

COUNCIL MEETING

MINUTES



For the Ordinary Meeting of Council held on

16 JULY 2014

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MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Pope declared the meeting open at 3.12pm. The Shire President alerted the meeting to the procedures for emergencies including evacuation, designated exits and muster points.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

ATTENDANCE

President	Cr JC (Jan) Pope
Deputy President	Cr JT (Twynam) Cunningham
Councillors	Cr WA (Winston) Griffiths
	Cr P (Peter) Denton
	Cr CY (Colin) Egerton-Warburton
	Cr PM (Peter) Beech
	Cr DJ (David) Adams
	Cr ER (Ruth) Bigwood
	Cr TC (Tom) Standish

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

Members of the Public	Nil
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LEAVE OF ABSENCE

Nil

APOLOGIES

Manager of Economic & Community Development	Mrs CM (Cas) Stipanicev
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3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

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

Bill Hart

A moments silence was observed as a mark of respect.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

No members of the public were in attendance

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS, DEPUTATIONS, PRESENTATIONS, SUBMISSIONS

Nil

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 18 JUNE 2014

Motion 01072014

Moved Cr Adams, seconded Cr Denton that the minutes from the ordinary meeting of Council held on 18 June 2014, be confirmed as a true and correct record.

Carried 9/0

10. REPORTS OF OFFICERS

10.1 FINANCE & ADMINISTRATION

10.1.1 SUBJECT

LIST OF PAYMENTS

RESPONSIBLE OFFICER: Trish Standish
Manager of Finance and Administration

REPORT AUTHOR: Jessica Morton
Finance Officer

FILE REFERENCE: FM2

APPLICANT: N/A

DATE OF REPORT: 8 July 2014

ATTACHMENTS: List of Payments -
6 June 2014 to 8 July 2014

Purpose

The purpose of this report is to advise the Council of payments made during the period 6 June 2014 to 8 July 2014.

Background

Nil

Officers Comment

Nil

Statutory Environment

Local Government (Financial Management) Regulation 13 states:

13. List of accounts

(1) If the local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the Chief Executive Officer is to be prepared each month showing for each account paid since the last such list was prepared:

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

Policy Applicable – Implications

Council Policy 4.8 – 'Purchasing', states that:

"The Chief Executive Officer is delegated authority to make payments from the Municipal Fund or the Trust Fund. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:

- a) The payee's name*
- b) The amount of the payment*

- c) *The date of the payment*
- d) *Sufficient information to identify the transaction.*

The list referred to above is to be presented to the Council at each ordinary meeting of the Council and is to be recorded in the minutes of the meeting at which it is presented.

It is considered appropriate to delegate this authority to the Chief Executive Officer as the payment of accounts is the final process after debts have been incurred through other processes and systems in place.”

Financial Implications

There are no financial implications for this report.

Risk Implications

The risk associated with this report is mitigated by 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 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

Aspiration 5.0: by 2023 the Shire of Cranbrook will demonstrate, Strong Governance, Leadership and Organisational Growth

Objective: 5.4 Demonstrate Sound Financial Planning and Management

Strategy: 5.4.2 Responsible and Accountable Financial Management

Consultation

Consultation was not required for this report.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 02072014

Moved Cr Griffiths, seconded Cr Cunningham that the payment of accounts totalling \$501,047.84 as per the attachment be noted:

- **Electronic Funds Transfers EFT 4699 to EFT 4819 - \$379,030.11;**
- **Municipal Fund Cheque No's 11380 – 11408 - \$28,783.13;**
- **Internal Account Transfers (Payroll) - \$91,555.99;**
- **Corporate Credit Card - \$1,678.61**

Carried 9/0

10.1.2 SUBJECT

MONTHLY FINANCIAL STATEMENTS

RESPONSIBLE OFFICER:	Trish Standish Manager of Finance and Administration
REPORT AUTHOR:	Trish Standish Manager of Finance and Administration
FILE REFERENCE:	FM12
APPLICANT:	N/A
DATE OF REPORT:	4 July 2014
ATTACHMENTS:	Financial Statements June 2014

Purpose

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 30 June 2014.

Background

The Local Government (Financial Management) Regulations 1996 require the preparation of monthly financial statements and presentation of these statements to the Council.

Officers Comment

It is important to note that these financial statements **do not** represent final 2013/2014 financial year figures. They have not been audited and as they were prepared shortly after June 30, there may be some June 30 financial transactions still to be entered.

The June financial statements report on 12 months, or 100% of the financial year. It is worthy to note:

- The 'Municipal Fund Summary' on page 2 shows that we have raised 100% of our expected operating income;
- The 'Municipal Fund Summary' on page 2 shows that we have spent 100% of the budgeted operating expenditure for the year;
- The 'Municipal Fund Summary' on page 4 shows a net current assets position of \$368,402 (surplus), which is mainly made up of cash on hand; and
- The 'Variance Report' on page 9 and 10 defines the major variances between budget and actual figures as required by the regulations.

Statutory Environment

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

Policy Applicable – Implications

Council Policy 4.1 Defining Material Variances, states that:

When dividing the actual figures with the annual budget figure, a variance of plus or minus 10% of the percentage of the year elapsed will be reported. In addition, a variance must be greater than \$1,000 to be reported.

Financial Implications

Whilst the financial statements report on the current position of the Council, the adoption of the recommendation below does not have a financial impact.

Risk Implications

The risk associated with this report is mitigated by 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 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

Aspiration 5.0: By 2023 the Shire of Cranbrook will demonstrate, Strong Governance, Leadership and Organisational Growth

Objective: 5.4 Demonstrate Sound Financial Planning and Management

Strategy: 5.4.2 Responsible and Accountable Financial Management

Consultation

Consultation was not required for this report.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 03072014

Moved Cr Cunningham, seconded Cr Griffiths that the attached financial statements for the period ending 30 June 2014 be noted.

Carried 9/0

10.1.3 SUBJECT

FEES AND CHARGES 2014/2015

RESPONSIBLE OFFICER:	Trish Standish Manager of Finance and Administration
REPORT AUTHOR:	Trish Standish Manager of Finance and Administration
FILE REFERENCE:	FM11
APPLICANT:	N/A
DATE OF REPORT:	4 July 2014
ATTACHMENTS:	2014/2015 List of Fees & Charges (part of the Budget document)

Purpose

The purpose of this report is to adopt the list of fees and charges for the 2014/2015 financial year.

Background

The Council is required to adopt a list of fees and charges annually.

Officers Comment

The draft list of fees and charges has undergone extensive scrutiny to ensure all fees and charges that are currently being imposed are listed.

Statutory Environment

Section 6.15 to 6.19 of the Local Government Act (1995) legislates the imposition of fees and charges for a local government. Section 6.19 of this Act requires a local government to advertise the imposition of fees and charges that are not included in the annual budget.

Policy Applicable – Implications

Council Policy 4.11 Fees and Charges - Application relates to this report.

Financial Implications

The list of fees and charges, when adopted, sets the level of many revenue items contained within the budget. Significant consideration needs to be given when setting each fee and charge and the effect that it will have on the usage of that facility and the total revenue level obtained.

Risk Implications

The risk associated with matters in this report is mitigated by ensuring the fees and charges set by the Council are appropriate for each service that is provided.

Strategic Community Plan Reference

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

Aspiration 5.0: By 2023 the Shire of Cranbrook will demonstrate, Strong Governance, Leadership and Organisational Growth

Objective: 5.4 Demonstrate Sound Financial Planning and Management
Strategy: 5.4.2 Responsible and Accountable Financial Management

Consultation

Consultation for this report included the Senior Management Team.

VROC Implications

There are no VROC implications for this report.

Voting Requirements

Absolute Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 04072014

Moved Cr Denton, seconded Cr Adams that the list of fees and charges contained within the 2014/2015 budget be adopted.

Carried 9/0
By Absolute Majority

10.1.4 SUBJECT	PROPERTY RATES 2014/2015
RESPONSIBLE OFFICER:	Trish Standish Manager of Finance and Administration
REPORT AUTHOR:	Trish Standish Manager of Finance and Administration
FILE REFERENCE:	FM6
APPLICANT:	N/A
DATE OF REPORT:	8 July 2014
ATTACHMENTS:	Nil

Purpose

The purpose of this report is to set the property rates and associated conditions for the 2014/2015 financial year.

Background

Nil

Officers Comment

Level of Rates

Following the guidance of Council from the draft budget workshop, a rate increase of 4.5% for both UV (Rural) properties and GRV (townsite) properties has been factored into the budget. The minimum rate has been increased to \$475.00, an increase of \$25.00.

Discount

Section 6.12 (1)(a) permits a local government to grant a discount or incentive for the early payment of money which is owed to the Council. At the 19 June 2013 meeting of Council it was resolved:

“That:

- 1. The Council no longer offer any discount for the early payment of rates; and**
- 2. The amount that would have been offered as discount be transferred to a new reserve account titled ‘Rate Discount Reserve’ to be used for assisting to fund improvements to existing and new community facilities.”**

Incentive

The Council has previously offered incentive prizes to encourage the early payment of rates. Only ratepayers who have paid their rates in full and by 5 September 2014 will be entered into the draw. For the 2014/2015 year, the following prizes are on offer:

- 1st Refund of property rates up to the value of \$1,000
- 2nd A \$200 cheque from Great Southern Community Financial Services, Tambellup Cranbrook Community Bank.
- 3rd 1 double pass to the Saturday 15 November 2014 *Sibelius’ Violin Concerto* concert valued at \$184.00. Donated by WA Symphony Orchestra.
- 4th 1 double pass to the Saturday 15 November 2014 *Sibelius’ Violin Concerto* concert valued at \$184.00. Donated by WA Symphony Orchestra.
- 5th Picnic Set and Rug valued at \$85.00. Donated by Act Belong Commit.

Instalments

It is recommended to the Council that it continue to offer the following three payment options as in previous years.

1. To pay the total rates and charges included on the rate notice in full by the 35th day after the date of issue of the rates notice; or
2. To pay by two equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the second instalment four calendar months after this date.
3. To pay by four equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the remainder at two calendar month intervals after this date.

Instalment Fee

It is recommended that an instalment fee of \$5.00 be charged for each instalment reminder issued after the first instalment is paid. This is the same as that charged in 2013/2014.

Interest on Instalments

It is recommended that the maximum interest rate of 5.5% per annum be applied to instalment payments. Again, this is consistent with the previous year's charge and statutory requirements.

Late Payment Penalty Interest

It is recommended that the Council adopt a late payment penalty interest of 11% per annum. It is proposed that the late payment penalty interest will apply to rates that remain unpaid where no election was made to pay the rate by instalments and on overdue instalment payments where an election was made to pay by instalments. Again, this is consistent with the previous year's charge and statutory requirements.

Statutory Environment

Section 6.25 to 6.82 of the Local Government Act 1995 and Sections 52 to 78 of the Local Government (Financial Management) Regulations relate to property rating requirements and procedures.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

The property rates proposed have been established on the basis of delivering a balanced budget.

Risk Implications

The risks associated with matters in this report are;

Compliance Risk is mitigated by the adoption of Property Rates consistent with regulation.

Financial Risk is mitigated by ensuring that property rates are set consistent with the requirements of the budget and delivery of the Strategic Community Plan.

Strategic Community Plan Reference

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

Aspiration 5.0: By 2023 the Shire of Cranbrook will demonstrate, Strong Governance, Leadership and Organisational Growth

Objective: 5.4 Demonstrate Sound financial planning and management

Strategy: 5.4.2 Responsible and accountable financial management

Consultation

Consultation for this report included the Council and Senior Management Team.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Absolute Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 05072014

Moved Cr Egerton Warburton, seconded Cr Denton that:

- 1. Interest on the rate instalment option be set at 5.5% and an administration charge of \$5.00 per instalment (excluding the first instalment) be raised;**
- 2. Late payment penalty interest on overdue rates be set at 11%. This penalty interest charge to apply to all overdue property rates and rubbish collection charges;**
- 3. A prize draw be conducted as an incentive for the prompt payment of property rate accounts, with prizes consisting of various prizes as donated;**
- 4. The Council provide first prize of a refund of property rates up to the value of \$1000 for the incentive prize scheme; and**
- 5. That the rate in the dollar and minimum rate for property rates be as follows:**

	Cents in the \$	Minimum Rate
Gross Rental Value	10.225	\$475.00
Unimproved Value	0.8533	\$475.00

Carried 9/0
By Absolute Majority

10.1.5 SUBJECT

BUDGET ADOPTION 2014/2015

RESPONSIBLE OFFICER:	Trish Standish Manager of Finance and Administration
REPORT AUTHOR:	Trish Standish Manager of Finance and Administration
FILE REFERENCE:	FM6
APPLICANT:	N/A
DATE OF REPORT:	8 July 2014
ATTACHMENTS:	2014/2015 Draft Annual Budget (separate attachment)

Purpose

The purpose of this report is to adopt the 2014/2015 Annual Budget.

Background

The Local Government Act, 1995, requires each Local Government to prepare a budget each financial year. The form, manner and content of the budget are prescribed in the Act and the Financial Management Regulations. Council must adopt its budget by an Absolute Majority no later than 31st August in the budget year unless the Minister for Local Government has granted an extension.

The Council has been working on the components of the 2014/2015 Annual Budget for a number of months now, including the consideration of fees and charges and property rating details. The Council workshop held in June has enabled a detailed analysis of the draft budget by staff and elected members.

The previous items in this agenda have dealt with the major items in the budget and have been adopted individually as required by the Local Government Act. These included the List of Fees & Charges and Property Rates.

Officers Comment

Council has met previously in workshop forums to consider a draft budget, which has formed the basis of the final document. The draft annual budget for 2014/2015 has been prepared in accordance with the Local Government Act 1995 and is attached for consideration and final adoption.

Council has been consulted during budget workshops to assess the priorities of proposed capital works, road construction, plant replacement, abnormal operating items, reserve transfers and rate increase levels.

Statutory Environment

Section 6.2 of the Local Government Act (1995) requires a local government to prepare and adopt (by absolute majority) an annual budget prior to 31 August in each year.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

The adopted budget of the Council sets the financial direction for the proceeding financial year.

Risk Implications

The risk/s associated with matters in this report are;

Compliance Risk is mitigated by the adoption of an annual balanced budget by 31 August each year.

Financial Risk is mitigated by ensuring the delivery of the Strategic Community Plan by adopting sound financial management and planning through a balanced budget.

Strategic Community Plan Reference

The annual budget reflects the second year of the programs and projects identified in the 2013 – 2017 Corporate Business Plan which in turn reflects the aspirations contained within 2013 – 2023 Strategic Community Plan. Programs and projects are reviewed annually and are delivered inside of budgetary requirements.

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

Aspiration 5.0: By 2023 the Shire of Cranbrook will demonstrate, Strong Governance, Leadership and Organisational Growth

Objective: 5.4 Demonstrate Sound financial planning and management

Strategy: 5.4.2 Responsible and accountable financial management

Consultation

Consultation for this report included the Council and Senior Management Team.

VROC Implications

There are a number of specific items contained within the budget document that relate directly to the VROC. These are clearly identified within the document.

Voting Requirements

Absolute Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 06072014

Moved Cr Cunningham, seconded Cr Griffiths that the attached 2014/2015 Annual Budget be adopted.

**Carried 9/0
By Absolute Majority**

10.2 GOVERNANCE & EXECUTIVE SERVICES

10.2.1 SUBJECT	DUAL FIRE CONTROL OFFICERS - APPOINTMENT – SHIRE OF BROOMEHILL-TAMBELLUP
RESPONSIBLE OFFICER:	Trish Standish Manager of Finance and Administration
REPORT AUTHOR:	Toni Melia Emergency Services and Recreation Officer
FILE REFERENCE:	BF4
APPLICANT:	Shire of Broomehill-Tambellup
DATE OF REPORT:	24 June 2014
ATTACHMENTS:	Nil

Purpose

The purpose of this report is to consider the appointment of dual Fire Control Officer's with the Shire of Broomehill-Tambellup.

Background

A request has been received from the Shire of Broomehill-Tambellup for the dual appointment of:

- Nick Lockyer
- Kim Oliver
- Andrew Leonhardt

as Fire Control Officers with the Shire of Cranbrook.

Officers Comment

Dual Fire Control Officers are appointed to exercise relevant powers under the Bush Fire Act 1954 for fire incidents occurring in the area of adjoining local government boundaries. The role of a Dual Fire Control Officer is to take control of a fire until a Fire Control Officer from that Local Government arrives onsite.

Statutory Environment

Section 40 of the Bush Fires Act 1954 states:

“Local governments may join in appointing and employing bush fire control officers:

- (1) Two or more local governments may by agreement join in appointing, employing and remunerating bush fire control officers for the purposes of this Act.
- (2) Bush fire control officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local governments which have joined in appointing them.”

Policy Applicable – Implications

Council Policy 6.0 - Bush Fire Control, section 11 relates to this report.

“Dual Registered Bush Fire Control Officers

The powers of Bushfire Control Officers registered with adjoining Shires, seeking appointment within the Shire of Cranbrook shall be restricted so as to prevent them from issuing burning permits for property within the Shire of Cranbrook.”

Financial Implications

There are no financial implications for this report.

Risk Implications

There are no risks associated with this report.

Strategic Community Plan Reference

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

Aspiration 1.0: By 2023 the Shire of Cranbrook will be respected for its Friendly, Vibrant, Connected and Safe Communities

Objective: 1.4.2 Support strong community interaction with emergency organisations

Strategy: 1.4.2.1 Continue to support emergency services

Consultation

Consultation was not required for this report.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 07072014

Moved Cr Denton, seconded Cr Adams that:

- **Nick Lockyer**
- **Kim Oliver**
- **Andrew Leonhardt**

from the Shire of Broomehill-Tambellup be appointed as Dual Fire Control Officers for the Shire of Cranbrook in accordance with Council Policy 6.0.

Carried 9/0

10.3 WORKS

10.3.1 SUBJECT	DOG / LOCAL LAW – APPLICATION FOR ADDITIONAL DOG – 19 GORDON STREET, CRANBROOK
RESPONSIBLE OFFICER:	Jeff Alderton Manager of Works
REPORT AUTHOR:	Jeff Alderton Manager of Works
FILE REFERENCE:	A215
APPLICANT:	Scott and Sue Wearing
DATE OF REPORT:	7 July 2014
ATTACHMENTS:	Letter of Request

Purpose

The purpose of this report is for Council to consider a request to allow an additional dog at 19 Gordon Street Cranbrook.

Background

The Manager of Works was made aware of excessive barking from the property at 19 Gordon Street Cranbrook. The Ranger was asked, whilst undertaking other duties in relation to dogs, to investigate the property. Upon investigation it was found that there were three (3) unlicensed dogs housed at this property. The owners were advised that the Shire's Local Laws and the Dog Act states that only two (2) dogs are allowed in a town residence and that approval is required from the Shire to house a third dog.

Subsequent to the visit from the Ranger all three dogs have been licensed and are in the process of being micro chipped and a letter was received to apply for permission to house a third dog.

Officers Comment

The Manager of Works has investigated the property and conversed with the owners regarding their request and has found the Wearing's appear to be responsible pet owners and there is adequate evidence that the dogs are housed and secured as per their correspondence to Council.

The owners have verbally advised the Manager of Works of their intention to move to their property at Salt River Road however this is not mentioned in their correspondence. It is noted that as there is no building application in progress it could be sometime before the owners can relocate.

Statutory Environment

Section 26 of the Dog Act of 1976, states that: A local government may, by a local law under this Act-

26. Limitation as to numbers

(1) The provisions of this Part shall not operate to prevent the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age.

(2) Subject to subsection (1), a local government, pursuant to local laws, may limit the number of dogs over the age of 3 months, or the number of such dogs of any specified breed or kind, that may be kept on any premises situate in a specified area to which those local laws apply unless those premises are licensed as an approved kennel establishment or are exempt.

(3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;
- (b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and
- (c) may be revoked or varied at any time.

(4) Subject to the provisions of subsection (3), a person who keeps on any premises, not being premises licensed as an approved kennel establishment, dogs over the age of 3 months in numbers exceeding any limit imposed in relation to those dogs by a local law made under subsection (2) commits an offence. Penalty: \$1 000 and a daily penalty of \$100.

(5) Any person who is aggrieved —

- (a) by the conditions imposed in relation to any exemption from the provisions of a local law placing a limitation on the number of dogs that may be kept on any premises; or
- (b) by the refusal of a local government to grant such an exemption, or by the revocation of an exemption, apply to the State Administrative Tribunal for a review of the decision.

(6) An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.

and;

The Shire of Cranbrook's Dogs Local Law states;

3.2 Limitation on the number of dogs

(1) This clause does not apply to premises which have been —

- (a) licensed under part 4 as an approved kennel establishment; or
- (b) granted an exemption under 26(3) of the act.

(2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act —

- (a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or
- (b) 6 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside the townsites of Cranbrook and Frankland.

Policy Applicable – Implications

There are no Council Policy implications for this report.

Financial Implications

There are no financial implications for this report.

Risk Implications

The risk/s associated with matters in this report are;

Compliance – to mitigate the risk of non-compliance the Council refers its decision to the Local Law and Dog Act of 1976

Reputational – It is imperative that regard is paid to Local Laws to maintain the amenity of living in a townsite. The risk of setting a precedent to increase the number of dogs in residential properties is contrary to the intent of the Local Law.

Strategic Community Plan Reference

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

Aspiration 1.0: By 2023 the Shire of Cranbrook will be respected for its Friendly, Vibrant, Connected and Safe Communities

Objective: 1.4 Create a safe place to live

Strategy: 1.4.3 Facilitate community health and wellbeing

Consultation

Consultation for this report included a meeting with the owners of the dogs and their immediate next door neighbour.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 08072014

Moved Cr Standish, seconded Cr Adams the applicants be advised that;

- 1. Permission is granted for the following dogs 1 x Shitzu/Maltese Terrier (F), 1 x German Shepherd (M), and 1 x Border Collie/Kelpie/Labrador (M) to be kept at 19 Gordon Street Cranbrook for a period of six months to expire on 16 January 2015 with no further extension;**
- 2. If any of the dogs listed in 1. above are the subject of a formal complaint to Council this permission will be revoked by the Chief Executive Officer; and**
- 3. This permission is not transferrable to any dog other than those listed in 1. above or any other townsite property.**

Carried 9/0

**ATTACHMENT
LETTER OF REQUEST**

27/6/2014

To whom it may concern,

I Scott and Sue Wearing do ask for permission to own THREE domestic dogs at our property in 19 Gordon Street, Cranbrook. The property is 3750m² in size (almost an acre), and is fully fenced, with a separate enclosed dog yard with access via the back door and two gates. In the very near future we plan to install a new colorbond fence at the rear of our block, parallel to the lane way. An inspection is welcome prior to approval to having three dogs residing at this property. These dogs are recently registered to Cranbrook shire but yet to be micro chipped.

The dog breeds are; 1 x Shitzu/Maltese terrier (F), 1 x German Sheppard (M), and 1 x Border Collie/Kelpie/Labrador (M).

We understand that two dogs are only permissible to own, and therefor seek permission and approval to own three.

Yours Sincerely,

Scott and Sue Wearing

10.4 ECONOMIC & COMMUNITY

Nil

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

Nil

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

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. CLOSURE OF MEETING

There being no further business to discuss, the Shire President, Cr Pope declared the meeting closed at 3.25pm.