

# COUNCIL MEETING

## AGENDA



For the Ordinary Meeting of Council to be held on

**17 September 2025**

Dear Council Member,

The next Ordinary Meeting of the Shire of Cranbrook will be held on Wednesday 17 September 2025 at the Frankland River Community Centre 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. A member of the public who raises a question during question time is to state his or her name and address. Questions should be directed to the Shire President (or Chairman at Committee Meetings).
2. A question may be taken on notice by the Council or committee for later response.
3. When a question is taken on notice under sub-clause (2) a response is to be given to the member of the public in writing by the CEO, and a copy is to be included in the agenda of the next meeting of the Council or committee as the case requires.
4. Council encourages input from the public but will not debate any issue with those in attendance at meetings.
5. 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.**
6. 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)
7. Copies of “Public Question Time – Rules and Procedures” will be distributed at each Council/Committee Meetings where members of the public are in attendance.

### **Recording Of Proceedings**

1. No person is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council.
2. Subclause (1) does not apply if the record is taken by or at the direction of the CEO, with the permission of the Council or committee.

## 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.

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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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### Recording of Meetings

- All Council Meetings are digitally recorded, for audio only, and uploaded to the Shire website following the meeting, except for Confidential Agenda Items (in accordance with Section 5.23(2) of the Local Government Act 1995) which will not be uploaded to the website, in accordance with Reg 14I(10) of the Local Government Administration Regulations 1996.

### Defamation – cl 14K Local Government (Administration) Regulations 1996

- (1) A local government is not liable to an action for defamation in relation to any of the following done by the local government as required or authorised under this Part —
- (a) publicly broadcasting a meeting;
  - (b) making a recording of a meeting;
  - (c) making a recording of a meeting publicly available;
  - (d) retaining a recording of a meeting or a copy of a recording;
  - (e) providing a copy of a recording of a meeting to the Departmental CEO.

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## **AGENDA**

### **1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Shire President, Cr Pollard 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 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 Finance	Miss C (Chelsea) Paterson
Acting Manager of Works	Mrs S (Stevie) Egerton-Warburton
Executive Officer	Miss JL (Jo) Scott

Members of the Public

#### **2.2 APOLOGIES**

#### **2.3 APPROVED LEAVE OF ABSENCE**

### **3. APPLICATIONS FOR LEAVE OF ABSENCE**

### **4. PUBLIC QUESTION TIME**

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

#### **4.2 PUBLIC QUESTIONS**

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

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

### **7. DISCLOSURE OF INTEREST**

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

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

**9.1 ORDINARY MEETING – 20 August 2025**

That the minutes from the Ordinary Meeting of Council held on 20 August 2025, be confirmed as a true and correct record.

**9.2 SPECIAL COUNCIL MEETING – 25 August 2025**

That the minutes from the Special Council Meeting held on 25 August 2025, be confirmed as a true and correct record.

## 10. REPORTS OF OFFICERS

### 10.1 CORPORATE AND COMMUNITY SERVICES

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#### 10.1.1 LIST OF PAYMENTS

<b>RESPONSIBLE OFFICER:</b>	Chelsea Paterson - Acting Manager of Finance
<b>REPORT AUTHOR:</b>	Madeleine Hammond – Finance Officer
<b>FILE REFERENCE:</b>	FM2
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	10/09/2025
<b>ATTACHMENTS:</b>	List of Payments – 1 August 2025 to 31 August 2025

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#### Purpose

The purpose of this report is to advise the Council of payments made during the period 1 August 2025 to 31 August 2025.

#### 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**

That the payment of accounts totalling \$614,025.65 per the attachment be noted:

- Electronic Funds Transfers EFT 16840 to EFT 16917 - \$398,381.90 including fuel card purchases of \$668.98;
- Internal Account Transfers (Payroll) - \$179,884.42; and
- Direct Debit - \$35,759.33 including credit card purchases of \$4,987.29



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**10.1.2****BUDGET AMENDMENT**

**RESPONSIBLE OFFICER:** Linda Gray – Chief Executive Officer  
**REPORT AUTHOR:** Jenny Cristinelli – Community Development Manager  
**FILE REFERENCE:** A131  
**APPLICANT:** N/A  
**DATE OF REPORT:** 5 September 2025  
**ATTACHMENTS:** Nil

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**Purpose**

The purpose of this report is for the Council to consider an amendment to the 2025/2026 adopted budget.

**Background**

At the 25 August meeting of Council, it was resolved that:

**RECOMMENDATION 1 – BUDGET OF 2025-2026****OFFICER'S RECOMMENDATION/COUNCIL DECISION**

Motion 17082025

**Moved Cr Johnson, seconded Cr Denton that 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 the attachment of this agenda and the minutes, for the Shire of Cranbrook for the 2025-2026 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 (including revised Rates and Service charges note.**

**Officer's Comment**

Since the 2025/2026 budget was adopted, and with restoration works being carried out at the Cranbrook Sporting Club's Bowling Green, unforeseen issues with the bowling green base have been found. The artificial turf was removed as part of the project, revealing the base. The base was inspected by Green Planet Grass (appointed contractor), Shire of Cranbrook Officers and the Cranbrook Sporting Club Bowling Club representatives. The initial investigation and report given in 2024 implied that the base was sound. However, last month the contractors removed the turf and watered the base and dug down into the base. The findings were that the current compaction of the base materials provided nil penetration of water to the drainage system below. The lower level of base materials used in the initial build have come to the end of life.

Discussions were held with the Shire of Cranbrook's insurers, Local Government Insurance Scheme, (LGIS) during the claim process. It was determined by LGIS with the report provided along with the age of the green, they would not approve extra items, including drainage, base works and surrounds.

With Green Planet Grass being onsite, a quotation on a variation to the project has been received, this being \$82,060 ex GST and this includes the removal of 120mm of base material, and the supply and installation of new base material.

In consultation with the Shire's EHO, and the Cranbrook Sporting Club Committee, it is recommended that the funds allocated to the Sporting Club to be used to renovate the kitchen be deferred until the following financial year, with the exception of the new rangehood and any other compliant issues to the value of \$20,000. Therefore, the budget allocation would be \$80,000 for the Bowling Green base and the remainder for the kitchen.

### **Statutory Environment**

Local Government Act 1995, Part 6 Financial Management, Division 4 General Financial Provisions.

#### **Section 6.8 - Expenditure from municipal fund not included in annual budget.**

- “(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government.
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.”

*\* Absolute majority required.*

Local Government (Financial Management) Regulations 1996 Part 2 General financial management – s. 6.10

#### **Regulation 17. - Reserve accounts, title of etc.**

- “(1) A reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside.
- (2) In the accounts, annual budget and financial reports of the local government a reserve account is to be referred to —
- (a) in the information required by regulations 27(g) and 38, by its full title; and
  - (b) otherwise, by its full title or by an abbreviation of that title.”

*[Regulation 17 amended in Gazette 20 Jun 1997 p. 2839.]*

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

There are no financial implications: the funds allocated to the Sporting Club for renovation works will remain the same (\$100,000) as approved in the 2025/26 FY Budget.

### **Risk Implications**

The risks associated with matters in this report are: Misconduct

- Business and Community Disruption
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Asset Sustainability Practices
- Inadequate Supplier/Contract Management
- Ineffective Management of Facilities/Venues/Events

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

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

The **likelihood** is: Likely

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

Risk mitigation includes close monitoring of the projects and consultation with Dave Hadden, the Shire's Environmental Health Officer as to the requirement to upgrade the kitchen and whether the project could be delayed till next financial year.

### **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 1.1:** A community and enterprise safety and security system.

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

### **Consultation**

Consultation for this report included the Shire of Cranbrook's staff including the Chief Executive Officer, Green Planet Grass, Cranbrook Sporting Club Executive Committee Members and the Cranbrook Bowling Club committee members. Dave Hadden, the Shire's Environmental Health Officer, was also consulted.

### **Voting Requirements**

***Absolute Majority***

### **OFFICER'S RECOMMENDATION**

That Council amend the current 2025/2026 budget by:

1. Allocating an amount of \$80,000 from GL 113204 Capital Expense – Cranbrook Sporting Club, Kitchen Upgrades to GL 113231 Capital Expenses – Cranbrook Bowling Green.
2. \$20,000 to remain within GL 113204 Capital Expense – Cranbrook Sporting Club, Kitchen Upgrades.

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**10.1.3 HOLLOW LOG TOURNAMENT SPONSORSHIP**

**RESPONSIBLE OFFICER:** Linda Gray – Chief Executive Officer  
**REPORT AUTHOR:** Stephanie Waldron – Works Administration Officer  
**FILE REFERENCE:** HR17/GO8  
**APPLICANT:** N/A  
**DATE OF REPORT:** 8 September 2025  
**ATTACHMENTS:** Form 4 – Register of Gifts

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**Purpose**

The purpose of this report is for the Council to consider the sponsorship received in support of the Hollow Log Golf Tournament 2025 hosted by the Shire of Cranbrook.

**Background**

Hollow Log is a golf tournament inviting local governments from the Great Southern region to gather together and compete for the Hollow Log Golf Tournament title. The Hollow Log Golf Tournament is being held on Friday 19 September 2025 at the Cranbrook Golf Club.

**Officer's Comment**

The tournament has been running for over 30 years and the Shire of Cranbrook team from 2024 won the tournament and, with that, the privilege of hosting in 2025. The Shire of Cranbrook contacted 47 sponsors to seek support for the day in providing prizes. As part of the sponsorship, they are invited to partner with us and play on the day.

The following sponsors have provided support for the golf tournament; AV Truck Services Pty Ltd, Bitutek, Duggins Clothing, Elders, Grace Training, JR & A Hersey, Key Civil, MJB Industries, Road Project Management, TST Mechanical and AFGRI.

**Statutory Environment**

*Local Government Act 1995*

*Local Government (Administration) Regulations 1996* – Register of Gifts.

**Policy Applicable – Implications**

Council Policy 4.7 Finance – Donations and Sponsorships states that:

- To provide donations and sponsorship to individuals and community groups; and
- To assist community groups to undertake events, projects or purchases.

**Financial Implications**

The shire has currently received a cash total value of \$2,400 as well as individual prizes worth \$1800 of prizes. Total value (currently) of prizes \$4,200.00

**Risk Implications**

The risks associated with matters in this report are:

- Inadequate Supplier/Contract Management
- Ineffective Management of Facilities/Venues/Events

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

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 complying with all relevant legislation by declaring gifts and sponsorship.

### **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:

Linda Gray, Chief Executive Officer

Stevie Egerton-Warburton, Acting Manager of Works

Jamie Clime, President of Cranbrook Golf Club

Stephanie Waldron, Works Administration Officer

### **Voting Requirements**

Simple Majority

### **OFFICER'S RECOMMENDATION**

**That Council:**

- 1. note the received sponsorship from suppliers and contractors to the value of \$3,900.**
- 2. notes and acknowledges the sponsors for the 2025 Hollow Log tournament are: AV Truck Services Pty Ltd, Bitutek, Duggins Clothing, Elders, Grace Training, JR & A Hersey, Key Civil, MJB Industries, Road Project Management, TST Mechanical and AFGRI.**

## 10.2 GOVERNANCE AND EXECUTIVE SERVICES

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### 10.2.1 PROPOSED WORKERS ACCOMMODATION – LOT 1016 FRANKLAND-CRANBROOK ROAD, CRANBROOK

<b>RESPONSIBLE OFFICER:</b>	Linda Gray – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Liz Bushby – Town Planning Innovations (TPI)
<b>FILE REFERENCE:</b>	A952
<b>APPLICANT:</b>	Co-Operative Bulk Handling Ltd
<b>DATE OF REPORT:</b>	31 August 2025
<b>ATTACHMENTS:</b>	1. Development Plans

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#### Purpose

The purpose of this report is for Council to consider an application lodged by Cooperative Bulk Handling (CBH) for workers accommodation on Lot 1016.

#### Background

##### - *Subdivision Application*

An application to subdivide Lot 1016 into two separate lots was lodged to the Western Australian Planning Commission (WAPC) in 2013, and was considered by Council at the Ordinary Meeting held on the 13 December 2023.

Council resolved to recommend that the Western Australian Planning Commission refuse the application to subdivide Lot 1016 into two lots of the following reasons:

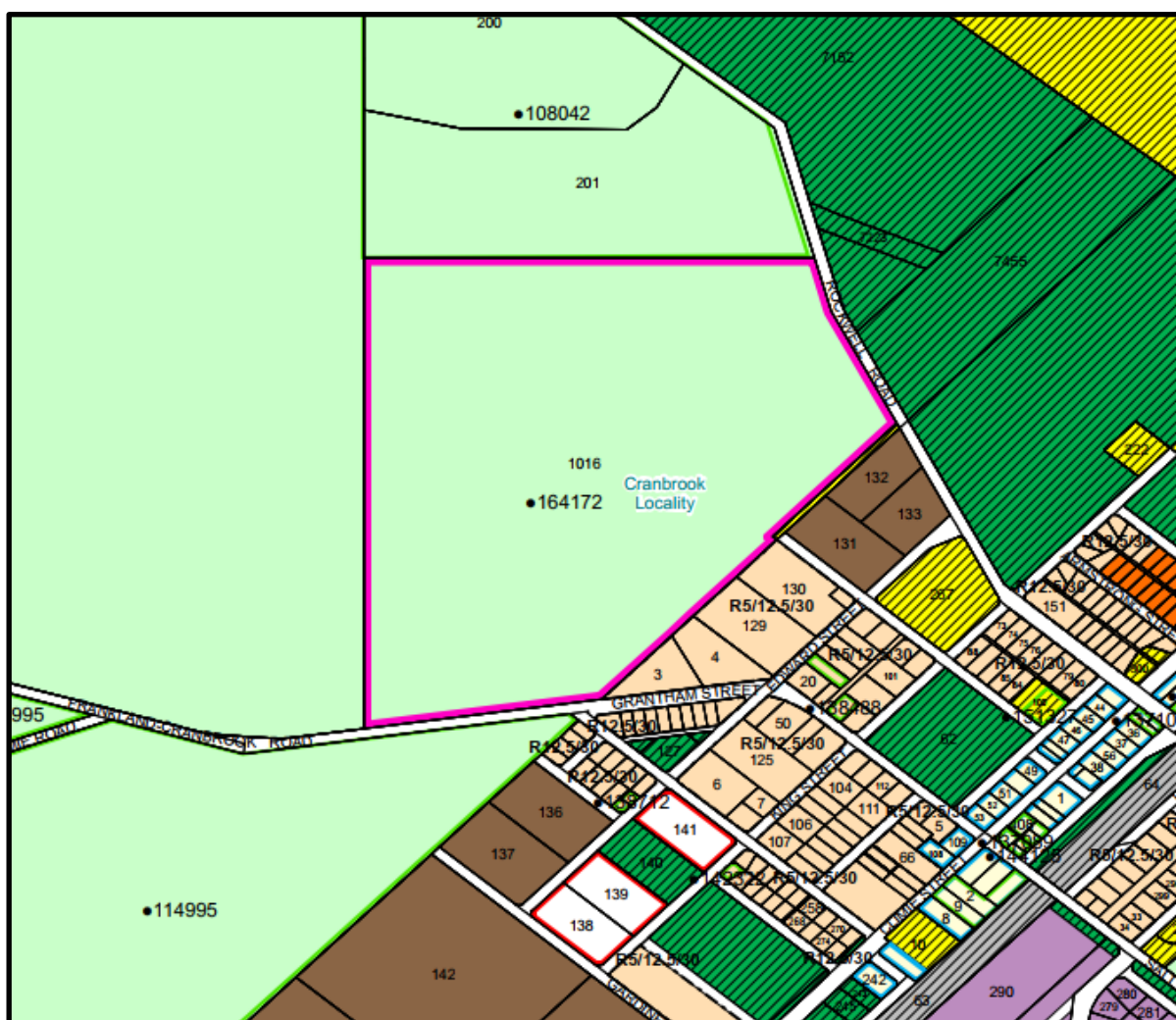
- a) The fact that CBH wants to subdivide the land prior to even lodging any planning application for workers accommodation is not in itself significant planning justification.
- b) If it was, then any developer could use 'proposed development' as an argument for subdivision, such as for future Tree Farms, Renewable Energy Facilities (wind/solar farms), feedlots, wineries or the like.
- c) Supporting subdivision before any development approval has been secured will set an undesirable and potentially far-reaching precedent within the State of Western Australia. There is potential for smaller lots to be created and for rural land to become fragmented (with no guarantee that the land is suitable for development).
- d) The application pre-empted that the Shire will grant planning approval for workers accommodation in this location. The Shire would encourage any new development to be of a good quality, and address visual impact, servicing and amenity.
- e) Surrounding landowners would be consulted as part of the normal planning application process (for workers accommodation), whereas they do not have any opportunity to comment on subdivision applications.
- f) There will need to be extensive soil investigations done during winter to determine if the land has capability for on-site effluent disposal. Whilst there is an existing sewer line near the lot, TPI is of the understanding that feasibility of a sewer connection is still being investigated.
- g) Most importantly, the application is contrary to WAPC's Development Control Policy 3.4.

Council also resolved to advise the WAPC that:

- i) Council is prepared to further consider the application in the event that CBH secures planning approval for workers accommodation and provides a servicing report demonstrating that the proposed lot and development can be adequately serviced.
- ii) Council supports CBH's aspirations to establish workers accommodation in Cranbrook, and would encourage them to look at alternative options in town, such as Lot 145, where their existing accommodation is located.

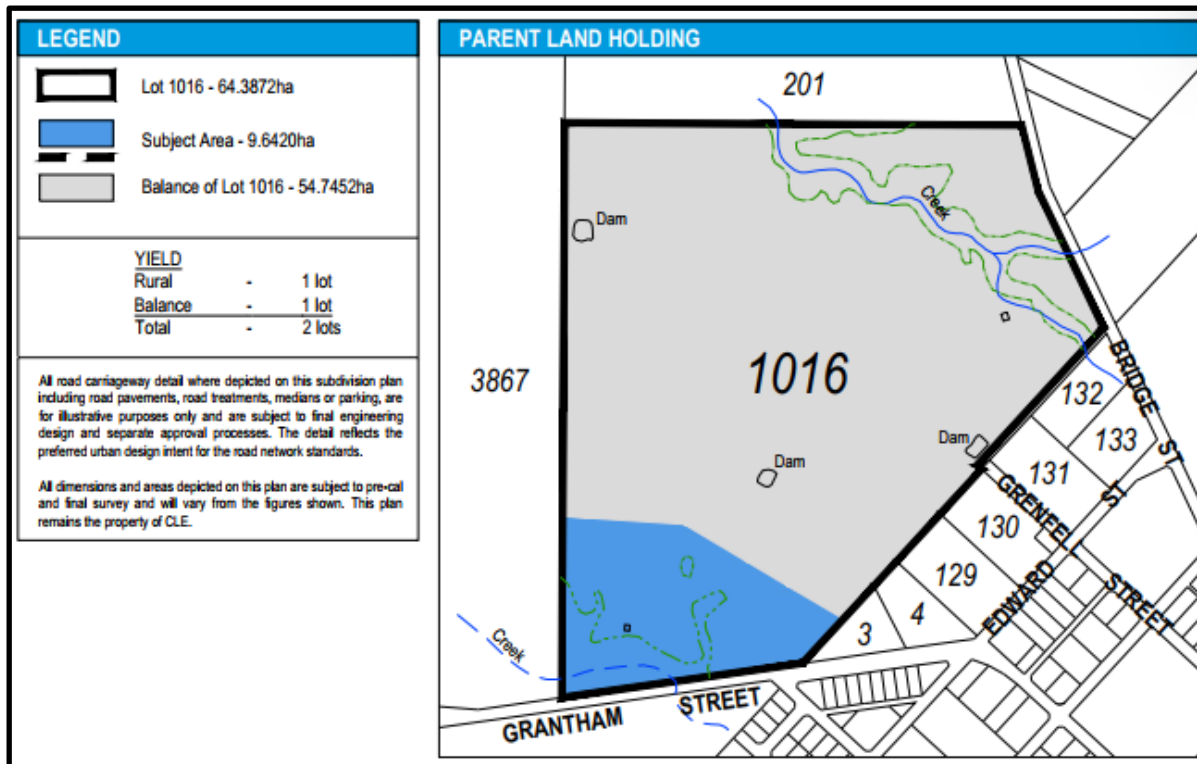
The WAPC refused to determine the subdivision application until such time as CBH lodged and had a development application determined for a workers accommodation facility or similar development.

Essentially the WAPC agreed with the Shires view that development needed to be the precursor to any proposed subdivision, and that a proposed development (that had no approval) was not sufficient justification for subdivision.



Above: Location Plan showing Lot 1016.

Lot 1016 has an area of 64.38 hectares, and the subdivision proposed to separate out an area of 9.64 hectares as a separate lot for future workforce accommodation.



Above: The area in blue shows a proposed lot for workers accommodation.

WAPC Subdivision Reference: 164172

### Officer's Comment

- Description of Development Application

CBH has lodged a development application that proposes:

- To establish workforce accommodation on a portion of Lot 1016 which is currently used for extensive agriculture;
- Seven single storey buildings which each contain four rooms capable of accommodating a single person. Accommodation for 28 workers is proposed;
- Site amenities including kitchen, dining, laundry, and common room area;
- Covered areas, verandas and outdoor seating areas;
- 31 new car parking spaces. Car parking spaces have been provided as one space per single persons quarter with an additional three spaces provided for the use of laundry, cleaning and maintenance workers as required;
- Associated access ways and stormwater improvements.

The development plans are included as Attachment 1.

CBH has advised that *'the workforce accommodation will solely be used for workers that work at the CBH facility during harvest'* and *'the benefit of this location is that the nuisance factor of irregular house noise and potential impact on other residential development is buffered by its location within the expansive rural zone'*.

Initially CBH advised the accommodation would be second hand, however they have since confirmed that *'all buildings will be new structures. We have exhausted our refurbished stock so have moved onto the new stock'*.

CBH has provided the image below as an example of 'as constructed' development.





The buildings will be neat, tidy, new and low scale. TPI does not have any reservations over the visual compatibility of the development with the rural setting, based on the setbacks combined with improved landscaping.

- *Zoning and Land Use Permissibility*

Lot 1016 is zoned 'Rural' under the Shire of Cranbrook Town Planning Scheme No 4 (the Scheme). The development is construed as 'workers accommodation' which is defined in the Scheme as:

*'means a building or buildings used for the accommodation of persons who are employed by the predominant industry or business operating on the same site; are seasonal workers in the agricultural industry; or another major industry in the same local government area that is considered vital by the Shire to the local community. Workers Accommodation may include a range of associated facilities for the exclusive use of staff including, but not limited to, the provision of meals, cooking facilities, ancillary services, recreational areas, laundry facilities, car parking and bus parking, but does not include a Single Dwelling, Grouped Dwelling, Ancillary Dwelling or Residential Building as defined in the Residential Design Codes.'*

'Table 1 – Zoning Table' in the Scheme lists different land uses in a table format, with symbols aligning to the different zones. The symbols explain whether Council has discretion to consider a land use in the correlating zone.

The land use of 'workers accommodation' is listed as a 'D' use in the Rural zone, which *'means that the use is not permitted unless the local government has exercised its discretion by granting planning approval'*.

Essentially this means that Council has discretion to consider workers accommodation in the Rural zone having regard for normal planning considerations such as the zone objectives, amenity, traffic, visual impact etc

An extract of Table 1 is included below.

TABLE 1 - ZONING TABLE

USES		RESIDENTIAL	TOWN CENTRE	INDUSTRIAL	RURAL RESIDENTIAL	RURAL SMALLHOLDING	RURAL
37	workers accommodation	X	X	X	X	A	D

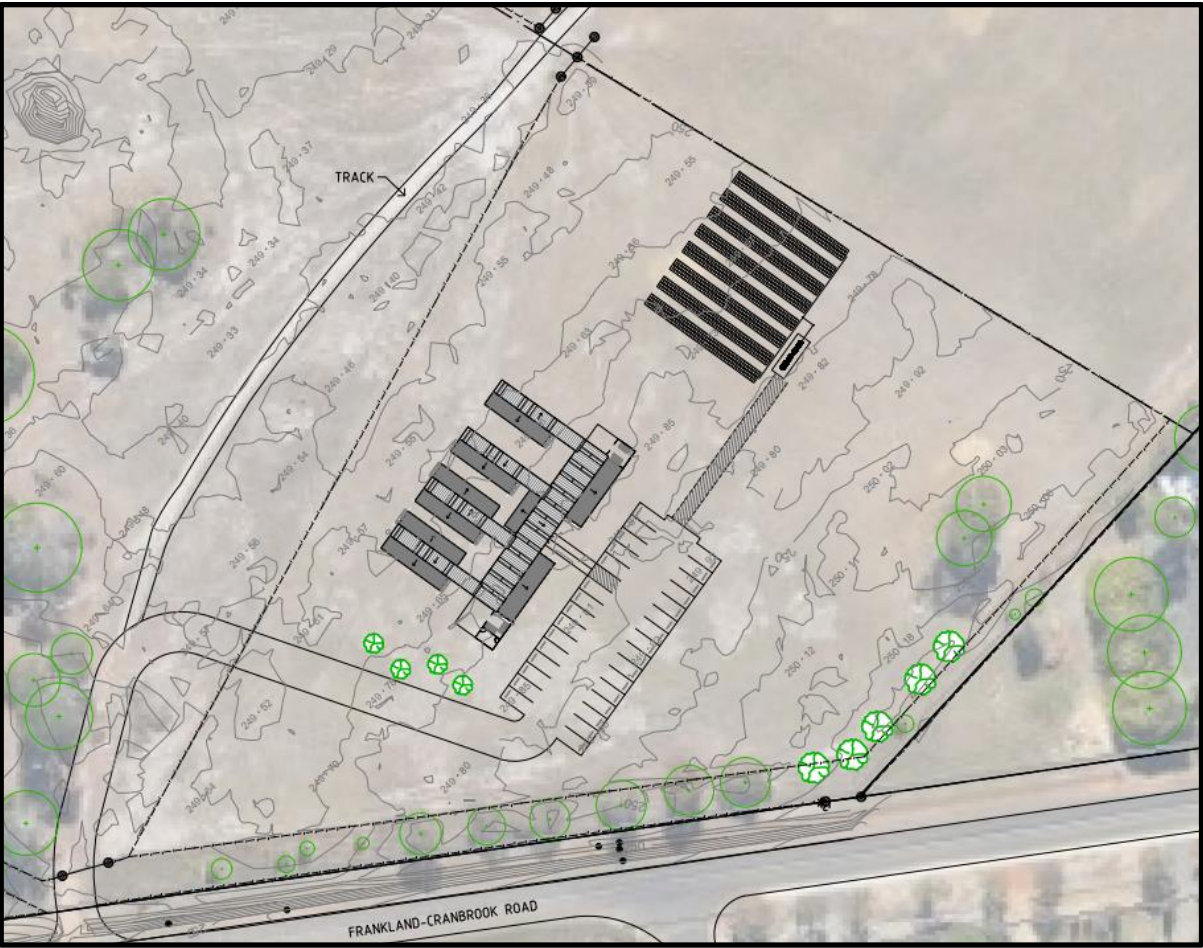
- Setbacks

The Scheme requires a minimum front and rear setback of 20 metres, and a 10 metre setback to any side lot boundary.

The proposed development complies with the Scheme as buildings will be around 40 metres from the Frankland-Cranbrook Road lot boundary.

- Landscaping

The original landscaping plan lodged by CBH proposed the planting of 9 trees.






TPI requested that CBH provide additional landscaping capable of screening the development from the street(s) and nearest dwellings. It is noted that residents to the south east currently have a rural outlook.


The current plans propose a total of 4 trees along the Frankland-Cranbrook Road frontage, 5 trees along the east lot boundary and 8 trees adjacent to the proposed buildings.

CBH has increased the landscaping from 9 trees to 17 trees. They propose to use *Acacia Acuminata* and *Allocasuarina Huegeliana*.

PLANT SCHEDULE				
TREES				
	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	QUANTITY
T01	ACACIA ACUMINATA	RASPBERRY JAM WATTLE	46Lt	8
T02	ALLOCASUARINA HUEGELIANA	ROCK SHEDAK	46Lt	9

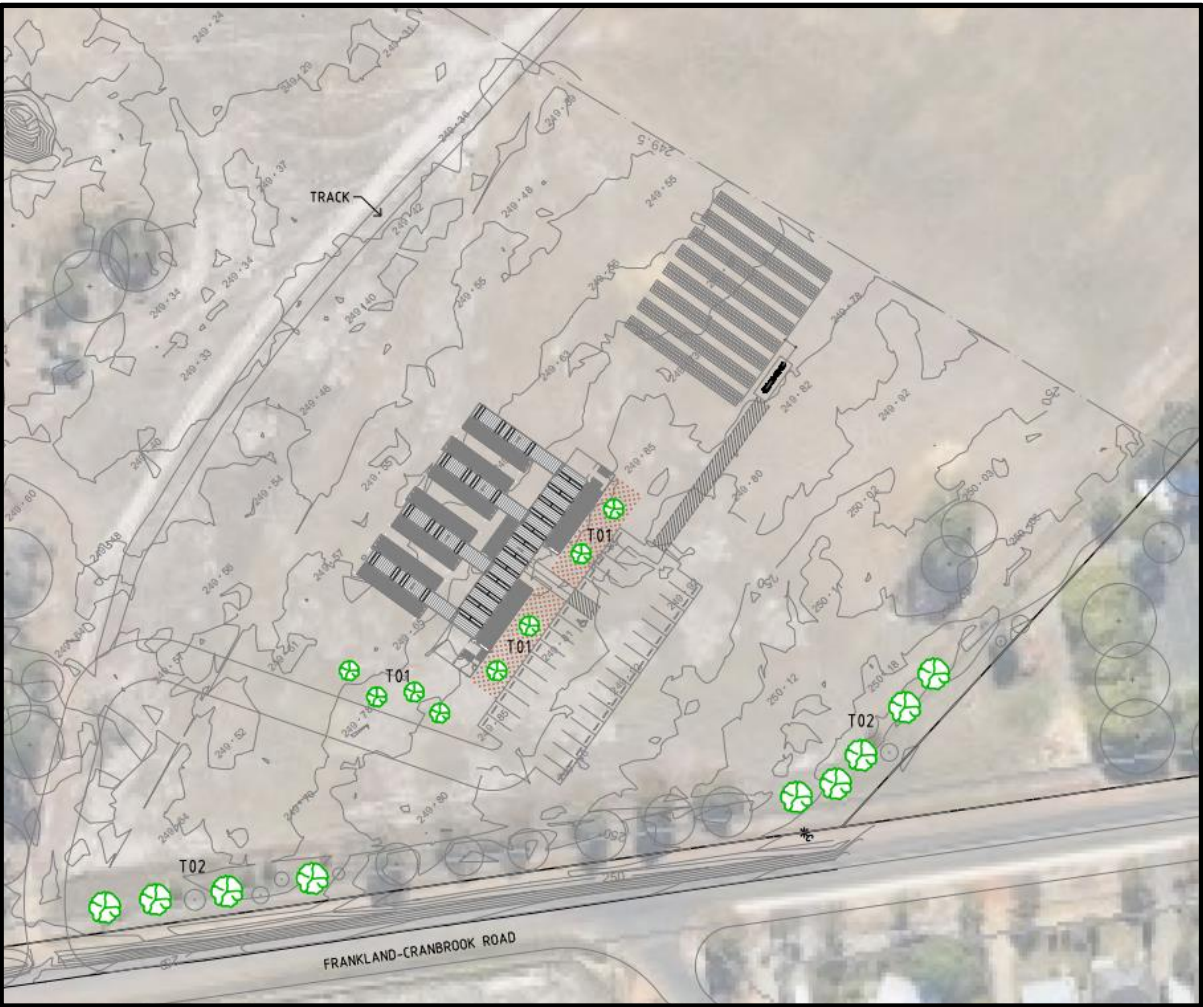


T01. ACACIA ACUMINATA



T02. ALLOCASUARINA HUEGELIANA

An extract of the revised landscaping plan is included below.



Whilst there are mature trees along the Cranbrook-Frankland Road lot frontage, they will not provide substantial screening. TPI recommends that additional landscaping be required through a condition of any development approval.

- *On Site Effluent Disposal*

The original Site and Soil Evaluation assessment lodged with the application was not supported by the Department of Health Western Australia, as it was conducted in March 2025, and did not represent ground water conditions during the wettest time of the year.

CBH was requested to lodge a new Site and Soil Evaluation assessment to address the Department of Health WA comments. After reviewing a new Site and Soil Evaluation assessment dated the 31 July 2025, the Department of Health has provided conditional support of the proposal.

- *Other Services*

An Engineering Servicing Report by Shawmac has been lodged in support of the application.

In summary it highlights that:

- There are no existing water mains within the site boundaries. Therefore, an extension of the water main would be required;
- There is sufficient power capacity in the existing Western Power system to service the development.

The Servicing Report is general and makes it clear that further liaison with the Water Corporation and Western Power is required.

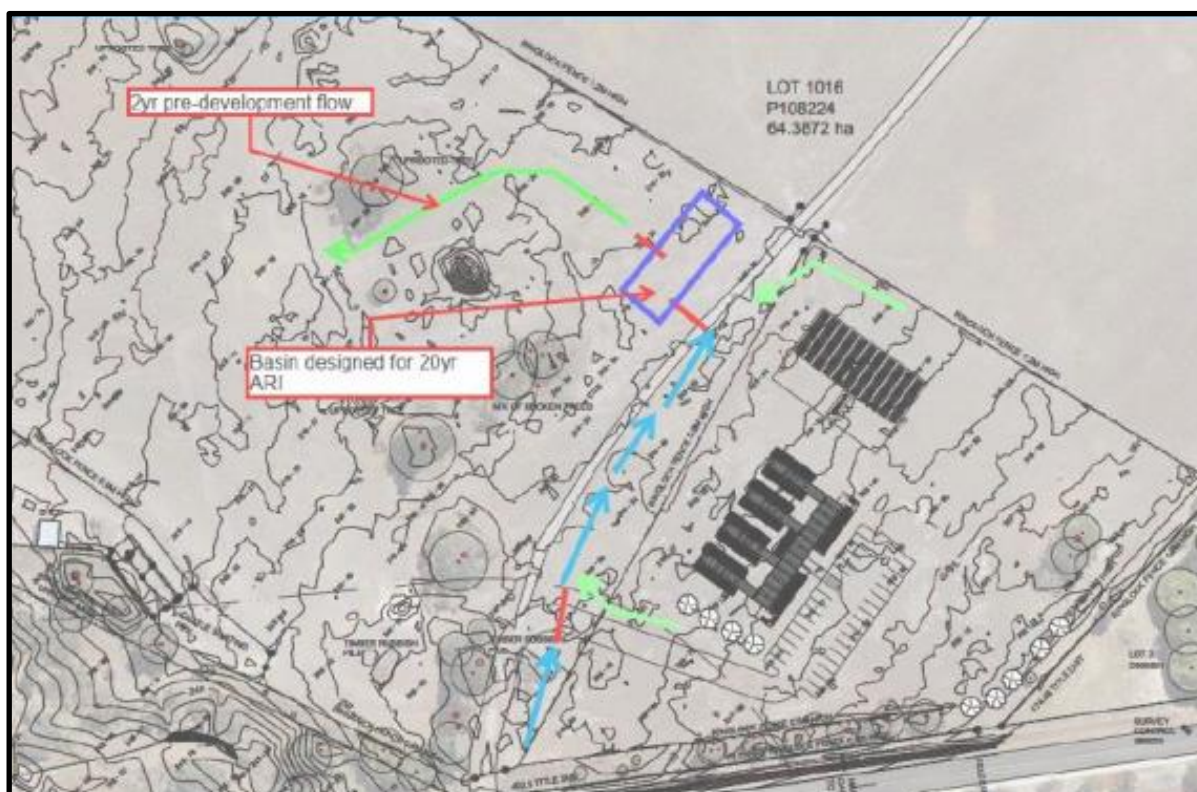
TPI does not consider that servicing is an impediment to any planning approval as:

1. The WAPC will also examine servicing at the separate subdivision stage, and place conditions on any future subdivision approval;
2. CBH will need to resolve servicing for the development to proceed; and
3. CBH has advised in writing that they intend to connect into mains water which will form a condition of subdivision approval; and
4. CBH has also advised that *'use of the facility will not occur until subdivision approval and clearance of conditions (i.e. mains connection) has been granted which could also form a condition of development approval to mitigate any further concerns the Shire and Department of Water may have'*.

TPI is satisfied that servicing conditions will be imposed more appropriately at the separate subdivision application stage.

- *Stormwater*

A Stormwater Management Plan by Shawmac has been lodged in support of the application. The general stormwater strategy is shown below.



An on-site detention basin is proposed to the north west of the development.

The Shire engaged an independent engineering firm to peer review the stormwater management plan on behalf of the Shire, and they recommended that the Shire obtain further information including:

- Inputs such as coefficient of runoff, mannings n coefficient, time of concentration calculation, storm event in mm/hr and the contributing catchment;
- Confirm the 15mm infiltration loss matches the 0.1m/day permeability capability of the soils.
- Provide the catchment area for simple cross-checking of basin sizing.

The Shires Engineering Consultant also recommended that the basin design be reviewed as follows:

- The base of the basin should be excavated lower than the upstream and downstream pipe inverts so that the basin detains the difference between the pre- and post-development flows.
- Consideration should be given to elongating the basin and allowing the basin to overtop with a wider, more natural flowpath instead of concentrating the pre-development flow through a 300mm-diameter pipe.
- Provide proof that the pipe network does not detain water.

Some of the additional information has been recommended simply to check how some calculations were achieved, and other assumptions made in the stormwater management plan were seen as reasonable.

It is recommended that a condition be imposed to require lodgement of a revised Stormwater Management Plan or Addendum to the Stormwater Management Plan to address the above.



- *Traffic*

CBH has lodged a Traffic Report prepared by Shawmac which concludes that the development will be well connected to the surrounding road network, and will not result in significant changes to traffic movements on the surrounding road network.

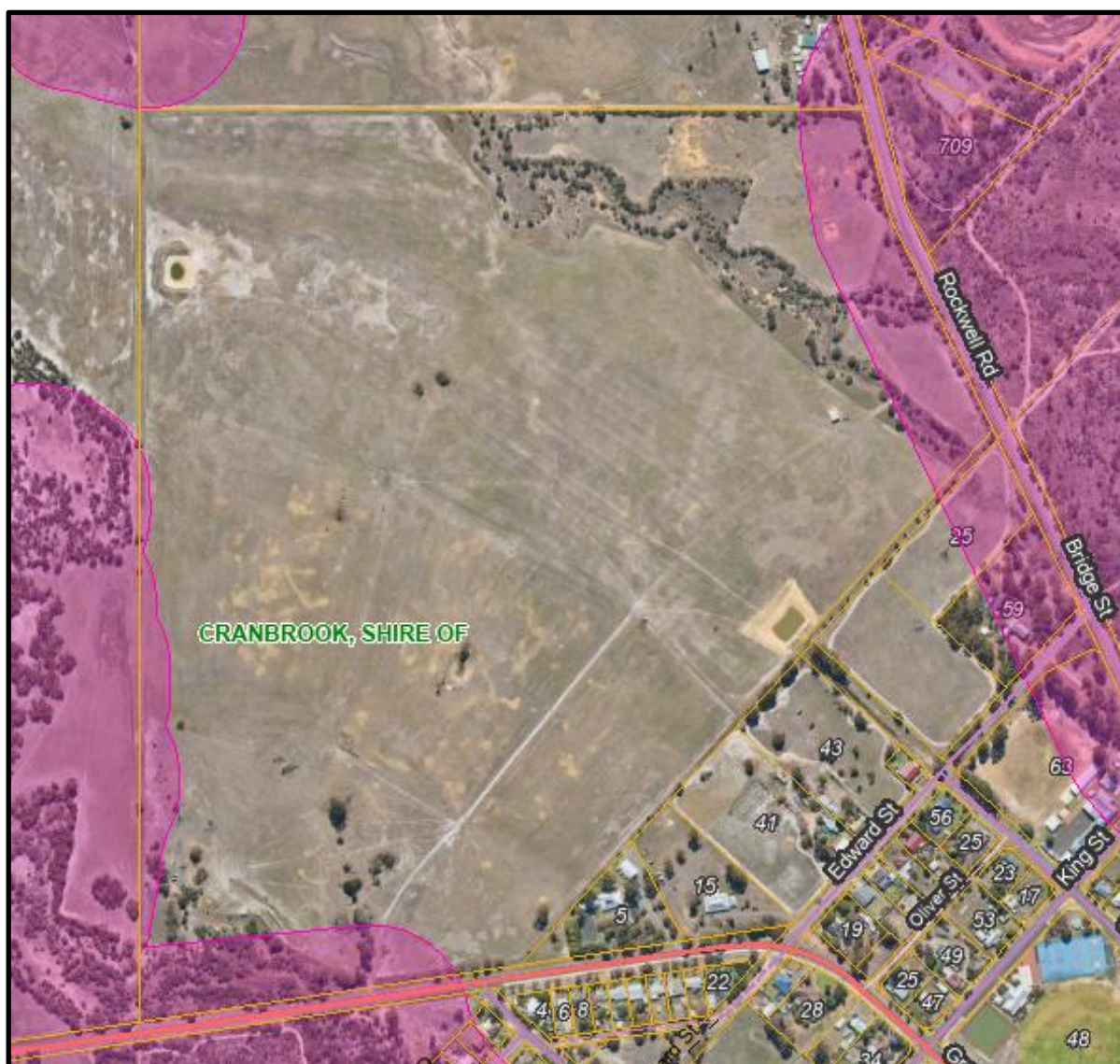
The proposed development will accommodate CBH workers who will travel to the nearby CBH Cranbrook facility in the on a two shift schedule, with 50% of employees departing the site between 6:00am and 7:00am and returning between 2:00pm and 3:00pm. The remaining 50% will depart between 12:00pm and 1:00pm and return between 8:00pm and 9:00pm.

Vehicular access is via an existing crossover from Cranbrook-Frankland Road.

- *Bushfire Prone Area*

Portions of Lot 1016 are within bushfire prone areas, as shown in pink on the aerial below.

As no buildings are proposed in the bushfire prone area, no Bushfire Management Plan or Bushfire Attack Level Assessment is required under 'State Planning Policy 3.7 – Bushfire'.



Above: Bushfire Prone Areas shown in pink.

## Statutory Environment

### 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 parts of the Shire of Cranbrook Town Planning Scheme.

Clause 67(2) 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.

Specifically, Clause 67(2)(m) references:

*'The compatibility of the development with its setting, including —*

- (i) the compatibility of the development with the desired future character of its setting; and*
- (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development'.*

## Policy Applicable – Implications

There are no known Policy Implications.

## Financial Implications

The Shire pays consultancy fees to Town Planning Innovations for planning advice.

## Risk Implications

There are no known risks associated with matters in this report.

## Strategic Community Plan Reference

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

### Key Pillar: Work

**Outcome 8 – Business Attraction:** Attracted new business and industry to our region.

**Deliverable 8.1:** Additional business or micro-production has commenced or expanded in the region.

## Consultation

The application has been advertised for public comment.

There was one private landowner submission expressing concern over traffic safety, and two service authority comments.

The submissions are summarised in the table over page.

<b>Table 1 – Submission Table</b>		
<b>Submitter</b>	<b>Summary</b>	<b>TPI Comment</b>
1. Mal and Anne Humble	1a. Happy with structural component but concerned about the entry point.	Noted.
	1b. The speed limit and signs for this part of the Frankland-Cranbrook Road have recently changed to 50/110 kilometres with the signage moved further west from the where the old 60/90 kilometre sign stood.	Noted.
	1c. Since the speed sign has changed our observation is that around 60% of traffic into town do not reduce their speed until they pass Mason Street. This includes heavy haulage and commercial vehicles. Vehicles departing Cranbrook also seem to be exceeding the speed limit long before the sign.	Noted. This is a local traffic issue that the Shire may further investigate in liaison with police.
	1d. Our concern is only for the safety of those entering or leaving the facility.	Noted. The proposed driveway is on a straight length of road with clear sightlines.
2. Department of Health (DoH) WA	2a. No objection – with comments and/or recommended conditions and advice notes provided below. After reviewing the revised Site and Soil Evaluation report, the DoH has no objection to the proposal subject to the following conditions.	Non-Objection noted.
	2b. The proponent must complete and lodge an Application to Construct or Install an Apparatus for the Treatment of Sewage in accordance with the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i> .	This is required under separate legislation and is recommended as a footnote to any approval. TPI has provided CBH with the DoH advice.
	2c. The proposed land application area for the secondary treatment system is 1918m <sup>2</sup> as per the SSE report.	This can be included as a footnote, as separate approval for the waste water system is required.
	2d. It is noted that the plans included in the SSE report show leach drains. Please ensure that the separation between leach drains is 1.8 metres, not 1 metre. Please amend this before submitting the application to the DoH	As per 2b.
3. Water Corporation	3a. Water Supply	Water supply is discussed in the body of this report.



	<p>The subject area falls outside a planned water scheme area and therefore a reticulated potable water supply is not immediately available. As the subject land is rural it has not been considered for servicing from the current scheme.</p> <p>The proposed water reticulation extensions/strategy outlined in the report will need to be further refined by the developer's consultant engineers in consultation with our Land Servicing Section. On site storage may be required due to capacity in the current system.</p> <p>All water main extensions if required, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.</p>	
	<p>3b. Waste Water</p> <p>As the subject land is rural it falls outside a current planned sewerage district. The Water Corporation has not considered servicing this area.</p> <p>From a preliminary desktop review, the whole of Lot 1016 cannot gravitate into the existing system. If it can be serviced, major infrastructure would be required to service the whole of Lot 1016. But if only a portion of the lot needs to be serviced, that could be considered in a full wastewater scheme planning review.</p> <p>It is recommended if the developer wishes to consider connecting the development to reticulated sewerage, they engage a consultant engineer to provide a proposed servicing strategy to the Water Corporation for a formal review.</p>	<p>Waste water is discussed in the body of this report. On site effluent disposal is proposed.</p>
	<p>3c. This proposal will require approval by our Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.</p>	<p>Noted. TPI has provided CBH with a copy of the Water Corporation advice.</p>
	<p>3d. The developer is expected to provide all water and sewerage reticulation if</p>	<p>Noted. CBH is aware that they will have to</p>

	required. A contribution for water and sewerage headworks may also be required. In addition, the developer may be required to fund new works or the upgrading of existing works and protection of all works associated with the Water Corporation.	pay any necessary servicing costs.
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## Voting Requirements

Simple Majority

## OFFICER'S RECOMMENDATION

That Council:

- A. Note that the application has been advertised for public comment and three submissions were received as summarised in Table 1 in this report.
- B. Approve the application lodged by CBH for workers accommodation and associated facilities on Lot 1016 (on Diagram 108224) Cranbrook -Frankland Road, Cranbrook subject to the following conditions and footnotes:

1. The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
2. This approval is issued based on a proposed land use of workers accommodation and associated facilities.
3. Lodgement of a revised detailed landscaping and reticulation/watering plan shall be prepared to a professional standard and submitted to the Shire for separate written approval by the Chief Executive Officer.

The plan shall show by numerical code, the vegetation species, quantity and pot sizes of all plant types to be planted and shall include:

- Some advanced trees along the boundary fronting Cranbrook-Frankland Road;
- A combination of trees and shrubs capable of screening the development from nearby residential lots.

The plans shall be submitted within 6 months of this approval unless otherwise agreed to in writing by the Chief Executive Officer.

4. Landscaping, plants and any approved reticulation/watering devices (such as rainwater tanks) shall be installed in accordance with a landscaping and reticulation/watering plan approved by the Chief Executive Office, within 12 months of the issue of the issue of a Building Permit/approval or alternative time period agreed to in writing by the Chief Executive Officer.

The landscaping and reticulation/watering devices shall be maintained and the plants shall be nurtured and maintained until they reach their mature dimensions and shall thereafter be maintained at those mature dimensions unless the Chief Executive Officer approves otherwise in writing.

5. Any existing trees located adjacent to the Frankland-Cranbrook front lot boundary or in the road verge adjacent to the subject land ('street trees') are not to be damaged or removed in the course of, and for the life of, the development.
6. A sealed carparking area with capacity to accommodate a minimum of 31 carparking bays is to be provided and maintained to a trafficable standard on site to the satisfaction of the Shire's Chief Executive Officer in accordance with the plans submitted and/or approved in accordance with Condition 1.
7. A trafficable driveway and sealed crossover shall be installed and constructed on site within 6 months of the issue of a building permit or alternative time period agreed to in writing by the Chief Executive Officer.
8. The driveway shall be constructed and maintained to a trafficable standard to the satisfaction of the Chief Executive Officer.
9. Lodgement of a revised Stormwater Management Plan and/or Addendum to the Stormwater Management Plan prepared by a suitably qualified engineering consultant that includes the following information:
  - Inputs such as coefficient of runoff, mannings n coefficient, time of concentration calculation, storm event in mm/hr and the contributing catchment;
  - Confirm the 15mm infiltration loss matches the 0.1m/day permeability capability of the soils;
  - The catchment area for simple cross-checking of basin sizing; and
  - A review of the basin design; and
  - Demonstration that the design maintains pre-development flow rates.

A revised Stormwater Management Plan and/or Addendum to the Stormwater Management Plan shall be lodged to the Shire for separate written approval by the Chief Executive Officer.
10. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains, soak wells or basin(s) shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into road reserve.
11. No storage shall be carried in the front setback area (between the front building line and the street frontage).
12. The development to be connected to a reticulated water supply prior to occupation.
13. All structures and buildings shall be new as stated in the application. This is not an approval for the use of any second hand structures or materials.
14. If the development the subject of this approval is not substantially commenced within a period of 3 years, the approval shall lapse and be of no further effect.

**Footnotes:**

- (a)** This is not an approval for any signage. A separate planning application is to be lodged for any proposed signs. CBH is requested to consider the erection of safety signage to alert road users that there will be traffic entering and departing the site.
- (b)** The proponent must complete and lodge an Application to Construct or Install an Apparatus for the Treatment of Sewage in accordance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* for separate approval.

The Department of Health (DoH) Western Australia has advised that:

- The proposed land application area for the secondary treatment system needs to be 1918m<sup>2</sup> as per the Site and Soil Evaluation report.
- The separation between leach drains needs to be 1.8 metres, not 1 metre as indicated. This needs to be amended prior to submitting any application to the DoH.
- 
- (c)** CBH will need to lodge an application/written proposal to the Shire for separate approval prior to construction of any crossover.
- (d)** CBH is requested to liaise with the Shire over traffic management prior to the commencement of any on site works or construction.

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**10.2.2 GILLAMII CENTRE – FUNDING AGREEMENT**

**RESPONSIBLE OFFICER:** Linda Gray – Chief Executive Officer  
**REPORT AUTHOR:** Jenny Cristinelli – Community Development Manager  
**FILE REFERENCE:** R25331  
**APPLICANT:** Nil  
**DATE OF REPORT:** 2 September 2025  
**ATTACHMENTS:** Gillamii Centre Funding Agreement

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**Purpose**

The purpose of this report is for the Council to consider renewing the funding agreement for the Gillamii Centre.

**Background**

At the 20 July 2022 meeting of Council, it was resolved that Council:

1. **Endorse the attached funding agreement and associated funding commitments for the Gillamii Centre Inc. for the next three years; and**
2. **Authorise the Chief Executive Officer to execute the attached funding agreement described above.**

**Officer's Comment**

It is considered best practice for all community organisations that receive funding from the Shire to have similar funding agreements that are for a set period of time. This enables all parties to regularly review the agreements to ensure they continue to work for both parties, as well as outlining some key performance indicators (KPI's) to ensure the Council's expectations are being met.

The Gillamii Centre has had three funding agreements over the past nine years. These agreements have operated very well, and an annual presentation given to the Council to keep them informed of what is happening and how the Shire's funds are being spent. All reporting requirements are provided to the Shire within the timeframe requested.

The Gillamii Centre has received \$60,000 per annum to operate the Gillamii Centre as part of the agreements over the past six years. The last increase of \$10,000 was approved by council in June 2019.

To ensure the Gillamii Centre is able to provide the best Landcare and environmental outcomes for the Shire of Cranbrook, I recommend an increase to the proposed funding, which has been placed in the agreement. The increase of funds would assist with the increase of the CPI, services and delivery costs, from the past six years and assisting with moving forward with the next three-year agreement.

**Statutory Environment**

There is no specific legislation applicable to this report.

**Financial Implications**

The total cost of the matters in this report is anticipated to be \$216,000 spread over the 2025/2026, 2026/2027 and 2027/2028 financial years.

The required funds for the 2025/2026 financial year will come out of budget expenses, which will create a shortfall of \$12,000 for the 2025/2026 financial budget.

### **Risk Implications**

The risks associated with matters in this report are:

- Misconduct
- Inadequate Environmental Management
- Business and Community Disruption
- External Theft and Fraud
- Errors, Omissions and Delays
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes
- Inadequate Engagement Practices

The **impacts** of the risk are: Financial, Service Interruption, Non-Compliance, Reputational, Natural Environment

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

The **likelihood** is: Possible

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

### **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 1.1:** A community and enterprise safety and security system.

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

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

**Outcome 12 – Brand:** A growing distinguishable regional brand.

**Deliverable 12.1:** A defined brand which is translated consistently across the region and is celebrated as a community.

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

**Outcome 14 – Environment:** A connected community driving a united contribution to the environment both locally and globally.

**Deliverable 14.1:** A well-defined and talked about environmental point-of-difference for the Shire of Cranbrook.

**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 Shire of Cranbrook CEO, Community Development Manager and Gillamii staff and board member.

**Voting Requirements**

***Absolute Majority***

**OFFICER'S RECOMMENDATION**

**That Council:**

- 1. Approves a budget amendment to increase materials and contracts by \$12,000 to enable the additional expense for the lease agreement.**
- 2. Considers adjusting other areas of expenditure as part of the 2025/2026 mid-year budget process to ensure the Shire's total budget remains in balance.**
- 3. Endorse the attached funding agreement and associated funding commitments for the Gillamii Centre Inc. for the next three years; and**
- 4. Authorise the Chief Executive Officer to execute the attached funding agreement described above.**

<b>10.2.3</b>	<b>DELEGATION REGISTER – ADDITION TO DELEGATION 1.0</b>
<b>RESPONSIBLE OFFICER:</b>	Linda Gray – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Judy Stewart – Manager Human Resources and Administration
<b>APPLICANT:</b>	N/A
<b>FILE REFERENCE:</b>	GO20
<b>DATE OF REPORT:</b>	8 September 2025
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. 2025 Delegations Register - Delegation 1.0 – Delegations of Powers and Duties to the CEO</li> <li>2. Council Policy 2.24 Workforce – Appointment of Acting Chief Executive Officer</li> </ol>

### **Purpose**

The purpose of this report is for the Council to consider the addition of the Community Development Manager (CDM) role under sub-delegation of *Delegation 1.0 – Delegations of Powers and Duties to the CEO*, within Council’s Delegations Register.

### **Background**

Section 5.42 of the *Local Government Act 1995 (Act)* provides that a Council may delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the *Act*, other than those referred to in s. 5.43.

There are a range of powers and duties delegated to the CEO in accordance with the powers provided by s. 5.42 (1) (a) and (b) of the *Act*.

Section 5.46 (2) of the *Act* requires that these delegations be reviewed at least once every financial year. The Shire of Cranbrook delegations were last reviewed by Council in June 2025.

### **Officer’s Comment**

Whilst sub-delegations from a CEO to an employee are operational, Council Policy 2.24 *Workforce – Appointment of Acting Chief Executive Officer* (Policy 2.24) states that any decision regarding the appointment of an A/CEO for a timeframe in excess of four (4) weeks is to be made by Council (or, in the case of unexpected unavailability of the CEO, the Shire President for appointments of up to two weeks’ duration). In this instance, Council deliberation is sought as Delegation 1.0 of Council’s Delegation Register applies to both the CEO and employees who may take on the role of Acting CEO (A/CEO) in the CEO’s absence.

The CDM role was previously noted as an A/CEO role in Council’s 2024 Policy Manual (Manual) and the current CDM has, since the Manual’s 2024 review, undertaken the A/CEO role in conjunction with the then Manager of Finance (for approximately two weeks each).

Including the CDM role within Delegation 1.0 formally meets delegation requirements for the CDM to continue to be able to act in the CEO position. Council Policy 2.24 was updated at Council’s 2025 review of its Policy Manual and no longer states actual roles able to act in the CEO position but, rather, that the CEO, President or Council will appoint a suitably qualified and experienced employee in accordance with the circumstances noted above.

Having four management roles sub delegated to act in the A/CEO position also better caters for occasions when the CEO position may unexpectedly require coverage for an extended duration and/or at short notice and when managers may already be absent (for example, on leave).



It also enables the acting CEO role to be shared amongst delegated managers for shorter timeframes per person for ease of enabling existing role priorities to continue to be met, in addition to providing an opportunity for all managers to gain more experience at the CEO level.

### **Statutory Environment**

Section 5.42 of the *Act* provides that Council may delegate powers to the CEO except those referred to in s. 5.43 of the *Act*.

Section 5.46(2) of the *Act* requires all delegations to be reviewed at least once each financial year.

### **Policy Applicable – Implications**

Council Policy 2.24 Workforce – Appointment of Acting Chief Executive Officer.

### **Financial Implications**

There are no financial implications for this report.

### **Risk Implications**

#### **Risk Implications**

The risks associated with matters in this report are:

- Misconduct
- Errors, Omissions and Delays

The **impacts** of the risk are: Service Interruption, 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 having clear and appropriate delegations from Council to the CEO and from the CEO to staff is an important part of the overall governance framework. This process allows a shire to conduct business in an efficient manner and provides overall accountability for the decision-making processes. Risk mitigation includes consultation with staff.

### **Strategic Community Plan Reference**

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

#### **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**

Nil

### **Voting Requirements**

***Absolute Majority***

### **OFFICER'S RECOMMENDATION**

That Council approves the addition of the role of Community Development Manager under the sub delegation of *Delegation 01 – Delegation of Powers and Duties to the CEO* in Council's Delegation Register, as presented at Attachment 1.

<b>10.2.4</b>	<b>LICENCE – FIRE AND EMERGENCY SERVICES MINISTERIAL BODY - COMMUNICATIONS TOWER, HUT AND LAND – 582 FRANKLAND-KOJONUP ROAD, FRANKLAND RIVER</b>
<b>RESPONSIBLE OFFICER:</b>	Linda Gray – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Judy Stewart – Manager HR and Administration
<b>FILE REFERENCE:</b>	A9687
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	8 September 2025
<b>ATTACHMENTS:</b>	1. Licence – Fire and Emergency Services Ministerial Body - Communications Site, 582 Frankland-Kojonup Road, Frankland River

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### **Purpose**

The purpose of this report is for the Council to consider a licence with Fire and Emergency Services (FES) for the use of the bushfire brigade telecommunications tower and the hut housing communications equipment on the land that is Lot 25, Deposited Plan 410954 (Plan), 582 Frankland-Kojonup Road, Frankland River.

### **Background**

In October 2021, Australian Corporate Property and Projects (ACORPP), acting for FES, contacted the Shire requesting to sub-lease the communications tower, hut and land at 582 Frankland-Kojonup Road, Frankland River.

To sub-lease the tower to FES, the Shire needed to have a current lease agreement in place with the owners of the property, as FES will not lease from a private party. The Shire of Cranbrook (Shire) previously leased 582 Frankland-Kojonup Road from Wayne Swiney and now has a lease agreement (expiring 22 November 2042) with current property owners Warwick Howard and Andrew Murray (Lessors). The telecommunications tower and the hut housing communications equipment is owned and maintained by the Shire.

The communications tower at 582 Frankland-Kojonup Road is one of two towers the Shire is responsible for and is used by the Shire and bushfire brigades. As such, it is an essential part of the Shire's infrastructure and emergency management.

### **Officer's Comment**

The Department of Fire and Emergency Services (DFES) has drafted a licence (see attachment 1) for DFES's use of the communications tower, hut and associated area and wishes to progress finalising this licence with the Shire. DFES has included the Chief Executive Officer of the Shire as the officer any notices are addressed to the attention of (at clause 18.2) and attached a copy of the Plan of the land, as requested by Shire officers.

Lease arrangements and licences ensure all parties are aware of their responsibilities and expectations.

### **Statutory Environment**

Section 41. of the *Bush Fires Act 1954:41. Bush fire brigades*

- (1) *For the purpose of carrying out normal brigade activities a local government may, in accordance with its local laws made for the purpose, establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.*

### **Policy Applicable – Implications**

Policy 6.0: Emergency Services - Bushfire Control

### **Financial Implications**

The Shire will be responsible for the general maintenance of the site, estimated at approximately \$500 per year.

### **Risk Implications**

The risks associated with matters in this report are:

- Business and Community Disruption
- Failure of IT and or Communication Systems and Infrastructure
- Inadequate Document Management Processes
- Inadequate Asset Sustainability Practices

The **impacts** of the risk are: People, Financial, Service Interruption, Non-Compliance, Reputational, Property, Natural Environment

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 having current lease and licence arrangements in place clearly stating each party's responsibilities and ongoing asset management/maintenance requirements.

### **Strategic Community Plan Reference**

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

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

**Outcome 2 - Utilities:** A strong base for modern living with adequate amenities such as water, energy, roads and digital.

**Deliverable 2.2:** A long-term plan for equitable digital connectivity for increased safety and remote working.

#### **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**

Senior Property Consultant, ACORPP  
Former Manager of Finance

### **Voting Requirements**

Absolute Majority

### **OFFICER'S RECOMMENDATION**

That Council authorises the execution of the licence, as presented, with Fire and Emergency Services Ministerial Body for use of the communications tower, hut, and area of associated land at Lot 25 on Deposited Plan 410954, 582 Frankland-Kojonup Road, Frankland River.

**10.3 WORKS**

**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**

**14. CLOSURE OF MEETING**

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