

# COUNCIL MEETING

## AGENDA

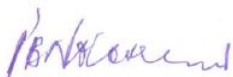


For the Ordinary Meeting of Council to be held on

**18 April 2018**

Dear Council Member,

The next Ordinary Meeting of the Shire of Cranbrook will be held on Wednesday 18 April 2018 at the Cranbrook Council Chambers commencing at 3.00pm.



Peter Northover  
Chief Executive Officer

## **DISCLAIMER**

This agenda has yet to be dealt with by the Council. The recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda 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 this agenda 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

<b>1.</b>	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....</b>	<b>4</b>
<b>2.</b>	<b>ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE .....</b>	<b>4</b>
2.1	ATTENDANCE .....	4
2.2	APOLOGIES.....	4
2.3	APPROVED LEAVE OF ABSENCE .....	4
<b>3.</b>	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION .....</b>	<b>4</b>
<b>4.</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>4</b>
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	4
4.2	PUBLIC QUESTIONS .....	4
<b>5.</b>	<b>PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS.....</b>	<b>4</b>
<b>6.</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE.....</b>	<b>4</b>
<b>7.</b>	<b>DISCLOSURE OF INTEREST .....</b>	<b>5</b>
<b>8.</b>	<b>MATTERS FOR WHICH MEETING MAY BE CLOSED .....</b>	<b>5</b>
<b>9.</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....</b>	<b>5</b>
9.1	ORDINARY MEETING – 21 MARCH 2018.....	5
<b>10.</b>	<b>REPORTS OF OFFICERS .....</b>	<b>6</b>
10.1	FINANCE & ADMINISTRATION.....	6
10.1.1	LIST OF PAYMENTS.....	6
10.1.2	MONTHLY FINANCIAL STATEMENTS.....	8
10.2	GOVERNANCE & EXECUTIVE SERVICES .....	10
10.2.1	ANNUAL GENERAL MEETING OF ELECTORS - MINUTES .....	10
10.2.2	CHANGE OF DELEGATE – SOUTHERN AGCARE .....	12
10.3	WORKS .....	14
10.4	ECONOMIC & COMMUNITY.....	14
<b>11.</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>14</b>
<b>12.</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING</b>	<b>14</b>
<b>13.</b>	<b>MATTERS BEHIND CLOSED DOORS.....</b>	<b>14</b>
<b>14.</b>	<b>CLOSURE OF MEETING .....</b>	<b>14</b>

# AGENDA

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Egerton-Warburton will declare the meeting open at   pm. The Shire President will alert 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

### 2.2 APOLOGIES

Manager of Finance & Administration	Mrs PA (Trish) Standish
-------------------------------------	-------------------------

### 2.3 APPROVED LEAVE OF ABSENCE

Councillor	Cr ER (Ruth) Bigwood
------------	----------------------

## 3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

## 4. PUBLIC QUESTION TIME

### 4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

### 4.2 PUBLIC QUESTIONS

## 5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

There will be a presentation by Southern Agcare.

## 6. APPLICATIONS FOR LEAVE OF ABSENCE

**7. DISCLOSURE OF INTEREST**

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

Nil

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

**9.1 ORDINARY MEETING – 21 MARCH 2018**

That the minutes from the ordinary meeting of Council held on 21 March 2018, be confirmed as a true and correct record.

## 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:** 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

---

#### **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**

**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;**

### 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

---

#### **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**

**That the attached financial statements for the period ending 31 March 2018 be noted.**

## 10.2 GOVERNANCE & EXECUTIVE SERVICES

---

<b>10.2.1</b>	<b>ANNUAL GENERAL MEETING OF ELECTORS - MINUTES</b>
<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

---

### **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**

**That the Council receive the minutes of the Annual General Meeting of Electors held on 21 March 2018.**

---

<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

---

### **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**

**That Council appoints Cr \_\_\_\_\_ as the delegate on the committee of Southern Agcare to replace Cr Denton.**

**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**

**13. MATTERS BEHIND CLOSED DOORS**

Nil

**14. CLOSURE OF MEETING**

There being no further business to discuss, the Shire President, Cr Egerton-Warburton will declare the meeting closed at pm.