

# COUNCIL MEETING

## MINUTES



For the Ordinary Meeting of Council held

**20 March 2024**



## 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.

## **ATTENTION/DISCLAIMER**

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

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

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

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

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

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

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

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# MINUTES

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Pollard as Presiding Member declared the meeting open at 4.07pm. The Shire President alerted the meeting to the procedures for emergencies including evacuation, designated exits and muster points.

### SUSPENDING STANDING ORDERS

#### Motion 01032024

Moved Cr Egerton-Warburton, seconded Cr Johnson that clause 9.1 Members to Rise be temporarily suspended for the duration of today's Council Meeting to facilitate open debate and to assist with the efficient running of the meeting.

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

## 2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

### 2.1 ATTENDANCE

President	Cr G (George) Pollard
Deputy President	Cr DM (Daisy) Egerton-Warburton
Councillors	Cr JA (Jennifer) Quick Cr RW (Robert) Johnson Cr LM (Lee) Casson Cr P (Peter) Denton Cr P (Perin) Mulcahy

Chief Executive Officer	Ms LA (Linda) Gray
Acting Manager of works	Mr G (Joe) Duina

Members of the Public	Nil
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Manager of Finance, Diana Marsh entered the Chambers at 4.08pm.

### 2.2 APOLOGIES

Customer Service Officer	Miss RL (Renee) Warren
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### 2.3 APPROVED LEAVE OF ABSENCE

Nil

## 3. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 4. PUBLIC QUESTION TIME

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

Nil

**4.2 PUBLIC QUESTIONS**

Nil

**5. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

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

Mr Stanley Stubber

Mr Len Ettridge

Mr Robert Joslin

A moments silence was observed as a mark of respect.

The Shire President, Cr Pollard conveyed his thanks to CEO, Linda Gray and Cr Egerton-Warburton for attending the last WALGA Zone Meeting. Cr Pollard also thanked Cr Mulcahy for assisting in the Official Opening of the Cranbrook Airstrip and officiating the cutting of the ribbon at that event. Finally, thank you to CEO, Linda Gray and Cr Johnson who both attended the 75 Year anniversary of the Cranbrook Baptist Church on the March long weekend.

**6. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

**7. DISCLOSURE OF INTEREST**

Nil

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

Nil

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

**9.1 ORDINARY MEETING – 21 February 2024**

**Motion 02032024**

**Moved Cr Quick, seconded Cr Johnson that the minutes from the Ordinary Meeting of Council held on 21 February 2024, be confirmed as a true and correct record.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

## 10. REPORTS OF OFFICERS

### 10.1 CORPORATE AND COMMUNITY SERVICES

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#### 10.1.1 LIST OF PAYMENTS

<b>RESPONSIBLE OFFICER:</b>	Diana Marsh – Manager of Finance
<b>REPORT AUTHOR:</b>	Alecia Taylor – Finance Officer
<b>FILE REFERENCE:</b>	FM2
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	13 March 2024
<b>ATTACHMENTS:</b>	List of Payments – 1 February to 29 February 2024

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#### **Purpose**

The purpose of this report is to advise the Council of payments made during the period 1 February to 29 February 2024.

#### **Background**

Nil

#### **Officer's Comment**

Nil

#### **Statutory Environment**

Local Government (Financial Management) Regulation 13 and 13A 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.

##### *13A. Payments by employees via purchasing cards*

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared — (a) the payee's name;

- (b) the amount of the payment;
- (c) the date of the payment;
- (d) sufficient information to identify the payment.

(2) A list prepared under sub regulation (1) must be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

#### **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/COUNCIL DECISION**

**Motion 03032024**

**Moved Cr Denton, seconded Cr Egerton-Warburton that the payment of accounts totalling \$393,593.89 as per the attachment be noted:**

- **Electronic Funds Transfers EFT 15052 to EFT 15116 - \$216,872.32, including fuel card purchases of \$875.91;**
- **Internal Account Transfers (Payroll) - \$141,679.29, including credit card purchases of \$1797.03; and**
- **Direct Debit - \$35,042.28.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

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**10.1.2 MONTHLY FINANCIAL REPORT – FEBRUARY 2024**

<b>RESPONSIBLE OFFICER:</b>	Diana Marsh – Manager of Finance
<b>REPORT AUTHOR:</b>	Diana Marsh – Manager of Finance
<b>FILE REFERENCE:</b>	FM12
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	14 March 2024
<b>ATTACHMENTS:</b>	Financial Statements for February 2024

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**Purpose**

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 29 February 2024.

**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**

In the Local Government (Financial Management) Regulations 1996, part 4, which outlines the monthly financial reporting requirements, has recently been amended with changes effective from 1 July 2023. The statement of financial activity in the monthly report is now required to be structured in the same way as the annual budget and is to be shown according to nature classification. The monthly report must also include a statement of financial position as at the last day of the previous month. These reports must be presented within 2 months after the end of the previous month and be recorded in the minutes of the meeting at which it is presented.

The template for the Monthly Financial Report has been updated to comply with industry standards and all statutory reporting requirements are contained within the report.

The attached February 2024 Monthly Financial Report represents eight (8) months of the financial year. The following items are worthy of noting on the February 2024 report:

- Closing surplus position of \$2,460,177 (shown on page 2).
- Cash and cash equivalents of \$6,643,052 of which \$3,572,702 is held in cash backed reserve accounts (shown on page 10)
- Outstanding rates of \$223,757 equates to 7.2% the 2023/2024 rates levied and arrears from previous years (shown on page 15); and
- Explanation of material variances is shown by nature on page 6.

**Statutory Environment**

The Local Government (Financial Management) Regulations 1996 define the requirements for monthly financial reporting (Regulations 34 and 35).

**Policy Applicable – Implications**

Council Policy 4.1 Defining Material Variances

**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/COUNCIL DECISION**

**Motion 04032024**

**Moved Cr Quick, seconded Cr Egerton-Warburton that the attached Monthly Financial Report (containing the Statement of Financial Activity) for the period ending 29 February 2024 be received by the Council.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

<b>10.1.3</b>	<b>BUDGET REVIEW – MARCH 2024</b>
<b>RESPONSIBLE OFFICER:</b>	Diana Marsh – Manager of Finance and Administration
<b>REPORT AUTHOR:</b>	Diana Marsh – Manager of Finance and Administration
<b>FILE REFERENCE:</b>	FM6
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	14 March 2024
<b>ATTACHMENTS:</b>	2023-2024 Budget Review Report

**Purpose**

The purpose of this report is for Council to consider the Shire of Cranbrook’s financial position as at 29 February 2024 and performance for the period 1 July 2023 to 29 February 2024 in relation to the adopted budget and projections estimated for the remainder of the financial year.

**Background**

The budget review has been prepared to include information required by the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996*, and Australian Accounting Standards. The report for the period 1 July 2023 to 29 February 2024 shown in the attachment has been prepared incorporating year to date budget variations and forecasts to 30 June 2024 and is presented for council’s consideration.

Consideration of the status of various projects and programs was undertaken to ensure any anticipated variances were captured within the review document where possible.

The material variance levels which have been reported for the budget review are based upon management judgement where explanations are considered appropriate.

**Officer’s Comment**

The budget review report includes at Note 4 a summary of predicted variances by nature and type activities contained within the Statement of Financial Activity.

Features of the budget review include:

031102 / 031105	Increase in interest revenue received on outstanding rates	\$7,000
041003	Election expenses – omitted in error \$15K plus additional engagement with Returning Officer requested	(\$21,980)
041009	Councillor meeting fees. Technical issue resulted in system imbalance, however actual budget adoption and Statutory Budget Note 13 shows correct amounts.	(\$10,000)
042006	Unexpected repairs to aging phone system	(\$7,850)
042014	Contract financial services – savings due to monthly reporting being done in-house	\$10,000
042017	Savings on advertising	\$5,000
042057	Savings on office equipment to be applied to phone system repairs	\$5,000
042199	Administration vehicles – profit on sale of asset non-cash adjustment of \$10,584 decrease.	\$0
042212	Administration vehicles – change to organisation structure resulting in not replacing one vehicle	\$71283
042300	Administration vehicles – reduction in proceeds on sale due to lower-than-expected trade-in values	(\$13,506)

042399	Additional transfers from employee entitlements reserve – required accounting adjustment	\$50,937
043019	Revaluation expenses less than expected	\$22,827
043021	Professional services reduced to enable more staff training \$10,000 under budgeted originally and furnishing of Unit B, 10 Currie Street \$10,000 See Agenda comment re policing	\$20,000
051010	2022/23 Mitigation Activity Fund grant expenditure finalised	\$25,892
051012	2023/24 Mitigation Activity Fund grant income finalised	(\$47,000)
051112	2022/22 Mitigation Activity Fund grant income finalised (reduction of \$27,932) and 2023/24 grant income confirmed (increase of \$47,000)	\$19,068
051200	Construction of new Cranbrook Fire Shed not proceeding due to unsuccessful grant application	\$1,920,000
051229	Transfer of council contribution to Cranbrook Fire Shed to reserves with intent of applying to project in 2024/25	(\$50,000)
051300	Cranbrook Fire Shed grant application not successful. New application currently underway for 2024/25	(\$1,870,000)
052002	Savings in ranger services due to ranger filling the role of Acting Manager of Works	\$30,000
053200	CCTV project expenditure not proceeding due to being unable to source funding.	\$40,000
053300	Funding for CCTV not able to be sourced	(\$40,000)
082004 / 132019	Savings in events funding	\$7,500
084002	Seniors activities grant expenditure – two grants	(\$7,860)
084101	Seniors activities grant funding	\$1,000
084102	Seniors activities grant funding	\$6,860
086009	Thank-a-volunteer Day grant expenditure	(\$1,000)
086102	Thank-a-volunteer Day grant funding	\$1,000
092091	Furnishing of Unit B, 10 Currie Street to provide short stay accommodation for police and shire workers	(\$10,000)
101002	Increase to waste site maintenance budget	(\$5,389)
102204	Savings made on fencing the Cranbrook Tip	\$30,000
107002	Savings on cemetery costs able to be reallocated	\$7,549
107005	Additional funds allocated to marking unmarked graves	(\$3,000)
111009	Increased expenditure for maintenance undertaken on Tenterden Hall – preparedness for 20 year Fire Anniversary Service	(\$3,530)
111010	Increased expenditure for electricity and termite control at Unicup Hall	(\$4,000)
112205	Savings on new toilet block at lake Nunijup	\$13,500
113001	Increased expenditure on Cranbrook parks and gardens	(\$44,757)
113002	Increased expenditure on Frankland River parks and gardens	(\$28,934)
113004	Increased expenditure at Frederick Square	(\$21,865)
113019	Increased expenditure for rubbish bins at Cranbrook Playground	(\$1,000)

113226	Installation of Frankland River Oval Goal Posts	(\$12,126)
115001	Children's Book Council grant expenditure	(\$1,650)
115102	Children's Book Council grant funding	\$1,650
116009	Updating of the Shire's Heritage Inventory	(\$9,150)
116103	Grant funding for updating the Shire's Heritage Inventory	\$4,575
116103	Reduced funding received for Australia Day than budgeted	(\$2,000)
122002	Increased expenditure on road maintenance	(\$57,574)
122199	Works vehicles and plant – profit on sale of asset non-cash adjustment of \$18,376 increase	\$0
123200	Works vehicles and plant – increased expenditure on purchase of Manager of Works vehicle and utilities	(\$9,097)
123201	Works vehicles and plant – reduced expenditure on purchase of heavy equipment due to savings on roller purchase	\$11,997
123299	Administration vehicle – transfer proceeds on sale of Manager of Finance and Administration vehicle to reserves	(52,047)
123300	Works vehicles and plant – proceeds on sale of Manager of Works vehicle and utilities	\$4,491
123300	Works vehicles and plant – reduction in proceeds on sale due to lower-than-expected trade-in values	(\$58,318)
123399	Works vehicles and plant – transfer from reserves for purchase of truck per Council Motion 12022024	\$25,450
126201	Increase to Airstrip Upgrade due to carryover adjustment from 2022/23	(\$25,663)
132012	Subscription costs for Great Southern Treasures greater than budgeted	(\$2,000)
132101	Increased revenue from Cranbrook Caravan Park fees and charges	\$20,000
132102	Increased revenue from Frankland River Caravan Park fees and charges	\$15,000
133001	Reduce expenditure on contract building surveyor	\$5,084
133010	Increase expenditure on building surveyor employee costs	(\$5,084)
141001	Increase expenditure on private works	(\$13,560)
141100	Increase revenue from private works	\$22,000
142012	Increase expenditure on staff training	(\$10,000)
147198	Increase in the value of equity share in Local Government House of \$1,261 – non-cash adjustment	\$0
	Movement in opening surplus due to adjustments made to accrued expenses during the 2022/23 audit process	\$45,277
	<b>Overall change in surplus</b>	<b>\$0</b>

In considering the above adjustments, at this stage the closing position remains the same with council maintaining a balanced budget, reflected in the Statement of Budget Review. Except in the case of new grants and related expenditure, this has been achieved using some increases in interest and fees and charges revenue, and the reallocation of funds from other areas of the budget due to various cost savings.

The availability of short-term accommodation for workers remains an issue within the shire and this is starting to impact services like the ongoing police presence in Cranbrook, and our own ability to accommodate consultants when they are required to attend the office.

Cranbrook is fortunate to have a police presence in town, but short-term accommodation is needed at times to house relief staff when our permanent police officers go on leave. In order to support this service a budget amendment of \$10,000 has been included to furnish one of the Shire's units in order to provide short-term accommodation (expense account 092091).

The current economic climate has continued to impact product availability and pricing, particularly evident in the Shire's 2023/2024 Vehicle Plant Replacement Budget. As a result, some budget amendments have already been implemented and the applicable movements listed above reflect these changes along with other deviations.

Following completion of the budget review and to properly consider the impact of estimated projections as at 30 June 2024, the items in the table above have been identified as requiring a budget amendment to account for these variances where appropriate. Required budget amendments have been included in Note 5 of the attached budget review document for information, and also presented as a separate recommendation to the budget review for council consideration.

### **Statutory Environment**

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires:

1. Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.
- 2A The review of an annual budget for a financial year must –
  - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
  - (b) consider the local government's financial position as at the review date; and
  - (c) review the outcomes for the end of that financial year that are forecast in the budget; and
  - (d) include the following –
    - (i) the annual budget adopted by the local government;
    - (ii) an update of each of the estimates included in the annual budget;
    - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;
    - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end of year amount for the item.
2. The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.
3. A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review or any recommendations made in the review.

*\*Absolute majority required*
4. Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Section 6.8(1) (b) of the Local Government Act 1995 provides that expenditure can be incurred when not included in the annual budget provided it is authorised in advance by resolution (absolute majority required).

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

Authorisation of expenditure through budget amendments recommended. Other specific implications are as outlined in the body of this report.

### **Risk Implications**

The risks associated with matters in this report are:

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

The **impacts** of the risk are: Financial, Non-Compliance, Reputational

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

The **likelihood** is: Unlikely

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

Risk mitigation includes ensuring Council adopt a balanced budget each year and that staff are competent in project management.

### **Strategic Community Plan Reference**

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

**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 the Executive Management Team

### **Voting Requirements**

#### ***Absolute Majority***

### **OFFICER'S RECOMMENDATION/COUNCIL DECISION No. 1**

#### **Motion 05032024**

**Moved Cr Egerton-Warburton, seconded Cr Casson that Council adopt by absolute majority the 2023/2024 midyear budget review as attached.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

**By Absolute Majority**



**OFFICER'S RECOMMENDATION/COUNCIL DECISION No. 2****Motion 06032024**

Moved Cr Denton, seconded Cr Quick that council adopt by absolute majority the following budget amendments to the 2023/2024 adopted annual budget:

031102 / 031105	Increase in interest revenue received on outstanding rates	\$7,000
041003	Election expenses – omitted in error \$15K plus additional engagement with Returning Officer requested	(\$21,980)
041009	Councillor meeting fees. Technical issue resulted in system imbalance, however actual budget adoption and Statutory Budget Note 13 shows correct amounts.	(\$10,000)
042006	Unexpected repairs to aging phone system	(\$7,850)
042014	Contract financial services – savings due to monthly reporting being done in-house	\$10,000
042017	Savings on advertising	\$5,000
042057	Savings on office equipment to be applied to phone system repairs	\$5,000
042199	Administration vehicles – profit on sale of asset non-cash adjustment of \$10,584 decrease.	\$0
042212	Administration vehicles – change to organisation structure resulting in not replacing one vehicle	\$71,283
042300	Administration vehicles – reduction in proceeds on sale due to lower-than-expected trade-in values	(\$13,506)
042399	Additional transfers from employee entitlements reserve – required accounting adjustment	\$50,937
043019	Revaluation expenses less than expected	\$22,827
043021	Professional services reduced to enable more staff training \$10,000 under budgeted originally and furnishing of Unit B, 10 Currie Street \$10,000 See Agenda comment re policing	\$20,000
051010	2022/23 Mitigation Activity Fund grant expenditure finalised	\$25,892
051012	2023/24 Mitigation Activity Fund grant income finalised	(\$47,000)
051112	2022/22 Mitigation Activity Fund grant income finalised (reduction of \$27,932) and 2023/24 grant income confirmed (increase of \$47,000)	\$19,068
051200	Construction of new Cranbrook Fire Shed not proceeding due to unsuccessful grant application	\$1,920,000
051229	Transfer of council contribution to Cranbrook Fire Shed to reserves with intent of applying to project in 2024/25	(\$50,000)
051300	Cranbrook Fire Shed grant application not successful. New application currently underway for 2024/25	(\$1,870,000)
052002	Savings in ranger services due to ranger filling the role of Acting Manager of Works	\$30,000
053200	CCTV project expenditure not proceeding due to being unable to source funding.	\$40,000
053300	Funding for CCTV not able to be sourced	(\$40,000)
082004 / 132019	Savings in events funding	\$7,500
084002	Seniors activities grant expenditure – two grants	(\$7,860)
084101	Seniors activities grant funding	\$1,000
084102	Seniors activities grant funding	\$6,860

086009	Thank-a-volunteer Day grant expenditure	(\$1,000)
086102	Thank-a-volunteer Day grant funding	\$1,000
092091	Furnishing of Unit B, 10 Currie Street to provide short stay accommodation for police and shire workers	(\$10,000)
101002	Increase to waste site maintenance budget	(\$5,389)
102204	Savings made on fencing the Cranbrook Tip	\$30,000
107002	Savings on cemetery costs able to be reallocated	\$7,549
107005	Additional funds allocated to marking unmarked graves	(\$3,000)
111009	Increased expenditure for maintenance undertaken on Tenterden Hall – preparedness for 20 year Fire Anniversary Service	(\$3,530)
111010	Increased expenditure for electricity and termite control at Unicap Hall	(\$4,000)
112205	Savings on new toilet block at lake Nunijup	\$13,500
113001	Increased expenditure on Cranbrook parks and gardens	(\$44,757)
113002	Increased expenditure on Frankland River parks and gardens	(\$28,934)
113004	Increased expenditure at Frederick Square	(\$21,865)
113019	Increased expenditure for rubbish bins at Cranbrook Playground	(\$1,000)
113226	Installation of Frankland River Oval Goal Posts	(\$12,126)
115001	Children’s Book Council grant expenditure	(\$1,650)
115102	Children’s Book Council grant funding	\$1,650
116009	Updating of the Shire’s Heritage Inventory	(\$9,150)
116103	Grant funding for updating the Shire’s Heritage Inventory	\$4,575
116103	Reduced funding received for Australia Day than budgeted	(\$2,000)
122002	Increased expenditure on road maintenance	(\$57,574)
122199	Works vehicles and plant – profit on sale of asset non-cash adjustment of \$18,376 increase	\$0
123200	Works vehicles and plant – increased expenditure on purchase of Manager of Works vehicle and utilities	(\$9,097)
123201	Works vehicles and plant – reduced expenditure on purchase of heavy equipment due to savings on roller purchase	\$11,997
123299	Administration vehicle – transfer proceeds on sale of Manager of Finance and Administration vehicle to reserves	(52,047)
123300	Works vehicles and plant – proceeds on sale of Manager of Works vehicle and utilities	\$4,491
123300	Works vehicles and plant – reduction in proceeds on sale due to lower-than-expected trade-in values	(\$58,318)
123399	Works vehicles and plant – transfer from reserves for purchase of truck per Council Motion 12022024	\$25,450
126201	Increase to Airstrip Upgrade due to carryover adjustment from 2022/23	(\$25,663)
132012	Subscription costs for Great Southern Treasures greater than budgeted	(\$2,000)
132101	Increased revenue from Cranbrook Caravan Park fees and charges	\$20,000
132102	Increased revenue from Frankland River Caravan Park fees and charges	\$15,000
133001	Reduce expenditure on contract building surveyor	\$5,084
133010	Increase expenditure on building surveyor employee costs	(\$5,084)
141001	Increase expenditure on private works	(\$13,560)
141100	Increase revenue from private works	\$22,000

<b>142012</b>	<b>Increase expenditure on staff training</b>	<b>(\$10,000)</b>
<b>147198</b>	<b>Increase in the value of equity share in Local Government House of \$1,261 – non-cash adjustment</b>	<b>\$0</b>
	<b>Movement in opening surplus due to adjustments made to accrued expenses during the 2022/23 audit process</b>	<b>\$45,277</b>
	<b>OVERALL CHANGE IN SURPLUS</b>	<b>\$0</b>

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

**By Absolute Majority**

## 10.2 GOVERNANCE AND EXECUTIVE SERVICES

### 10.2.1 COMPLIANCE AUDIT RETURN - 2023

<b>RESPONSIBLE OFFICER:</b>	Linda Gray – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Jo Scott – Executive Officer
<b>FILE REFERENCE:</b>	AD5
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	8 March 2024
<b>ATTACHMENTS:</b>	1. 2023 Compliance Audit Return 2. Compliance Audit Return Questions 2023

#### Purpose

The purpose of this report is for the Council to consider the Compliance Audit Return (CAR) for the 2023 calendar year as required by the Local Government Act 1995.

#### Background

The CAR is one of the tools that allow the Council to monitor how the organisation is functioning. Each Local Government is required to carry out a compliance audit for the period 1 January – 31 December 2023 against the requirements included in the Local Government (Audit) Regulations. This had in previous years been completed by internal staff members or via consultant, The 2023 CAR was completed by an external consultant, Mr S Tweedie with assistance from the Chief Executive Officer, Ms Linda Gray. Varying the assessment of the controls each year should give a more independent analysis of the compliance of the organisation.

#### Officer's Comment

The current structure of the CAR is restricted to the areas of compliance of those considered high risk. The Audit Committee is required to review the CAR and report the results of that review to the Council prior to adoption by the full Council and submission to the Department of Local Government Sport and Cultural Industries. After the CAR has been presented to the Council, a certified copy of the return together with the relevant section of the minutes and any additional information explaining or qualifying the Compliance Audit is to be submitted to the Executive Director of the Department of Local Government Sport and Cultural Industries by 31 March 2024.

The Compliance Audit Return is attached and there were nil findings this year being a total of 1/94, it should be noted that the Shire did not complete any tender processes during 2023:

Commercial Trading Activities	0 out of 5
Delegations of Power	0 out of 13
Disclosure of Interest	0 out of 21
Disposal of Property	0 out of 2
Elections	0 out of 3
Finance	0 out of 7
Integrated Planning and Reporting	0 out of 3
LG Employees	1 out of 5
Official Conduct	0 out of 4
Optional Questions	0 out of 9
Tenders for Providing Goods and Services	0 out of 22

### **Statutory Environment**

The Local Government (Audit) regulations define the process and requirements for the compliance audit return.

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

There are no financial implications for this report.

### **Risk Implications**

The risks associated with matters in this report are:

- Failure to fulfil Statutory, Regulatory or Compliance Requirements

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

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

The **likelihood** is Rare

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

Risk mitigation includes ensuring the CAR is completed on time each year and any errors identified are rectified immediately and processes put in place to ensure the sustainability of the corrections. By employing a consultant on occasions also ensures that fresh eyes can refresh the process.

### **Strategic Community Plan Reference**

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

**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**

Ms Jo Scott, Executive Officer

Steven Tweedie, Consultant

Ms Linda Gray, Chief Executive Officer

### **Voting Requirements**

Simple Majority

### **AUDIT COMMITTEE RECOMMENDATION/COUNCIL DECISION**

**Motion 07032024**

**Moved Cr Egerton-Warburton, seconded Cr Denton that Council adopt the Shire of Cranbrook's Compliance Audit Return for the period 1 January to 31 December 2023, as attached.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

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<b>10.2.2</b>	<b>NEW POLICY – POLICY 4.21 REGIONAL PRICE PREFERENCE POLICY</b>
<b>RESPONSIBLE OFFICER:</b>	Diana Marsh – Manager of Finance and Administration
<b>REPORT AUTHOR:</b>	Diana Marsh – Manager of Finance and Administration
<b>FILE REFERENCE:</b>	GO17 – Council Policies
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	13 March 2024
<b>ATTACHMENTS:</b>	Draft Policy 4.21 Finance – Regional Price Preference

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### **Purpose**

The purpose of this report is for Council to consider adopting a Regional Price Preference Policy.

### **Background**

The management team have developed a Regional Price Preference Policy to establish guidelines for the promotion of business partnerships within the Great Southern Region and the Shire of Cranbrook by giving preference to regional suppliers in the procurement of goods or services.

### **Officer's Comment**

The Local Government Act 1995, and the Local Government (Functions and General) Regulations have been considered in forming this policy.

The attached policy provides detail on eligibility, price level preferences, as well as association roles and responsibilities, and statewide public notice of the intention to have a regional price preference policy is required for four weeks.

Following the Ordinary Meeting of Council held 13 December 2023, the draft policy was advertised in accordance with Part 4A r.24E of the Local Government (Functions and General) Regulations 1996 with public submissions closing 2 March 2024. No submissions were received, so the policy is being presented again to Council for adoption.

### **Statutory Environment**

Section 3.57 of the Local Government Act 1995

Part 4 of Local Government (Functions and General) Regulations 1996

### **Policy Applicable**

New policy.

### **Financial Implications**

There are no financial implications for this report that have not been considered in the current budget.

### **Risk Implications**

The risks associated with matters in this report are:

- Misconduct
- Errors, Omissions and Delays
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes

The **impacts** of the risk are: Financial, Non-Compliance, Reputational

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

The **likelihood** is: Possible

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

Risk mitigation includes staff training and ongoing monitoring for compliance with policy.

### **Strategic Community Plan Reference**

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

**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 the Chief Executive Officer and management team.

### **Voting Requirements**

***Absolute Majority***

### **AUDIT COMMITTEE RECOMMENDATION/COUNCIL DECISION**

**Motion 08032024**

**Moved Cr Casson, seconded Cr Johnson that Council adopt Policy 4.21 Finance – Regional Price Preference for implementation in the Policy Manual.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

***By Absolute Majority***

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<b>10.2.3</b>	<b>NEW POLICY – POLICY 5.4 REPLACEMENT OF PLANT AND VEHICLES</b>
<b>RESPONSIBLE OFFICER:</b>	Linda Gray – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Diana Marsh – Manager of Finance
<b>FILE REFERENCE:</b>	GO17
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	8 March 2024
<b>ATTACHMENTS:</b>	Draft Policy 5.4 Works – Replacement of Plant and Vehicles

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### **Purpose**

The purpose of this report is for the Council to consider adopting the attached Policy 5.4 Works – Replacement of Plant and Vehicles.

### **Background**

The Shire of Cranbrook has a 10 Year Plant Replacement Program which is reviewed annually as part of the preparation for the annual budget to ensure that plant is renewed at a rate that maintains plant safety while meeting the organisation’s ongoing construction and maintenance needs. This information has been presented to Council during informal workshops or briefing sessions until now.

The 10 Year Plant Replacement Program lists all of the Shire’s major plant and vehicle items with forecast changeover costs. It identifies items to be included in the upcoming budget with budgeted purchase costs and sale values, and the expected number of years it will be held before changeover. The document also aims to maintain consistent annual expenditure by evening out years of higher or lower changeover costs through the use of the Plant Replacement Reserve.

### **Officer’s Comment**

The attached policy directs Council and Shire staff to the 10 Year Plant Replacement Program. It will serve to provide clear guidance to the replacement of Council’s plant and vehicle fleet and will ensure that the Shire maintains a fleet that is efficient and safe, with replacement occurring at time intervals delivering the lowest whole of life cost.

While the focus of this policy is the replacement of plant and vehicles, the whole of life costs includes ongoing servicing, maintenance and repairs. The Shire of Cranbrook runs a comprehensive maintenance budget for its plant and vehicle fleet, undertaken by competent and fully qualified providers. When items are held longer, maintenance costs increase, and the risk of costly, major repairs increases. In the event of a major repair, it is not only the cost of repair that needs to be considered, but also the cost of delays and the hiring of plant needed to keep work going on the construction and maintenance programs.

Furthermore, holding fleet items longer will not only reduce the resale value of those items, but in time lead to a reduction in the value of the fleet overall.

Experience over time has shown the recommended changeover times in the attached policy to be appropriate for the Shire of Cranbrook’s construction and maintenance program, and are in line with the experience of other local governments.

The purpose of the Plant Replacement Reserve is for the purchase or replacement of capital plant and equipment. The 10 Plant Replacement Program uses this reserve to even out fluctuations in annual expenditure, all the while maintaining a base sufficient to cover the purchase of a major plant item in the event of an emergency. The attached policy confirms this existing practice.



## **Statutory Environment**

Local Government Act 1995

### 6.11. Reserve accounts

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

## **Policy Applicable – Implications**

New policy.

## **Financial Implications**

This policy and associated 10 Year Plant Replacement Program will inform the Annual Budget each year.

## **Risk Implications**

The risks associated with matters in this report are:

- Business and Community Disruption
- Inadequate Asset Sustainability Practices
- Inadequate Safety and Security Practices
- Inadequate Project/Change Management

The **impacts** of the risk are: People, Financial, Service Interruption, Reputational, Property

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

The **likelihood** is: Possible

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

Risk mitigation includes adherence to Policy 5.4 Works – Replacement of Plant and Vehicles if adopted.

## **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 the Chief Executive Officer, Linda Gray and Acting Manager of Works, Joe Duina.

**Voting Requirements**

***Absolute Majority***

**AUDIT COMMITTEE RECOMMENDATION/COUNCIL DECISION**

**Motion 09032024**

**Moved Cr Quick, seconded Cr Denton that Council adopt the attached Policy 5.4 Works – Replacement of Plant and Vehicles.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

***By Absolute Majority***

<b>10.2.4</b>	<b>POLICY MANUAL REVIEW</b>
<b>RESPONSIBLE OFFICER:</b>	Linda Gray – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Jo Scott – Executive Officer
<b>FILE REFERENCE:</b>	GO17
<b>APPLICANT:</b>	Nil
<b>DATE OF REPORT:</b>	11 March 2024
<b>ATTACHMENTS:</b>	1. Policy Manual 2. Public Question Time Procedure

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### **Purpose**

The purpose of this report is for the Council to consider the adoption of the revised Policy Manual.

### **Background**

Under Section 2.7(2b) of the *Local Government Act 1995* (the Act), the Council is to determine the Local Government’s policies. Each year the Policy Manual is presented to Council for review with minor amendments. Where amendments are significant, or the policy is new then the policy will be included as an individual agenda item. These policies will guide the decision-making and actions of the Council, Executive Management Team and staff throughout the year.

### **Officer’s Comment**

The Executive Management Team and staff have reviewed the current policy manual and as a result some amendments and improvements to existing policies are recommended this year, to reflect current practice, staff titles and to align better with legislation.

The following list includes a summary of noteworthy amendments made:

#### **GOVERNANCE:**

- **Policy 1.3 Public Question Time** – Reviewed and updated the procedure associated with this policy, attachment 2. This includes relevant points from the Standing Orders Local Law, including the rules of recording of proceedings.
- **Policy 1.5 Elected Member Induction and Continued Professional Development** – Reviewed and updated, WALGA’s training course names have changed and new courses for Elected Members have been included, these are now reflected in the policy.
- **Policy 1.10 Internet and Email Access** – Updated **3. Email Usage** to include the reporting of cyber security breaches.

#### **WORKFORCE:**

- **Policy 2.4 Managing Unacceptable Behaviour** – Updated to include the amendment to the Fair Work Act regarding sexual harassment.
- **Policy 2.5 Grievance Policy** – Updated definitions section to better capture definitions of a ‘grievance’ and ‘workplace bullying’, Industrial Relations Act referenced.
- **Policy 2.18 Uniforms, Allowance, Personal Protective Equipment** – Reviewed and updated to include provisions for all staff and Elected Members to receive an ACE polo shirt at the beginning of their employment or term. An increase to the price of work boots to reflect price increases of PPE.
- **Policy 2.25 Working from Home** – Added points under PRINCIPALS outlining internet specifications when determining a WFH application.

#### **ADMINISTRATION:**

- **Policy 3.0 Visitors to the Administration Centre** – Removed section referring to COVID-19 protocols and social distancing measures.

**FINANCE:**

- **Policy 4.1 Budget – Defining Material Variances** – Updated title of Rate Setting Statement to Statement of Financial Activity and added the words “whichever is the greater” to provide more clarity.
- **Policy 4.4 Investments** - Added a dot point to allow management to transfer interest earned on reserves at actual figure rather than the budgeted figure.
- **Policy 4.12 Fees and Charges - Application** – Update donation amount to \$500 to align with policy 4.7.

**EMERGENCY SERVICES:**

- **Policy 6.0 Bushfire Control** – Updated the PURPOSE to include prevention, preparedness, response and recovery.  
Amended **3.** Updated to reflect the new Fire Danger Ratings.  
Under **11. a.** increased the water capacity to 600 litres to align with the Shire’s Annual Fire Break Notice.  
Added section **22. Emergency Services Bushfire Control Public Information** to outline the Shire’s ongoing commitment to informing the community with emergency notifications for the Shire of Cranbrook area.  
Under **24. Training** – there is now a requirement that a Work Health and Safety Induction is included in the training for all volunteers.

**Statutory Environment**

Section 2.7(2b) of the Local Government Act 1995, states that:

*The Council is to determine the Local Government’s policies.*

**Policy Applicable – Implications**

This report proposes adoption of the revised Council Policy Manual that includes amendments to current policies as defined above.

**Financial Implications**

There are no financial implications for this report.

**Risk Implications**

The risks associated with matters in this report are varied and include:

- Misconduct
- Business and Community Disruption
- External Theft and Fraud
- 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 Engagement Practices
- Inadequate Asset Sustainability Practices
- Inadequate Safety and Security Practices
- Ineffective Employment Practices
- Inadequate Project/Change Management
- Inadequate Supplier/Contract Management
- Ineffective Management of Facilities/Venues/Events

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

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

The **likelihood** is Likely

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

Risk mitigation includes:

- Councillors having a clear understanding of the content of the policies in the attached policy manual; and
- The successful execution of the policies by the Management Team and staff.
- Reviewing the Policy Manual annually.

### **Strategic Community Plan Reference**

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

**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 the Management Team, Executive Officer, and Shire staff.

### **Voting Requirements**

***Absolute Majority***

### **AUDIT COMMITTEE RECOMMENDATION/COUNCIL DECISION**

**Motion 10032024**

**Moved Cr Johnson, seconded Cr Mulcahy that Council adopt the revised Shire of Cranbrook Policy Manual 2024, as attached.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

***By Absolute Majority***

<b>10.2.5</b>	<b>GREAT SOUTHERN 2050 CYCLING STRATEGY</b>
<b>RESPONSIBLE OFFICER:</b>	Linda Gray – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Jenny Cristinelli – Community Development Manager
<b>FILE REFERENCE:</b>	ED8
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	12 March 2024
<b>ATTACHMENT:</b>	GS 2025 Cycling Strategy

### **Purpose**

The purpose of this report is for the Council to consider endorsing the Great Southern 2050 Cycling Strategy and to receive the proposed Action Plan for future budget and planning consideration.

### **Background**

The Department of Transport (DoT) have identified the need for twelve long-term cycling strategies across WA, including eleven Regional 2050 Cycling Strategies. These strategies create a shared long-term vision for cycling in the regions and guide delivery of safe and interconnecting bicycle networks, along with associated facilities and travel behaviour change initiatives.

Each Strategy is developed in partnership with local government and is informed by multiple phases of stakeholder and community consultation. Development of the GS 2050 Cycling Strategy began in mid-2022, with the City of Albany, the Shires of Broomehill-Tambellup, Cranbrook, Denmark, Gnowangerup, Jerramungup, Katanning, Kent, Kojonup, Plantagenet and Woodanilling, working in partnership with the DoT. A scope of works was agreed on, and DoT procured Outdoors Great Southern as the delivery contractor to assist on the project.

Stakeholder input was sought and received from government and non-government organisations, including (but not limited to) the Departments of Local Government, Sport and Cultural Industries (DLGSC), Planning, Lands and Heritage (DPLH), Biodiversity, Conservation and Attractions (DBCA), Main Roads Western Australia (MRWA), Department of Water and Environment Regulation (DWER) and Tourism WA, as well as the WA Local Government Association (WALGA), Great Southern Development Commission (GSDC) and WestCycle. Meetings were held with the Great Southern Trails Master Plan, Noongar Advisory Group. Details of stakeholder consultation can be found in Section 1.4.6 of the Strategy.

Outdoors Great Southern visited all key centres across the region to undertake initial scoping in mid to late 2022. A comprehensive review of relevant government and non-government policies and strategies was undertaken, alongside reviews of existing cycling networks, data analysis, and stakeholder meetings to discuss and identify opportunities for cycling across the region.

Outputs from the scoping work culminated in the production of information sheets and preliminary 2050 network maps for the project, which were used in community consultation. Information on the project was provided via the online My Say Transport engagement platform and in hard copy at drop-in sessions and Shire Administration Centres.

Feedback was gathered via direct comments, survey and interactive maps. Over 600 visits (including information downloaded) were made to the My Say Transport project page, with 140 people engaged online and completing the survey between late October and early December 2022.

The final strategy includes five central themes for cycling across the region, with key opportunities identified for each that highlight the potential for bike riding in and around the Great Southern region. Case studies are used to illustrate where similar outcomes have been achieved elsewhere. The themes include:

- o Connecting people to where they live, work, learn and play;
- o Improving safety for bike riders on roads;
- o Encouraging cycling for people of all ages, abilities and backgrounds;
- o Improving planning for cycling; and
- o Developing cycle tourism experiences.

The document is a shared aspirational vision for cycling across the region, with the action plan providing a guide for delivery, not an enforced set of actions. This long-term planning approach has now been endorsed by 32 metro LGAs (through the Perth and Peel Long Term Strategy) and all LGAs with published regional strategies (including those in Warren Blackwood, Leeuwin-Naturaliste, Bunbury-Wellington, Esperance, Geraldton and Pilbara).

This endorsement has been given on the basis that DoT will continue to work with LGAs over time to maintain and where necessary modify the strategy.

#### **Officer's Comment**

Council is requested to endorse the principles of the Great Southern 20250 Cycling Strategy and receive the proposed action plan (Section 6 in the Strategy) for future planning and budget considerations.

Endorsement of the Great Southern Cycling Strategy does not commit the Council or State Government agencies to deliver all, or any part, of the Great Southern Cycling Strategy within a particular timeframe – nor does endorsement commit any party(s) to fund any specific route or initiative within the Strategy. Councils' endorsement confirms support for local and State Government agencies to work together in delivering the aspirational Great Southern 2050 Cycling Strategy over the longer term.

#### **Statutory Environment**

Nil

#### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

#### **Financial Implications**

The endorsement of the GS 2050 Cycling Strategy does not have a direct financial implication at this time.

#### **Risk Implications**

The risks associated with matters in this report are:

- Inadequate Environmental Management
- Errors, Omissions and Delays
- Business and Community Disruption
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Engagement Practices

The **impact** of the risk is Reputational and Non-Compliance  
The **consequences** of these risks are considered to be Low  
The **likelihood** is Unlikely  
Hence the **risk rating** for this item is Low

Risk mitigation includes Councillors having a clear understanding of the content of the Great Southern 2050 Cycling Strategy.

#### **Strategic Community Plan Reference**

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

#### **Key Pillar: Visit**

**Outcome 10 – Tourism:** A strong positioning as a destination for external visitors.

**Deliverable 11.2:** A connected, planned, obvious and advancing Cranbrook town retail precinct.

#### **Key Pillar: Connect**

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

#### **Consultation**

Community consultation was undertaken to assist with the development of the Great Southern 2050 Cycling Strategy.

Francois Sauzier – Department of Transport  
Great Southern Trails Reference Group

#### **Voting Requirements**

Simple Majority

#### **OFFICER'S RECOMMENDATION/COUNCIL DECISION**

**Motion 11032024**

**Moved Cr Quick, seconded Cr Mulcahy that Council:**

- 1. Endorses the principles of the Great Southern 2050 Cycling Strategy as presented.**
- 2. Receives the proposed Action Plan for future planning and budget consideration.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil



<b>10.2.6</b>	<b>PLANNING APPLICATION – PROPOSED OUTBUILDING AND CARPORT – LOT 40 (NO 24) BOOKA STREET, FRANKLAND RIVER</b>
<b>RESPONSIBLE OFFICER:</b>	Linda Gray – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Liz Bushby – Consultant Planner (Town Planning Innovations)
<b>FILE REFERENCE:</b>	A368
<b>APPLICANT:</b>	P & A Blyth
<b>DATE OF REPORT:</b>	14 March 2024
<b>ATTACHMENTS:</b>	Nil

**Purpose**

The purpose of this report is for Council to consider a development application for an outbuilding and attached carport on Lot 40 (No 24) Booka Street, Frankland River.

**Background**

Lot 40 is zoned 'Rural Residential' under the Shire of Cranbrook Town Planning Scheme No 4 (the Scheme). All development in the Rural Residential zone requires planning approval.

At the Ordinary Meeting held in February 2023, Council approved a single house (new transportable) and carport on Lot 40.

A location page is included below.



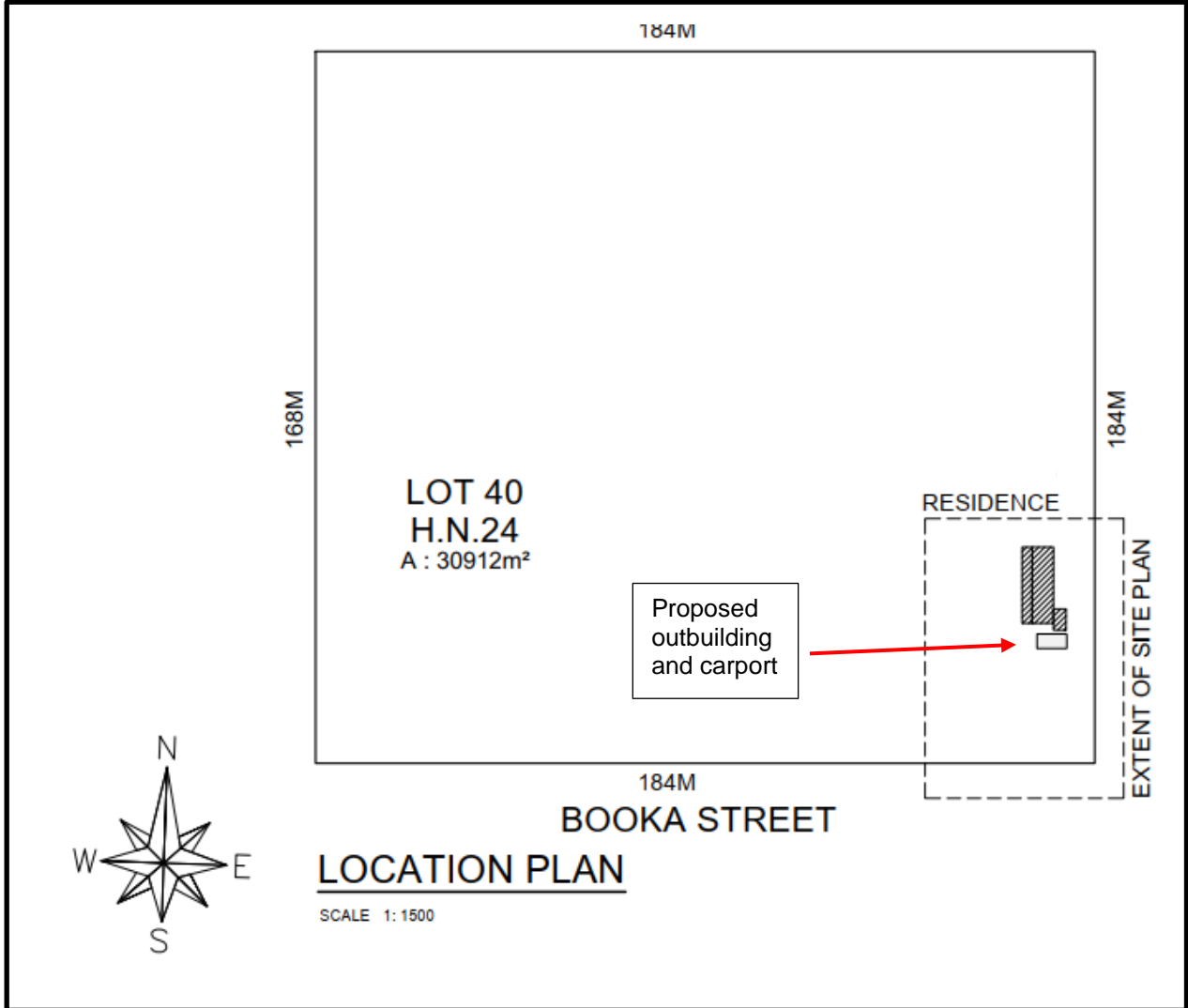
Above: Location Plan showing Lot 40 (in red outline)

**Officer's Comment**

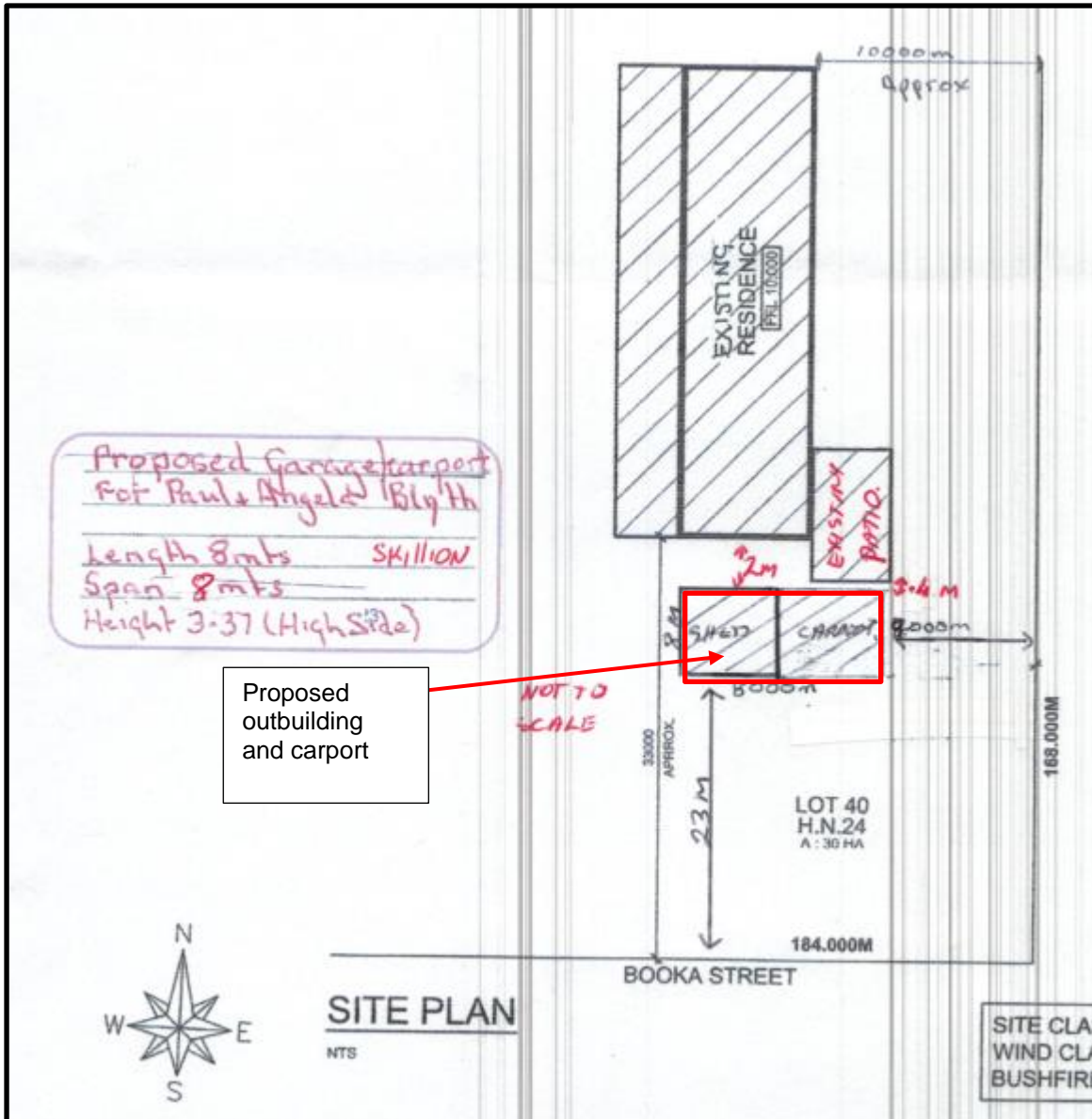
- ***Description of Proposal***

The owner of Lot 40 has lodged a planning application proposing an outbuilding and carport on the abovementioned lot.

A site plan is included below.

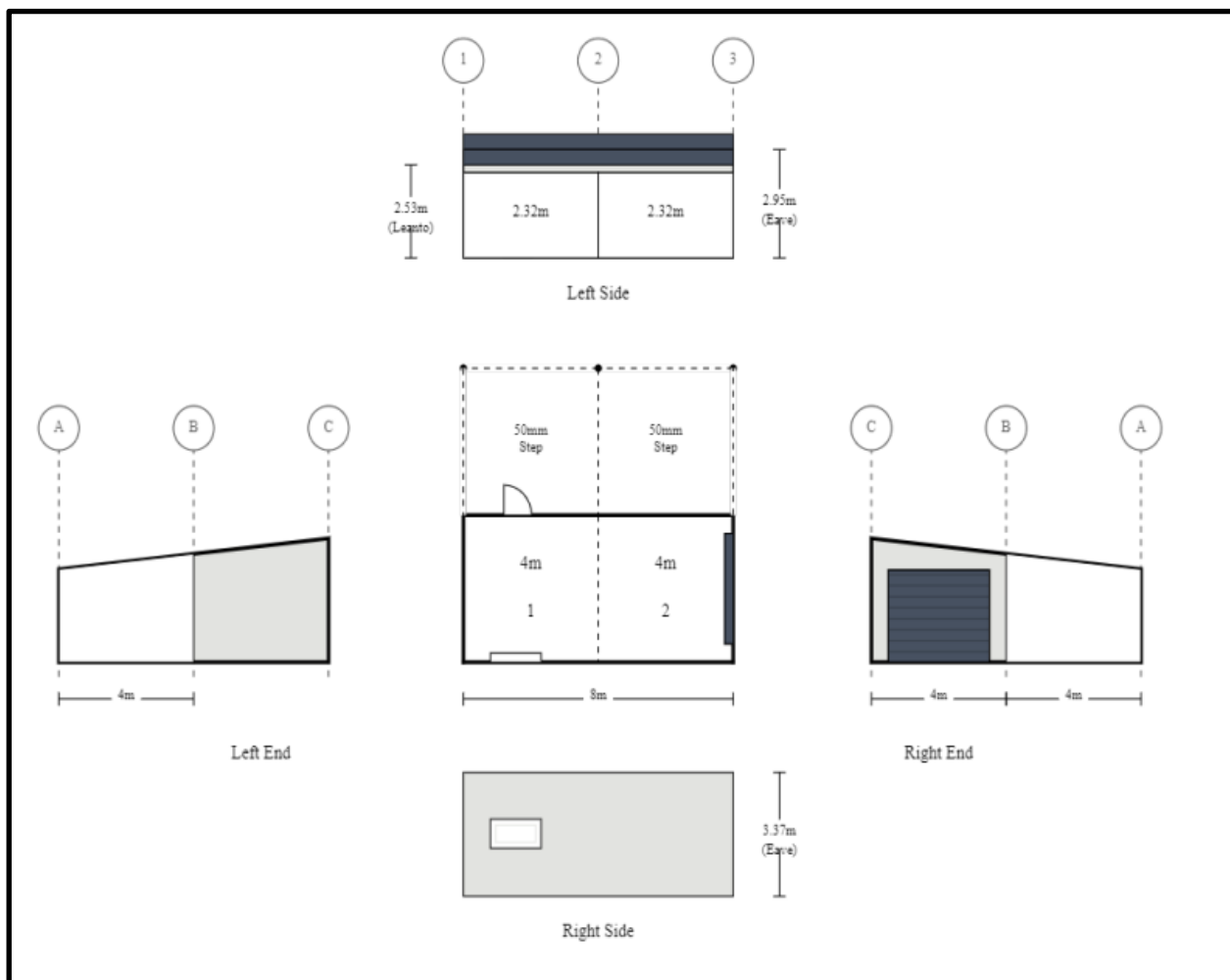


An enlarged site plan is included below.



Elevation plans of the outbuilding and attached carport are included below. The combined structure will have a floor area of 64m<sup>2</sup>. Half of the floor area will be an enclosed outbuilding, and the other half will be an open sided carport.

The building height will range from 2.53 metres to 3.37 metres.



- **Setbacks**

The Scheme requires a front setback of 30 metres and a 10-metre setback to any side and rear lot boundary.

The proposed development entails a minor setback variation as 23 metres is proposed to Booka Street (in lieu of 30 metres), and 9 metres is proposed to the side lot boundary (in lieu of 10 metres).

TPI generally supports the setback variations.

- **State Planning Policy 3.7: Planning for Bushfire Prone Areas**

Under the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have 'due regard' to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of 'State Planning Policy 3.7: Planning in Bushfire Prone Areas' (SPP 3.7).

The Shire has a mandatory obligation to consider SPP3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

The Western Australian Planning Commission released SPP3.7 and associated Guidelines for Planning in Bushfire Prone Areas ('the Guidelines') in December 2015. These documents apply to all land identified as Bushfire Prone.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. Lot 40 is within the declared bushfire prone area.

A Bushfire Attack Level assessment outlines higher construction standards to mitigate bushfire risk. A BAL can be required for development on lots greater than 1,100m<sup>2</sup>.

The Shires Building Surveyor has advised that a Bushfire Attack Level (BAL) assessment is not required for the separate Building Permit.

A Bushfire Attack Level assessment is therefore not considered necessary for the proposed development as part of the planning process, as no higher construction standards will be applied at the separate Building Permit stage.,

Shire of Cranbrook Town Planning Scheme No 4 – Explained in the body of this report.

Under Clause 5.5.2 Council has discretion to vary the front setback requirement, however has to advertise the application for public comment where there is any potential for any impact on neighbours.

Under Clause 5.5.3 the local government has to be satisfied that approval of the variation would be appropriate having regard for general planning considerations (such as amenity), and that the non-compliance will not have an adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.

Planning and Development (Local Planning Schemes) Regulations 2015 - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override sections of the Shire of Cranbrook Town Planning Scheme No 4.

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Clause 82(1) gives the local government the ability to delegate its powers to the Chief Executive Officer. Clause 82(2) requires any delegation to be by Absolute Majority.

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

The Shire pays consultancy fees to TPI for general planning advice.

### **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: Non-Compliance

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

The **likelihood** is: Unlikely

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

Risk mitigation includes seeking professional planning advice.

### **Strategic Community Plan Reference**

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

#### **Key Pillar: Live**

**Outcome 1 - Community:** A safe and friendly community that is well-known for support, which can be defined with a measurement of 'proud'.

**Deliverable 1.2:** A culture-enhancement program where all community members are proud of living in and around our region.

#### **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 includes:

- (a) Letters to nearby and surrounding landowners;
- (b) Publication of the proposed plans on the Shire website.

Advertising closes on the 29 March 2024.

### **Voting Requirements**

**Absolute Majority** (to grant delegated authority)

### **OFFICER'S RECOMMENDATION/COUNCIL DECISION**

#### **Motion 12032024**

**Moved Cr Egerton-Warburton, seconded Cr Mulcahy that Council:**

1. **Note that the application for an outbuilding and carport on Lot 40 (No 24) Booka Street, Frankland River is being advertised for public comment. Advertising closes on the 29 March 2024.**
2. **Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the application for an outbuilding and carport on Lot 40 (No 24) Booka Street, Frankland River.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

**By Absolute Majority**

<b>10.2.7</b>	<b>PLANNING APPLICATION – PROPOSED SECOND DWELLING – LOT 1 (NO 109) LYNLEA ROAD, FRANKLAND RIVER</b>
<b>RESPONSIBLE OFFICER:</b>	Linda Gray – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Liz Bushby – Consultant Planner (Town Planning Innovations)
<b>FILE REFERENCE:</b>	A538
<b>APPLICANT:</b>	WA Country Builders
<b>DATE OF REPORT:</b>	14 March 2023
<b>ATTACHMENTS:</b>	Nil

**Purpose**

The purpose of this report is for Council to consider a development application for a second dwelling on Lot 1 (No 109) Lynlea Road, Frankland River.

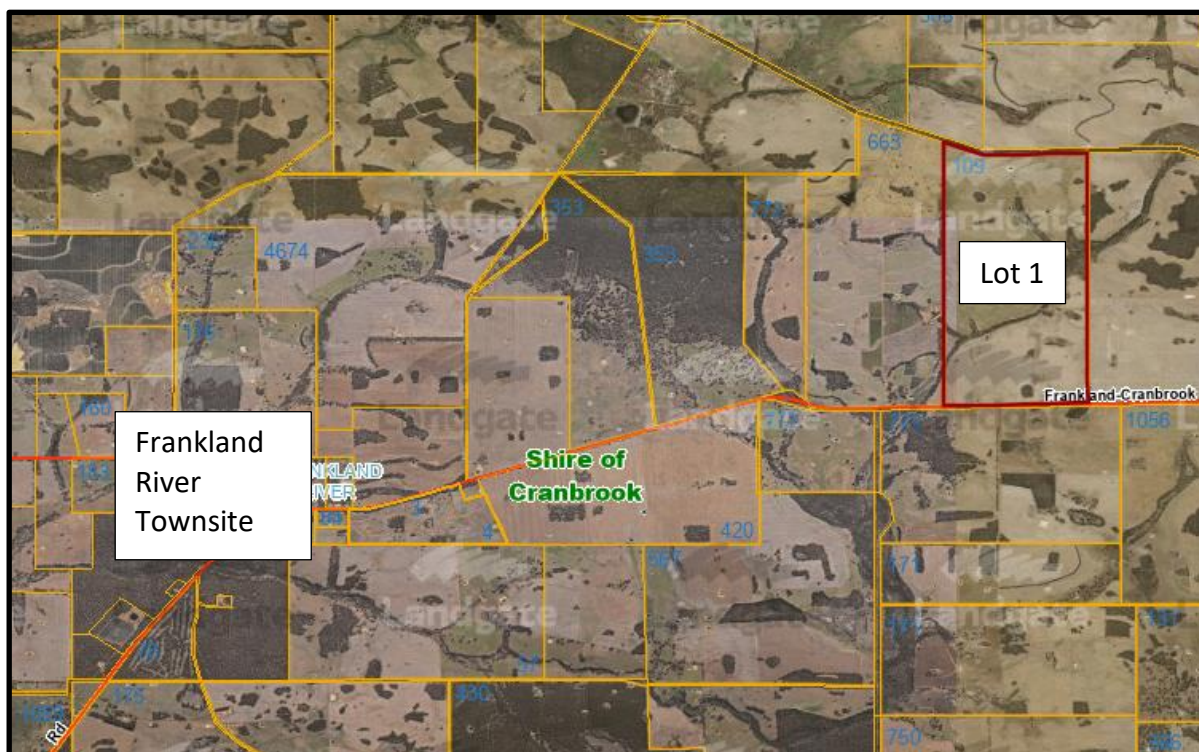
**Background**

Lot 1 is zoned 'Rural' under the Shire of Cranbrook Town Planning Scheme No 4 (the Scheme). Any second dwelling on a lot in the Rural zone requires planning approval.

The lot has an approximate area of 427.86 hectares, and contains an existing dwelling and associated outbuildings.

The lot is located on the corner of Frankland Cranbrook Road and Lynlea Road in Frankland River. Access to existing development is via a driveway from Lynlea Road.

A location page is included below.



Above: Location Plan showing Lot 1(in red outline)

**Officer’s Comment**

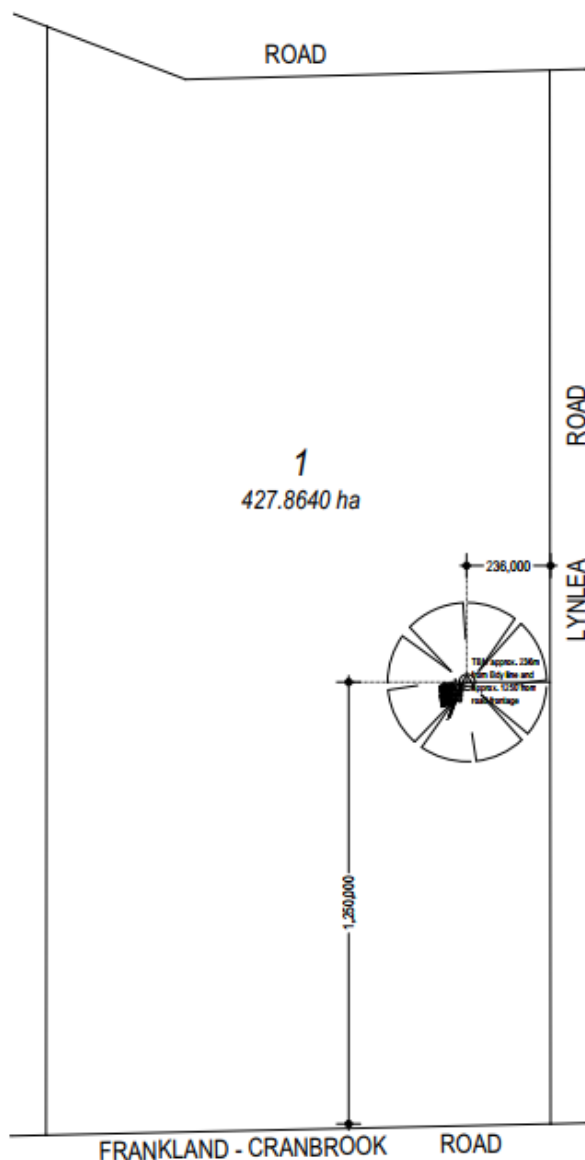
- **Description of Proposal**

A second dwelling is proposed on Lot 1. The dwelling will have four bedrooms, an open living area and an attached carport.

**Setbacks**

The Scheme requires a front/ rear setback of 20 metres and a 10-metre setback to any side lot boundaries.

The application complies with the minimum setback requirements. The house is proposed to be setback approximately 1250 metres from the Frankland Cranbrook Road boundary and over 236 metres from the Lynlea Road boundary.



- **State Planning Policy 3.7 : Planning for Bushfire Prone Areas**

Under the ‘deemed provisions’ of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have ‘due regard’ to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of ‘State Planning Policy 3.7: Planning in Bushfire Prone Areas’ (SPP 3.7).

The Shire has a mandatory obligation to consider SPP3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

The Western Australian Planning Commission released SPP3.7 and associated Guidelines for Planning in Bushfire Prone Areas (‘the Guidelines’) in December 2015. These documents apply to all land identified as Bushfire Prone.



Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. Lot 1 is within the declared bushfire prone area.

Under the WAPC Bushfire Guidelines all planning applications in Bushfire Prone Areas are to be accompanied by a BAL (Bushfire Attack Level) assessment.

A Bushfire Attack Level (BAL) assessment has been lodged with the application, and BAL-12.5 can be achieved for the dwelling, which is acceptable under current bushfire policy requirements.

There are additional bushfire requirements that need to be met by the applicant including:

- As the driveway is more than 70 metres long, a 20 metre long passing bay is required, along with a turnaround area for emergency vehicles.
- Driveways are to have a minimum trafficable driveway width of 4 metres with a 6-metre horizontal clearance.
- A 10, 000 litre water supply dedicated to firefighting purposes is required.

TPI has provided the applicant with advice on the WAPC Bushfire Guideline requirements and requested that they lodge a revised site plan to address the abovementioned points.

At the time of writing this report, a revised site plan had not been received.

### **Statutory Environment**

Shire of Cranbrook Town Planning Scheme No 4 – The zoning is explained in the background section of this report.

Clause 5.20.5 sets out requirements for ‘dwellings in the rural zone’. Under Clause 5.20.5a) the local government may permit up to two dwellings per lot within the Rural zone for private residential purposes.

Clause 5.20.5b) outlines matters that the local government is to have regard to including the purpose of the dwelling, that it is sufficiently setback from neighbouring rural lots, that the lot has an area greater than 40 hectares, that the lot can continue to be used for farming, the cumulative impact of approvals in an area and the need to avoid the creation of unplanned small lot subdivision.

The proposed development is consistent with the Scheme, and the second dwelling will be located a sufficient distance to neighbouring farming properties.

Planning and Development (Local Planning Schemes) Regulations 2015 - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include ‘Deemed Provisions’ that automatically apply and override sections of the Shire of Cranbrook Town Planning Scheme No 4.

Clause 67 outlines ‘matters to be considered by Council’ including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic, and any submissions received on a proposal.

Clause 82(1) gives the local government the ability to delegate its powers to the Chief Executive Officer. Clause 82(2) requires any delegation to be by Absolute Majority.

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

The Shire pays consultancy fees to TPI for general planning advice.

### **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: Non-Compliance

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

The **likelihood** is: Unlikely

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

Risk mitigation includes seeking professional planning advice.

### **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/COUNCIL DECISION**

**Motion 13032024**

**Moved Cr Casson, seconded Cr Johnson that Council:**

1. **Note that the applicant has been requested to lodge a revised site plan that addresses relevant bushfire guideline requirements.**
2. **Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the application for a second dwelling on Lot 1 (No 109) Lynlea Road, Frankland River.**

**CARRIED 7/0**

**FOR:** Cr G Pollard, Cr J Quick, Cr P Denton, Cr R Johnson,  
Cr L Casson, Cr D Egerton-Warburton, Cr P Mulcahy

**AGAINST:** Nil

**By Absolute Majority**

**10.3 WORKS**

Nil

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

Nil

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

Nil

**13. MATTERS BEHIND CLOSED DOORS**

Nil

**14. CLOSURE OF MEETING**

There being no further business to discuss, the Shire President, Cr Pollard declared the meeting closed at 4.30pm.