

COUNCIL MEETING

MINUTES



For the Ordinary Meeting of Council held on

16 September 2020

ATTENTION/DISCLAIMER

These minutes will be confirmed at the next Ordinary Council Meeting. The minutes should be read to ascertain the decision of the Council.

In certain circumstances members of the public are not entitled to inspect material, which in the opinion of the Chief Executive Officer is confidential, and relates to a meeting or a part of a meeting that is likely to be closed to members of the public.

No responsibility whatsoever is implied or accepted by the Shire of Cranbrook for any act, omission, statement or intimation occurring during Council or Committee meetings.

The Shire of Cranbrook disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement of intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or Officer of the Shire of Cranbrook during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Cranbrook.

The Shire of Cranbrook advises that anyone who has any application lodged with the Shire of Cranbrook must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Cranbrook in respect of the application.

The Shire of Cranbrook advises that any plans or documents contained within these minutes may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that Copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	4
2.	ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE.....	4
2.1	ATTENDANCE	4
2.2	APOLOGIES.....	4
2.3	APPROVED LEAVE OF ABSENCE	4
3.	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	4
4.	PUBLIC QUESTION TIME	4
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
4.2	PUBLIC QUESTIONS.....	4
5.	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	4
6.	APPLICATIONS FOR LEAVE OF ABSENCE	5
7.	DISCLOSURE OF INTEREST	5
8.	MATTERS FOR WHICH MEETING MAY BE CLOSED	5
9.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
9.1	ORDINARY MEETING – 19 August 2020.....	5
10.	REPORTS OF OFFICERS	6
10.1	FINANCE & ADMINISTRATION	6
10.1.1	LIST OF PAYMENTS.....	6
10.1.2	MONTHLY FINANCIAL REPORT – AUGUST 2020	8
10.2	GOVERNANCE & EXECUTIVE SERVICES.....	10
10.2.1	PLAYGROUND DISPOSAL – FREDERICK SQUARE CRANBROOK	10
10.2.2	POLICY – 4.13 CORPORATE CREDIT CARD	13
10.2.3	POLICY – 2.9 LEAVE – COMMUNITY SERVICE.....	15
10.2.4	LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) DRAFT MINUTES	17
10.2.5	BUSHFIRE ADVISORY COMMITTEE DRAFT MINUTES – 25 AUGUST 2020.....	20
10.3	WORKS.....	23
11.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	23
12.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING	23
13.	MATTERS BEHIND CLOSED DOORS.....	23
13.1	COMMUNITY GRANT PROGRAM FUNDING - ALLOCATION	23
13.2	TENDER 10-20 SUPPLY AND CONSTRUCT A LOOKOUT PLATFORM AT SUKEY HILL, CRANBROOK ..	23
14.	CLOSURE OF MEETING	26

AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Horrocks declared the meeting open at 3.00pm. The Shire President alerted the meeting to the procedures for emergencies including evacuation, designated exits and muster points.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

2.1 ATTENDANCE

President	Cr PL (Phil) Horrocks
Deputy President	Cr ER (Ruth) Bigwood
Councillors	Cr PM (Peter) Beech Cr PW (Peter) Slater Cr P (Peter) Denton Cr DS (David) Carey Cr VN (Vanessa) Fiegert Cr JA (Jennifer) Quick Cr RW (Robert) Johnson
Chief Executive Officer	Mr PB (Peter) Northover
Manager of Finance & Administration	Mrs PA (Trish) Standish
Manager of Works	Mr JE (Jeff) Alderton
Minute Taker	Ms JL (Jo) Scott
Members of the Public	Nil

2.2 APOLOGIES

Nil

2.3 APPROVED LEAVE OF ABSENCE

Nil

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President, Cr Horrocks announced that the following people who were either residents or past residents of the Shire had passed away since the last meeting:

Mrs Jean Honey
Mr Garry Drummond

A moments silence was observed as a mark of respect.

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

Nil

5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Motion 01092020

Moved Cr Bigwood, seconded Cr Fiegert that Cr Carey be granted a leave of absence for the 21 October 2020 ordinary meeting of Council.

Carried 9/0

7. DISCLOSURE OF INTEREST

Impartiality Interest

CEO P Northover

Item 13.1

Type: Impartiality Interest pursuant to Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of the Cranbrook Community Men's Shed

Indirect Financial Interest

Cr J Quick

Item 13.1

Type: Indirect Financial Interest pursuant to Section 6.51 of the Local Government Act 1995

Nature: Member of the CRC Management Committee

Indirect Financial Interest

Cr P Slater

Item 13.1

Type: Indirect Financial Interest pursuant to Section 6.51 of the Local Government Act 1995

Nature: Vice President/ Treasurer of the Cranbrook Community Men's Shed

Indirect Financial Interest

Cr P Denton

Item 13.1

Type: Indirect Financial Interest pursuant to Section 6.51 of the Local Government Act 1995

Nature: President of the Cranbrook Sporting Club and Member of the Cranbrook Community Men's Shed

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

The meeting will be closed to discuss item 13.1 and 13.2

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 19 August 2020

Motion 02092020

Moved Cr Slater, seconded Cr Johnson that the minutes from the ordinary meeting of Council held on 19 August 2020, be confirmed as a true and correct record.

Carried 9/0

10. REPORTS OF OFFICERS

10.1 FINANCE & ADMINISTRATION

10.1.1 LIST OF PAYMENTS

RESPONSIBLE OFFICER: Trish Standish – Manager of Finance and Administration

REPORT AUTHOR: Madeleine Brady – Finance Admin Officer

FILE REFERENCE: FM2

APPLICANT: N/A

DATE OF REPORT: 1 September 2020

ATTACHMENTS: List of Payments – 1 August 2020 to 31 August 2020

Purpose

The purpose of this report is to advise the Council of payments made during the period 1 August 2020 to 31 August 2020.

Background

Nil

Officers Comment

Nil

Statutory Environment

Local Government (Financial Management) Regulation 13 states:

13. List of accounts

(1) If the local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the Chief Executive Officer is to be prepared each month showing for each account paid since the last such list was prepared:

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

Policy Applicable – Implications

Council Policy 4.8 – 'Purchasing', states that:

"The Chief Executive Officer is delegated authority to make payments from the Municipal Fund or the Trust Fund. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:

- a) The payee's name*
- b) The amount of the payment*
- c) The date of the payment*
- d) Sufficient information to identify the transaction.*

The list referred to above is to be presented to the Council at each ordinary meeting of the Council and is to be recorded in the minutes of the meeting at which it is presented.

It is considered appropriate to delegate this authority to the Chief Executive Officer as the payment of accounts is the final process after debts have been incurred through other processes and systems in place."

Financial Implications

There are no financial implications for this report.

Risk Implications

The risks associated with matters in this report are:

- Misconduct
- Errors, Omissions and Delays
- Failure of IT and or Communication Systems and Infrastructure
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes
- Inadequate Supplier/Contract Management

The **impact** of the risk is Financial, Non-Compliance and Reputational.

The **consequences** of these risks are considered to be Major

The **likelihood** is Rare

Hence the **risk rating** for this item is Low

Risk mitigation includes the Council having strong financial policies and procedures in place and the requirement to report to the Council on a monthly basis.

Strategic Community Plan Reference

The 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 4: Leadership - Demonstrate strong governance, leadership and organisational growth

Outcome 4.1: Excellence in governance, compliance, regulation and reporting

Strategy 4.1.1: Maintain a high level of corporate governance, responsibility and accountability

Consultation

Consultation was not required for this report.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 03092020

Moved Cr Quick, seconded Cr Carey that the payment of accounts totalling \$373,801.04 as per the attachment be noted:

- **Electronic Funds Transfers EFT11131 to EFT11214 - \$232,642.89;**
- **Municipal Fund Cheque No's 12218 – 12219 - \$398.09;**
- **Internal Account Transfers (Payroll) - \$114,229.88; and**
- **Direct Debit - \$26,530.18.**

Carried 9/0

10.1.2 MONTHLY FINANCIAL REPORT – AUGUST 2020

RESPONSIBLE OFFICER:	Trish Standish – Manager of Finance and Administration
REPORT AUTHOR:	Trish Standish – Manager of Finance and Administration
FILE REFERENCE:	FM12
APPLICANT:	N/A
DATE OF REPORT:	8 September 2020
ATTACHMENTS:	Financial Statements for August 2020

Purpose

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 31 August 2020.

Background

The Local Government (Financial Management) Regulations 1996 require a statement of financial activity to be prepared each month and prescribe the contents of that report and accompanying documents. The report is to be presented at an ordinary meeting of the Council within two months after the end of the month to which the report relates.

Officers Comment

The Monthly Financial Report (Containing the Statement of Financial Activity) complies with industry standards and all statutory reporting requirements are contained within the report.

The attached August 2020 Monthly Financial Report represents two (2) months, or 17% of the financial year. The following items are worthy of noting on the August 2020 report:

- Closing surplus position of \$4.3m (shown on page 5)
- Cash and cash equivalents of \$5.13m, of which \$2.79m is held in cash backed reserve accounts (shown on page 9);
- Outstanding rates of \$1,999,015 equates to 78% of 2020/2021 rates levied (shown on page 10); and
- Explanation of material variances is shown on page 24.

Statutory Environment

The Local Government (Financial Management) Regulations 1996 define the requirements for monthly financial reporting (Regulation 34).

Policy Applicable – Implications

Council Policy 4.1 Defining Material Variances, states that:

When dividing the actual figures with the annual budget figure, a variance of plus or minus 10% of the percentage of the year elapsed will be reported. In addition, a variance must be greater than \$10,000 to be reported.

Financial Implications

The attached report represents the financial position of the Council at the end of the previous month and the adoption of the recommendation below does not have a financial impact.

Risk Implications

The risks associated with matters in this report are:

- Misconduct
- Errors, Omissions and Delays
- Failure of IT and or Communication Systems and Infrastructure
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes
- Inadequate Supplier/Contract Management

The **impact** of the risk is Financial, Non-Compliance and Reputational

The **consequences** of these risks are considered to be Major

The **likelihood** is Rare

Hence the **risk rating** for this item is Medium

Risk mitigation includes the Council having strong financial policies and procedures in place and the requirement to report to the Council on a monthly basis.

Strategic Community Plan Reference

The 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 4: Leadership - Demonstrate strong governance, leadership and organisational growth

Outcome 4.1: Excellence in governance, compliance, regulation and reporting

Strategy 4.1.1: Maintain a high level of corporate governance, responsibility and accountability

Consultation

Consultation was not required for this report.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 04092020

Moved Cr Denton, seconded Cr Bigwood that the attached Monthly Financial Report (containing the Statement of Financial Activity) for the period ending 31 August 2020 be received.

Carried 9/0

10.2 GOVERNANCE & EXECUTIVE SERVICES

10.2.1 PLAYGROUND DISPOSAL – FREDERICK SQUARE CRANBROOK

RESPONSIBLE OFFICER:	Trish Standish – Manager of Finance and Administration
REPORT AUTHOR:	Samantha O’Neill – Community Development Officer
FILE REFERENCE:	CP120
APPLICANT:	N/A
DATE OF REPORT:	1 September 2020
ATTACHMENTS:	Nil

Purpose

The purpose of this report is for the Council to consider the disposal of the existing playground equipment located at Frederick Square, Glover Street, Cranbrook.

Background

In February 2019 the Shire engaged a landscape designer, ecoSCAPE, to undertake a Master Concept Plan of an area at Frederick Square to upgrade the existing playground facilities and turn the area into an all ages Community Precinct. The Concept Master Plan was a basic plan that provided a scope and estimated cost to undertake a project of this size within the Cranbrook town. Due to the size of the project the landscape designer broke the concept plan into three stages, to make the cost more achievable for the Shire and potential funding providers.

On 28 January 2020, the Australian Government committed to provide funding for 52 drought-affected councils under the Drought Communities Programme – Extension. As a result of the announcement, the Shire became eligible to apply for \$1 million in project funding which must be spent and acquitted by 30 June 2021.

At the 24 April 2020 Council meeting the Council approved the playground improvements at Frederick Square as a part of the Drought Communities Programme – Extension funding application.

At the 15 July 2020 Council meeting the Council authorised the Chief Executive Officer to:

1. Enter into negotiations with Nature Play Solutions to expand upon their quote “Project Number 3087” for Stage One of the Cranbrook Community Precinct, taking into account community donations of supplies; and
2. Enter into a contract with Nature Play Solutions once the negotiations mentioned above are complete for Stage One of the Cranbrook Community Precinct.

The Shire received confirmation on 24 August 2020 that the projects submitted under the Drought Communities Program were approved and could commence once funding was received.

Now that Stage One of the Community Precinct can commence the Shire would like to begin the project by removing the existing playground equipment.

Officers Comment

It is proposed to advertise the sale and removal of the existing playground equipment by calling for public tenders in accordance with Council Policy 4.14, Asset Disposal. The playground equipment does not include the skate park and associated infrastructure.

As the equipment is to be offered on an 'as-is, where-is' basis with the successful tenderer paying all re-location costs, it was deemed appropriate that legal advice be sought to safe guard the Shire from any potential liability associated with the disposal process. The legal advice received has been incorporated into the tender document.

It is suggested that the income received from the sale of the playground equipment be transferred to the Cranbrook Youth Precinct Reserve Account.

Statutory Environment

Section 3.58 of the Local Government Act 1995 defines the process required for the disposal of local government property. This section states:

- “(2) Except as stated in this section, a local government can only dispose of property to —
- (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned;
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include-
- (a) the names of all other parties concerned;
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.”

Policy Applicable – Implications

Council Policy 4.14 Asset Disposal states that Council is committed to ensuring an open, fair, transparent and accountable process in the disposal of Council’s surplus assets, whilst obtaining best value for money and avoiding any conflicts of interest, whether real or perceived.

Financial Implications

The proceeds from the sale of this playground equipment would be transferred to the Cranbrook Youth Precinct Reserve Account.

Risk Implications

The risks associated with matters in this report are:

- Business and Community Disruption
- Errors, Omissions and Delays
- Inadequate Document Management Processes
- Inadequate Engagement Practices
- Inadequate Safety and Security Practices
- Inadequate Project/Change Management
- Inadequate Supplier/Contract Management

The **impact** of the risk is Financial, Service Interruption, Non-Compliance, Reputational, Property.

The **consequences** of these risks are considered to be Moderate

The **likelihood** is Unlikely

Hence the **risk rating** for this item is Medium

Risk mitigation includes obtaining legal advice in regards to the tender document.

Strategic Community Plan Reference

Objective 1: Social – Be respected for its friendly, vibrant, connected and safe communities

Outcome 1.1: An engaged, supporting and inclusive community

Strategy 1.1.3: Provide, maintain and improve community facilities within available resources

Objective 3: Environment - Enhance, maintain, protect and promote our built infrastructure and natural environment

Outcome 3.2: A built infrastructure servicing the needs of the community

Strategy 3.2.1: Maintain and enhance our roads, built infrastructure, parks and reserves

Objective 4: Leadership - Demonstrate strong governance, leadership and organisational growth

Outcome 4.1: Excellence in governance, compliance, regulation and reporting

Strategy 4.1.1: Maintain a high level of corporate governance, responsibility and accountability

Consultation

Consultation for this report included Council, the Executive Management Team and Civic Legal.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 05092020

Moved Cr Fiegert, seconded Cr Johnson that playground equipment, excluding the skate park infrastructure, located at Frederick Square, Glover Street Cranbrook be advertised for sale and removal by public tender, on an 'as-is, where-is' basis.

Carried 9/0

10.2.2

POLICY – 4.13 CORPORATE CREDIT CARD

RESPONSIBLE OFFICER:	Trish Standish – Manager of Finance and Administration
REPORT AUTHOR:	Trish Standish – Manager of Finance and Administration
FILE REFERENCE:	GO17
APPLICANT:	N/A
DATE OF REPORT:	8 September 2020
ATTACHMENTS:	Draft Updated Policy 4.13 Corporate Credit Card

Purpose

The purpose of this report is for the Council to consider adopting changes to the existing corporate credit card policy 4.13.

Background

The Council have had a corporate credit card policy in place for many years and it is subject to annual review in February of each year.

Officers Comment

The existing corporate credit card policy states that a credit card will only be supplied to the Chief Executive Officer and the Manager of Finance and Administration. With the commencement of the Community Emergency Services Manager funded by the Department of Fire and Emergency Services (DFES) from 1 July 2020, part of the memorandum of understanding is the supply of a credit card to the employee.

The supply must of course, be in accordance with Council policy, therefore the existing policy requires updating to reflect an additional credit card.

Statutory Environment

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Policy Applicable – Implications

This report is recommending a change to Council Policy 4.13 Corporate Credit Card. The proposed new policy is attached.

Financial Implications

There are no financial implications for this report. The report is recommending a change to the corporate credit card policy only. All purchases made using the credit card are budgeted for accordingly and are funded by DFES (60%) and the Shires of Kojonup, Gnowangerup and Cranbrook (40%).

Risk Implications

The risks associated with matters in this report are:

- Failure to fulfil Statutory, Regulatory or Compliance Requirements

The **impact** of the risk is Non Compliance

The **consequences** of these risks are considered to be Moderate

The **likelihood** is Unlikely

Hence the **risk rating** for this item is Moderate

Risk mitigation includes having an up to date policy in place to guide staff when making purchases using the corporate credit card.

Strategic Community Plan Reference

The 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 4: Leadership - Demonstrate strong governance, leadership and organisational growth

Outcome 4.2: Demonstrate strong leadership and civic responsibility

Strategy 4.2.1: Provide leadership to the community, staff and wider region

Consultation

Consultation was not required for this report

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Absolute Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 06092020

Moved Cr Denton, seconded Cr Carey that Council adopt the attached updated Policy 4.13 Corporate Credit Card.

**Carried 9/0
By Absolute Majority**

10.2.3

POLICY – 2.9 LEAVE – COMMUNITY SERVICE

RESPONSIBLE OFFICER:	Trish Standish – Manager of Finance and Administration
REPORT AUTHOR:	Trish Standish – Manager of Finance and Administration
FILE REFERENCE:	GO17
APPLICANT:	N/A
DATE OF REPORT:	8 September 2020
ATTACHMENTS:	Draft Updated Policy 2.9 Leave – Community Service

Purpose

The purpose of this report is for the Council to consider adopting changes to the existing community service leave policy 2.9.

Background

The Council have had a community service leave policy in place for many years and it is subject to annual review in February of each year.

Officers Comment

The existing community service leave policy states that leave will be provided to employees who volunteer to emergency organisations such as the State Emergency Service, Volunteer Fire Brigade and St John Ambulance with a leave entitlement to undertake their roles during work hours.

This current policy makes no mention of any leave provision for employees who participate in Defence Force Reserve activities. This matter was discussed during contract negotiations with the CEO Recruitment Panel and the new CEO, Greg Blycha as he is a member of the Army Reserves.

The CEO Recruitment Panel have advised that, in their opinion, Defence Force Reserve activities falls under community service leave and therefore the current policy requires updating to include reserve activities.

The current policy also requires updating to include the Shire President as the person who can approve community service leave for the Chief Executive Officer.

Statutory Environment

Local Government Act 1995

Local Government (Administration) Regulations 1996

Policy Applicable – Implications

This report is recommending a change to Council Policy 2.9 Leave – Community Service. The proposed new policy is attached.

Financial Implications

There are no financial implications for this report. The report is recommending a change to the community service leave policy only. All leave is budgeted for accordingly on an annual basis and forms part of the annual budget.

Risk Implications

The risks associated with matters in this report are:

- Failure to fulfil Statutory, Regulatory or Compliance Requirements

The **impact** of the risk is Non Compliance

The **consequences** of these risks are considered to be Moderate

The **likelihood** is Unlikely

Hence the **risk rating** for this item is Moderate

Risk mitigation includes having an up to date policy in place.

Strategic Community Plan Reference

The 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 1: Social – Be respected for its friendly, vibrant, connected and safe communities

Outcome 1.2: A safe place to live

Strategy 1.2.2: Advocate and actively support emergency management and services

Objective 4: Leadership - Demonstrate strong governance, leadership and organisational growth

Outcome 4.1: Excellence in governance, compliance, regulation and reporting

Strategy 4.1.2: Maintain organisational policies and strategies for the attraction and retention of quality employees

Outcome 4.2: Demonstrate strong leadership and civic responsibility

Strategy 4.2.1: Provide leadership to the community, staff and wider region

Consultation

Consultation for this report included the CEO Recruitment Panel

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Absolute Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 07092020

Moved Cr Quick, seconded Cr Slater that Council adopt the attached updated Policy 2.9 Leave – Community Service.

**Carried 9/0
By Absolute Majority**

10.2.4 LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) DRAFT MINUTES

RESPONSIBLE OFFICER:	Peter Northover - Chief Executive Officer
REPORT AUTHOR:	Maddison Wright – Personal Assistant to the CEO
FILE REFERENCE:	BF13
APPLICANT:	N/A
DATE OF REPORT:	10 September 2020
ATTACHMENTS:	1. Special LEMC COVID-19 Minutes - 3 June 2020 2. Special LEMC COVID-19 Minutes - 1 July 2020 3. Draft LEMC Minutes - 4 August 2020

Purpose

The purpose of this report is for the Council to consider the minutes from the Special LEMC COVID-19 meetings held on 3 June 2020 and 1 July 2020, and the draft minutes from the ordinary LEMC meeting held on 4 August 2020.

Background

The Shire of Cranbrook Local Emergency Management Committee (LEMC) was established in accordance with the Emergency Management Act 2005 section 38 which states:

(1) A Local government is to establish one or more local emergency management committees for the local government's district.

The function of the LEMC is documented in the Act under section 39:

- a) to advise and assist the local government in ensuring that the local emergency management arrangements are established for its districts;
- b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

The Shire of Cranbrook Local Emergency Management Committee consists of representatives from the following agencies:

- Cr Representative – Shire President
- Shire Staff
- Chief Bushfire Control Officer (CBFCO)
- WA Police - local officers
- St John Ambulance – Cranbrook and Frankland River
- St John Ambulance Great Southern
- Department of Communities
- Plantagenet Cranbrook Health Service
- Red Cross
- Department of Primary Industries and Regional Development (DPIRD)
- Frankland River Community Centre
- Cranbrook Primary School
- Department of Biodiversity, Conservation and Attractions
- Main Roads Great Southern
- Western Power
- Water Corporation
- Department of Fire and Emergency Services

Officers Comment

The minutes from the Special LEMC COVID-19 meetings held on 3 June 2020 and 1 July 2020 and the draft minutes from the ordinary LEMC meeting held on 4 August 2020, are attached with no recommendations to Council from these meetings.

Statutory Environment

The Emergency Management Act 2005 relates to this report and the Local Government Act 1995 Section 6.8(c) states:

*“Expenditure from municipal fund not included in annual budget
(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
(c) is authorised in advance by the mayor or president in an emergency.”*

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

There are no financial implications for this report.

Risk Implications

The risks associated with matters in this report are:

- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Engagement Practices

The **impact** of the risk is Non-Compliance

The **consequences** of these risks are considered to be Minor.

The **likelihood** is Unlikely.

Hence the **risk rating** for this item is Low.

Risk mitigation includes continual liaison with the relative agencies involved with the COVID-19 pandemic, as well as regular LEMC meetings to ensure minimal disruption to the wider community and businesses in the Shire of Cranbrook.

Strategic Community Plan Reference

The 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 1: Social – Be respected for its friendly, vibrant, connected and safe communities

Outcome 1.2: A safe place to live

Strategy 1.2.2: Advocate and support emergency management and services

Consultation

Consultation for this report included members of the LEMC.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 08092020

Moved Cr Fiegert, seconded Cr Slater that the attached minutes from the Special COVID-19 Local Emergency Management Committee meetings held on 3 June 2020 and 1 July 2020, together with the draft minutes of the ordinary meeting of the Local Emergency Management Committee held on 4 August 2020, be received by Council.

Carried 9/0

10.2.5	BUSHFIRE ADVISORY COMMITTEE DRAFT MINUTES – 25 AUGUST 2020
RESPONSIBLE OFFICER:	Peter Northover – Chief Executive Officer
REPORT AUTHOR:	Peter Northover – Chief Executive Officer
FILE REFERENCE:	BF1
APPLICANT:	Bushfire Advisory Committee
DATE OF REPORT:	10 September 2020
ATTACHMENTS:	Draft Bushfire Advisory Committee Minutes -25 August 2020

Purpose

The purpose of this report is to present to Council the minutes of the 25 August 2020 Bushfire Advisory Committee (BFAC) meeting for consideration.

Background

The Shire of Cranbrook BFAC was established in accordance with the Bushfires Act 1954 Part 5, Section 67 which states:

Advisory committees

- (1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.
- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —
 - (a) make rules for the guidance of the committee; and
 - (b) accept the resignation in writing of, or remove, any member of the committee; and
 - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.

Officers Comment

The committee normally meets biannually in March/April and September/October and consists of representatives from each of the 12 local brigades, the Chief Bushfire Control Officer, two Deputy Chief Bushfire Control Officers, the Base Radio Operator and a nominated Shire Councillor. Representatives from the Shire of Cranbrook and the Department of Fire and Emergency Services (DFES) Area Manager also attend the meetings as observers and administration support.

In 2020, the BFAC meeting calendar has been affected by the impacts of the Coronavirus pandemic and as a result, the April 2020 BFAC meeting, which was due to be the Annual General Meeting, was cancelled because of social distancing constraints and limitations around gatherings and public meetings. Despite no meeting occurring in April, a meeting of the BFAC was subsequently called in August 2020, in keeping with COVID-19 relaxations, to specifically discuss the appointment of the Shire's Community Emergency Services Manager (CESM) and the business plan

governing the position. The outcome of the discussions at the meeting are summarised in the attached draft minutes from that meeting.

It is worth noting that, at the meeting, the BFAC unanimously endorsed the business plan for the CESH position, without any specific recommendations being referred to Council for consideration.

Statutory Environment

Part 5, Section 67.4c of the Bush Fires Act 1954, states that:

(4) A committee appointed under this section —

(c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Policy Applicable – Implications

Council Policy 6.0 Bushfire Control is applicable to this report.

Financial Implications

There are no financial implications for this report.

Risk Implications

The risks associated with matters in this report are:

- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes
- Inadequate Engagement Practices

The **impact** of the risk is Non-Compliance and Reputational

The **consequences** of these risks are considered to be Minor

The **likelihood** is Unlikely

Hence the **risk rating** for this item is Low

Risk mitigation includes discussion and acceptance by members of the BFAC.

Strategic Community Plan Reference

The 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 1: Social – Be respected for its friendly, vibrant, connected and safe communities

Outcome 1.2: A safe place to live

Strategy 1.2.1: Retain a strong focus on community safety and crime prevention

Strategy 1.2.2: Advocate and actively support emergency management and services

Objective 4: Leadership - Demonstrate strong governance, leadership and organisational growth

Outcome 4.1: Excellence in governance, compliance, regulation and reporting

Strategy 4.1.1: Maintain a high level of corporate governance, responsibility and accountability

Strategy 4.1.2: Maintain organisational policies and strategies for the attraction and retention of quality employees

Consultation

Consultation included members of the BFAC and DFES.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 09092020

Moved Cr Carey, seconded Cr Slater that the attached minutes from the 25 August 2020 Bushfire Advisory Committee meeting be noted.

Carried 9/0

10.3 WORKS

Nil

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

Nil

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING

Nil

13. MATTERS BEHIND CLOSED DOORS

CONFIDENTIAL

13.1 COMMUNITY GRANT PROGRAM FUNDING - ALLOCATION

RESPONSIBLE OFFICER: Trish Standish – Manager of Finance and Administration
REPORT AUTHOR: Trish Standish – Manager of Finance and Administration
FILE REFERENCE: CS103
APPLICANT: N/A
DATE OF REPORT: 2 September 2020
ATTACHMENTS:

1. YMCA – Happy Feet Happy Kids
2. Amaris Wildlife Sanctuary – Wildlife Rehabilitation Sanctuary
3. Cranbrook Golf Club – Purchase Motorised Golf Cart
4. Cranbrook Community Men’s Shed – Renovating Showroom
5. Cranbrook Districts Motorcycle Club Inc.- Safer Club
6. The Cranbrook Newsletter – Replacement Photocopier
7. Cranbrook Sporting Club – 10 Year Anniversary
8. Frankland River CRC - After School Club
9. Frankland River CRC – Healthy Cooking Program – Nice & Spice
10. The Gillamii Centre – Purchase Equipment
11. Cranbrook – Frankland Toy Library – Active Kids Project
12. Community Grant Program Funding Guidelines

13.2 TENDER 10-20 SUPPLY AND CONSTRUCT A LOOKOUT PLATFORM AT SUKEY HILL, CRANBROOK

RESPONSIBLE OFFICER: Jeff Alderton – Manager of Works
REPORT AUTHOR: Stevie Egerton-Warburton – Works Technical Officer
FILE REFERENCE: FM21
APPLICANT: N/A
DATE OF REPORT: 10 September 2020
ATTACHMENTS: Nil

Statutory Environment

Section 5.23 of the Local Government Act 1995 allows the Council to close all or part of a Council Meeting to members of the public if the meeting or the part of the meeting deals with a range of issues, dealing 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.

As such it is recommended that the meeting be closed to the public in order deal with these items. 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.

Voting Requirements

Simple Majority

PROCEDURAL MOTION

Motion 10092020

Moved Cr Denton, seconded Cr Slater that the meeting be closed to members of the public at 3.12 pm in accordance with section 5.23 (c) of the Local Government Act 1995, to discuss a contract to be entered into, or which may be entered into, by the local government.

Carried 9/0

Impartiality Interest

CEO P Northover

Item 13.1

Type: Impartiality Interest pursuant to Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Community Men's Shed

Indirect Financial Interest

Cr J Quick

Item 13.1

Type: Indirect Financial Interest pursuant to Section 6.51 of the Local Government Act 1995

Nature: Member of the CRC Management Committee

Indirect Financial Interest

Cr P Slater

Item 13.1

Type: Indirect Financial Interest pursuant to Section 6.51 of the Local Government Act 1995

Nature: Vice President/ Treasurer of the Cranbrook Community Men's Shed

Indirect Financial Interest

Cr P Denton

Item 13.1

Type: Indirect Financial Interest pursuant to Section 6.51 of the Local Government Act 1995

Nature: President of the Cranbrook Sporting Club and Member of the Cranbrook Community Men’s Shed

Cr Denton, Cr Quick, Cr Slater and Peter Northover declared an interest and left the chambers at 3.12pm

13.1 COMMUNITY GRANT PROGRAM FUNDING – ALLOCATION

COUNCIL DECISION

Motion 11092020

Moved Cr Carey, seconded Cr Bigwood that Council approve the following projects for funding through the 2020/2021 Community Grant Program:

APPLICANT	PROJECT / PROGRAM	AMOUNT EX GST
The Cranbrook Newsletter	Replacement Photocopier	\$1,500.00
Frankland River CRC	After School Club	\$2,052.19
Cranbrook Community Men’s Shed	Renovating Showroom/Quiet Room	\$1,638.38
Cranbrook Sporting Club	10 Year Anniversary Celebration	\$909.91
A Smart Start / YMCA	Happy Feet Happy Kids Program	\$2,827.74
Cranbrook Golf Club	Purchase Motorised Golf Cart	\$4,536.36
Cranbrook – Frankland Toy Library	Active Kids Project	\$4,545.45
Cranbrook Districts Motorcycle Club Inc.	Safer Club - Purchase Equipment	\$1,094.55
The Gillamii Centre	Purchase Equipment	\$895.42

Carried 6/0

Cr Denton, Cr Quick and Cr Slater re-entered the chambers at 3.13pm

13.2 TENDER 10-20 SUPPLY AND CONSTRUCT A LOOKOUT PLATFORM AT SUKEY HILL, CRANBROOK

COUNCIL DECISION

Motion 12092020

Moved Cr Slater, seconded Cr Denton that Council:

1. Authorise the Chief Executive Officer to award Tender 10-20 to Woodlands Distributors Pty Ltd for the supply and construction of a Lookout Platform at Sukey Hill, Cranbrook for \$153,538, excluding GST in accordance with the terms and conditions specified in the tender documentation; and
2. Authorise the Chief Executive Officer to execute the contract for Tender 10-20 with Woodlands Distributors Pty Ltd for \$153,538 for the supply and construction of the Lookout Platform as specified in the submitted tender document for Sukey Hill, Cranbrook.

Carried 9/0

PROCEDURAL MOTION

Motion 13092020

Moved Cr Denton, seconded Cr Bigwood that the meeting be re-opened to members of the public at 3.16pm.

Carried 9/0

14. CLOSURE OF MEETING

There being no further business to discuss, the Shire President, Cr Horrocks declared the meeting closed at 3.17pm.