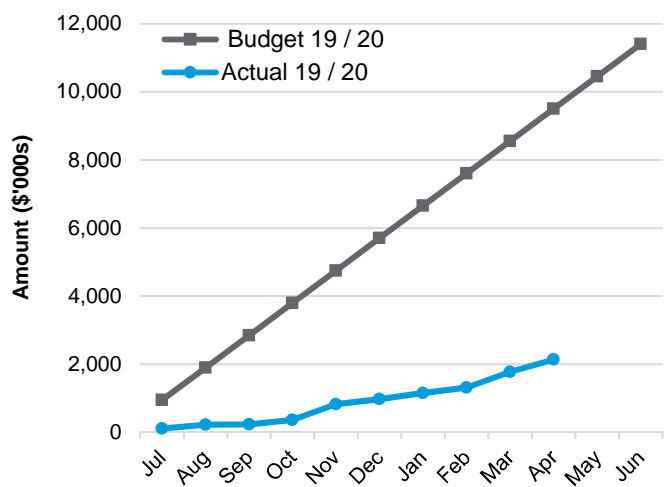
Operating Expenses



Capital Revenue (inc. Flood Damage)

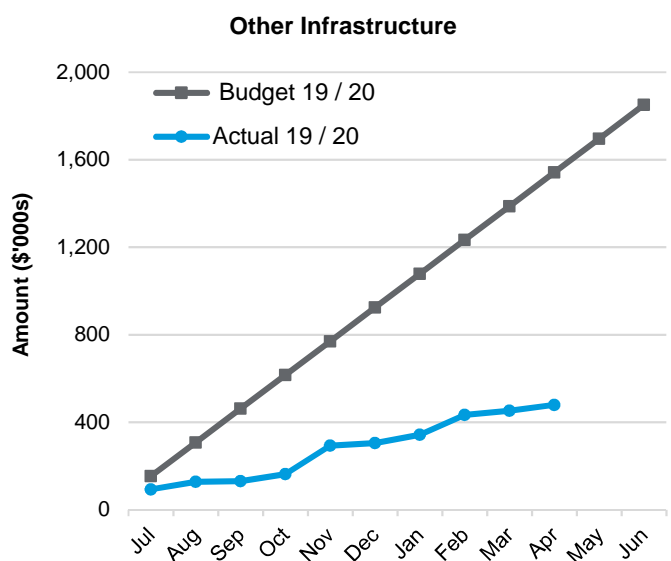
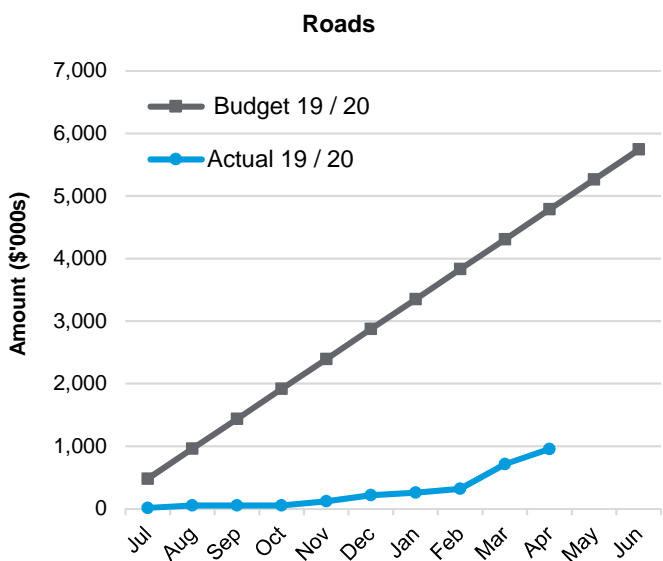
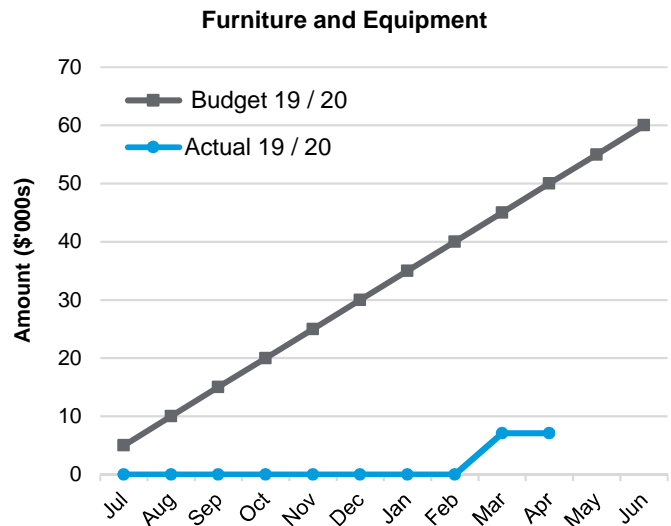
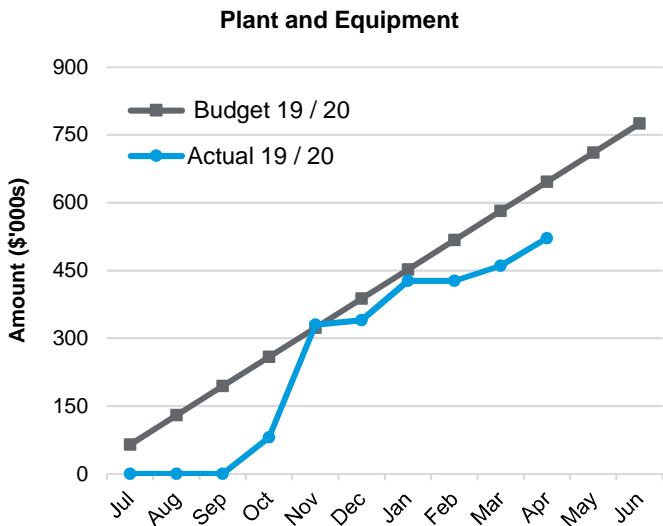
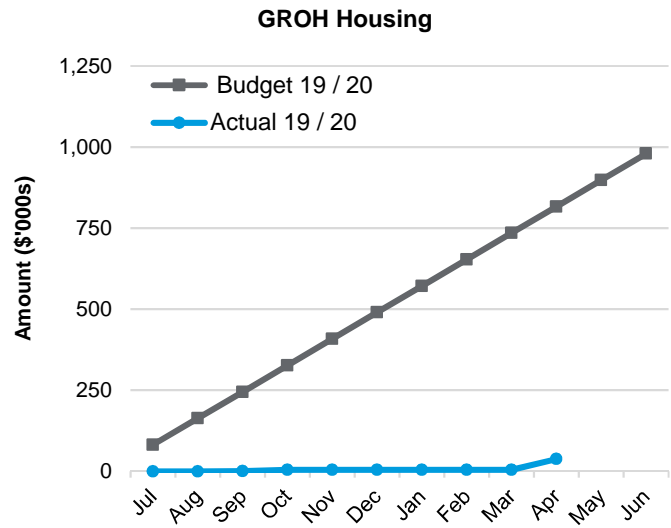
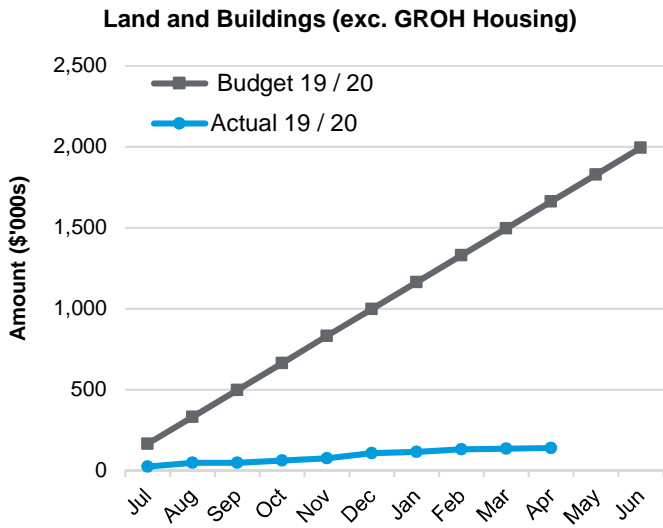


Capital Expenses (inc. Flood Damage)



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

SHIRE OF CUE
MONTHLY FINANCIAL REPORT
For the Period Ending 30 April 2020
SUMMARY GRAPHS - CAPITAL



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

SHIRE OF CUE
STATEMENT OF COMPREHENSIVE INCOME
For the Period Ending 30 April 2020
NATURE OR TYPE

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var* \$	Var* %
Opening Funding Surplus / (Deficit)	3	3,220,738	3,220,738	3,220,738		
Revenue from Operating Activities						
Rates	10	2,359,000	1,965,830	2,392,235	426,405	22%
Grants, Subsidies and Contributions	12(a)	1,369,718	1,141,390	809,749	(331,641)	(29%)
Fees and Charges		629,480	524,400	403,533	(120,867)	(23%)
Interest Earnings		190,500	158,740	149,159	(9,581)	(6%)
Other Revenue		87,000	72,470	61,514	(10,956)	(15%)
Profit on Disposal of Assets	8	33,179	27,649	3,966	(23,683)	(86%)
		4,668,877	3,890,479	3,820,157		
Expenditure from Operating Activities						
Employee Costs		(1,951,509)	(1,625,660)	(1,437,148)	188,512	12%
Materials and Contracts		(1,429,758)	(1,190,540)	(643,751)	546,789	46%
Utility Charges		(286,300)	(238,400)	(212,618)	25,782	11%
Depreciation on Non-current Assets		(2,809,062)	(2,340,790)	(2,307,764)	33,026	1%
Interest Expenses		(12,200)	(10,160)	(12,180)	(2,020)	(20%)
Insurance Expenses		(164,681)	(137,130)	(163,816)	(26,686)	(19%)
Other Expenditure		(225,700)	(188,020)	(103,626)	84,394	45%
Loss on Disposal of Assets	8	(18,419)	(15,349)	(7,051)	8,298	54%
		(6,897,629)	(5,746,049)	(4,887,955)		
Excluded Non-cash Operating Activities						
Depreciation and Amortisation		2,809,062	2,340,790	2,307,764		
(Profit) / Loss on Asset Disposal		(14,760)	(12,300)	3,084		
Movement in Deferred Pensioner Rates		-	-	-		
Net Amount from Operating Activities		565,550	472,920	1,243,051		
Investing Activities						
Grants, Subsidies and Contributions	12(b)	6,145,378	5,121,130	1,379,181	(3,741,949)	(73%)
Proceeds from Disposal of Assets	8	190,727	158,939	133,000	(25,939)	(16%)
Land and Buildings	9(a)	(2,975,500)	(2,479,370)	(178,814)	2,300,556	93%
Plant and Equipment	9(b)	(775,225)	(646,020)	(521,438)	124,582	19%
Furniture and Equipment	9(c)	(60,000)	(49,990)	(7,095)	42,895	86%
Infrastructure Assets - Roads	9(d)	(5,742,233)	(4,768,470)	(953,441)	3,815,029	80%
Infrastructure Assets - Other	9(e)	(1,850,500)	(1,541,810)	(479,864)	1,061,946	69%
Net Amount from Investing Activities		(5,067,353)	(4,205,591)	(628,471)		
Financing Activities						
Proceeds from New Debentures	11	980,000	816,660	980,000	163,340	20%
Transfer from Reserves	7	809,200	-	-	-	
Repayment of Debentures	11	(45,000)	(45,000)	(44,985)	15	0%
Transfer to Reserves		(463,135)	(110,830)	(93,226)	17,604	16%
Net Amount from Financing Activities		1,281,065	660,830	841,789		
Closing Funding Surplus / (Deficit)	3	-	148,897	4,677,108		

* - Note 2 provides an explanation for the relevant variances shown above.

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

SHIRE OF CUE
STATEMENT OF COMPREHENSIVE INCOME
For the Period Ending 30 April 2020
REPORTING PROGRAM

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var* \$	Var* %
Opening Funding Surplus / (Deficit)	3	3,220,738	3,220,738	3,220,738		
Revenue from Operating Activities						
General Purpose Funding - Rates	10	2,359,000	1,965,830	2,392,235	426,405	22%
General Purpose Funding - Other		1,131,140	942,590	857,606	(84,984)	(9%)
Law, Order and Public Safety		10,500	8,740	7,468	(1,272)	(15%)
Health		500	410	1,088	678	165%
Housing		25,480	21,210	20,580	(630)	(3%)
Community Amenities		85,500	71,210	70,712	(498)	(1%)
Recreation and Culture		7,600	6,310	6,093	(217)	(3%)
Transport		568,957	474,099	199,018	(275,082)	(58%)
Economic Services		346,200	288,440	179,096	(109,344)	(38%)
Other Property and Services		134,000	111,640	86,260	(25,380)	(23%)
		4,668,877	3,890,479	3,820,157		
Expenditure from Operating Activities						
Governance		(384,911)	(320,680)	(219,251)	101,429	32%
General Purpose Funding		(254,873)	(212,340)	(150,708)	61,632	29%
Law, Order and Public Safety		(80,437)	(66,920)	(50,662)	16,258	24%
Health		(73,588)	(61,270)	(30,830)	30,440	50%
Education and Welfare		(16,824)	(14,010)	(2,214)	11,796	84%
Housing		(261,297)	(217,670)	(164,212)	53,458	25%
Community Amenities		(408,692)	(340,430)	(249,586)	90,844	27%
Recreation and Culture		(978,117)	(814,450)	(545,232)	269,218	33%
Transport		(3,628,193)	(3,023,259)	(2,952,927)	70,332	2%
Economic Services		(698,695)	(582,010)	(480,428)	101,582	17%
Other Property and Services		(112,002)	(93,010)	(41,904)	51,106	55%
		(6,897,629)	(5,746,049)	(4,887,955)		
Excluded Non-cash Operating Activities						
Depreciation and Amortisation		2,809,062	2,340,790	2,307,764		
(Profit) / Loss on Asset Disposal		(14,760)	(12,300)	3,084		
Movement in Deferred Pensioner Rates		-	-	-		
Net Amount from Operating Activities		565,550	472,920	1,243,051		
Investing Activities						
Grants, Subsidies and Contributions	12(b)	6,145,378	5,121,130	1,379,181	(3,741,949)	(73%)
Proceeds from Disposal of Assets	8	190,727	158,939	133,000	(25,939)	(16%)
Land and Buildings	9(a)	(2,975,500)	(2,479,370)	(178,814)	2,300,556	93%
Plant and Equipment	9(b)	(775,225)	(646,020)	(521,438)	124,582	19%
Furniture and Equipment	9(c)	(60,000)	(49,990)	(7,095)	42,895	86%
Infrastructure Assets - Roads	9(d)	(5,742,233)	(4,768,470)	(953,441)	3,815,029	80%
Infrastructure Assets - Other	9(e)	(1,850,500)	(1,541,810)	(479,864)	1,061,946	69%
Net Amount from Investing Activities		(5,067,353)	(4,205,591)	(628,471)		
Financing Activities						
Proceeds from New Debentures	11	980,000	816,660	980,000	163,340	20%
Transfer from Reserves	7	809,200	-	-	-	
Repayment of Debentures	11	(45,000)	(45,000)	(44,985)	15	(0%)
Transfer to Reserves		(463,135)	(110,830)	(93,226)	17,604	(16%)
Net Amount from Financing Activities		1,281,065	660,830	841,789		
Closing Funding Surplus / (Deficit)	3	-	148,897	4,677,108		

* - Note 2 provides an explanation for the relevant variances shown above.

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

SHIRE OF CUE
STATEMENT OF CAPITAL ACQUISITIONS AND FUNDING
For the Period Ending 30 April 2020
CAPITAL ACQUISITIONS

Asset Group	Note	Annual Budget \$	YTD Actual Total \$	Var \$
Land and Buildings	9(a)	2,975,500	178,814	(2,796,686)
Plant and Equipment	9(b)	775,225	521,438	(253,787)
Furniture and Equipment	9(c)	60,000	7,095	(52,905)
Infrastructure Assets - Roads	9(d)	5,742,233	953,441	(4,788,792)
Infrastructure Assets - Other	9(e)	1,850,500	479,864	(1,370,636)
Total Capital Expenditure		<u>11,403,458</u>	<u>2,140,652</u>	(9,262,806)
Capital Acquisitions Funded by:				
Capital Grants and Contributions		6,145,378	1,379,181	(4,766,197)
Borrowings		-	-	-
Other (Disposals and C/Fwd)		190,727	133,000	(57,727)
Council Contribution - Reserves		809,200	-	(809,200)
Council Contribution - Operations		4,258,153	628,471	(3,629,682)
Total Capital Acquisitions Funding		<u>11,403,458</u>	<u>2,140,652</u>	

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

1. SIGNIFICANT ACCOUNTING POLICIES

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996 Regulation 34*.

The material variance adopted by the Shire of Cue for the 2019/20 year is \$25,000 or 10%, whichever is greater. Items considered to be of material variance are disclosed in Note 2.

The statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation. The preparation also requires management to make judgements, estimates and assumptions which effect the application of policies and the reported amounts in the statements and notes. These estimated figures are based on historical experience or other factors believed to be reasonable under the circumstances. Therefore, the actual results may differ from these reported amounts.

Actual and Budget comparatives are presented in year to date format unless otherwise stated. The Adopted Budget is used in the report until superseded by the Budget Review.

Preparation

Prepared by: Glenn Boyes
Reviewed by: Travis Bate
Date prepared: 15 May 20

(a) Basis of Preparation

The following financial statements are special purpose financial statements that have been prepared in accordance with the Australian Accounting Standards, Authoritative Interpretations, the *Local Government Act 1995*, and regulations, within the context in which they relate to local governments and not-for-profit entities.

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996 Regulation 34*.

With the exception of the cash flow statement and rate setting information, the following report has been prepared on an accrual basis with balances measured at historical cost unless subject to fair value adjustments. Items subject to fair value adjustments include certain non-current assets, financial assets, and financial liabilities. Items such as assets, liabilities, equity, income and expenses have been recognized in accordance with the definitions and recognition criteria set out in the Framework for the Preparation and Presentation of Financial Statements.

These financial statements comply with, and supersede, the Australian Accounting Standards with the *Local Government (Financial Management) Regulations 1996* where applicable. Further information is provided in Note 1(j).

The functional and presentation currency of the report is Australian dollars.

(b) The Local Government Reporting Entity

The Australian Accounting Standards define local government as a reporting entity which can be a single entity or a group comprising a parent and all its subsidiaries. All funds controlled by the Shire in order to provide its services have formed part of the following report. Transactions and balances related to these controlled funds, such as transfers to and from reserves, were eliminated during the preparation of the report.

Funds held in Trust, which are controlled but not owned by the Shire, do not form part of the financial statements. Further information on the Shire funds in Trust are provided in Note 5.

(c) Rounding of Amounts

The Shire is an entity to which the *Local Government (Financial Management) Regulations 1996* applies and, accordingly amounts in the financial report have been rounded to the dollar except for amounts shown as a rate in the dollar. Where total assets exceed \$10,000,000 in the prior audited annual financial report, the amounts may be rounded to the nearest \$1,000.

SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(d) Rates, Grants, Donations and Other Contributions

Revenue from rates, grants, donations and other contributions are recognised when; the Shire gains control over the related assets, the assets can be measured reliably, it is probable that economic benefits associated with the transaction will flow to Shire, and specific criteria relating to the type of revenue, as noted below, have been satisfied.

Conditional Grants, Subsidies and Contributions

Revenue subject to conditions or obligations are recognised as above unless the conditions or obligations were not fully performed as at the reporting date. Revenue held at reporting date by the Shire, and are subject to discharging the required conditions or obligations, are recognised as liabilities.

Rate Revenue

The Shire gains control over rate revenue at the earlier of the rating period or the receipt of rates.

(e) Goods and Services Tax (GST)

Revenue, expenses and assets are recognised net of the amount of goods and services tax (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 where applicable.

Cash flows in the statement of cash flows are included on a gross basis and the GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority is classified as operating cash flows.

(f) Cash and Cash Equivalents

Cash and cash equivalents normally include cash on hand, bonds and deposits, overdrafts, excess rates, unspent grant funds, on call deposits, and term deposits with maturities equal to or less than three months. Cash and cash equivalents are typically characterised as highly liquid investments with little risk of experiencing material changes in value. Further information is provided in Note 1(g)(ii).

(g) Financial Instruments

Initial Recognition and Measurement

On initial recognition, all financial instruments are measured at fair value plus transaction costs (except for instruments measured at fair value through profit or loss where transaction costs are expensed as incurred).

Financial Assets

Financial assets are divided into the following categories which are described in further detail below:

- (i) Loans and Receivables;
- (ii) Financial Assets at Fair Value Through Profit or Loss;
- (iii) Available-for-sale Financial Assets; and
- (iv) Held-to-maturity Investments.

Financial assets are assigned to the different categories on initial recognition, depending on the characteristics of the instrument and its purpose. A financial instrument's category is relevant to the way it is measured and whether any resulting income and expenses are recognised in profit or loss or in other comprehensive income.

All income and expenses relating to financial assets are recognised in the statement of comprehensive income under the heading 'Comprehensive Income / Expense'.

(i) Loans and Receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They arise principally through the provision of goods and services to customers but also incorporate other types of contractual monetary assets.

After initial recognition these are measured at amortised cost using the effective interest method, less provision for impairment. Any change in their value is recognised in the statement of comprehensive income.

In some circumstances, the Shire renegotiates repayment terms with customers which may lead to changes in the timing of the payments, the Shire does not necessarily consider the balance to be impaired, however assessment is made on a case-by-case basis.

SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(g) Financial Instruments (Continued)

(ii) Financial Assets at Fair Value Through Profit or Loss (FVTPL)

Financial assets at fair value through profit or loss include financial assets:

- acquired principally for the purpose of selling in the near future;
- designated by the entity to be carried at fair value through profit or loss upon initial recognition; or
- which are derivatives not qualifying for hedge accounting.

Term deposits with maturities greater than three months from initial recognition are classified as FVTPL instruments.

(iii) Available-for-sale Financial Assets

Available-for-sale financial assets are non-derivative financial assets that do not qualify for inclusion in any of the other categories of financial assets or which have been designated in this category.

(iv) Held-to-maturity Investments

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturity. Investments are classified as held-to-maturity if it is the intention of the Shire's management to hold them until maturity.

Held-to-maturity investments are subsequently measured at amortised cost using the effective interest method, with revenue recognised on an effective yield basis. In addition, if there is objective evidence that the investment has been impaired, the financial asset is measured at the present value of estimated cash flows. Any changes to the carrying amount of the investment are recognised in the statement of comprehensive income.

Financial Liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities depending on the purpose for which the liability was acquired.

The Shire's financial liabilities include borrowings, trade and other payables (including finance lease liabilities), which are measured at amortised cost using the effective interest rate method. Further information is provided in Note 1(k).

Impairment of Financial Assets

At the end of the annual reporting period the Shire assesses whether there is any objective evidence that a financial asset or group of financial assets is impaired.

If there is objective evidence that an impairment loss on financial assets carried at amortised cost has been incurred, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of the estimated future cash flows discounted at the financial assets original effective interest rate.

Impairment of loans and receivables are reduced through the use of an allowance account, all other impairment losses on financial assets at amortised cost are taken directly to the asset. Subsequent recoveries of amounts previously written off are credited against other expenses in the statement of comprehensive income. Further information is provided in Note 1(n).

De-recognition of Financial Instruments

Financial assets are de-recognised when the Shire no longer holds the rights to receive cash flows from the asset, or no longer has any significant involvement in the risks and benefits associated with it.

Financial liabilities are de-recognised when the related obligations are discharged, expired, or cancelled. Any difference between the carrying value of the liability and the consideration paid, including non-cash amounts, is recognised in the

(h) 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 related to completion and its sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(i) Fixed Assets

Initial recognition of an asset is recognised at cost where the fair value of the asset, at the date of acquisition, is equal to or greater than \$5,000.

Subsequent Measurement

All asset classes are measured using the revaluation model. All asset classes are revalued at least every three years and no more than five years.

Impairment of Non-financial Assets

At the end of each annual reporting period the Shire determines whether there is an evidence of an impairment indicator for non-financial assets.

Where an indicator exists the recoverable amount of the asset is estimated. Where assets do not operate independently of other assets, the recoverable amount of the relevant cash-generating unit (CGU) is estimated.

The recoverable amount of an asset or CGU is the higher of the fair value less costs of disposal and the value in use. Value in use is the present value of the future cash flows expected to be derived from an asset or cash-generating unit.

Where the recoverable amount is less than the carrying amount, an impairment loss is recognised in the statement of comprehensive income.

Reversal indicators are considered in subsequent periods for all assets which have suffered an impairment loss.

(j) Depreciation of Non-current Assets

Fixed assets, excluding freehold land, are depreciated on a straight-line basis over the asset's useful life to Shire, commencing when the asset is ready for use. The estimated useful lives used for each class of depreciable asset are shown below in years:

Asset	Years
Buildings	30 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Sealed roads and streets	
formation	not depreciated
pavement	50 years
seal	
bituminous seals	20 years
asphalt surfaces	25 years
Gravel Roads	
formation	not depreciated
pavement	50 years
gravel sheet	12 years
Formed roads	
formation	not depreciated
pavement	50 years
Footpaths - slab	40 years
Sewerage Piping	50 years
Water Supply Piping and Drainage Systems	75 years
Parks and Ovals	12 to 35 years
Other Infrastructure	12 to 60 years

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

Land Under Local Government Control

Regulation 16 in the *Local Government (Financial Management) Regulations 1996* prohibit certain assets to be included in the financial report of a local government and require other assets to be included. The regulation therefore supersedes the reporting requirements of AASB 1051 *Land Under Roads (p.15)* and AASB 116 *Property, Plant and Equipment (p.7)*

SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(i) Fixed Assets (Continued)

Land Under Local Government Control (Continued)

Asset not to be included in the financial report include Crown Land managed by the Shire which is a public thoroughfare, and Crown land or land owned by another person which is managed or controlled by the Shire, except if it is a golf course, showground, racecourse, or any other sporting or recreational facility of State or regional significance. Therefore assets, such as land under roads, purchased after 01 July 2008 do not form part of the financial statements.

Assets required to be included under Regulation 16 include a structure or any other improvement on the land referred to above, and an easement granted to the Shire over any land.

(k) Trade and Other Payables

Trade and other payables are unpaid current liabilities owed for goods and services provided to the Council prior to the end of the financial year. The amounts are unsecured and are normally paid within 30 days of recognition.

(l) Employee Benefits

Provision is made for the Shire's liability for employee benefits arising from services rendered by employees to the end of the annual reporting period. Employee benefits that are expected to be wholly settled within one year are measured at the amounts expected to be paid when the liability is settled.

Employee benefits expected to be settled more than one year after the end of the reporting period have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases and the probability that the employee may satisfy vesting requirements. Cashflows are discounted using market yields on 10 year Australia Government Bonds. Changes in the measurement of the liability are recognised in the statement of comprehensive income.

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. Subsequent measurement is at amortised cost using the effective interest method. The annual government guarantee fee is expensed in the year incurred.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs that are directly attributable to the acquisition, construction or production of a qualifying asset are capitalised as part of the cost of that asset. All other borrowing costs are recognised as an expense in the period in which they are incurred.

(n) Provisions

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

(o) Current and Non-current Classification

The report classifies current and non-current balances as defined by the *Local Government (Financial Management) Regulations 1996*, AASB 101 *Presentation of Financial Statements*, or by another applicable regulation or interpretation.

(p) Nature or Type Classifications

Rates

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

Operating Grants, Subsidies and Contributions

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

SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Nature or Type Classifications (Continued)

Non-operating Grants, Subsidies and Contributions

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

Profit on Asset Disposal

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

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees.

Service Charges

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

Interest Earnings

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

Other Revenue / Income

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

Employee Costs

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

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc.

Utilities (Gas, Electricity, Water, etc.)

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

Insurance

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

Loss on Asset Disposal

Loss on the disposal of fixed assets.

Depreciation on Non-current Assets

Depreciation expense raised on all classes of assets.

Interest Expenses

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

Other Expenditure

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

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(q) Program Classifications (Function / Activity)

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

GOVERNANCE

Administration and operation of facilities and services to members of Council. Other costs that relate to tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.

GENERAL PURPOSE FUNDING

Rates, general purpose government grants and interest revenue.

LAW, ORDER AND PUBLIC SAFETY

Supervision of various local laws, fire prevention, emergency services and animal control.

HEALTH

Food quality and water control. Environmental Health Officer. Doctor Service.

EDUCATION AND WELFARE

Assistance to Cue Primary School, Thoo Thoo Wandii, Senior Citizens and Playgroup. Involvement in work experience programmes.

HOUSING

Provision and maintenance of staff and rental housing.

COMMUNITY AMENITIES

Rubbish collection services, maintenance of refuse sites, administration of the town planning scheme, control and co-ordination of cemeteries, and maintenance of public conveniences.

RECREATION AND CULTURE

Maintenance of Shire hall, recreation centre, Stan Gurney Memorial Park and various reserves. Operation of library and internet services. Co-ordination of Australia Day activities.

TRANSPORT

Construction and maintenance of streets, roads, footpaths, drainage works, parking facilities, traffic signs and median strips. Control and maintenance of Cue Airport.

ECONOMIC SERVICES

The regulation and provision of tourism and the Historical Photographic Collection. Maintenance of the Shire-owned Caravan Park. Building and vermin control. Employment programme administered on behalf of the Department of Employment, Workplace Relations and Small Business.

OTHER PROPERTY AND SERVICES

Private works operation, plant repair and operation costs.

SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

2. EXPLANATION OF MATERIAL VARIANCES

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

The material variance adopted by Council for the 2019/20 year is \$25,000 or 10% whichever is the greater.

Reporting Program	Var	Var	Var	Timing /	Explanation of Variance
	\$	%		Permanent	
Operating Revenues					
General Purpose Funding - Rates	426,405	22%	▲	Timing	Interim rates revenue and rates budget profile
General Purpose Funding - Other	(84,984)	(9%)	▼	Timing	Timing of Federal Assistance Grants
Transport	(275,082)	(58%)	▼	Timing	Timing of Regional road Group grant funding and road and airport
Economic Services	(109,344)	(38%)	▼	Timing	Tourist park site fees down and timing of commercial property rentals and reimbursements
Other Property and Services	(25,380)	(23%)	▼	Permanent	Less private works and sundry income
Operating Expense					
Governance	101,429	32%	▲	Timing	Expenditure less than budgeted
General Purpose Funding	61,632	29%	▲	Timing	Expenditure less than budgeted
Health	30,440	50%	▲	Permanent	Expenditure less than budgeted
Housing	53,458	25%	▲	Permanent	Expenditure less than budgeted
Community Amenities	90,844	27%	▲	Timing	Expenditure less than budgeted
Recreation and Culture	269,218	33%	▲	Timing	Expenditure less than budgeted
Transport	70,332	2%	▲	Timing	Expenditure less than budgeted
Economic Services	101,582	17%	▲	Timing	Expenditure less than budgeted
Other Property and Services	51,106	55%	▲	Timing	Expenditure less than budgeted
Capital Revenues					
Grants, Subsidies and Contributions	(3,741,949)	(73%)	▼	Timing	Timing of grants and contributions
Proceeds from Disposal of Assets	(25,939)	(16%)	▼	Timing	Timing of sale of assets
Capital Expenses					
Land and Buildings	2,300,556	93%	▲	Timing	See Note 9 (Timing of projects)
Plant and Equipment	124,582	19%	▲	Timing	See Note 9 (Timing of plant replacement)
Furniture and Equipment	42,895	86%	▲	Timing	See note 9 (Timing of projects)
Infrastructure - Roads	3,815,029	80%	▲	Timing	See Note 9 (Timing of roads projects and flood damage works)
Infrastructure - Other	1,061,946	69%	▲	Timing	See Note 9 (Timing of projects)
Financing					
Proceeds from New Debentures	163,340	20%	▲	Timing	Budget profile of loan funds received 01 July 2019

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

2. EXPLANATION OF MATERIAL VARIANCES (Continued)

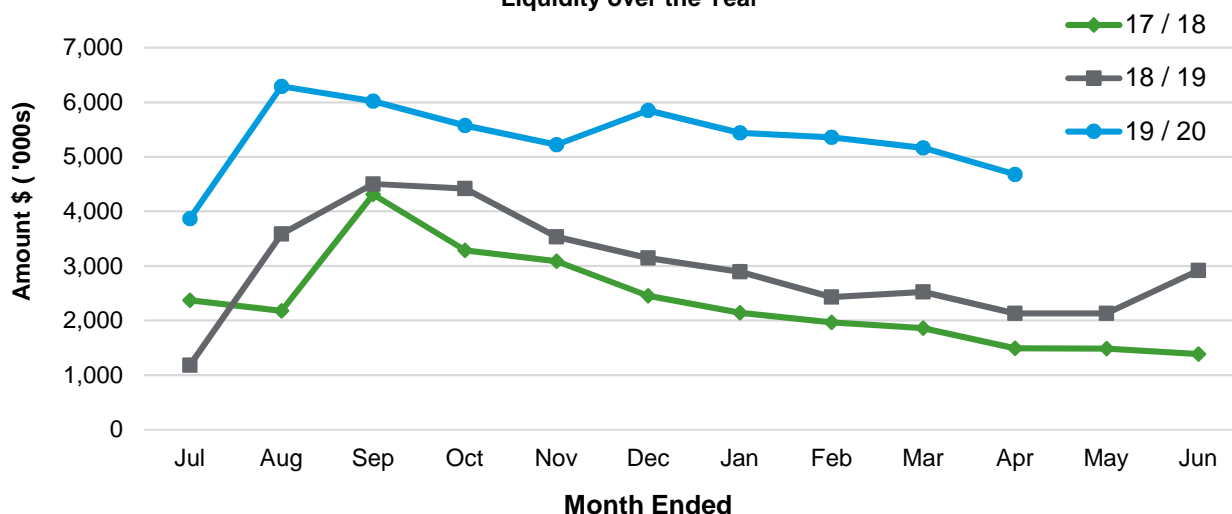
Nature or Type	Var \$	Var %	Var	Timing / Permanent	Explanation of Variance
Operating Revenues					
Rates	426,405	22%	▲	Timing	Interim rates revenue and rates budget profile
Grants, Subsidies and Contributions	(331,641)	(29%)	▼	Timing	Timing of contributions and grants
Fees and Charges	(120,867)	(23%)	▼	Timing	Tourist park fees and commercial property rentals
Operating Expense					
Employee Costs	188,512	12%	▲	Permanent	Employee vacancies and staffing levels
Materials and Contracts	546,789	46%	▲	Timing	Expenditure less than budgeted
Utility Charges	25,782	11%	▲	Timing	Expenditure less than budgeted
Depreciation on Non-current Assets	33,026	1%	▲	Permanent	Depreciation expenditure on roads and plant less than budgeted
Insurance Expenses	(26,686)	(19%)	▼	Timing	Timing of expenditure, budget profile
Other Expenditure	84,394	45%	▲	Timing	Expenditure less than budgeted

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

3. NET CURRENT FUNDING POSITION

	Note	Current Month 30 Apr 20 \$	Prior Year Closing 30 Jun 19 \$	This Time Last Year 30 Apr 19 \$
Current Assets				
Cash Unrestricted	4	3,404,652	2,124,198	1,133,497
Cash Restricted	4	5,773,963	5,680,737	5,601,565
Receivables - Rates	6(a)	407,322	325,821	345,198
Receivables - Other	6(b)	1,038,695	120,383	17,599
Interest / ATO Receivable		37,953	36,214	30,369
Provision for Doubtful Debts		(95,173)	(95,173)	(66,402)
Accrued Income		24,149	1,038,673	756,836
Inventories		34,785	23,205	34,181
Total Current Assets		10,626,345	9,254,060	7,852,843
Current Liabilities				
Sundry Creditors		(23,936)	(59,936)	(13,212)
Rates Received in Advance	6(a)	(1,801)	(3,596)	-
GST Payable		(5,799)	(16,909)	(1,508)
Payroll Creditors		(27,058)	(48,394)	(32,695)
Deposits and Bonds		(7,813)	(7,960)	(7,883)
Loan Liability	11	-	-	-
Accrued Expenses		-	(35,602)	-
Accrued Salaries and Wages		-	(71,319)	-
Total Payables		(66,406)	(243,716)	(55,298)
Provisions		(108,868)	(108,868)	(65,297)
Total Current Liabilities		(175,274)	(352,584)	(120,595)
Less: Cash Reserves	7	(5,773,963)	(5,680,737)	(5,601,565)
Less: Loan Liability (Non-current)	11	-	-	-
Net Funding Position		4,677,108	3,220,738	2,130,683

Liquidity over the Year



SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

4. CASH AND FINANCIAL ASSETS

	Unrestricted	Restricted	Trust	Total	Institution	Interest	Maturity
	\$	\$	\$	Amount		Rate	Date
				\$		%	
Cash and Cash Equivalents							
Cash On Hand	970			970	N/A	0.00	N/A
Cheque Account	44,671			44,671	CBA	0.00	N/A
On Call Cash Account	806,296			806,296	CBA	0.20	N/A
Fixed Term Deposit		1,515,092		1,515,092	CBA	1.60	18 May 20
Trust Account			2,080	2,080	CBA	0.00	N/A
Financial Assets at Amortised Cost							
Fixed Term Deposit	504,679			504,679	CBA	1.42	18 Jun 20
Fixed Term Deposit	503,617			503,617	CBA	1.41	18 May 20
Fixed Term Deposit	989,347			989,347	CBA	1.39	28 May 20
Fixed Term Deposit	555,072			555,072	BOQ	1.60	18 May 20
Fixed Term Deposit		1,146,668		1,146,668	Bendigo	1.00	21 Aug 20
Fixed Term Deposit		645,390		645,390	Bendigo	1.55	10 Jun 20
Fixed Term Deposit		1,147,165		1,147,165	BOQ	1.80	25 Oct 20
Fixed Term Deposit		1,319,648		1,319,648	BOQ	1.63	25 Jul 20
Total Cash and Financial Assets	3,404,652	5,773,963	2,080	9,180,696			

5. TRUST FUND

Funds held at balance date over which the Shire has no control, and which are not included in the statements, are as follows:

Description	Opening Balance 01 Jul 19	Amount Received	Amount Paid	Closing Balance 30 Apr 20
	\$	\$	\$	\$
Cue LCDC	2,080	-	-	2,080
Total Funds in Trust	2,080	-	-	2,080

Comments / Notes

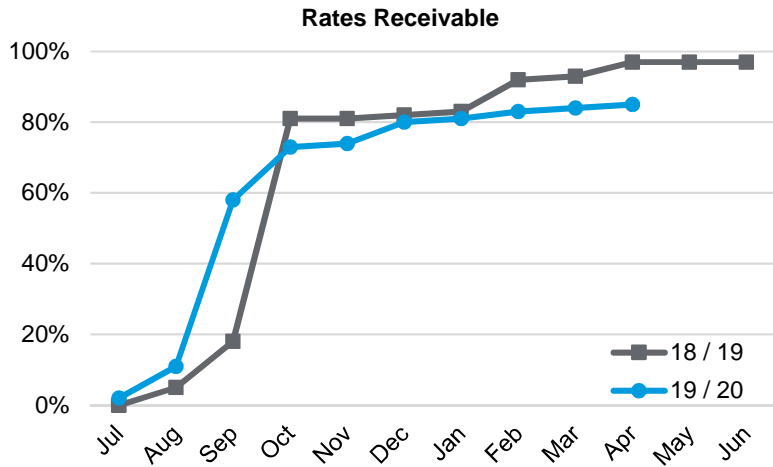
The current interest rate for this type of bank account is 0.00% when funds held are less than \$500,000

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

6. RECEIVABLES

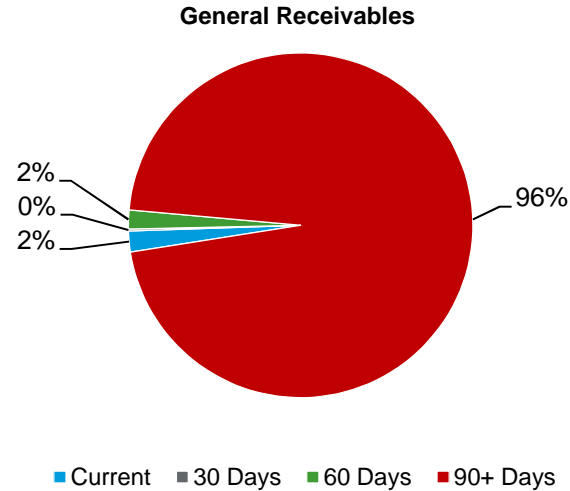
(a) Rates Receivable	30 Apr 20
	\$
Rates Receivables	407,322
Rates Received in Advance	(1,801)
Total Rates Receivable Outstanding	<u>405,521</u>

Closing Balances - Prior Year	325,821
Rates Levied this Year	2,392,235
Closing Balances - Current Month	(407,322)
Total Rates Collected to Date	<u>2,310,735</u>
<i>Percentage Collected</i>	<i>85%</i>



Comments / Notes

(b) General Receivables	30 Apr 20
	\$
Current	20,563
30 Days	1,943
60 Days	18,170
90+ Days	998,019
Total General Receivables Outstanding	<u>1,038,695</u>



Comments / Notes

Amounts shown above include GST (where applicable)

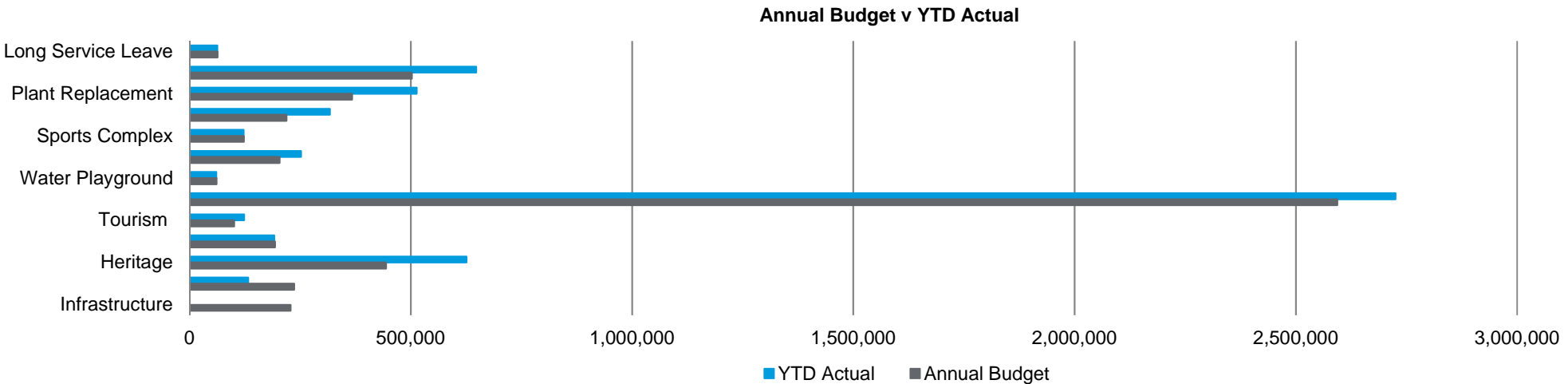
SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

7. CASH BACKED RESERVES

Reserve Name	Annual Budget				YTD Actual				
	Balance 01 Jul 19	Transfers from	Interest Received	Transfer to	Balance 30 Jun 20	Transfers from	Interest Received	Transfer to	Balance 30 Apr 20
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Long Service Leave	62,406	-	707	-	63,113	-	497	-	62,903
Building Maintenance	637,216	(150,000)	14,888	-	502,104	-	10,457	-	647,673
Plant Replacement	504,540	(150,000)	12,526	-	367,066	-	8,807	-	513,347
Streetscape	311,762	(100,000)	7,277	-	219,039	-	5,116	-	316,878
Sports Complex	120,041	-	2,805	-	122,846	-	1,970	-	122,011
Tourist Park Development	247,949	(50,000)	5,796	-	203,745	-	4,069	-	252,018
Water Playground	59,638	-	1,399	-	61,037	-	979	-	60,617
Beringarra Road	2,681,140	(150,000)	62,307	-	2,593,447	-	44,000	-	2,725,140
Tourism	121,102	(23,000)	2,834	-	100,936	-	1,987	-	123,089
Housing / Land Development	188,475	-	4,418	-	192,893	-	3,093	-	191,568
Heritage	615,854	(186,200)	14,388	-	444,042	-	10,107	-	625,961
Road Maintenance	130,614	-	2,495	103,135	236,244	-	2,143	-	132,757
Infrastructure	-	-	1,160	227,000	228,160	-	-	-	-
Total Cash Backed Reserves	5,680,737	(809,200)	133,000	330,135	5,334,672	-	93,226	-	5,773,963



SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

8. DISPOSAL OF ASSETS

Annual Budget

	WDV	Proceeds	Profit	(Loss)
	\$	\$	\$	\$
Transport				
Plant and Equipment				
Mitsubishi Pajero Wagon 4x4 (CEO)	40,000	36,364	-	(3,636)
Mitsubishi Pajero Wagon 4x4 (DCEO)	26,663	40,000	13,337	-
P34 2012 Caterpillar 226B3SC Skid Steer	22,689	40,000	17,311	-
Isuzu D-Max Space Cab 4x4 (Works Manager)	23,378	25,909	2,531	-
Isuzu D-Max Dual Cab Ute 4x4 (Roads Crew)	27,348	25,455	-	(1,893)
P66 - S20 Ride-on Street Sweeper	26,368	15,000	-	(11,368)
P72 Iveco Eurotech MP4500 Prime Mover	9,521	8,000	-	(1,521)
Total Disposal of Assets	175,967	190,727	33,179	(18,419)
Total Profit or (Loss)				14,760

YTD Actual

	WDV	Proceeds	Profit	(Loss)
	\$	\$	\$	\$
Transport				
Plant and Equipment				
Mitsubishi Pajero Wagon 4x4 (CEO)	40,000	36,364	-	(3,636)
Mitsubishi Pajero Wagon 4x4 (DCEO)	35,837	37,273	1,435	-
P34 2012 Caterpillar 226B3SC Skid Steer	-	-	-	-
Isuzu D-Max Space Cab 4x4 (Works Manager)	23,378	25,909	2,531	-
Isuzu D-Max Dual Cab Ute 4x4 (Roads Crew)	27,348	25,455	-	(1,893)
P66 - S20 Ride-on Street Sweeper	-	-	-	-
P72 Iveco Eurotech MP4500 Prime Mover	9,521	8,000	-	(1,521)
Total Disposal of Assets	136,084	133,000	3,966	(7,051)
Total Profit or (Loss)				(3,084)

SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

9. CAPITAL ACQUISITIONS

(a) Land and Buildings

	Annual Budget \$	YTD Budget \$	New / Upgrade \$	YTD Actual Renewal \$	Total \$	YTD Variance \$
Housing						
GROH Houses	980,000	816,650	37,889	-	37,889	778,761
Staff Housing	250,000	208,330	17,361	-	17,361	190,969
Pensioner Units	100,000	83,310	14,412	-	14,412	68,898
	1,330,000	1,108,290	69,662	-	69,662	1,038,628
Recreation and Culture						
Old Railway Building and Youth Centre	513,000	427,490	-	14,975	14,975	412,515
Great Fingal Mine Office	250,000	208,330	9,090	-	9,090	199,240
Heritage Building Renovations	50,000	41,640	-	9,385	9,385	32,255
Town Hall Upgrades	190,000	158,310	-	15,487	15,487	142,823
Town Hall Landscaping	10,000	8,330	-	-	-	8,330
Pension Hut Renovation	10,500	8,750	-	75	75	8,675
	1,023,500	852,850	9,090	39,922	49,012	803,838
Transport						
Works Depot Improvements	50,000	41,660	-	52,410	52,410	(10,750)
	50,000	41,660	-	52,410	52,410	(10,750)
Economic Services						
Caravan Park House and Office	400,000	333,310	4,018	-	4,018	329,292
Old Gaol Development	77,000	64,140	-	-	-	64,140
Old Municipal Building Improvements	60,000	49,980	-	3,711	3,711	46,269
	537,000	447,430	4,018	3,711	7,729	439,701
Other Property and Services						
Administration Building	35,000	29,140	-	-	-	29,140
	35,000	29,140	-	-	-	29,140
Total Land and Buildings	2,975,500	2,479,370	82,770	96,043	178,814	2,300,556

SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

9. CAPITAL ACQUISITIONS (Continued)

(b) Plant and Equipment

	Annual Budget	YTD Budget	New / Upgrade	YTD Actual Renewal	Total	YTD Variance
	\$	\$	\$	\$	\$	\$
Transport						
Prime Mover	270,225	225,188	-	250,000	250,000	(24,812)
Skid Steer Loader	100,000	83,333	-	-	-	83,333
Street Sweeper	75,000	62,500	-	-	-	62,500
CEO Vehicle	90,000	75,000	-	80,415	80,415	(5,415)
DCEO Vehicle	60,000	50,000	-	60,902	60,902	(10,902)
Works Vehicle	50,000	41,667	-	46,264	46,264	(4,597)
Road Crew Vehicle	45,000	37,500	-	40,708	40,708	(3,208)
Isuzu D-Max 2WD	35,000	29,167	-	29,695	29,695	(528)
Workshop Equipment	25,000	20,833	-	9,691	9,691	11,142
Ride-on Mower	15,000	12,500	-	-	-	12,500
Rubbish Compactor	10,000	8,332	-	3,763	3,763	4,570
	775,225	646,020	-	521,438	521,438	124,582
Total Plant and Equipment	775,225	646,020	-	521,438	521,438	124,582

(c) Furniture and Equipment

	Annual Budget	YTD Budget	New / Upgrade	YTD Actual Renewal	Total	YTD Variance
	\$	\$	\$	\$	\$	\$
Governance						
Council Furniture and Equipment	10,000	8,330	-	5,155	5,155	3,175
	10,000	8,330	-	5,155	5,155	3,175
Housing						
Staff Housing	15,000	12,500	-	-	-	12,500
	15,000	12,500	-	-	-	12,500
Economic Services						
Administration Furniture and Equipment	10,000	8,330	-	-	-	8,330
	10,000	8,330	-	-	-	8,330
Other Property and Services						
Administration Equipment	25,000	20,830	-	1,940	1,940	18,890
	25,000	20,830	-	1,940	1,940	18,890
Total Furniture and Equipment	60,000	49,990	-	7,095	7,095	42,895

SHIRE OF CUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 30 April 2020

9. CAPITAL ACQUISITIONS (Continued)

(d) Infrastructure - Roads

	Annual Budget \$	YTD Budget \$	New / Upgrade \$	YTD Actual Renewal \$	Total \$	YTD Variance \$
Transport						
Roads to Recovery	303,483	252,890	-	19,640	19,640	233,250
Flood Damage Restoration	4,879,750	4,066,440	-	626,409	626,409	3,440,031
MRWA Construction - RRG	180,000	149,990	-	185,190	185,190	(35,200)
Construction - Muni Funds Roads	209,000	157,490	-	122,203	122,203	35,287
Cue-Beringarra Road	150,000	125,000	-	-	-	125,000
Grid Widening Program	20,000	16,660	-	-	-	16,660
	5,742,233	4,768,470	-	953,441	953,441	3,815,029
Total Infrastructure - Roads	5,742,233	4,768,470	-	953,441	953,441	3,815,029

(e) Other Infrastructure

	Annual Budget \$	YTD Budget \$	New / Upgrade \$	YTD Actual Renewal \$	Total \$	YTD Variance \$
Governance						
MRVC Dog Fence	52,000	43,330	-	-	-	43,330
	52,000	43,330	-	-	-	43,330
Community Amenities						
Deep Sewerage Plan	240,000	200,000	-	-	-	200,000
Waste Site - Fencing and Improvements	75,000	62,470	-	2,447	2,447	60,023
Cemetery Niche Wall	35,000	29,140	-	-	-	29,140
Waste Oil Shelter - Rubbish Tip	10,000	8,330	8,264	-	8,264	66
	360,000	299,940	8,264	2,447	10,711	289,229
Recreation and Culture						
Playground Equipment	220,000	183,310	16,072	-	16,072	167,238
Skate Park	85,000	70,810	86,535	-	86,535	(15,725)
Sporting Facilities	28,500	23,750	-	28,236	28,236	(4,486)
	333,500	277,870	102,607	28,236	130,843	147,027

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

9. CAPITAL ACQUISITIONS (Continued)

(e) Other Infrastructure (Continued)

	Annual Budget	YTD Budget	New / Upgrade	YTD Actual Renewal	Total	YTD Variance
	\$	\$	\$	\$	\$	\$
Transport						
Airport Runway Resealing	196,000	163,320	-	183,469	183,469	(20,149)
Artificial Lawn and Retic Town Streets	45,000	37,480	-	-	-	37,480
	241,000	200,800	-	183,469	183,469	17,331
Economic Services						
Heydon Place Industrial Development	417,000	347,480	13,125	-	13,125	334,355
Tourist Park Expansion and Improvement	140,000	116,640	71,091	-	71,091	45,549
Austin Street Development	100,000	83,330	42,189	-	42,189	41,141
Streetscape	74,000	61,640	-	13	13	61,628
Tourist Park Improvements	40,000	33,310	-	6,800	6,800	26,510
RV Site	30,000	24,980	-	284	284	24,696
CCTV	25,000	20,830	21,341	-	21,341	(511)
Oasis Visitor Parking	23,000	19,160	-	-	-	19,160
Standpipe Automation	15,000	12,500	-	-	-	12,500
	864,000	719,870	147,745	7,097	154,842	565,028
Total Infrastructure - Other	1,850,500	1,541,810	258,616	221,249	479,864	1,061,946
Total Capital Expenditure	11,403,458	9,485,660	341,386	1,799,266	2,140,652	7,345,008

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

10. RATING INFORMATION

	Rateable Value	Valuation	Number of Properties	Annual Budget Revenue	Rate Revenue	Interim Rates	Back Rates	YTD Actual Revenue
	\$	\$	#	\$	\$	\$	\$	\$
General Rates								
GRV Residential	565,444	0.1062	94	60,050	60,050	-	-	60,050
GRV Commercial	299,208	0.1062	5	31,776	31,776	-	-	31,776
GRV Vacant Land	-	0.1062	0	-	-	-	-	-
GRV M & T Workforce	246,750	0.3000	2	74,025	74,025	-	-	74,025
UV Mining	6,925,502	0.3000	312	2,077,651	2,073,300	25,292	(60)	2,098,532
UV Pastoral	511,413	0.0843	14	43,112	43,112	-	-	43,112
Total General Rates				2,286,614	2,282,263	25,292	(60)	2,307,495
Minimum Rates								
GRV Residential	105,003	451.00	45	20,295	20,295	-	-	20,295
GRV Commercial	-	451.00	0	-	-	-	-	-
GRV Vacant Land	8,780	451.00	41	18,491	18,491	-	-	18,491
GRV M & T Workforce	-	451.00	0	-	-	-	-	-
UV Mining	95,824	451.00	124	55,924	56,375	-	-	56,375
UV Pastoral	11,933	451.00	4	1,804	1,804	-	-	1,804
Total Minimum Rates				96,514	96,965	-	-	96,965
Total General and Minimum Rates				2,383,128	2,379,228	25,292	(60)	2,404,460
Other Rate Revenue								
Rates Written-off				(50,000)				(11,224)
Discounts / Concessions				(1,000)				(1,000)
Interim and Back Rates				26,872				-
Total Funds Raised from Rates				2,359,000				2,392,235

SHIRE OF CUE
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 30 April 2020

11. INFORMATION ON BORROWINGS

(a) Debenture Repayments

	01 Jul 19 \$	New Loans \$	Principal Repayments		Principal Outstanding		Interest Repayments	
			YTD Actual \$	Annual Budget \$	YTD Actual \$	Annual Budget \$	YTD Actual \$	Annual Budget \$
Housing								
GROH House (WATC)	980,000	-	44,985	45,000	935,015	935,000	12,180	12,200
Total Repayments*	980,000	-	44,985	45,000	935,015	935,000	12,180	12,200

(b) Debenture Terms

	Amount Borrowed \$	Institution	Loan Type	Term Years	Total Interest** \$	Interest Rate %	Amount Used \$	Amount Unspent \$
Housing								
GROH House (WATC)	980,000	WATC	Fixed Rate Annuity	10	94,149	1.78%	37,889	942,111
					94,149		37,889	942,111

Comments / Notes

* - All debenture repayments were financed by general purpose revenue

** - Does not include variable annual loan fee charged by WATC

WATC - Western Australia Treasury Corporation

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

12. GRANTS, SUBSIDIES AND CONTRIBUTIONS

(a) Operating Grants, Subsidies and Contributions

Program / Details	Grant Provider	Annual Budget \$	YTD Budget \$	YTD Actual \$
General Purpose Funding				
General Commission Grants	Government of WA	649,292	541,070	486,970
Roads Commission Grants	Government of WA	266,848	222,370	200,138
Law, Order and Public Safety				
ESL Grant	FESA	7,500	6,250	5,673
Recreation and Culture				
Donations Received		800	660	-
Transport				
MRWA RRG Direct Grant	MRWA	80,278	66,890	80,278
Road Maintenance		250,000	208,330	4,522
Airport Grants and Contributions	RADS	65,000	54,160	2,730
Other Property and Services				
Diesel Fuel Rebate		45,000	37,500	28,237
Sundry Income Admin		5,000	4,160	1,201
Total Operating Grants, Subsidies and Contributions		1,369,718	1,141,390	809,749

(b) Non-operating Grants, Subsidies and Contributions

Program / Details	Grant Provider	Annual Budget \$	YTD Budget \$	YTD Actual \$
Community Amenities				
Deep Sewerage	Royalties for Regions	120,000	100,000	-
Recreation and Culture				
Other Culture/Heritage	Heritage Commission	580,000	483,330	-
Grant - Playground	Government of WA	70,000	58,330	-
Grant - Skate Park	Government of WA	41,545	34,620	39,404
Transport				
RRG - RRG Road Project Grant	RRG	120,000	100,000	48,000
Roads to Recovery	Australian Government	303,483	252,900	315,827
Flood Damage Reimbursement	DFES	4,726,350	3,938,620	975,950
Airport Grants and Contributions	RADS	49,000	40,830	-
Economic Services				
Heydon Place Industrial Development		135,000	112,500	-
Total Non-operating Grants, Subsidies and Contributions		6,145,378	5,121,130	1,379,181
Total Grants, Subsidies and Contributions		7,515,096	6,262,520	2,188,930

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

13. BUDGET AMENDMENTS

Code	Description	Resolution / Classification	Increase in Cash	Decrease in Cash	Running Balance
			\$	\$	\$
Operating Revenue					
	Opening Surplus - Non-cash Adjustment				(70,895)
03104	General Rates Levied	Budget Review	21,872		(49,023)
03106	Penalty Interest Raised on Rates	Budget Review		(8,000)	(57,023)
03111	Rate Enquiry Fees	Budget Review	500		(56,523)
03201	Grants Commission - General	Budget Review		(48,931)	(105,454)
03202	Grants Commission - Roads	Budget Review	23,107		(82,347)
03204	Interest Received - Municipal	Budget Review	14,000		(68,347)
11110	Hall Hire Income	Budget Review	3,000		(65,347)
11111	Reimbursements Sundry	Budget Review		(2,400)	(67,747)
12212	Various Road Maintenance	Budget Review	5,278		(62,469)
12241	Flood Damage Restoration	Budget Review	4,726,350		4,663,881
12601	Airport Fees	Budget Review	38,000		4,701,881
13201	Tourist Park Site Fees	Budget Review		(25,000)	4,676,881
14102	Private Works Income	Budget Review	13,200		4,690,081
Operating Expenses					
03103	Debt Collection and Legal Expenses	Budget Review		(6,000)	4,684,081
03209	Bad Debts Expense	Budget Review		(5,000)	4,679,081
04102	Council Election Expenses	Budget Review	17,000		4,696,081
07405	EHO & BS	Budget Review	18,000		4,714,081
09151	Maintenance Staff Housing	Budget Review	10,000		4,724,081
09151	Maintenance Staff Housing	Budget Review	10,000		4,734,081
09151	Maintenance Staff Housing	Budget Review		(20,000)	4,714,081
09211	Interest repayment loan GROH	Budget Review		(3,400)	4,710,681
10705	Maintenance - Cemetery	Budget Review		(14,500)	4,696,181
11609	Heritage Building - Post Office	Budget Review		(2,500)	4,693,681
11615	Heritage Building - Old Mun Chamber	Budget Review		(1,650)	4,692,031
11620	Great Fingal Mine Office	Budget Review		(181)	4,691,850
12113	Flood Damage Road Restoration	Budget Review		(4,726,350)	(34,500)
12205	Maintenance - Footpaths	Budget Review		(27,000)	(61,500)
12220	Street Trees & Landscaping	Budget Review		(72,000)	(133,500)
12223	Borrow Pit Mtce & Rehab.	Budget Review		(1,000)	(134,500)
12600	Airport Inspections	Budget Review	19,000		(115,500)
12604	Airport Maintenance	Budget Review		(50,500)	(166,000)
13220	RV Site Maintenance	Budget Review		(3,500)	(169,500)
13603	Murchison Vermin Council Fees	Budget Review		(4,500)	(174,000)
14107	Bad debts expense	Budget Review	5,000		(169,000)
14309	Plant Operation Costs Allocated	Budget Review	2,498		(166,502)
Capital Income					
12216	Grant - Roads to Recovery	Budget Review		(96,517)	(263,019)
13214	Grant - Heydon Place	Budget Review	135,000		(128,019)
13212	Grant - Old Gaol Development	Budget Review		(30,000)	(158,019)

SHIRE OF CUE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 30 April 2020

13. BUDGET AMENDMENTS (Continued)

Code	Description	Classification	Increase in Cash \$	Decrease in Cash \$	Running Balance \$
Capital Expenditure					
09132	Staff Housing Units	Budget Review	257,000		98,981
10707	Cemetery	Budget Review	8,000		106,981
10707	Cemetery	Budget Review	8,000		114,981
10707	Cemetery	Budget Review		(16,000)	98,981
10742	Waste Site	Budget Review	10,000		108,981
10742	Waste Site	Budget Review	10,000		118,981
10742	Waste Site	Budget Review		(20,000)	98,981
11307	Playground Equipment	Budget Review	5,000		103,981
11307	Playground Equipment	Budget Review	5,000		108,981
11307	Playground Equipment	Budget Review		(10,000)	98,981
11314	Sporting Facilities	Budget Review		(3,000)	95,981
12101	Construction - Muni Fund Roads	Budget Review		(29,000)	66,981
12106	Roads to Recovery	Budget Review	96,517		163,498
12302	Road Plant Purchases	Budget Review	37,775		201,273
12306	Proceeds from Disposal of Assets	Budget Review		(19,273)	182,000
13204	Tourism & Area Promotion	Budget Review		(10,000)	172,000
13204	Tourism & Area Promotion	Budget Review	5,000		177,000
13204	Tourism & Area Promotion	Budget Review	5,000		182,000
13206	Old Gaol Development	Budget Review	28,000		210,000
13208	Old Municipal Building Improvements	Budget Review		(8,000)	202,000
13208	Old Municipal Building Improvements	Budget Review	4,000		206,000
13208	Old Municipal Building Improvements	Budget Review	4,000		210,000
13209	Heydon Place Industrial Development	Budget Review		(210,000)	-
13253	Caravan Park House and Office	Budget Review		(10,000)	(10,000)
13253	Caravan Park House and Office	Budget Review	5,000		(5,000)
13253	Caravan Park House and Office	Budget Review	5,000		-
Closing Surplus					
Amended Budget Totals			5,555,097	(5,484,202)	-

10.3 PURCHASING POLICY REVIEW

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Richard Towell – Deputy Chief Executive Officer
 DATE: 14 May 2020

Matters for Consideration:

That Council adopt an updated Shire of cue Purchasing Policy as attached at Appendix 3, raising the tender limit to \$250,000.00.

Background:

From 9 April 2020, amendments to the *Local Government (Functions and General) Regulations 1996* came into effect. The amended regulations have increased the tender threshold for Local Government purchases from \$150,000 to \$250,000.

Comments:

The Shire of Cue Purchasing Policy including purchasing thresholds, has been reviewed and updated to comply with the amended regulations that came into effect on 9 April 2020.

Statutory Environment:

Local Government Act 1995.

Local Government (Functions and General) Regulations 1996, Part 4 – Provision of goods and services.

11. 11A. Purchasing policies for local governments

- (1) *A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.*
- (2) *A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).*
- (3) *A purchasing policy must make provision in respect of —*
 - (a) *the form of quotations acceptable; and*
 - (ba) *the minimum number of oral quotations and written quotations that must be obtained; and*
 - (b) *the recording and retention of written information, or documents, in respect of —*

- (i) *all quotations received; and*
- (ii) *all purchases made.*

Division 2 — Tenders for providing goods or services (s. 3.57)

12. *11. When tenders have to be publicly invited*

(1A) In this regulation —

state of emergency declaration has the meaning given in the Emergency Management Act 2005 section 3.

(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.

(2) Tenders do not have to be publicly invited according to the requirements of this Division if —

(a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or

(aa) the supply of the goods or services is associated with a state of emergency; or

(b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or

(c) within the last 6 months —

(i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or

(ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;

or

(d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or

(e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or

(ea) the goods or services are to be supplied —

(i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and

(ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;

or

- (f) *the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*
- (g) *the goods to be supplied under the contract are —*
 - (i) *petrol or oil; or*
 - (ii) *any other liquid, or any gas, used for internal combustion engines;*

or

- (h) *the following apply —*
 - (i) *the goods or services are to be supplied by —*
 - (I) *a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or*
 - (II) *a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;*

and

- (ii) *the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and*
- (iii) *the local government is satisfied that the contract represents value for money;*

or

- (i) *the goods or services are to be supplied by an Australian Disability Enterprise; or*
- (j) *the contract is a renewal or extension of the term of a contract (the original contract) where —*
 - (i) *the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and*
 - (ii) *the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and*
 - (iii) *the original contract contains an option to renew or extend its term; and*
 - (iv) *the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;*

or

- (ja) *the contract is a renewal or extension of the term of a contract (the original contract) where —*
 - (i) *the original contract is to expire within 3 months; and*

- (ii) *the renewal or extension is for a term of not more than 12 months from the expiry of the original contract; and*
 - (iii) *the contract for renewal or extension is entered into at a time when there is in force a state of emergency declaration applying to the district, or part of the district, of the local government;*
- or
- (k) *the goods or services are to be supplied by a pre-qualified supplier under Division 3.*
- (3) *For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a state of emergency if —*
- (a) *the contract for the supply is entered into while there is in force a state of emergency declaration applying to the district, or part of the district, of the local government; and*
 - (b) *the local government considers that the goods or services are required for the purposes of addressing a need arising from the hazard, or from the impact or consequences of the hazard, to which the state of emergency declaration relates.*

Policy Implications:

Shire of Cue Policy Manual

Amendment to Policy Manual, D9 Purchasing Policy.

Financial Implications:

The tender threshold has been increased from \$150,000 to \$250,000.

Strategic Implications:

Nil

Consultation:

Rob Madson – Chief Executive Officer

Officer’s Recommendation:

Voting Requirement: Simple Majority

That Council:

Adopt the updated Shire of Cue Purchasing Policy as attached at [Appendix 3](#)

Council Decision:	Voting requirement: Simple Majority
MOVED:	SECONDED:

APPENDIX 3

Shire of Cue

D.9 PURCHASING POLICY

1. POLICY

The Shire of Cue is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance. Procurement processes and practices to be complied with are defined within this Policy.

2. OBJECTIVES

- To provide compliance with the Local Government Act, 1995 and the Local Government (Functions and General) Regulations, 1996.
- To ensure compliance / complimentary approach to Council Policy D15.
- To deliver a best practice approach and procedures to internal purchasing for the Local Government.
- To ensure consistency for all purchasing activities that integrates within all the Local Government operational areas.

3. REQUIREMENT FOR A PURCHASING POLICY

The Local Government is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Local Government with an effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Maintains integrity and confidence in the purchasing system.
- Ensures that the Local Government receives value for money in its purchasing.
- Ensures the Local Government is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Engenders respect from the public and industry for the Local Government's purchasing practices that withstands probity.

4. ETHICS & INTEGRITY

All officers and employees of the Local Government shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Local Government.

The following principles, standards and behaviours shall be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Local Government policies and code of conduct;

- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Local Government by a supplier shall be treated as commercial-in-confidence.

5. VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Local Government. It is important to take into account price, compliance, user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits. Whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history); and
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above lower total priced, conforming offers.

6. PURCHASING THRESHOLD

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Policy
Up to \$5,000	Goods and Services of a low risk and occasional nature may be purchased without the need for multiple quotes. These Purchases can be made directly from a supplier using a Purchasing Card or Corporate Credit Card issued by the Shire of Cue, or after obtaining at least one verbal or written quotation from a suitable supplier if practicable.
\$5001 to \$50,000	Two or more quotes will be sought, preferably in written form; however maybe verbal but must be recorded. CEO must authorise prior to issuing a Purchase Order.
\$50,001 to \$249,999	At least three written quotes to be obtained. CEO to approve (not including dealings with land or buildings, which will be approved by Council). Previous tender prices not more than 6 months old can be utilised as quotations.
\$250,000 and above	Conduct a public tender process or use the WALGA Preferred Supplier List through the E-Quotes system.

- Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$250,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy shall be followed in full.

Up to \$5,000

Where the value of procurement of goods or services is up to the value of \$5,000, delegated Officers approved by the CEO may purchase on the basis of seeking best value for money and where possible seek written or verbal quotations. These quotations must be either provided or recorded. It is recognised that in some instances it may not be practicable or cost effective to seek quotations.

Up to \$50,000

This category is for the procurement of goods or services where the value of such procurement ranges between \$5,001 and \$50,000.

At least two written quotations or verbal quotations (or a combination of both) if possible are required. Where this is not practical, e.g. due to limited suppliers, it shall be noted through records relating to the process. CEO must be informed regarding quotes obtained and a recommendation of best value for money be made and the CEO is to approve prior to issuing a Purchase order.

\$50,001 to \$249,999

For the procurement of goods or services where the value exceeds \$50,001 but is less than \$250,000, at least three written quotes are to be obtained from competitive suppliers. The CEO to approve expenditure in this category (not including dealings with land and buildings, which will be approved by Council).

The CEO will demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements will be maintained in accordance with record keeping policies.

E-Quotes are to be utilised where possible on the proviso that a detailed scope of works or specifications can be drawn up.

NOTES: The general principles relating to verbal and written quotations are;

Verbal Quotations:- The general principles are:

- Ensure that the requirement / specification is clearly understood by the Local Government employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be recorded.

Written Quotations:- The general principles are (for quotes over \$50,000):

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
 - Written Specification
 - Price Schedule
 - Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
 - Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
 - Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
 - Respondents should be advised in writing as soon as possible after the final determination is made and approved.
- Record keeping requirements will be maintained.

7. REGULATORY COMPLIANCE

7.1 Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government. If the purchase cost ex GST is \$250,000 or more it must go to Council for their decision.
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

7.2 Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply.

7.3 Anti-Avoidance

The Local Government shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$250,000, thereby avoiding the need to publicly tender.

7.4 Tender Criteria

The Local Government shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

For requests with a total estimated (Ex GST) price in excess of \$50, 000, the panel shall consist of a minimum of two members.

7.5 Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;

- detailed information shall include;
- such information as the local government decides should be disclosed to those interested in submitting a tender;
- detailed specifications of the goods or services required;
- the criteria for deciding which tender should be accepted;
- whether or not the local government has decided to submit a tender; and
- whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

7.6 Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a process to ensure the recording of details of all parties who acquire the documentation.

7.7 Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

7.8 Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information may be regarded as *commercial-in-confidence* to the Local Government. Members of the public are entitled to be present.

The Tenderer's offer form, price schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Local Government Officers or nominated representative(s) present at the opening of tenders.

7.9 No Tenders Received

Where the Local Government has invited tenders, however no compliant submissions have been received; direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$50,000 & \$249,999 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

7.10 Tender Evaluation

Tenders that have not been rejected shall be assessed by the Local Government by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

7.11 Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Local Government may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

7.12 Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Local Government and tenderer have entered into a Contract, a minor variation may be made by the Local Government.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

7.13 Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer
- The total value of consideration of the winning offer

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

7.14 Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Local Government's internal records management policy.

Note: In some instances a particular good or service may only be available from one source, If this is the case then it is to be recorded.

Date of last review	16/03/2016, resolution 10032016
Relevant legislation	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i> <i>Local Government (Functions and General Regulations) 1996</i> <i>State Records Act 2000</i>
Related Policy	Policy D11 'Corporate Credit Card' Policy D15 'Regional Price Preference'
Delegated authority Register	15. Signing of Requisitions and Purchase Orders
Review frequency	As Required

10.4 PROPOSED MINING ACTIVITY ON MAINLAND TOWNSITE TENEMENTS

APPLICANT: Musgrave Minerals Ltd
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Rob Madson – Chief Executive Officer
 DATE: 11 May 2020

Matters for Consideration:

Request for approval to drill on tenements encroaching on the Mainland townsite.

Background:

At the Ordinary Meeting of Council held 20 June 2017 it was resolved:

That Council advise Mr Evan Harris that approval is granted for mining activities involving the methods scrape and detect and dryblowing on areas within the Mainland townsite included on prospecting tenement P 21/741, provided that there is no disturbance to the natural surface of the townsite by way of waste rock emplacement or tailings storage facilities and that periodical inspections be conducted to ensure adherence with these conditions.

Musgrave Minerals have since entered into an arrangement with the tenement owners to jointly develop the resource.

Comments:

A copy of a map showing the Mainland townsite boundary in relation to the relevant tenements is attached at [Appendix 4](#).

Statutory Environment:

MINING ACT 1978 - SECT 25

25 . Mining on foreshore, sea bed, navigable waters or townsite

(1) The classes of land to which this section applies are —

(a) any part of the foreshore, being the area between the mean high water springs level of the sea and the mean low water springs level of the sea; and

(b) any part of the sea bed between the mean low water springs level of the sea and the inner limits of the coastal waters of the State as defined in section 16(1) and (2) of the Offshore Minerals Act 2003 ; and

(c) any land under navigable waters in the State; and

(d) any land that is a townsite within the meaning of the Land Administration Act 1997 ,

but this section does not apply to land that is part of a marine nature reserve, marine park or marine management area.

(2A) Mining on any land referred to in subsection (1)(a), (b) or (c) may be carried out with the written consent of the Minister who may refuse his consent or who may give his consent subject to such terms and conditions as the Minister specifies in the consent.

(2B) Before giving his consent under subsection (2A) whether conditionally or unconditionally the Minister shall first consult the Minister to whom the administration of the Fish Resources Management Act 1994 is for the time being committed by the Governor, the Minister to whom the administration of the Marine and Harbours Act 1981 is for the time being committed by the Governor, the LAA Minister and the Minister to whom the administration of the Environmental Protection Act 1986 is for the time being committed by the Governor with respect thereto and obtain their recommendations thereon.

(3A) Mining on any land referred to in subsection (1)(d) may be carried out with the written consent of the Minister who may refuse his consent or who may give his consent subject to such terms and conditions as the Minister specifies in the consent.

(3B) Before giving his consent under subsection (3A) whether conditionally or unconditionally the Minister shall first consult the LAA Minister and the local government, in respect thereto and obtain their recommendations thereon.

Policy Implications:

Policy C1

Policy C.1 – Mining Within The Town Boundary

2 Other Townsites

2.1 Other townsites which are now vacant, and to which the Shire has an interest, are identified as the townsites of Austin, Cuddingwarra, Mainland, Reedy, Tuckanarra, Big Bell, Day Dawn, Pinnacles.

2.2 The Council is prepared to allow mining under these townsites but only on the proviso that there is no disturbance to the natural surface of the townsite by way of waste rock emplacement or tailings storage facilities.

Financial Implications:

Nil.

Strategic Implications:

The proposed action addresses the following objectives contained in the Shire's Strategic Community Plan 2017-2027:

Economic Objective

Outcome 1.1 Maximise local economic opportunities to benefit the whole community

1.1.1 Work with the mining and pastoral sectors to grow and support local infrastructure and services.

Consultation:

Glenn Martin – Chief Geologist, Musgrave Minerals

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council advise Musgrave Minerals Ltd that approval is granted for mining activities involving drilling on tenements within the Mainland townsite, provided that there is no disturbance to the natural surface of the townsite by way of waste rock emplacement or tailings storage facilities and that periodical inspections be conducted to ensure adherence with these conditions.

Council Decision:

Voting requirement: Simple Majority

MOVED:

SECONDED:

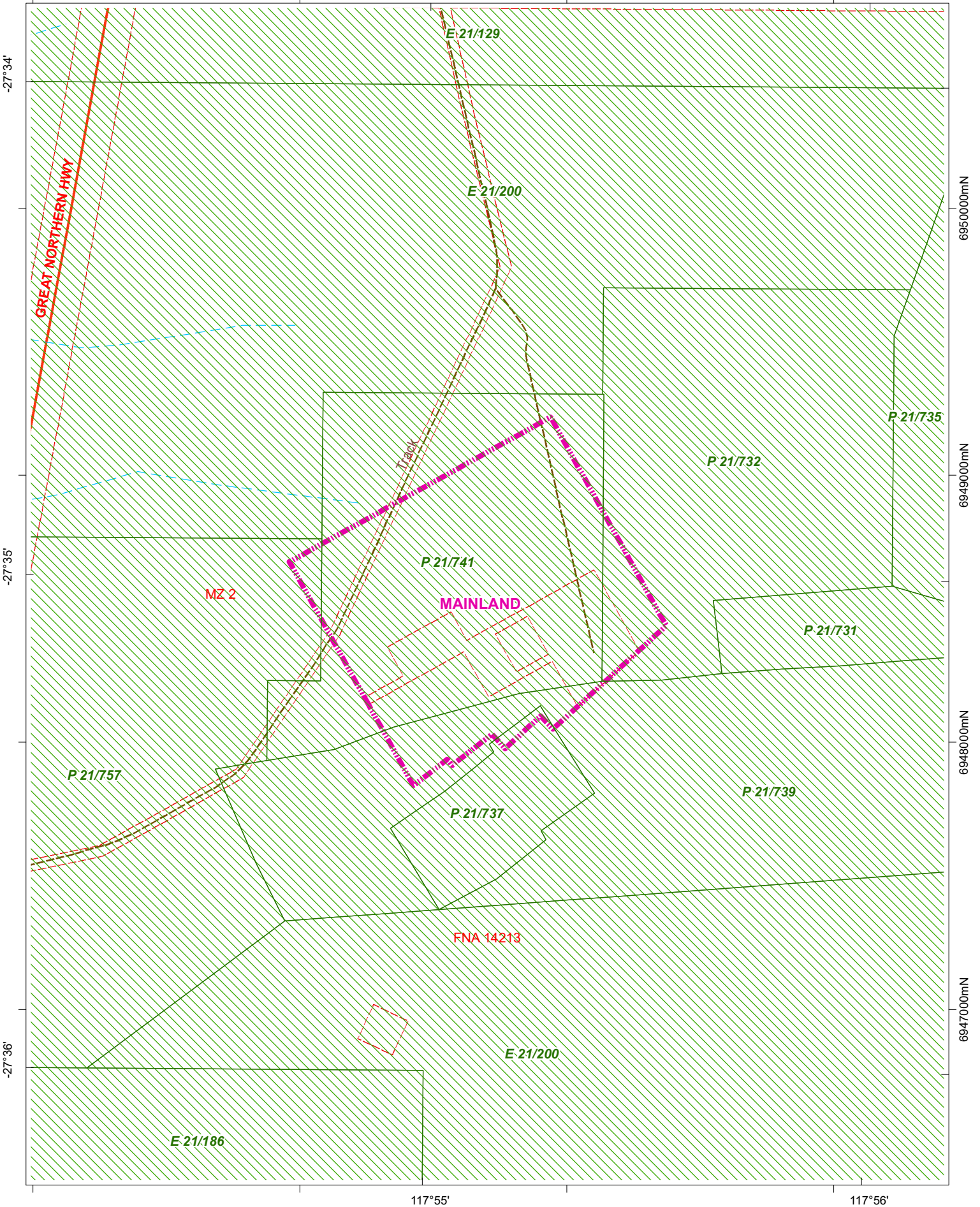
CARRIED:

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APPENDIX 4



589000mE 590000mE 591000mE 592000mE



This plan has been compiled from various data sources received from a number of agencies and with information supplied by applicants for mining tenements. No responsibility is accepted for any error or omission. The Commonwealth of Australia (c) 2002, through Geoscience Australia and the Department of Defence, maintains copyright over those parts of the topographic data it has provided for display in TENGRAPH. Users wishing to use the data in its unaltered form should contact Geoscience Australia at www.ga.gov.au. Confirmation of the extent and composition of any Native Title Claims should be sought from the Native Title Spatial Services Landgate. Enclosed Pastoral Lease land and Pre 1994 mining confined to Nharuwannga Wajarri and Ngarlawangga ILUA Native Title determination boundary.

Scale: 1:18,056



10.5 NATIONAL REDRESS SCHEME PARTICIPATION

APPLICANT: Department of Local Government, Sport and Cultural Industries

DISCLOSURE OF INTEREST: Nil

AUTHOR: Rob Madson – Chief Executive Officer

DATE: 14 May 2020

Matters for Consideration:

Endorsement of the Shire of Cue’s participation as part of the WA Government’s declaration in the National Redress Scheme.

Background:

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

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

The Royal Commission’s Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

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

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

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

National Redress Scheme

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

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

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

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

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

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme.

The Western Australian Government (the State) started participating in the Scheme from 1 January 2019.

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

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

DETAILS

1. Following extensive consultation, the State Government (December 2019):
2. Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
3. Noted the options for WA local government participation in the Scheme;

4. Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
5. Agrees to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.
6. The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:
 7. Redress monetary payment provided to the survivor;
 8. Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the State Records Act 2000); and
 9. Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).
10. State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.
11. Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:
 12. Providing the State with the necessary (facilities and services) information to participate in the Scheme;
 13. Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
 14. Costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.
15. The WALGA State Council meeting of 4 March 2020:
16. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
17. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and

18. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.
19. The State and WALGA will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.
20. State agencies (led by DLGSC), WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020 (or earlier, subject to completing the necessary arrangements).
21. The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks endorsement of the Shire of Cue participation in the Scheme.
22. As an independent entity and for absolute clarity, it is essential that the Shire of Cue formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration.
23. The Shire of Cue will not be included in the State's amended declaration, unless it formally decides to be included.
24. The financial and administrative coverage offered by the State will only be afforded to WA local governments that join the Scheme as a State Government institution, as part of the State's amended declaration.
25. The option also exists for the Shire of Cue to formally decide not to participate in the Scheme (either individually or as part of the State's declaration).
26. Should the Shire of Cue formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire of Cue include:
27. Divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations).
28. Potential reputational damage at a State, sector and community level.
29. Complete removal of the State's coverage of costs and administrative support, with the Shire of Cue having full responsibility and liability for any potential claim.

30. Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire of Cue.
32. Considerations for the Shire of Cue.
33. Detailed below is a list of considerations for the Shire of Cue to participate in the Scheme:
34. Executing a Service Agreement
35. All Royal Commission information is confidential, and it is not known if the Shire of Cue will receive a Redress application. A Service Agreement will only be executed if the Shire of Cue receives a Redress application.
36. Shire of Cue needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe (3 weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.
37. Reporting to Council if / when an application is received
38. Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.
39. Application Processing / Staffing and Confidentiality
40. Administratively the Shire of Cue will determine:
41. Which position(s) will be responsible for receiving applications and responding to Requests for Information;
42. Support mechanisms for staff members processing Requests for Information.
43. The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements
44. Record Keeping
45. The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the State Records Act 2000 (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire of Cue's record keeping practices as a result, have been modified to ensure the secure protection and

retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

46. The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in The Act.

1. Redress Decisions

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

CONSULTATION

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

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

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

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

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

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

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

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

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

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

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

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

Comments:

This item has been prepared in conformity with a template provided by the WA Local Government Association (WALGA), with the bulk of the research information provided by WALGA. While I consider that the Shire of Cue has very little risk exposure in the National Redress Scheme environment, it is recommended to participate in the scheme to cover the extremely unlikely event of a claim being lodged for an historical act.

A copy of the National Redress Scheme information paper is attached at [Appendix 5](#).

Statutory Environment:

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

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

Policy Implications:

Nil.

Financial Implications:

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

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

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

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

Strategic Implications:

Nil.

Consultation:

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

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

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

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

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

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

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

APPENDIX 5



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

National Redress Scheme for Institutional Child Sexual Abuse

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

Information Paper

3 February 2020

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CURRENT TREATMENT OF WA LOCAL GOVERNMENTS IN THE SCHEME

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

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

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

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

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

¹ Section 111(1)(b).

3. CONSULTATION TO DATE WITH WA LOCAL GOVERNMENT SECTOR

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

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

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

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

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

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

LGIS Update (April 2019) – National Redress Scheme

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

WALGA State Council Resolution

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

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

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

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

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

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

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

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

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

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

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

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

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

KEY ASPECTS OF THE STATE'S DECISION

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

State Government

The State Government will cover the following:

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

Individual Local Government

The individual local government will be responsible for:

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

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

This decision was made on the basis that:

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

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

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

5. CONSIDERATIONS FOR WA LOCAL GOVERNMENTS

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

CONFIDENTIALITY

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

APPLICATION PROCESSING / STAFFING

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

RECORD KEEPING

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

REDRESS DECISIONS

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

MEMORIALS

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

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

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

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

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

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

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

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

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

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

ACKNOWLEDGEMENTS

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

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

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

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

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

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

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

FOR MORE INFORMATION

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APPENDIX A

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

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions² to protect children from child sexual abuse, report abuse, and respond to child sexual abuse. The Royal Commission's Terms of Reference required it to identify what institutions should do better to protect children in the future, as well as what should be done to:

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

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

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

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

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

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

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

THE WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE ROYAL COMMISSION

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

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

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

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

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

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

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

APPENDIX B

NATIONAL REDRESS SCHEME - FURTHER INFORMATION

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

The National Redress Scheme (the Scheme):

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

The National Redress Scheme involves:

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

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

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

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

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

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

SURVIVORS IN THE COMMUNITY

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

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

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

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

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

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

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

TREATMENT OF LOCAL GOVERNMENTS BY OTHER JURISDICTIONS

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

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

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

TIMEFRAME TO JOIN THE SCHEME

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

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

THE SCHEME'S STANDARD OF PROOF

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

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

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

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

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

MAXIMUM PAYMENT AND SHARED RESPONSIBILITY

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

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

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

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

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

EFFECT OF AN APPLICANT ACCEPTING AN OFFER OF REDRESS

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

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

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

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

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

11. MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

13. NEW BUSINESS OF AN URGENT NATURE

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Council Decision: **Voting requirement:** Simple Majority

MOVED: **SECONDED:**

That the meeting be closed to members of the public to discuss confidential matters.

CARRIED:

14.1 TOWN STREETS RESEALING QUOTES

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 15 May 2020

Matters for Consideration:

Consider quotes for the resealing of Cue Town Streets using ten millimetre micro-surfacing slurry seal.

<i>Council Decision:</i>	Voting requirement: Simple Majority
MOVED:	SECONDED:
CARRIED:	

Council Decision: **Voting requirement:** Simple Majority

MOVED: **SECONDED:**

That the meeting be reopened to members of the public.

CARRIED:

15 CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at

To be confirmed at Ordinary Meeting on the 16 June 2020.

Signed:.....

Presiding Member at the Meeting at which time the Minutes were confirmed.