

COUNCIL MEETING

MINUTES



For the Ordinary Meeting of Council held on

16 May 2018

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AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Egerton-Warburton declared the meeting open at 3.10pm. 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 PM (Peter) Beech Cr ER (Ruth) Bigwood Cr P (Peter) Denton Cr PW (Peter) Slater Cr DS (David) Carey

Chief Executive Officer	Mr PB (Peter) Northover
Manager of Finance & Administration	Mrs PA (Trish) Standish
Manager of Works	Mr JE (Jeff) Alderton

Members of the Public	One
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2.2 APOLOGIES

Councillor	Cr VN (Vanessa) Fiegert
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2.3 APPROVED LEAVE OF ABSENCE

Councillor	Cr DJ (David) Adams
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3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

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

Mr Chris Devine
Mrs Ivy Wolfe

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

There was a presentation by Louise Sprigg on behalf of A Smart Start.

One member of the public left the chambers at 3.38pm

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DISCLOSURE OF INTEREST

Proximity Interest

Cr Peter Beech

Item 10.2.1

Type: Proximity Interest pursuant to Section 5.60B Local Government Act 1995

Nature: Owner of neighbouring property

Proximity Interest

Cr Peter Denton

Item 10.2.6

Type: Proximity Interest pursuant to Section 5.60B Local Government Act 1995

Nature: Owner of neighbouring property

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 18 APRIL 2018

Motion 01052018

Moved Cr Slater, Seconded Cr Denton that the minutes from the ordinary meeting of Council held on 18 April 2018, be confirmed as a true and correct record.

Carried 7/0

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: Jodi Vitler – Finance Admin Officer

FILE REFERENCE: FM2

APPLICANT: N/A

DATE OF REPORT: 8 May 2018

ATTACHMENTS: List of Payments – 1 April 2018 to 30 April 2018

Purpose

The purpose of this report is to advise the Council of payments made during the period 1 April 2018 to 30 April 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 02052018

Moved Cr Beech, seconded Cr Carey that the payment of accounts totalling \$473,470.67 as per the attachment be noted:

- **Electronic Funds Transfers EFT8621 to EFT8700 - \$340,805.83;**
- **Municipal Fund Cheque No's 12092 – 12097 - \$10,025.64;**
- **Internal Account Transfers (Payroll) - \$99,479.03; and**
- **Direct Debit - \$23,160.17;**

Carried 7/0

10.1.2	MONTHLY FINANCIAL STATEMENTS
RESPONSIBLE OFFICER:	Trish Standish – Manager of Finance and Administration
REPORT AUTHOR:	Jodi Vitler – Finance Admin Officer
FILE REFERENCE:	FM12
APPLICANT:	N/A
DATE OF REPORT:	8 May 2018
ATTACHMENTS:	Financial Statements for April 2018

Purpose

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 30 April 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 10 months, or 83% of the financial year. It is worthy to note:

- The 'Municipal Fund Summary' on page 2 shows that we have raised 88% 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 65% of the budgeted operating expenditure for the year;
- The 'Municipal Fund Summary' on page 4 shows a net current assets position of \$2,512,209 (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 03052018

Moved Cr Slater, seconded Cr Bigwood that the attached financial statements for the period ending 30 April 2018 be noted.

Carried 7/0

10.2 GOVERNANCE & EXECUTIVE SERVICES

Proximity Interest

Cr Peter Beech

Item 10.2.1

Type: Proximity Interest pursuant to Section 5.60B Local Government Act 1995

Nature: Owner of neighbouring property

Cr Beech left the chambers at 3.42pm

10.2.1 RESERVE 17916 – CANCELLATION AND SALE

RESPONSIBLE OFFICER: Trish Standish – Manager of Finance and Administration

REPORT AUTHOR: Trish Standish – Manager of Finance and Administration

FILE REFERENCE: R17916

APPLICANT: Department of Planning, Lands and Heritage

DATE OF REPORT: 6 May 2018

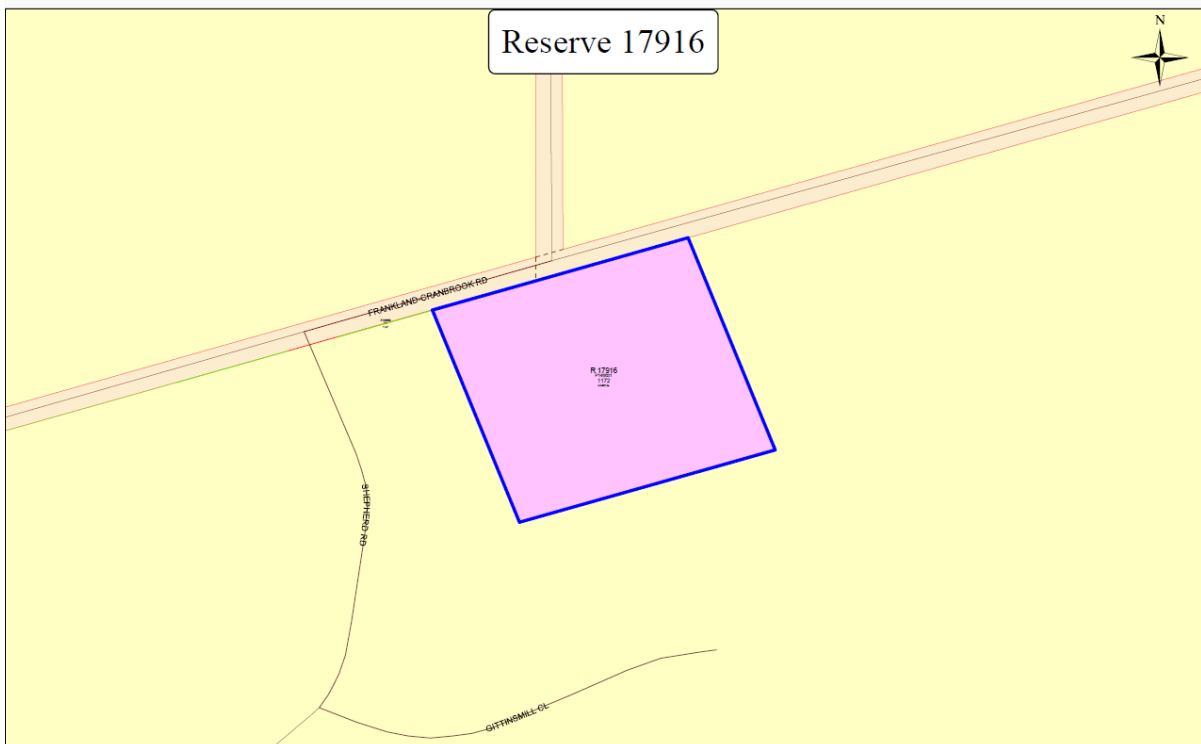
ATTACHMENTS: Nil

Purpose

The purpose of this report is for the Council to consider supporting the cancellation, sale and amalgamation of Reserve 17916 (Lot 1172 on Deposited Plan 146631) into the adjoining property in accordance with section 87 of the Land Administration Act 1997.

Background

Reserve 17916 is located on the Frankland Cranbrook Road and adjoins the Frankland River Strata Tree Farm. The reserve is set aside for the purpose of “Parklands” with a management order to the Shire of Cranbrook. See location map below.



Officers Comment

The Department of Planning, Lands and Heritage (DPLH) has written to the Shire advising that it has been noted that adjoining landowners have been utilising Reserve 17916 for what appears to be farming purposes and includes portion of a dam, tracks and is predominately cleared. See aerial map overpage.



DPLH are asking the Council if they require this Reserve, and if not, if they would support the cancellation, sale and amalgamation of the parcel into the adjoining property in accordance with section 87 of the Land Administration Act 1997.

Given the location and current usage of the reserve, it is considered appropriate to support the request.

Statutory Environment

Section 87 of the Land Administration Act 1997 relates 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:

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

The **impact** of the risk is 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 recognising the need to amalgamate the reserve into the adjoining property.

Strategic Community Plan Reference

There is no reference to this report in the Council's Strategic Community Plan.

Consultation

Consultation for this report included Department of Planning, Lands and Heritage and the Executive Management Team.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Simple Majority

Motion 04052018

Moved Cr Denton, seconded Cr Bigwood that standing orders be suspended at 3.43pm in order to discuss this item in detail.

Carried 6/0

Motion 05052018

Moved Cr Denton, seconded Cr Slater that standing orders be reinstated at 3.51pm

Carried 6/0

OFFICERS RECOMMENDATION

Moved Cr Carey, seconded Cr Denton that Council advise the Department of Planning, Lands and Heritage that:

- 1. It no longer requires Reserve 17916 (Lot 1172 on Deposited Plan 146631); and**
- 2. It supports the cancellation, sale and amalgamation of Reserve 17916 into the adjoining freehold property in accordance with section 87 of the Land Administration Act 1997.**

Lost 0/6

COUNCIL RESOLUTION

Motion 06052018

Moved Cr Carey, seconded Cr Slater that Council advise the Department of Planning, Lands and Heritage that:

- 1. It wishes to retain Reserve 17916 (Lot 1172 on Deposited Plan 146631); and**
- 2. It does not support the cancellation, sale or amalgamation of Reserve 17916 into the adjoining freehold property in accordance with section 87 of the Land Administration Act 1997.**

Carried 6/0

Reason for Change

The Council wished to retain the reserve for potential future requirements

Cr Beech re-entered the chambers at 3.54pm

10.2.2	LOCAL GOVERNMENT CONVENTION AND EXHIBITION 2018
RESPONSIBLE OFFICER:	Peter Northover – Chief Executive Officer
REPORT AUTHOR:	Peter Northover – Chief Executive Officer
FILE REFERENCE:	GO24
APPLICANT:	N/A
DATE OF REPORT:	27 April 2018
ATTACHMENTS:	2018 Information and Registration Brochure

Purpose

The purpose of this report is to allow Councillors the opportunity to attend the annual Local Government Convention and Trade Exhibition.

Background

The annual Local Government Convention for 2018 will be held between Wednesday 1 and Friday 3 August 2018 at the Perth Convention and Exhibition Centre. The Annual General Meeting (AGM) of the Western Australian Local Government Association (WALGA) will be held on Wednesday, 1 August 2018.

Officers Comment

An extract of the Convention programme is attached to this item. The full brochure is available from the Chief Executive Officer if required.

This convention includes the Annual General Meeting of WALGA which is free to attend. The Shire President and Deputy Shire President are the Council's voting delegates at this event, although the President has indicated that he will be away on leave in August and will be unable to attend both the AGM and annual convention. This convention has been well attended in recent years by the Council, however consideration may want to be given to those Councillors who have not previously attended.

The convention provides the year's most important professional development and networking opportunity to all Councillors. Prior to and after the convention, there are several elected member professional development modules also being offered.

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

Council Policy 1.6 – (Local Government Convention Attendance) states that:

- That the Shire President, Deputy Shire President and Chief Executive Officer will attend the annual WALGA Local Government Annual General Meeting;
- That the Council may decide and make a resolution to send other Elected Members as appropriate each year on a rotational basis to the WALGA Local Government Convention; and
- That the expenditure for the conference be contained responsibly by all attendees and be consistent with the Financial Policies and Code of Conduct of the Shire of Cranbrook.

Financial Implications

The 2018/2019 budget will include provision under Members' Conference Expenses for attendance at this year's convention. The average cost per person to attend the convention in recent years has ranged from \$3,500 in 2010 to \$1,500 in 2017.

Risk Implications

The risks associated with matters in this report are:

- Failure to fulfil statutory, regulatory or compliance requirements

The impacts of these risks are 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 adherence to Council Policies 1.6 – Local Government Convention – Attendance, and 1.7 – Elected Members – Allowances and Reimbursements, as well as the Shire of Cranbrook Code of Conduct.

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

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

Simple Majority

OFFICERS RECOMMENDATION

That:

1. The Deputy Shire President, Cr _____ and Chief Executive Officer, be authorised to attend the 2018 Local Government Convention and Trade Exhibition from 1 to 3 August 2018 at the Perth Convention and Exhibition Centre;
2. The Deputy Shire President and Cr _____ be nominated as the Voting Delegates at the Annual General Meeting of the Association on Wednesday, 1 August 2018; and
3. The Chief Executive Officer be nominated as the Proxy delegate at the Annual General Meeting of the Association in the event that either the Deputy President or Cr _____ is unable to attend the Annual General Meeting of the Association on Wednesday, 1 August 2018.

COUNCIL RESOLUTION

Motion 07052018

Moved Cr Denton, seconded Cr Slater that:

- 1. The Deputy Shire President and Chief Executive Officer, be authorised to attend the 2018 Local Government Convention and Trade Exhibition from 1 to 3 August 2018 at the Perth Convention and Exhibition Centre; and**
- 2. The Deputy Shire President and Chief Executive Officer be nominated as the Voting Delegates at the Annual General Meeting of the Association on Wednesday, 1 August 2018.**

Carried 7/0

Reason for change:

In the Shire President's absence, the Chief Executive Officer will be the voting delegate together with the Deputy President.

10.2.3	LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) DRAFT MINUTES – 10 APRIL 2018
RESPONSIBLE OFFICER:	Peter Northover – Chief Executive Officer
REPORT AUTHOR:	Toni Melia – Emergency Services and Recreation Officer
FILE REFERENCE:	BF13
APPLICANT:	N/A
DATE OF REPORT:	4 May 2018
ATTACHMENTS:	Draft 10 April 2018 Minutes – Local Emergency Management Committee

Purpose

The purpose of this report is for the Council to consider the draft minutes of the 10 April 2018 LEMC meeting.

Background

The Shire of Cranbrook 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 Local Emergency Management Committee (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 – CEO, ESRO, MOW and Ranger,
- Chief Bushfire Control Officer (CBFCO)
- WA Police - local officers
- St John Ambulance – Cranbrook and Frankland River
- Department of Communities, Child Protection and Family Support (DCCP&FS)
- Plantagenet Health Service
- Red Cross
- Department of Primary Industries and Regional Development (DPIRD)
- Frankland River Community Centre - Manager
- Office of Emergency Management (OEM) - Great Southern District Emergency Management Advisor

Officers Comment

The draft minutes of the 10 April 2018 LEMC meeting are attached with no recommendations to Council from this meeting.

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 Rare

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

Risk mitigation includes the well managed operations of the LEMC including membership by the CEO, ESRO, MOW and the Shire President on the committee.

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

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 08052018

Moved Cr Slater, seconded Cr Bigwood that the attached draft minutes of the 10 April 2018 Local Emergency Management Committee meeting be received by Council.

Carried 7/0

10.2.4	SENIORS' ADVISORY GROUP – ESTABLISHMENT
RESPONSIBLE OFFICER:	Trish Standish – Manager of Finance and Administration
REPORT AUTHOR:	Toni Melia – Emergency Services and Recreation Officer
FILE REFERENCE:	CS211
APPLICANT:	N/A
DATE OF REPORT:	4 May 2018
ATTACHMENTS:	Terms of Reference – Seniors' Advisory Group

Purpose

The purpose of this report is for the Council to consider the establishment of a Seniors' Advisory Group (SAG) within the Shire of Cranbrook.

Background

From the age of 60 in Australia a person is classed as a senior. The Shire of Cranbrook estimated resident population of seniors over 60 years of age are as follows:

- Persons - 60-69 years (no.) 164
- Persons - 70-79 years (no.) 91
- Persons - 80-84 years (no.) 25
- Persons - 85 and over (no.) 5
- TOTAL 285

(ABS Census Data 2016)

Based on the 2016 ABS Census Data, the Shire of Cranbrook's total population is 1103 residents. This effectively means that over 25% of the population are classified as seniors. The age demographic between 50 - 59 years accounts for 190 residents, which equates to 43% of the population. The Shire of Cranbrook has an ageing population, which is consistent with the rest of the Great Southern and the state. The above figures indicate that 40% of the shires total population will be classified as seniors in the next ten years.

Officers Comment

The Shire maintains an open door policy with the seniors in the community, encouraging discussion, feedback and suggestions on issues that affect them and the local services that they access.

The transitioning of the state funded Home and Community Care (HACC) programme to the new Commonwealth Home Support Programme (CHSP) from 1 July 2018 is one concern that remains foremost in seniors minds at present. There has been a considerable amount of confusion and miscommunication about the transition process, which has led to a number of seniors approaching the shire to advocate on their behalf. A number of information sessions have been held recently to address these concerns, which have been attended by representatives of the various agencies involved.

In March / April 2018 the Shire undertook a senior's community survey to ascertain the areas of most concern to seniors with regards to the transition process and the provision of other support services within the shire. Surveys were placed in The Cranbrook Newsletter and The Franklander, and copies were also made available at the Frankland River Community Centre and the Shire Administration Office. Additional copies were also handed out at seniors' activity sessions as well as at the seniors lunches and the Cranbrook Knit and Stitch Group meetings.

The survey's key results highlighted that 66% of the local seniors are concerned about the loss of transport and social services from 1 July 2018, and that 80% want to ensure that the same or better level of health care services are continued to be provided locally.

After meeting with various members of the seniors' community to discuss the results of the survey, the Shire Community and Executive Support Officer (CESO) and Emergency Services and Recreation Officer (ESRO) met with the Shire Chief Executive Officer (CEO) to address the possibility of establishing a local SAG. This group would be initially targeted at obtaining representatives from the seniors' community from across the Shire (not already established seniors' organisations or service providers), who had shown an interest in establishing new and innovative age friendly seniors' programs and projects, and would be the group to advocate on behalf of seniors at a local, regional and state level if required.

It is anticipated that the inaugural committee will be implemented from May 2018 until the election of a new committee in October 2019 and from that point onwards, elections in the form of an Expression of Interest (EOI) process will occur on a bi-annual basis.

The proposed community voting members of the inaugural SAG are:

- John Gillam
- Jenny Shaw
- Bess O'Neill
- Adrian Bridge
- Judy Binet
- Pat Saunders
- June Roberts
- Robert Andrews
- Frankland River Community Resource Centre Manager

Other voting members of the SAG will include the Shire CEO and one Elected Member. The Shire CESO and ESRO will share the role of Executive Officer of the SAG, however they will be non voting members.

Existing seniors' organisations and service providers will be invited at different times throughout the year to attend meetings and provide presentations etc. at the invitation of the Chairperson or SAG, however they will not have voting rights at these meetings.

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

Council Policy 7.2, Disability Access and Inclusion, states that:

“Ensure that all members of the community, regardless of race, ability, age, religion, education or gender have equal access to all Council services, events, service, information, buildings and facilities. It will also ensure that, in line with the Shire of Cranbrook Community Engagement Strategy, all members of the community are able to be included in the public consultation process where required.”

Financial Implications

There are no financial implications for this report. Any recommendations from the SAG that have a financial impact will be submitted to Council for consideration as part of the annual budget process.

Risk Implications

The risks associated with matters in this report are:

- Inadequate Engagement Practices

The **impact** of the risk is Reputational

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

The **likelihood** is Possible

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

Risk mitigation includes the establishment of the Seniors' Advisory Group as a forum for community feedback and participation.

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 1.1: An engaged, supporting and inclusive community

Strategy 1.1.2: Facilitate, encourage and support community groups, events and initiatives

Outcome 1.3: A healthy place to grow and age

Strategy 1.3.1: Facilitate community health and wellbeing and support provision of services to the community

Strategy 1.3.2: Support a healthy, sporting and active community

Consultation

Consultation for this report included community participation by way of surveys and feedback at seniors luncheons and other events, and discussion at the inaugural SAG meeting.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION / COUNCIL DECISION

Motion 09052018

Moved Cr Denton, seconded Cr Beech that Council:

- 1. Endorse the establishment of a Seniors' Advisory Group;**
- 2. Accept the Terms of Reference for the Seniors' Advisory Group;**
- 3. Accept the nominations of John Gillam, Jenny Shaw, Bess O'Neill, Adrian Bridge, Judy Binet, Pat Saunders, June Roberts, Robert Andrews and the Frankland River Community Resource Centre Manager as community representatives on the Seniors' Advisory Group; and**
- 4. Appoint Cr Slater as delegate and Cr Bigwood as proxy to the Seniors' Advisory Group.**

Carried 7/0

10.2.5	CAMPING AND COOKING FIRES – CHANGE OF DATES
RESPONSIBLE OFFICER:	Peter Northover – Chief Executive Officer
REPORT AUTHOR:	Toni Melia – Emergency Services and Recreation Officer
FILE REFERENCE:	BF1
APPLICANT:	Shire of Cranbrook Bushfire Advisory Committee
DATE OF REPORT:	8 May 2018
ATTACHMENTS:	Nil

Purpose

The purpose of this report is for Council to consider changing the dates for camping and cooking fires within the Shire of Cranbrook.

Background

The issue of prohibiting camping and cooking fires was first debated at the Bushfire Advisory Committee (BFAC) meeting held on Thursday 13 October 2011, and the following recommendations were made to Council:

- “1) All camping and cooking fires are to be prohibited within the Shire of Cranbrook from 1 October – 30 April, with the exception of Lake Nunijup (within the designated fire areas) or unless written permission has been expressly given by The Shire of Cranbrook as is pursuant with the Bush Fires Act 1954 Section 25.1(a) through to 1(d).
- 2) There should be signs on the arterial roads leading into the Shire of Cranbrook with the following wording: ‘All camping and cooking fires are prohibited within the Shire of Cranbrook from 1 October – 30 April.’”

At the 15 November 2011 Meeting of Council the following Council resolution was adopted:

- “1. Camping and cooking fires are to be prohibited within the Shire of Cranbrook from 1 October – 30 April each year or unless written permission has been expressly given by the Shire of Cranbrook as is pursuant with the Bush Fires Act 1954 Section 25.1(a) through to 1(d).
2. There be signs with the wording: “Camping and cooking fires are prohibited within the Shire of Cranbrook from 1 October – 30 April” erected on Albany Highway, Salt River Road, Great Southern Highway, Rocky Gully Road, Wingebellup Road and Martagallup Road just inside the Shire boundaries.
3. There be signs with the wording: “Camping and cooking fires are prohibited within the Shire of Cranbrook from 1 October – 30 April” erected at the entrances to Lake Unicup, Lake Poorrarecup and Lake Nunijup.”

The decision for this was based on Council agreeing that “the rules concerning the lighting of fires must be uniform across the Shire.”

Officers Comment

At the 16 April 2018 BFAC meeting discussion was had by the members of the BFAC about changing the dates for allowing camping and cooking fires within the Shire of Cranbrook after an incident at Lake Nunijup in which a permit was issued to a group to have a camping/cooking fire during the restricted burning period in March 2018.

The Shire of Cranbrook’s current camping and cooking fire policy states:

“Camping and cooking fires are prohibited within the Shire of Cranbrook from 1 October – 30 April each year or unless written permission has been expressly given by the Shire of Cranbrook as is pursuant with the Bush Fires Act 1954 Section 25.1(a) through to 1(d).”

Discussion at the meeting centred on the fact that farmers are allowed to burn paddocks and residents are allowed to burn green waste etc. during these times with a permit, therefore camping and cooking fires should also be allowed during these time periods.

The BFAC made the following recommendations to Council:

“RECOMMENDATION 1

That no camping or cooking fire permits be issued during the prohibited burning period within the Shire of Cranbrook 1 November – 14 February each year.

RECOMMENDATION 2

That during the restricted burning periods 1 October – 31 October and 15 February – 30 April each year a permit must be obtained from the local Bushfire Control Officer (FCO) or Chief Bushfire Control Officer (CBFCO) prior to lighting camping and cooking fires within the Shire of Cranbrook.”

Council should be aware that allowing camping and cooking fires during the restricted burning period will create an untenable situation for the shires Ranger, who as the shires compliance officer, is required to enforce the provisions of the Bushfires Act 1954.

Statutory Environment

The Bush Fires Act 1954, states that:

“Section 25. 1(a) through to 1(d) of the Bush Fires Act 1954 gives local governments the ability to prohibit camping and cooking fires during Restricted and Prohibited burning periods and or to limit the places where those fires are allowed to be.

“Section 25. 1(aa) (1a) specifically states “a local government may, by notice published in the Gazette and in a newspaper circulating in its district, prohibit the lighting of fires in the open air in its district for the purpose of camping or cooking for such period during the prohibited burning times as is specified in the notice.”

If the recommendation is adopted by Council, the Shire will be obliged to follow the requirements of the Bush Fires Act 1954 as per above. The Shire would also be required to advertise the motion in the local Newsletter (annually) and in the Government Gazette (once).

Local Government (Administration) Regulations 1996 Section 10 states that:

“Revoking or changing decisions made at council or committee meetings — s. 5.25(e)

- (1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —
 - (a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or
 - (b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —
 - (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
 - (b) in any other case, by an absolute majority.

- (3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.”

Should council decide to support the committee recommendation, then the motion passed by council at the ordinary meeting held 15 November 2011 would need to be rescinded.

Policy Applicable – Implications

Council Policy 6.0 – Bushfire Control relates to this item.

The current Bushfire Policy 6.0 is being reviewed and the Council resolution from this agenda report will be included in the revised Policy, which will then be presented to Council for adoption.

Financial Implications

If the committee recommendation is adopted new signs will be required at an approximate cost of \$4,000, and advertising costs will be incurred.

Risk Implications

The risks associated with matters in this report are:

- Inadequate Environmental Management
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Engagement Practices
- Ineffective Management of Facilities/Venues/Events

The **impact** of the risk is People, Financial, Non-Compliance, Reputational, Property and Natural Environment

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

The **likelihood** is Possible

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

Risk mitigation includes the adoption of acceptable processes and procedures that reduce the likelihood of a fire incident occurring.

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

Consultation

Consultation for this report was undertaken with the BFAC at its Annual General Meeting held 16 April 2018.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Absolute Majority (Revoking Motion)

COMMITTEE RECOMMENDATION

Council agree:

- 1. That no camping or cooking fire permits be issued during the prohibited burning period within the Shire of Cranbrook 1 November – 14 February each year;**
- 2. That during the restricted burning periods 1 October – 31 October and 15 February – 30 April each year a permit must be obtained from the local Bushfire Control Officer (FCO) or Chief Bushfire Control Officer (CBFCO) prior to lighting camping and cooking fires within the Shire of Cranbrook; and**
- 3. That the camping and cooking fire signs throughout the Shire be updated to reflect the new dates.**

COUNCIL RESOLUTION

Motion 10052018

Moved Cr Denton, seconded Cr Bigwood that this item lay on the table until after the Bushfire Advisory Committee (BFAC) have had a chance to further consider this matter at the October 2018 BFAC meeting.

Carried 7/0

Reason for Change

Council was of the view that several brigade members did not support the committee recommendation and therefore further discussion was warranted before the matter is considered formally by Council.

Proximity Interest

Cr Peter Denton

Item 10.2.6

Type: Proximity Interest pursuant to Section 5.60B Local Government Act 1995

Nature: Owner of neighbouring property

Cr Denton left the chambers at 4.11pm

10.2.6	CRANBROOK REGIONAL COMMUNITY HUB – MEMORANDUM OF UNDERSTANDING FOR PLANTAGENET MEDICAL
RESPONSIBLE OFFICER:	Peter Northover – Chief Executive Officer
REPORT AUTHOR:	Trish Standish – Manager of Finance and Administration
FILE REFERENCE:	CP145
APPLICANT:	N/A
DATE OF REPORT:	10 May 2018
ATTACHMENTS:	MOU – Plantagenet Medical

Purpose

The purpose of this report is for the Council to consider the Memorandum of Understanding (MOU) with Plantagenet Medical for the medical rooms in the Cranbrook Regional Community Hub (the Hub).

Background

Prior to and during construction of the Hub, Shire staff met with Plantagenet Medical to discuss their requirements to enable them to move into the Hub. Discussions included what the medical centre needed in terms of space required in the Hub, the amount of storage required, type of equipment needed to be purchased as well as the final fitout of rooms.

Officers Comment

The Hub has now been completed and Plantagenet Medical are occupants in the building providing an increased medical service than previously. It is prudent that the Council have an MOU with Plantagenet Medical so all involved, both Shire staff and Plantagenet Medical are aware of their responsibilities in order for the Hub to run smoothly. This will also ensure that when there is a turnover of Shire staff or Plantagenet Medical staff, everyone will have an understanding of their responsibilities.

Shire staff have met with representatives from Plantagenet Medical in recent weeks to go through their proposed MOU in detail. Plantagenet Medical are now aware that the attached MOU is being presented to Council for consideration and are happy with the content of the MOU.

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

Council Policy 7.3 Community Facilities – Usage, relates to this report.

Financial Implications

Budget

The 2018/2019 draft budget includes \$5,000 expenditure as per the MOU.

Long Term

Ongoing Council budget considerations will be required for this service to continue

Risk Implications

The risks associated with matters in this report are:

- Business and Community Disruption
- Errors, Omissions and Delays
- Failure of IT and or Communication Systems and Infrastructure
- Inadequate Document Management Processes
- Inadequate Engagement Practices
- Inadequate Asset Sustainability Practices
- Inadequate Safety and Security Practices
- Ineffective Management of Facilities/Venues/Events

The **impact** of the risk is Financial, Service Interruption, Reputational and 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 having an MOU in place with Plantagenet Medical.

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 1.1: An engaged, supporting and inclusive community

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

Outcome 1.3: A healthy place to grow and age

Strategy 1.3.1: Facilitate community health and wellbeing and support provision of services to the community

Strategy 1.3.2: Support a healthy, sporting and active community

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

Consultation

Consultation for this report included Shire staff and representatives from Plantagenet Medical.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION / COUNCIL DECISION

Motion 11052018

Moved Cr Slater, seconded Cr Carey that:

- 1. Council approve the attached Memorandum of Understanding between the Shire of Cranbrook and Plantagenet Medical;**
- 2. The Chief Executive Officer be authorised to execute the said document.**

Carried 6/0

Cr Denton re-entered the chambers at 4.12pm

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 4.13pm.