

# COUNCIL MEETING

## MINUTES



For the Ordinary Meeting of Council to be held on

**18 April 2018**

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# MINUTES

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Egerton-Warburton declared the meeting open at 3.03pm. 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 CY (Colin) Egerton-Warburton
Deputy President	Cr PL (Phil) Horrocks
Councillors	Cr DJ (David) Adams
	Cr PM (Peter) Beech
	Cr P (Peter) Denton
	Cr PW (Peter) Slater
	Cr DS (David) Carey
	Cr VN (Vanessa) Fiegert

Chief Executive Officer	Mr PB (Peter) Northover
Manager of Works	Mr JE (Jeff) Alderton
Personal Assistant to Chief Executive Officer	Miss KM (Kellie) Evans

Members of the Public	1
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### 2.2 APOLOGIES

Manager of Finance & Administration	Mrs PA (Trish) Standish
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### 2.3 APPROVED LEAVE OF ABSENCE

Councillor	Cr ER (Ruth) Bigwood
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## 3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil

## 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

There was a presentation by Shelley Pike on behalf of Southern Agcare.

Shelley Pike left the chambers at 3.27pm

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

**Motion 01042018**

Moved Cr Denton, seconded Cr Fiegert that Cr David Adams be granted a leave of absence for the 18 May 2018 ordinary meeting of Council.

Carried 8/0

**7. DISCLOSURE OF INTEREST**

Nil

**8. MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil

**9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**9.1 ORDINARY MEETING – 21 MARCH 2018**

**Motion 02042018**

Moved Cr Slater, seconded Cr Adams that the minutes from the ordinary meeting of Council held on 21 March 2018, be confirmed as a true and correct record.

Carried 8/0

## 10. REPORTS OF OFFICERS

### 10.1 FINANCE & ADMINISTRATION

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#### 10.1.1 LIST OF PAYMENTS

**RESPONSIBLE OFFICER:** Trish Standish – Manager of Finance and Administration

**REPORT AUTHOR:** Jodi Vitler – Finance Admin Officer

**FILE REFERENCE:** FM2

**APPLICANT:** N/A

**DATE OF REPORT:** 11 April 2018

**ATTACHMENTS:** List of Payments – 1 March 2018 to 31 March 2018

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#### **Purpose**

The purpose of this report is to advise the Council of payments made during the period 1 March 2018 to 31 March 2018.

#### **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 03042018**

**Moved Cr Slater, seconded Cr Horrocks that the payment of accounts totalling \$373,244.26 as per the attachment be noted:**

- **Electronic Funds Transfers EFT8545 to EFT8620 - \$245,460.15;**
- **Municipal Fund Cheque No's 12085 – 12091 - \$14,453.86;**
- **Internal Account Transfers (Payroll) - \$101,721.21; and**
- **Direct Debit - \$11,609.04;**

**Carried 8/0**

### 10.1.2

### MONTHLY FINANCIAL STATEMENTS

<b>RESPONSIBLE OFFICER:</b>	Trish Standish – Manager of Finance and Administration
<b>REPORT AUTHOR:</b>	Trish Standish – Manager of Finance and Administration
<b>FILE REFERENCE:</b>	FM12
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	6 April 2018
<b>ATTACHMENTS:</b>	Financial Statements for March 2018

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#### **Purpose**

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 31 March 2018.

#### **Background**

The Local Government (Financial Management) Regulations 1996 require the preparation of monthly financial statements and presentation of these statements to the Council.

#### **Officers Comment**

The February financial statements report on 9 months, or 75% of the financial year. It is worthy to note:

- The 'Municipal Fund Summary' on page 2 shows that we have raised 79% of our expected operating income. This higher percentage is due to the fact that property rates are recognised as revenue when they are raised and not when they are paid;
- The 'Municipal Fund Summary' on page 2 shows that we have spent 59% of the budgeted operating expenditure for the year;
- The 'Municipal Fund Summary' on page 4 shows a net current assets position of \$2,387,682 (surplus), which is mainly made up of cash on hand and rate debtors; and
- The 'Variance Report' on page 9 defines the major variances between budget and actual figures as required by the regulations.

#### **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 \$1,000 to be reported.*

#### **Financial Implications**

Whilst the financial statements report on the current position of the Council, 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 04042018**

**Moved Cr Adams, seconded Cr Beech that the attached financial statements for the period ending 31 March 2018 be noted.**

**Carried 8/0**

## 10.2 GOVERNANCE & EXECUTIVE SERVICES

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### 10.2.1 ANNUAL GENERAL MEETING OF ELECTORS - MINUTES

<b>RESPONSIBLE OFFICER:</b>	Peter Northover – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Trish Standish – Manager of Finance and Administration
<b>FILE REFERENCE:</b>	GO4
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	10 April 2018
<b>ATTACHMENTS:</b>	Draft Minutes of the Annual General Meeting of Electors – 21 March 2018

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#### **Purpose**

The purpose of this report is for the Council to consider receiving the minutes of the Annual General Meeting of Electors that was held on 21 March 2018 in the Frankland River Community Centre.

#### **Background**

Any decisions emanating from the electors meeting are required to be referred to the Council for consideration at the earliest opportunity.

#### **Officers Comment**

The minutes from the Annual General Meeting of Electors are attached. There were no resolutions from the meeting.

#### **Statutory Environment**

Section 5.27 of the Local Government Act 1995 requires a general meeting of electors to be held once every financial year. Regulations prescribe matters to be discussed at such meetings as the contents of the Annual Report for the previous financial year and then any other general business.

Section 5.33 of the Local Government Act 1995 states that:

"All decisions made at an electors meeting are to be considered at the next ordinary council meeting or at the first ordinary council meeting after that meeting".

#### **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:

- Errors, Omissions and Delays
- Failure to fulfil Statutory, Regulatory or Compliance Requirements

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

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

The **likelihood** is Rare

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

Risk mitigation includes ensuring an electors meeting is held each year and the minutes from the meeting are discussed at the next ordinary Council meeting.

### **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**

The Annual Electors Meeting is an opportunity for all residents and rate payers to communicate with the Council.

### **VROC Implications**

There are no strategic VROC implications from this report

### **Voting Requirements**

Simple Majority

### **OFFICERS RECOMMENDATION/COUNCIL DECISION**

**Motion 05042018**

**Moved Cr Denton, seconded Cr Adams that the Council receive the minutes of the Annual General Meeting of Electors held on 21 March 2018.**

**Carried 8/0**

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<b>10.2.2</b>	<b>CHANGE OF DELEGATE – SOUTHERN AGCARE</b>
<b>RESPONSIBLE OFFICER:</b>	Peter Northover – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Peter Northover – Chief Executive Officer
<b>FILE REFERENCE:</b>	GO110
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	10 April 2018
<b>ATTACHMENTS:</b>	Nil

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### **Purpose**

The purpose of this report is for the Council to consider appointing a new delegate to the committee of Southern Agcare to replace Cr Denton.

### **Background**

At the 24 October 2017 Special meeting of Council it was resolved (inter alia) that:

**“Cr Denton be appointed as Council’s delegate to the committee of Southern Agcare”.**

### **Officers Comment**

At the Special Council meeting held on 24 October 2017, Council resolved to appoint several delegates to outside organisations and community groups, including Southern AgCare.

Southern Agcare is an incorporated Not for Profit organisation that has been operating for 28 years in the Great Southern Region. It receives funding from Federal, State and Local Governments and provides a free, mobile and confidential family counselling service. The organisation is the preferred service provider for the Department of Child Protection and Family Support.

Whilst the committee meets infrequently, Cr Denton has indicated that he is unavailable to attend future meetings because of his work commitments and current business obligations.

### **Statutory Environment**

There is no specific legislation applicable to this report.

### **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

The **impact** of the risk is Reputational

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

The **likelihood** is Unlikely

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

Risk mitigation includes appointing a Council delegate to the committee of Southern Agcare.

### **Strategic Community Plan Reference**

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

*Objective 2: Economic – To be an innovative, diverse, prosperous and growing economy*

Outcome 2.2: A progressive, vibrant sustainable agricultural industry

Strategy 2.2.2: Actively engage and support local agricultural and allied industries

### **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 06042018**

**Moved Cr Horrocks, seconded Cr Adams that Council appoints Cr Vanessa Fiegert as the delegate on the committee of Southern Agcare to replace Cr Denton.**

**Carried 8/0**

**10.3 WORKS**

Nil

**10.4 ECONOMIC & COMMUNITY**

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**

Nil

**14. CLOSURE OF MEETING**

There being no further business to discuss, the Shire President, Cr Egerton-Warburton declared the meeting closed at 3:35pm.