

COUNCIL MEETING

AGENDA



For the Ordinary Meeting of Council to be held on

19 July 2023

Dear Council Member,

The next Ordinary Meeting of the Shire of Cranbrook will be held on Wednesday 19 July 2023 at the Cranbrook Council Chambers commencing at 3.00pm.



Linda Gray
Chief Executive Officer



PUBLIC QUESTION TIME – RULES AND PROCEDURES

The Shire of Cranbrook provides the public with the opportunity to raise questions (as per Section 5.24 of the Local Government Act 1995), or to make a brief statement on issues of concern at all Ordinary Meetings, Special Meetings and Standing Committee Meetings of Council.

The Local Government (Administration) Regulations 1996 requires that a minimum of 15 minutes is to be provided at the beginning of the meeting for question time (where members of the public wish to ask questions).

Question time is the first item on the agenda and the following procedures apply:

1. Council encourages input from the public but will not debate any issue with those in attendance at meetings.
2. Questions should be directed to the Shire President (or Chairman at Committee Meetings). If the answer is not known and requires further investigation, questions will be taken on notice and a written response will be provided at a later date and such responses be recorded in the Minutes of the next ordinary meeting of Council.
3. The President (or Chairman) has the right to determine any address, question or statement made by a member of the public to be out of order if it is considered to be:
 - (i) a personal attack or adverse reflection on the integrity of Elected Members or Employees;
 - (ii) inappropriate behaviour and use of public question time. **Such behaviour will not be permitted or tolerated.**
4. Prevention of Disturbance (refer to Standing Order Local Law clause 8.6)
 - a) Any member of the public addressing the Council or a committee is to extend due courtesy and respect to the Council or committee and the processes under which they operate and must take direction from the person presiding whenever called upon to do so. (Penalty \$1,000)
 - b) No person observing a meeting is to create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means. (Penalty \$1,000)
5. Taped recording of meetings is not permitted.
6. Copies of “Public Question Time – Rules and Procedures” will be distributed at each Council/Committee Meetings where members of the public are in attendance.

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.

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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.

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AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Horrocks as Presiding Member 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 PL (Phil) Horrocks
Deputy President	Cr G (George) Pollard
Councillors	Cr PM (Peter) Beech
	Cr PW (Peter) Slater
	Cr JA (Jennifer) Quick
	Cr RW (Robert) Johnson
	Cr LM (Lee) Casson
	Cr DM (Daisy) Egerton-Warburton
	Cr P (Perin) Mulcahy
Chief Executive Officer	Ms LA (Linda) Gray
Manager of Finance and Administration	Mrs DE (Diana) Marsh
Manager of Works	Mr JE (Jeff) Alderton
Executive Officer	Ms JL (Jo) Scott
Members of the Public	

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.2 PUBLIC QUESTIONS

5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. DISCLOSURE OF INTEREST

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 21 June 2023

That the minutes from the ordinary meeting of Council held on 21 June 2023, be confirmed as a true and correct record.

10. REPORTS OF OFFICERS

10.1 CORPORATE AND COMMUNITY SERVICES

10.1.1 LIST OF PAYMENTS

RESPONSIBLE OFFICER: Diana Marsh – Manager of Finance and Administration

REPORT AUTHOR: Madeleine Hammond – Finance Officer

FILE REFERENCE: FM2

APPLICANT: N/A

DATE OF REPORT: 5 July 2023

ATTACHMENTS: List of Payments – 1 June to 30 June 2023

Purpose

The purpose of this report is to advise the Council of payments made during the period 1 June to 30 June 2023.

Background

Nil

Officer's 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 **impacts** of the risk are: 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 report 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 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Consultation was not required for this report.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION

That the payment of accounts totalling \$510,251.96 as per the attachment be noted:

- **Electronic Funds Transfers EFT 14276 to EFT 14359 - \$323,197.50;**
- **Internal Account Transfers (Payroll) - \$125,062.69 and**
- **Direct Debit - \$61,991.77.**

10.1.2 MONTHLY FINANCIAL REPORT – JUNE 2023

RESPONSIBLE OFFICER:	Diana Marsh – Manager of Finance and Administration
REPORT AUTHOR:	Diana Marsh – Manager of Finance and Administration
FILE REFERENCE:	FM12
APPLICANT:	N/A
DATE OF REPORT:	12 July 2023
ATTACHMENTS:	Financial Statements for June 2023

Purpose

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 30 June 2023.

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 June 2023 Monthly Financial Report represents twelve (12) months of the financial year. The following items are worthy of noting on the June 2023 report:

- Closing surplus position of \$2,475,508 (shown on page 5). This amount includes federal Financial Assistance Grants of \$1,941,662 received in advance for the 2023-24 financial year and other revenue recognised in accordance with Australian Accounting Standards.
- Cash and cash equivalents of \$5,917,606 of which \$3,152,140 is held in cash backed reserve accounts (shown on page 9)
- Outstanding rates of \$32,986 equates to 1.1% of 2022/2023 rates levied (shown on page 10). This amount does not include \$11k of prepaid rates which is held as a liability as at 30 June 2023; and
- Explanation of material variances is shown by nature or type on page 24 in accordance with the amendments made to the Local Government (Financial Management) Regulations 1996, effective from 1 July 2022.

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 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Consultation was not required for this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION

That the attached Monthly Financial Report (containing the Statement of Financial Activity) for the period ending 30 June 2023 be received.

10.1.3 SUNDRY DEBTS – WRITE OFF

RESPONSIBLE OFFICER: Diana Marsh – Manager of Finance and Administration
REPORT AUTHOR: Madeleine Hammond – Finance Officer
FILE REFERENCE: FM1
APPLICANT: N/A
DATE OF REPORT: 12 July 2023
ATTACHMENTS: Nil

Purpose

The purpose of this report is for Council to consider writing off a sundry debt that is no longer viable pursuing.

Background

Gavin Glinster owned Lot 68 Shephard Road, Frankland River from 27 August 1997 until he sold the property on 10 November 2022. In January 2021 and January 2022 Mr Glinster was issued with two invoices for slashing undertaken on his property for non-compliant fire breaks, to a total of \$550. The debt was not recovered at time of sale.

Officer’s Comment

Invoice 5507 was raised on 15 January 2021 for an initial cost of \$275.00 and invoice 5863 was raised 21 January 2022 for an additional \$275.00. Since the raising of these invoices Mr Glinster has failed to make payment and an additional \$72.15 has been applied in interest over the time period, totalling the outstanding debt at \$622.15.

All correspondence from the Shire of Cranbrook to Mr Glinster was ignored until the selling of his property in November of 2022. Indication from our debt recovery agents, including an initial quote for the recovery of debt, shows that taking legal action will incur greater costs than the outstanding debt. As the debt was not recovered at the time of sale there is very little likelihood of ever recovering this debt.

Statutory Environment

Section 6.12 of the Local Government Act of 1995, states that:

6.12 Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may -
 - (a) When adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;
 - (b) Waive or grant concessions in relation to any amount of money; or
 - (c) Write off any amount of money,

Which is owed to the local government.

* *Absolute majority required.*

- (2) Subsection (1) (a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1) (b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Policy Applicable – Implications

Council Policy 4.5 Finance Rates and Sundry Debtors Charges – Write Offs, Recovery Process, is applicable to this report.

Financial Implications

The amount to be written off totals \$622.15 and will reduce the Council's financial position, however this is not considered to be material.

Risk Implications

The risks associated with matters in this report are:

- Failure to fulfil Statutory, Regulatory or Compliance Requirements

The **impacts** of the risk are: Financial,

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

The **likelihood** is: Likely

Hence the **risk rating** for this report is: Low

Risk mitigation includes a regular review of outstanding sundry debtors and ensuring that all possible actions have been taken to collect the outstanding debt especially at the time of property sale.

Strategic Community Plan Reference

The 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Consultation was not required for this report.

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION

That Council agrees to write off the sundry debt for Gavin Glinster for the amount of \$622.15.

10.1.4	LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM (LRCI) – STAGE 4A
RESPONSIBLE OFFICER:	Linda Gray – Chief Executive Officer
REPORT AUTHOR:	Linda Gray – Chief Executive Officer
FILE REFERENCE:	FM10
APPLICANT:	N/A
DATE OF REPORT:	13 July 2023
ATTACHMENTS:	Nil

Purpose

The purpose of this report is for Council to prioritise the projects proposed for construction as part of the Federal Government’s Local Roads and Community Infrastructure Program (LRCI) Stage 4A, and to approve the projects selected to be completed under this program.

Background

The objective of the LRCI Program is to stimulate additional infrastructure construction activity in local communities across Australia to assist with the management of economic impacts resulting from COVID-19. The Shire was fortunate to be offered \$441,469 for infrastructure projects in the Stage 4A round of the program.

The projects eligible are ones that involve the construction or maintenance of roads including such things as signage, traffic control, street lighting, road and footpath maintenance. Community infrastructure projects that involve the construction, maintenance, and/or improvement to Council owned assets such as improvement to community facilities, repairing or replacing fencing, improved accessibility to facilities or areas, shelters and barbeques in parks, landscaping improvements, playgrounds and skate parks and off-road car parks for facilities and areas.

Officer’s Comment

The project priorities of the Shire of Cranbrook have been discussed at the 2023/24 Budget Workshops and costs investigated by staff.

A list of projects was submitted informally to Councillors for prioritising. Council need to take into consideration the success of the grant application to the Department of Transport for a shared pathway from the Frankland River Primary School (Evans Street) to the Dandelion Café Project - Wingebellup Road Shared Pathway. The LRCI 4A funding will assist with the works required at the crossover near Foxy’s General Store at the intersection of Rocky Crossing Road and Wingebellup Road. Another consideration to factor in is that the price of cement increased by 11% in the year to March 2023 alone. (WALGA WA Economic Outlook – Forecasts and Drivers of Growth). Due to the allocation of the grant funds from the Department of Transport, it was decided that the priority was the work on the Wingebellup Road Shared Pathway plus some funding from the Shire’s own source revenue. For that reason, the sum below was allocated to the project described above:

Project	Approximate cost
Wingebellup Road Shared Pathway Frankland River	\$59,125

Further priorities were identified to complete the work on the new Frankland River Play Space:

Project	Approximate Cost
Pathway connection of Playground/Caravan Park/Pumptrack Frankland River	\$65,000
Media Strip Plantings & Reticulation/Gardens Frankland River	\$20,000

Further projects in the Cranbrook area were identified and listed:

Project	Approximate Cost
Cranbrook Daycare Shade Structure	\$55,000
Cranbrook Information Bay reticulation & pump for playground	\$23,000
Cranbrook & Frankland River Entry Statements	\$19,344

The total for the above projects to be funded by LRCI Stage 4A is \$241,469.

Two projects were proposed to Council for allocation of the remaining LRCI Stage 4A \$200,000. The two projects considered are:

1. Lake Nunijup Public Toilets – to shift the toilet block and associated infrastructure to a site approved by the Department of Health, or
2. Frankland River Hall – to commence maintenance on a building that has been severely neglected but is likely to be in place as the only building suitable for weddings, funerals and school events in that area, accepting that funds will not available in the short term by either the Shire of Cranbrook or through grant opportunities.

Council agreed that it would be supportive to take responsibility for the repair of the Frankland River Hall as it is owned by the Shire, and to provide separation from the Frankland River District Country Club and its renovation.

It is vital that the Shire of Cranbrook has a list of priorities and a list of shovel ready projects. The Shire does not want to start on the back foot when it must compete with other local governments for expertise and labour to complete projects.

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

Council Policy 4.8 Purchasing Policy applies to this item.

Financial Implications

Whilst actual individual projects have not yet been fully costed, the projects listed above will be funded through the Local Roads and Community Infrastructure Program – Stage 4A and will not exceed the \$441,469 that has been allocated to the Shire by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts through the Federal Government’s Local Roads and Community Infrastructure Program.

Risk Implications

The risks associated with matters in this report are:

- Errors, Omissions and Delays
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Project/Change Management
- Inadequate Supplier/Contract Management

The **impacts** of the risk are: Finance, Non-Compliance, Reputational and Property

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

The **likelihood** is: Unlikely

Hence the **risk rating** for this report is: Moderate

Strategic Community Plan Reference

The 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Live

Outcome 4 - Priority Amenities: A strong knowledge base on amenity usage and asset management, and a focussed support for aged-care, youth, disabilities facilities and programs.

Key Pillar: Visit

Outcome 9 – Experiences: A well-defined and celebrated community activity program for locals and visitors.

Deliverable 9.1: A stimulus into sport and recreation participation.

Deliverable 9.2: A stimulus into arts and culture participation.

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Jennifer Cristinelli, Community Development Manager

Diana Marsh, Manager of Finance and Administration

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION

That Council approves:

1. The prioritisation of the projects listed:

Priority	Description	Project
1	Wingebellup Road Shared Pathway Frankland River	\$59,125
2	Pathway connection of Playground/Caravan Park/Pumptrack Frankland River	\$65,000
3	Media Strip Plantings & Reticulation/Gardens Frankland River	\$20,000
4	Cranbrook Daycare Shade Structure	\$55,000
5	Cranbrook Information Bay reticulation & pump for playground	\$23,000
6	Cranbrook & Frankland River Entry Statements	\$19,344
7	Frankland River Hall	\$200,000
	TOTAL	\$441,469

2. The projects selected under the Local Roads and Community Infrastructure (LRCI) Program – Stage 4A for inclusion into the Shire of Cranbrook's 2023/24 Budget for a total of \$441,469 as follows:

Priority	Description	Project
1	Wingebellup Road Shared Pathway Frankland River	\$59,125
2	Pathway connection of Playground/Caravan Park/Pumptrack Frankland River	\$65,000
3	Media Strip Plantings & Reticulation/Gardens Frankland River	\$20,000
4	Cranbrook Daycare Shade Structure	\$55,000
5	Cranbrook Information Bay reticulation & pump for playground	\$23,000
6	Cranbrook & Frankland River Entry Statements	\$19,344
7	Frankland River Hall	\$200,000
	TOTAL	\$441,469

10.1.5	LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM (LRCI) – STAGE 4B
RESPONSIBLE OFFICER:	Linda Gray – Chief Executive Officer
REPORT AUTHOR:	Linda Gray – Chief Executive Officer
FILE REFERENCE:	FM10
APPLICANT:	N/A
DATE OF REPORT:	13 July 2023
ATTACHMENTS:	Nil

Purpose

The purpose of this report is for Council to prioritise the projects proposed road only projects as part of the Federal Government’s Local Roads and Community Infrastructure Program (LRCI) Stage 4B, and to approve the projects selected to be completed under this program.

Background

The objective of the LRCI Program is to support priority local road infrastructure projects for upgrades to roads in regional and rural areas. The Shire was fortunate to be offered \$254,649 for local road projects in the Stage 4B round of the program.

Officer’s Comment

The project priorities of the Shire of Cranbrook have been discussed at the 2023/24 Budget Workshops and costs investigated by staff regarding small road projects that would be eligible under this funding. It has been previously discussed that there were small sections of road within the Shire that should be sealed due to their frequent usage, location in terms of dust and impact on the social and health wellbeing of residents living close at hand, and for reasons of economic benefit to the community. Small road projects identified were also selected based on the limited cost available, so short sections under a kilometre were eligible, and it was important that their structure or base should already be in place as per the Shire’s road construction policy.

A list was submitted informally to Councillors of roads that met the above criteria:

Project	Approximate cost
Hardy Street, Cranbrook, (to Rubbish Tip) Double Seal x 800 metres	\$117,325
Rubbish Tip Road, Cranbrook, Double Seal x 800 metres	\$117,324
Driveway to Frankland River Rubbish Tip Single seal	\$20,000

The total for the above projects to be funded by LRCI Stage 4B is \$254,649.

It is vital that the Shire of Cranbrook has a list of priorities and has a list of shovel ready projects. All these unsealed roads are formed and meet the Shire’s standards.

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

Council Policy 4.8 Purchasing Policy and Council Policy 5.0 Road Management applies to this item.

Financial Implications

Whilst actual individual projects have not yet been fully costed, the projects listed above will be funded through the Local Roads and Community Infrastructure Program – Stage 4B and will not exceed the \$254,649 that has been allocated to the Shire through the Federal Government’s Local Roads and Community Infrastructure Program.

Risk Implications

The risks associated with matters in this report are:

- Errors, Omissions and Delays
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Project/Change Management
- Inadequate Supplier/Contract Management

The **impacts** of the risk are: Finance, Non-Compliance, Reputational and Property

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

The **likelihood** is: Unlikely

Hence the **risk rating** for this report is: Moderate

Strategic Community Plan Reference

The 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Jeff Alderton, Manager of Works

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION

That Council approves:

1. The prioritisation of the projects listed:

Priority	Description	Project
1	Hardy Street, Cranbrook, (to Rubbish Tip) Double seal x 800 metres	\$117,325
2	Rubbish Tip Road, Cranbrook, Double seal x 800 metres	\$117,324
3	Driveway to Frankland River Rubbish Tip Single seal	\$20,000
	TOTAL	\$254,649

And;

2. The projects selected under the Local Roads and Community Infrastructure (LRCI) Program – Stage 4B for inclusion into the Shire of Cranbrook's 2023/24 Budget for a total of \$254,649 as follows:

Priority	Description	Project
1	Hardy Street, Cranbrook, (to Rubbish Tip) Double seal x 800 metres	\$117,325
2	Rubbish Tip Road, Cranbrook, Double seal x 800 metres	\$117,324
3	Driveway to Frankland River Rubbish Tip Single seal	\$20,000
	TOTAL	\$254,649

10.1.6

ADOPTION OF THE 2023-2024 BUDGET

RESPONSIBLE OFFICER:	Diana Marsh – Manager of Finance and Administration
REPORT AUTHOR:	Diana Marsh – Manager of Finance and Administration
FILE REFERENCE:	FM6
APPLICANT:	N/A
DATE OF REPORT:	12 July 2023
ATTACHMENTS:	1. 2023/2024 Draft Annual Budget 2. 2023/2024 Fees and Charges

Purpose

The purpose of this report is for Council to consider and adopt the Annual Budget for the 2023-2024 financial year together with supporting schedules, including the imposition of rates and minimum payments, adoption of fees and charges, setting of elected members fees for the year and other matters arising from the budget papers.

Background

The draft 2023-24 budget has been compiled based on the principles contained in the Strategic Community Plan and Plan for the Future. The 2023-24 draft budget has been prepared in accordance with the presentations made to councillors at the three budget workshops held between May and July 2023.

Officer's Comment

The budget has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

The main features of the draft budget include:

- The budget has been prepared with a 7% rate increase in line with the Long-Term Financial Plan. This increase applies to all rating categories.
- Fees and charges for the 2023-2024 financial year were adopted at the Ordinary Meeting of Council held 17 May 2023, prior to the formal adoption of the budget. In addition, some statutory charges have been updated, and a concession is proposed to allow senior residents over the age of 60 years access to the Cranbrook Community Hub Gym free of charge. These changes are itemised in the schedule of fees and charges.
- Household and commercial waste charges have increased approximately 7% from the 2022-2023 adopted charge and itemised in the schedule of fees and charges.
- The recurrent operating budget includes an overall increase in expected expenditure of 8.5% (although individual line items may vary from this based on specific factors affecting each of these) and continues the focus on improved service delivery to the community.
- A capital works program totalling \$6.4m is planned for investment in infrastructure, land and buildings, plant and equipment and furniture and equipment is planned. Expenditure on road infrastructure is a major component of this (\$2.3m) in line with Council's ongoing road construction program. An amount of \$2.1m is provided for land and buildings of which \$1.92m is for the construction of a new fire shed in Cranbrook (subject to successful grant application).
- An estimated surplus of \$2,487,423 is anticipated to be brought forward from 30 June 2023. This amount includes federal Financial Assistance Grants of \$1,941,662 received in advance for the 2023-24 financial year and other revenue recognised in accordance with Australian Accounting Standards. This is unaudited and may change. Any change will be addressed as part of a future budget review.

- Principal additional grant funding for the year is estimated from:
 - LRCIP Funding - \$696,118
 - WA Bicycle Networks - \$118,250
 - Department of Fire and Emergency Services - \$1,870,000
 - Roads to Recovery - \$485,572
 - Regional Road Group - \$720,000
 - Commodity Route Funding - \$100,000
- The draft 2023-2024 budget continues to deliver on other strategies adopted by the council and maintains a high level of service across all programs ensuring roads and associated infrastructure remain a high priority as well as renewing assets at sustainable levels.

Statutory Environment

The *Local Government Act 1995*, S6.2 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of the LGA refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2023-2024 budget as presented is considered to meet statutory requirements.

Section 67 of the *Waste Avoidance and Resource Recovery Act 2007* enables a local government to impose an annual charge in respect of premises provided with a waste service by the local government.

Section 5.98 of the *Local Government Act 1995* sets out fees etc payable to Council members.

Section 5.98A of the *Local Government Act 1995* sets out allowances payable to Deputy Presidents.

Section 7B(2) of the *Salaries and Allowances Act 1975* requires the Tribunal, at intervals of not more than 12 months, to inquire into and determine –

- The amount of fees to be paid to Council members;
- The amount of expenses to be reimbursed to Council members;
- The amount of allowances to be paid to Council members.

Regulations 30-34AD of the *Local Government (Administration) Regulations 1996* sets the limits, parameters and types of allowances that can be paid to elected members.

Policy Applicable – Implications

There are no known policy implications arising from this report.

Financial Implications

Specific financial implications are as outlined in the body of this report and as itemised in the draft 2023-2024 budget attached for adoption.

Risk Implications

The risks associated with matters in this report are:

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

The **impacts** of the risk are: Financial, Service Interruption, Non-Compliance and Reputational
The **consequences** of these risks are considered to be: Major
The **likelihood** is: Possible
Hence the **risk rating** for this report is: High

Risk mitigation includes the adoption of the budget by 30 August each year and a structured approach to the delivery of the programmes and projects identified and approved in the budget. Mitigation also includes sound supervision of the various projects by members of the Executive Management Team and the staff under their direct control.

Strategic Community Plan Reference

The 2023-2024 budget has been developed having regard for the Shire's Plan for the Future and Corporate Business Plan adopted by Council.

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

While no specific consultation has occurred on the draft of the 2023-2024 budget, community consultation and engagement has previously occurred during the development of the Strategic Community Plan from which the Corporate Business Plan was developed.

Extensive internal consultation has occurred with the executive management team and through briefings and workshops with elected members.

Voting Requirements

See individual recommendations.

OFFICER'S RECOMMENDATION

A. RECOMMENDATION 1 – BUDGET OF 2023-2024

That Council:

Pursuant to the provisions of Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, Council adopt the Budget as contained in attachment 1 of this agenda report, for the Shire of Cranbrook for the 2023-2024 financial year which includes the following:

- **Statement of Comprehensive Income by Nature and Type**
- **Statement of Cash Flows**
- **Statement of Financial Activity**
- **Notes to and Forming Part of the Budget.**

Absolute Majority Required

B. RECOMMENDATION 2 – GENERAL RATES, MINIMUM PAYMENTS, INSTALMENT PAYMENT ARRANGEMENTS, DISCOUNTS, AND INTEREST

That Council:

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Recommendation 1 above, Council pursuant to Sections 6.32, 6.34 and 6.35 of the Local Government Act 1995 imposes the following differential general rates and minimum payments on Gross Rental and Unimproved Values:
 - 1.1 General Rates:

Gross Rental Value	13.3800 cents in the dollar
Unimproved Value	0.5594 cents in the dollar
 - 1.2 Minimum Payments:

Gross Rental Value	\$710.00
Unimproved Value	\$750.00
2. Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full by instalments:
 - Option 1 (Full Payment) – full amount of rates and charges including arrears, to be paid on or before 6 September 2023 or 35 days after the date of issue appearing on the rate notice whichever is later.
 - Option 2 (Two Instalments) – First instalment to be made on or before 6 September 2023 or 35 days after the date of issue appearing on the rate notice whichever is later, including all arrears and half the current rates and service charges; and, second instalment to be made on or before 10 January 2024, or four months after the due date of the first instalment, whichever is later.
 - Option 3 (Four Instalments) – First instalment to be made on or before 6 September 2023 or 35 days after the date of issue appearing on the rate notice whichever is later; second instalment to be made on or before 8 November 2023 or two months after the due date of the first instalment whichever is later; third instalment to be made on or before 10 January 2024 or two months after the due date of the second instalment, whichever is later; and fourth instalment to be made on or before 13 March 2024, or two months after the due date of the third instalment, whichever is later.
3. Pursuant to Section 6.45 of the Local Government Act 1995, and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an administration charge where the owner has elected to pay rates and charges through an instalment option of \$11.00 for each instalment after the initial instalment is paid.
4. Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.
5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995, and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 11% for rates and service charges that remains unpaid after becoming due and payable.

Absolute Majority Required

C. RECOMMENDATION 3 – FEES AND CHARGES FOR 2023-2024

That Council:

Pursuant to section 6.16 of the Local Government Act 1995 and other relevant legislation, council adopts the Fees and Charges included in the draft 2023-2024 budget as presented in attachment 2 to this agenda.

Absolute Majority Required

D. RECOMMENDATION 4 – ELECTED MEMBERS FEES AND ALLOWANCES FOR 2023-2024

That Council:

1. In accordance with Section 5.98(1)(b) of the Local Government Act 1995, Regulation 30 Local Government (Financial Management) Regulations 1996, Part 6.2(1) and Part 6.3(1)(a) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the Salaries and Allowances Act 1975, Shire President annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees, be set at \$10,700.00.
2. In accordance with Section 5.98(1)(b) of the Local Government Act 1995, Regulation 30 Local Government (Financial Management) Regulations 1996, Part 6.2(1) and Part 6.3(1)(a) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the Salaries and Allowances Act 1975, Deputy Shire President and Councillor annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees, be set at \$5,350.00.
3. In accordance with Section 5.98(5) of the Local Government Act 1995, Regulation 33 Local Government (Financial Management) Regulations 1996, Part 7.2(1) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the Salaries and Allowances Act 1975, annual allowance for the Shire President be set at \$13,608.00.
4. In accordance with Section 5.98(5) of the Local Government Act 1995, Regulation 33 Local Government (Financial Management) Regulations 1996, Part 7.3(1) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the Salaries and Allowances Act 1975, annual allowance for the Deputy Shire President be set at \$3,402.00.
5. In accordance with Section 5.99A(b) of the Local Government Act 1995, Regulation 34A Local Government (Financial Management) Regulations 1996, and Part 9.2(2) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the Salaries and Allowance Act 1975, the annual allowance for ICT expenses for the Shire President be set at \$1,285.00.
6. In accordance with Section 5.99A(b) of the Local Government Act 1995, Regulation 34A Local Government (Financial Management) Regulations 1996, and Part 9.2(2) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the Salaries and Allowance Act 1975, the annual allowance for ICT expenses for the Deputy Shire President and Councillors be set at \$640.00.

Absolute Majority Required

E. RECOMMENDATION 5 – MATERIAL VARIANCE REPORTING FOR 2023-2024

That Council:

In accordance with regulation 34(5) of the Local Government (Financial Management) regulations 1996, agree that the level to be used in statement of financial activity in 2023-2024 for reporting material variances shall be 10% or \$10,000 whichever is the greater.

Simple Majority Required

10.2 GOVERNANCE AND EXECUTIVE SERVICES

Nil

10.3 WORKS

10.3.1 ROAD SAFETY INSPECTION REPORT – WINGEBELLUP AND POISON HILL ROADS

RESPONSIBLE OFFICER:	Jeff Alderton – Manager of Works
REPORT AUTHOR:	Jeff Alderton – Manager of Works
FILE REFERENCE:	RO523, RO033
APPLICANT:	N/A
DATE OF REPORT:	13 July 2023
ATTACHMENTS:	Road safety Inspection Report

Purpose

The purpose of this report is for the Council to acknowledge and endorse the Road Safety Inspection Report attached, conducted by Main Roads WA for the intersection of Poison Hill Road and Wingebellup Road in Frankland River.

Background

The issue of road user safety caused by vehicles (especially heavy vehicles) exiting and entering Poison Hill Road from Wingebellup Road has been a topic of discussion raised at Council in the past.

In response to recent community concerns, Council requested that a Road Safety Inspection be conducted. A Road Safety Inspection is a formal examination of an existing road or road related area in which an independent, qualified team report on the crash potential and likely safety performance of the location. (Formerly known as an 'Existing Road Safety Audit')

In May 2023, Paul Starling from Main Roads WA became available to conduct Road Safety Audits for Local Governments and was contracted by the Shire to perform the Road Safety Inspection at the Poison Hill intersection. This took place on 19 June 2023. The findings of the audit are presented in Attachment 1 of this report.

Officer's Comment

The findings and recommendations of the Road Safety Audit are within the scope of works that the Shire of Cranbrook's own work force can perform, and the intersection is not eligible for Black Spot Funding.

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

The total cost of the recommendations in this report are anticipated to be minor and are able to be funded from the road maintenance account.

Risk Implications

The risks associated with matters in this report are:

- Inadequate Environmental Management
- Errors, Omissions and Delays
- Inadequate Asset Sustainability Practices
- Inadequate Safety and Security Practices

The **impacts** of the risk are: Non-Compliance, Reputational and Natural Environment

The **consequences** of these risks is considered to be: Moderate.

The **likelihood** is: Unlikely.

Hence the **risk rating** for this report is: Medium.

Risk mitigation includes Implementing the recommendations of Main Roads Auditor.

Strategic Community Plan Reference

The 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Consultation for this report included Main Roads, EMT & Council.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Endorse the recommendations of the Main Roads Road Safety Inspection; and**
- 2. Authorise the Manager of Works implement the recommendations of the Main Roads Road Safety Inspection report as attached.**

10.3.2	ROAD SAFETY INSPECTION REPORT – BALLOCHMYLE AND YERIMINUP ROADS
RESPONSIBLE OFFICER:	Jeff Alderton – Manager of Works
REPORT AUTHOR:	Jeff Alderton – Manager of Works
FILE REFERENCE:	RO02, RO001
APPLICANT:	N/A
DATE OF REPORT:	13 July 2023
ATTACHMENTS:	Road Safety Inspection Report

Purpose

The purpose of this report is for the Council to acknowledge the Road Safety Inspection Report attached, conducted by Main Roads WA for the intersection of Ballochmyle Road and Yeriminup Road, Tenterden.

Background

The intersection of Ballochmyle and Yeriminup Roads have been a road safety issue for several years. This situation has been exacerbated due to an increase in heavy vehicles using these roads to service piggeries that have commenced operations in the area, as well the usual seasonal harvest heavy vehicle traffic.

The Shire contracted Paul Starling from Main Roads WA to perform a Road Safety Inspection which was completed on 19 June 2023, the report from this inspection is attached.

Officer's Comment

The implementation of the recommendations from the findings of the Road Safety Inspection are crucial to the safety of all road users regarding the intersection of these two roads.

It will be the officer's recommendation that Council fund an engineering company, that specialises in road construction, to provide the Shire with an engineering solution and costing. This will allow the Shire to make a submission for either State or Federal Black Spot Funding to improve this intersection of Ballochmyle and Yeriminup Roads and make it safer for all road users.

The next round of Blackspot submissions will be called for in March 2024 (expiry 1 July 2024) for the 2025-26 financial year. It is anticipated that the cost of the engineering plan will be in the vicinity of \$40,000 of which the Shire can claim back 100% of the cost if the submission is successful.

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

The total cost of the recommendations in this report are anticipated to be \$40,000 and is able to be funded from the Professional Fees account.

Risk Implications

The risks associated with matters in this report are:

- Inadequate Environmental Management
- Errors, Omissions and Delays
- Inadequate Asset Sustainability Practices
- Inadequate Safety and Security Practices

The **impacts** of the risk are: Non-Compliance, Reputational and Natural Environment

The **consequences** of these risks is considered to be: Moderate.

The **likelihood** is: Unlikely.

Hence the **risk rating** for this report is: Medium.

Risk mitigation includes Implementing the recommendations of Main Roads Auditor and authorising an engineering company specialising in road construction to provide the Shire with an engineering solution.

Strategic Community Plan Reference

The 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Consultation for this report included Main Roads, EMT & Council

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Endorse the recommendations of the Main Roads Road Safety Inspection as attached; and**
- 2. Authorise the Manager of Works to contract an engineering company to supply an engineering solution and costing to improve the safety of the intersection of Ballochmyle and Yeriminup Roads, Tenterden.**

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

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 Horrocks will declare the meeting closed at pm.