

COUNCIL MEETING

MINUTES



For the Ordinary Meeting of Council held on

16 September 2015

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MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Pope declared the meeting open at 3.07pm. 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 Economic & Community Development	Ms CM (Cas) Hughes
Manager of Works	Mr JE (Jeff) Alderton

Members of the Public Three

LEAVE OF ABSENCE

Nil

APOLOGIES

Nil

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:

Mrs Madge Hilder
Mr Ken Spratt
Ms Lorraine Woulfe

A moments silence was observed as a mark of respect.

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTION TIME

Nil

5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DISCLOSURE OF INTEREST

Cr P Denton

Item: 10.4.1

Type: Section 5.61 Local Government Act 1995

Nature: Member of Cranbrook Community Men's Shed

Cr JC Pope

Item: 10.4.1

Type: Section 5.60A Local Government Act 1995

Nature: Owner of the Property (52 Grantham Street Cranbrook)

Mr Peter Northover

Item: 10.4.1

Type: Section 5.61 Local Government Act 1995

Nature: Member of Cranbrook Community Men's Shed

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 19 August 2015

Motion 01092015

Moved Cr Denton, seconded Cr Griffiths that the minutes from the ordinary meeting of Council held on 19 August 2015, 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 Standish Finance Officer
FILE REFERENCE:	FM2
APPLICANT:	N/A
DATE OF REPORT:	2 September 2015
ATTACHMENTS:	List of Payments – 4 August 2015 to 2 September 2015

Purpose

The purpose of this report is to advise the Council of payments made during the period 4 August 2015 to 2 September 2015.

Background

Nil

Officers Comment

Nil

Statutory Environment

Local Government (Financial Management) Regulation 13 states:

13. List of accounts

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

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

Policy Applicable – Implications

Council Policy 4.8 – 'Purchasing', states that:

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

- a) The payee's name*
- b) The amount of the payment*
- c) The date of the payment*
- d) Sufficient information to identify the transaction.*

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

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

Financial Implications

There are no financial implications for this report.

Risk Implications

The risks associated with matters in this report are:

- Misconduct;
- Errors, Omissions and Delays;
- Failure of IT and or Communication Systems and Infrastructure;
- Failure to fulfil statutory, regulatory or compliance requirements;
- Inadequate document management processes; and
- Inadequate supplier / contract management.

The impact of the risk is Financial, Non-Compliance and Reputational

The consequences of these risks are considered to be Major

The likelihood is rare

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

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 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 02092015

Moved Cr Egerton-Warburton, seconded Cr Adams that the payment of accounts totalling \$623,824.24 as per the attachment be noted:

- **Electronic Funds Transfers EFT 5833 to EFT 5950 - \$477,173.56;**
- **Municipal Fund Cheque No's 11733 – 11757 - \$28,212.46;**
- **Internal Account Transfers (Payroll) - \$97,008.61;**
- **Corporate Credit Card - \$858.76;**
- **Direct Debit - \$20,570.85;**

Carried 9/0

10.1.2 SUBJECT

MONTHLY FINANCIAL STATEMENTS

RESPONSIBLE OFFICER:	Trish Standish Manager of Finance and Administration
REPORT AUTHOR:	Jessica Standish Finance Officer
FILE REFERENCE:	FM12
APPLICANT:	N/A
DATE OF REPORT:	7 September 2015
ATTACHMENTS:	Financial Statements August 2015

Purpose

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 31 August 2015.

Background

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

Officers Comment

The August financial statements report on 2 months, or 17% of the financial year. It is worthy to note:

- The 'Municipal Fund Summary' on page 2 shows that we have raised 74% of our expected operating income;
- The 'Municipal Fund Summary' on page 2 shows that we have spent 12% of the budgeted operating expenditure for the year;
- The 'Municipal Fund Summary' on page 4 shows a net current assets position of \$2,915,011 (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 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; and
- Inadequate supplier / contract management.

The impact of the risk is Financial, Non-Compliance and Reputational

The consequences of these risks are considered to be Major

The likelihood is Rare

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

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 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 03092015

Moved Cr Cunningham, seconded Cr Beech that the attached financial statements for the period ending 31 August 2015 be noted.

Carried 9/0

10.2 GOVERNANCE & EXECUTIVE SERVICES

10.2.1 SUBJECT	LOCAL EMERGENCY MANAGEMENT COMMITTEE DRAFT MINUTES – 21 JULY 2015
RESPONSIBLE OFFICER:	Trish Standish Manager of Finance and Administration
REPORT AUTHOR:	Toni Melia Emergency Services and Recreation Officer
FILE REFERENCE:	BF13
APPLICANT:	N/A
DATE OF REPORT:	4 September 2015
ATTACHMENTS:	July 2015 Minutes – Local Emergency Management Committee

Purpose

The purpose of this report is to table to Council the draft minutes of the 21 July 2015 Local Emergency Management Committee for consideration.

Background

The Shire of Cranbrook Local Emergency Management Committee (LEMC) was established in accordance with the Emergency Management Act 2005 section 38 which states:

- (1) A Local government is to establish one or more local emergency management committees for the local government's district.

The function of the Local Emergency Management Committee (LEMC) is documented in the Act under section 39:

- a) to advise and assist the local government in ensuring that the local emergency management arrangements are established for its districts;
- b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

The Shire of Cranbrook Local Emergency Management Committee consists of representatives from the following agencies:

- Shire – CEO, ESRO, MOW and Ranger
- Chief Bushfire Control Officer (CBFCO)
- WA Police - local officers
- St John Ambulance – Cranbrook and Frankland River
- Department for Child Protection and Family Services (DCP&FS)
- Plantagenet Health Service
- Red Cross

- Department of Agriculture and Food (DAFWA)
- Frankland River Community Centre Manager
- Great Southern State Emergency Management Committee – Community Emergency Management Officer (SEMC-CEMO)

The Local Emergency Management Committee meets three times per year.

Officers Comment

There were no recommendations from the 21 July 2015 meeting for Council to consider.

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

There are no financial implications for this report.

Risk Implications

The risks associated with matters in this report are:

- Failure to fulfil statutory, regulatory or compliance requirements
- Inadequate engagement practices

The impact of these risks is Non-Compliance

The consequences of these risks is considered to be Minor

The likelihood is Rare

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

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

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: 1.4.2 Support strong community interaction with emergency organisations.

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 04092015

Moved Cr Beech, seconded Cr Standish that the attached draft minutes of the 21 July 2015 Local Emergency Management Committee meeting be received by Council.

Carried 9/0

10.2.2 SUBJECT	STRATEGIC COMMUNITY PLAN – DESKTOP REVIEW
RESPONSIBLE OFFICER:	Peter Northover Chief Executive Officer
REPORT AUTHOR:	Cassandra Hughes Manager of Economic and Community Development
FILE REFERENCE:	AD3
APPLICANT:	N/A
DATE OF REPORT:	3 September 2015
ATTACHMENTS:	Strategic Community Plan – Draft Amendment

Purpose

The purpose of this report is to consider minor alterations to the Shire of Cranbrook, Strategic Community Plan, in line with the two year desk top review.

Background

At the 26 June 2013 meeting of Council it was resolved that:

1. **“The Shire of Cranbrook, Strategic Community Plan 2013 – 2023 as attached be adopted; and**
2. **Be forwarded to the Department of Local Government prior to 30 June 2013.”**

Officers Comment

Whilst not specified in legislation, the Standard for Integrated Planning states that Local Governments are expected to undertake a desktop review of their Strategic Community Plan (SCP) two years after adoption.

The Shire of Cranbrook has received feedback from the Department of Local Government and Communities regarding the SCP submitted in June 2013. The plan has been recognised as both being of high quality and compliant with requirements. Some minor changes were recommended by the Department which have been incorporated into this review.

The Senior Management Team has had a process of continual improvement for the SCP during the past two years and have kept note of areas which may need adaptation or alteration in the review. Because the original plan was of high quality and determined by the Community, few changes have been recommended.

The following table reflects the changes;

Section Changes	Page #	Description
President's Introduction	2	Has been updated to reflect the review, assessment and progress of the plan.
Process	6	Wording reflects that the review has been undertaken
Resources	16	As recommended by the Department, a resources table has been included.
Aspiration 1	25	The addition of Strategic Objective 1.6 – Learning It was identified that libraries and learning had not been reflected in any of the existing strategic objectives.
Key Performance Indicators for each of the five Aspirations	25	Whilst the original plan recognised the success factors, the Department preferred the term Key Performance Indicators. The title has been updated and each outcome is now reflected as a bullet point. Specific measurable targets are met in the Corporate Business Plan which is reported to Council on a quarterly basis.

The ongoing development of the SCP has led to a fully integrated and cross referenced document which meets the requirements of the Department of Local Government and Communities, Integrated Planning and Reporting Advisory Standard.

The Shire of Cranbrook plan meets all requirements of basic and intermediate and now with the review being completed should also pass the requirements of the advanced standard, which includes the assessment of progress and evaluation. All other advanced standard criteria had already been met.

The standard defines compliance for the Strategic Community Plan as:

A Strategic Community Plan	Shire of Cranbrook Plan
(i) Is for a minimum 10-year timeframe.	<i>(i) Plan is from 2013 – 2023</i>
(ii) States community aspirations, vision and objectives.	<i>(ii) Plan states Vision, Mission, Values, Aspirations and Objectives</i>
(iii) Was developed or modified through engagement with the community, and this is documented.	<i>(iii) Was developed with true and meaningful engagement</i>
(iv) Has regard to current and future resource capacity, demographic trends and strategic performance measurement.	<i>(iv) Identifies current and future capacity, risk, demographics and trends.</i>
(v) Was adopted or modified by an absolute majority of council	<i>Was adopted at 26 June 2013 Special Council Meeting.</i>
It is also required that: (i) A strategic review of the Strategic Community Plan is to be scheduled for 2 years from when it is adopted; and (ii) A full review of the Strategic Community Plan is to be scheduled for 4 years from when it is adopted.	<i>Senior Management Team has reviewed the SCP and is now the subject of this agenda item. Scheduled for 2017</i>

<p>Basic Standard is met when:</p> <ul style="list-style-type: none"> • A council has, by 30 June 2013 or earlier, adopted a Strategic Community Plan that meets all of the regulatory requirements. • The local government has a community engagement policy/strategy. • Community engagement involves at least 500 or 10% of residents, whichever is fewer, and is conducted by at least 2 documented mechanisms. 	<p>Basic Standard Achieved <i>Was adopted by absolute majority on 26 June 2013.</i></p> <p><i>Community Engagement Policy and Strategy was adopted by Council on 11 June 2013</i> <i>Community Engagement of 15% of residents was achieved and is documented. The process involved 12 engagement sessions, a survey, document review and comment, and two community consultation workshops.</i></p>
<p>Intermediate Standard is met when:</p> <ul style="list-style-type: none"> • The Strategic Community Plan connects most of the activities / services that are delivered by the local government with the community’s vision, aspirations and objectives. • The Strategic Community Plan takes into account a range of relevant external factors, including relevant plans of State and Commonwealth agencies. • Community engagement involves more than the minimum number of electors, is inclusive and uses more than the minimum number of documented mechanisms. 	<p>Intermediate Standard Achieved <i>The SCP connects activities and services and is reflected in the CBP.</i> <i>Has examined external and internal risk factors, and has ensured and demonstrated links and relevance to Regional Plan, both Federal and State and our Southern Link Voluntary Regional Organisation of Councils’ Partners.</i> <i>Community Engagement involved 15% electors and utilised four of the mechanisms identified in the Standard.</i></p>
<p>Advanced Standard is met when:</p> <ul style="list-style-type: none"> • The Strategic Community Plan meets Basic and Intermediate standards; • The Strategic Community Plan connects all of the activities/services that are delivered by the local government with the community’s vision, aspirations and objectives; • The Strategic Community Plan demonstrates effectiveness in achieving community outcomes. 	<p>Advanced Standard can now be demonstrated. <i>Satisfies basic and intermediate standards.</i></p> <p><i>The SCP connects all of the activities and services delivered and links them to the community’s aspirations and vision.</i></p> <p><i>The Shire is now able to demonstrate effectiveness of the plan which is reported in the Corporate Business Plan’s quarterly reviews. Key Milestone achievements are also recognised in the SCP.</i></p>

The initial development and subsequent revision of this plan has led to an outstanding reflection of this community’s aspirations and objectives for the future of the Shire of Cranbrook to 2023.

Statutory Environment

Part 5 of the Local Government (Administration) Regulations 1996 states that:

Part 5 — Annual reports and planning

Division 1 — Preliminary

19BA. Terms used

In this Part —

corporate business plan means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in accordance with section 5.56;

strategic community plan means a plan made under regulation 19C that, together with a corporate business plan, forms a plan for the future of a district made in accordance with section 5.56.

[Regulation 19BA inserted in Gazette 26 Aug 2011 p. 3482-3.]

Division 3 — Planning for the future [Heading inserted in Gazette 26 Aug 2011 p. 3483.]

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]

19D. Adoption of plan, public notice of to be given

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).
- (2) The local public notice is to contain —
 - (a) notification that —
 - (i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the plan may be inspected;or
 - (b) where a strategic community plan for the district has been modified —
 - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the modified plan may be inspected.

Policy Applicable – Implications

There is no Council policy applicable to this item.

Financial Implications

Whilst the adoption of the reviewed Strategic Community Plan itself does not incur a significant financial cost to the Shire, attaining the vision and community aspirations expressed in the plan will continue to have significant financial impact on the Shire. These costs are detailed in the Corporate Business Plan, Long Term Financial Plan and Annual Budget.

Risk Implications

The risks associated with matters in this report are

- Errors, Omissions and Delays
- Failure to fulfil statutory, regulatory or compliance requirements
- Inadequate document management processes

The impact of the risk is Non-Compliance and Reputational.

The consequences of these risks are considered to be Minor.

The likelihood is Unlikely.

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

Risk mitigation includes the scheduling and completion of reviews as required.

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: 5.1 Deliver Excellence in Governance, Compliance, Regulation and Reporting

Strategy: 5.1.1 Perform at the highest levels of corporate governance, responsibility and accountability

Consultation

Consultation for this report included discussion with the Senior Management Team.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Absolute Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 05092015

Moved Cr Adams, seconded Cr Griffiths that:

- 1. The reviewed Shire of Cranbrook, Strategic Community Plan 2013-2023 be adopted; and**
- 2. A copy of the reviewed plan be forwarded to the Department of Local Government and Communities.**

**Carried 9/0
By Absolute Majority**

10.2.3 SUBJECT	LOCAL PLANNING STRATEGY
RESPONSIBLE OFFICER	Peter Northover Chief Executive Officer
REPORT AUTHOR:	Liz Bushby Planning Consultant, Gray & Lewis Landuse Planners
FILE REFERENCE:	TP106
APPLICANT:	Shire of Cranbrook
DATE OF REPORT:	4 September 2015
ATTACHMENTS:	1. Table 1 – Table of Submissions 2. Table 2 – Summary of DAFWA Submission 3. Modified Strategy Pages 4. Figure 10 – Cranbrook Townsite

Purpose

The purpose of this report is for Council to consider submissions lodged during public advertising, and to consider final adoption of the Draft Local Planning Strategy with or without modifications.

Background

The Draft Local Planning Strategy was initially adopted by Council on 20 November 2013 for the purpose of initiating public advertising.

Gray & Lewis lodged the Draft Local Planning Strategy (LPS) to the WAPC on 11 December 2013 seeking consent to advertise the document.

On 4 August 2014, the WAPC lodged formal correspondence to the Shire requesting modifications to the Draft Local Planning Strategy. Council agreed to the modifications at the meeting held on 19 November 2014.

The Draft document was advertised for public comment between 9 April 2015 and 15 May 2015. Advertising included a notice in the Albany Advertiser, letters to individual landowners, government agencies and service authorities. It was also advertised on the Shire's website and public notice board.

In addition to formal advertising, an Information Session for directly affected landowners was held in Cranbrook on Tuesday, 1 September 2015. Gray & Lewis presented general information on the Draft Local Strategy content and the planning process. Informal public discussion is summarised below;

Participant	Summary	Gray & Lewis comment
A. Ashley Sokolowski	<ul style="list-style-type: none"> - Generally objects to the truck route shown on the Draft LPS map. - Concern that deviating trucks will have a negative impact on small business as drivers will not stop in town to purchase food or convenience goods. - Potential for negative impact on the town - If unloaded trucks are still proposed through town then it will not significantly improve traffic safety as the impact of being hit by a truck is the same whether loaded or unloaded. 	<ul style="list-style-type: none"> - Noted however no changes to the Draft LPS recommended as a result of discussions. - The Draft LPS clearly identifies that the future access road is subject to detailed further investigation and consultation with MRWA. Traffic safety within town has been identified as a major issue by the Shire and the intention is not for trucks to completely by-pass town, but to reduce the number of truck movements in town. The Shire have discussed potential for a one way loop that still allows for unloaded trucks to depart through town. Traffic safety will have to be examined as part of any future solution, however it is considered important that the issue at least be flagged in the Draft LPS.
B. Pam and Bob Bullock	<ul style="list-style-type: none"> - Objects the composite zone and potential for businesses in a residential area. - Concern lots cannot be serviced in the Composite zone. - Raised concern over alternative truck route 	<ul style="list-style-type: none"> - Noted however no changes to the Draft LPS recommended as a result of discussions. - The Composite zone will not prevent existing lots from continuing to operate as normal residential properties. It would simply allow some flexibility for small businesses to co-locate within the same area. Any business will still need to be compatible with residential landuses. - The Draft Strategy simply identifies potential for a Composite zone however it would be subject to a separate scheme amendment process. As part of any formal amendment issues such as landuse compatibility and servicing would need to be examined.
C. Deb and Butch Packard	<ul style="list-style-type: none"> - The proposed Industrial zone expansion in Tenterden will negatively impact on houses (directly opposite) - Alleges the existing Industry (fertiliser plant) has a negative impact on surrounding properties through noise, odour and dust. - Submits that the Industrial zone should be expanded to the rear as opposed to along Albany Highway. 	<ul style="list-style-type: none"> - Noted however no changes to the Draft LPS recommended as a result of discussions. - Expansion of the existing Industrial zone may potentially cater for expansion of existing industries, or co-location by new industries. Any potential re-zoning in the future would be 'subject to landowners aspirations' as explained in the Draft LPS. From a planning perspective, it is logical to expand in a easterly direction to maximise commercial exposure. - Any formal scheme amendment to implement the recommendations of the Draft LPS would have to address buffers and be referred to the Environmental Protection Authority.

Disclaimer : Gray & Lewis has provided a brief summary and overview of general discussions. All attendees had opportunity to lodge a formal submission during public advertising.

Officers Comment

A total of 13 written submissions were received during public advertising. All of the submissions were from government agencies and service authorities, with the exception of one submission by a local resident, Cheryl Dunkley.

The owner of the General Store located in Frankland River has met with the Shire's Chief Executive Officer. The owner made observation that the Draft Local Planning Strategy text does not recognise the significant investment and improvements made, and the extent of services offered by the General Store.

Gray & Lewis recommends that the Strategy text be modified and expanded to recognise the importance of the Frankland River General Store as it is a vital community hub.

As advertising is complete, Council has to consider each individual submission and determine whether any modifications to the Local Planning Strategy need to be made to address any valid issues identified in submissions.

Gray & Lewis has made recommendations on each submission as summarised in Table 1. Table 2 summarises a submission from the Department of Agriculture and Food WA (DAFWA).

No major issues were raised during public advertising that cause any significant impediments to finalisation of the Strategy.

Although Main Roads WA (MRWA) raised some objection to the Strategy identifying potential future road links for an expanded Industrial zone, it is clear in the Strategy that these are subject to more detailed investigation. It is understood the Shire's Chief Executive Officer has since met with MRWA Officers.

Gray & Lewis has only recommended minor changes to the Draft Local Planning Strategy text and Figure 10 (Cranbrook Townsite map) – refer attachments three and four.

Statutory Environment

- *Town Planning Regulations 1967 (as amended)*

The WAPC has certified that the Draft Local Planning Strategy is consistent with Regulation 12A(3) of the Town Planning Regulations 1967 (as amended).

The Shire has to seek final endorsement of the Local Planning Strategy by the Western Australian Planning Commission.

- *Planning and Development (Local Planning Schemes) Regulations 2015*

The Planning and Development (Local Planning Schemes) Regulations 2015 were gazetted on 25 August 2015, however they do not take effect until the 19 October 2015, when they will replace the Town Planning Regulations 1967.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

The Shire pays consultancy fees to Gray & Lewis for planning advice.

Risk Implications

The risks associated with matters in this report are:

- Inadequate Environmental Management
- Business and Community Disruption
- Errors, Omissions and Delays
- Failure to fulfil statutory, regulatory or compliance requirements
- Providing inaccurate advice/information
- Inadequate engagement practices

The impact of these risks is Financial, Service Interruption, Non-Compliance, Reputational, Property and Environment

The consequences of these risks are considered to be Major

The likelihood is Possible

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

Risk mitigation includes adequate budget provision in the future and ongoing dialogue with all stakeholders.

Strategic Community Plan Reference

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

Aspiration 2.0: By 2023 the Shire of Cranbrook will have an Innovative, Diverse, Prosperous and Growing Economy

Objective: 2.1 Develop and Deliver Infrastructure, Planning and Projects

Strategy: 2.1.1 Facilitate Industrial, diversity development and growth
2.1.2 Undertake strategic planning and policy development.
2.1.3 Development of Southern Link Transport hub

Consultation

Explained in the background and body of this report.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 06092015

Moved Cr Denton, seconded Cr Griffiths that Council:

- 1. Approve the Local Planning Strategy dated June 2015 (with modifications) for final adoption, and authorise Gray & Lewis to refer the document to the Western Australian Planning Commission (WAPC) seeking endorsement pursuant to Regulation 12B(3)(c) of the Town Planning Regulations 1967 (as amended);**
- 2. Adopt the recommendations in the Table of Submissions (Attachment 1); and**
- 3. Note that the Draft Local Planning Strategy has been formally advertised for 21 days in accordance with Regulation 12B of the Town Planning Regulations 1967 (as amended).**

Carried 9/0

10.3 WORKS

10.3.1 SUBJECT

TENDER 01-2015

RESPONSIBLE OFFICER: Jeff Alderton
Manager of Works

REPORT AUTHOR: Jeff Alderton
Manager of Works

FILE REFERENCE: FM21

APPLICANT: N/A

DATE OF REPORT: 1 September 2015

ATTACHMENTS: Nil

Purpose

The purpose of this report is for Council to consider the tenders received for the supply, delivery and spraying of bitumen for the 2015/16 and 2016/17 road works program.

Background

Tenders were called for in Saturdays West Australian on 1 August 2015 for the supply, delivery and spraying of bitumen for the 2015/16 and 2016/17 road works program. The tender closed at 4pm on Friday 28 August 2015.

Officers Comment

The Senior Management Team, having attended Procurement Training through WALGA, discussed the merit of a tender for the supply, delivery and spraying of bitumen for a two year period with an option for a further two years. The advantage of this form of tender would enable stability with the successful tenderer and negates the need for an annual tender.

The Shire received three tenders from Colas West Australia, Bitutek Pty Ltd and Downer. Evaluations of the tenders are listed below.

EVALUATION - TENDER 01-2015 SUPPLY, DELIVERY & SPRAYING OF BITUMEN

In accordance with the Tender Weighting Criteria, the optimum score is:

Price: 60 Capabilities: 30 Performance: 10

COMPANY	SPREAD RATE				SCORING			
	98/2	50/50	Pre-Coat	TOTAL	CAT 1	CAT 2	CAT 3	TOTAL
Colas West Australia	\$280,750	\$15,900	\$35,838	\$332,488	50	30	10	90
Bitutek Pty Ltd	\$284,651	\$14,406	\$8,145	\$307,201	60	30	10	100
Downer	\$362,732	\$16,326	\$50,499	\$429,557	40	30	10	80

As can be seen from this table, Bitutek Pty Ltd achieved the optimum score. Bitutek Pty Ltd has been the sealing contractor at the Shire for the past two years and it is therefore recommended that the tender be awarded to Bitutek Pty Ltd.

Statutory Environment

The Local Government (Functions and General) Regulations 1996 define the requirements for all Local Government Tenders (Regulation 11).

Policy Applicable – Implications

Council Policy 3.9 Purchasing Policy applies to this item.

Financial Implications

The total quoted cost is \$307,201. This is based on square metre rates which could change depending on variances such as time, weather and current road conditions.

The road sealing program is identified in the road construction program and an annual allowance is included in the budget.

Risk Implications

The risks associated with matters in this report are:

- Errors, Omissions and Delays
- Failure to fulfil statutory, regulatory or compliance requirements
- Providing inaccurate advice/information
- Inadequate document management processes
- Inadequate engagement practices
- Inadequate asset sustainability practices
- Inadequate safety and security practices
- Inadequate project management
- Inadequate supplier/contract management

The impact of the risk is Financial, Non-Compliance and Reputational

The consequences of these risks are considered to be Major

The likelihood is Possible

Hence the **risk rating** High

Risk mitigation includes undertaking a tender process and contracting the works to a reputable spraying contractor such as Bitutek Pty Ltd.

Strategic Community Plan Reference

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

Aspiration 4.0: By 2023 the Shire of Cranbrook will have Enviably Quality Infrastructure, Roads and Facilities

Objective: 4.2 Deliver Safe and Appropriate Roads and Infrastructure

Strategy: 4.2.1 Deliver quality roads throughout the Shire

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 and the Works Crews Leadership Team.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

Cr Standish left the meeting at 3.37pm

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 07092015

Moved Cr Egerton-Warburton, seconded Cr Standish that Council awards Tender 01 – 2015 “Supply, Delivery and Spraying of Bitumen” to Bitutek Pty Ltd, as per the Conditions of Tender, General Conditions, Technical Requirement and all Appendices of the tender documents for Tender 01- 2015 as received from Bitutek Pty Ltd on 28 August 2015 for a two year period with an option for a further two years.

Carried 8/0

Cr Standish returned to the meeting at 3.38pm

Cr JC Pope

Item: 10.4.1

Type: Section 5.60A Local Government Act 1995

Nature: Owner of the Property (52 Grantham Street Cranbrook)

Cr Pope left the meeting at 3.38pm and did not participate in discussion or vote on Item 10.4.1.

In the absence of Cr Pope the Shire President, Cr Cunningham the Deputy Shire President became the Presiding Person at 3.39pm.

Cr P Denton

Item: 10.4.1

Type: Section 5.63 Local Government Act 1995

Nature: Member of Cranbrook Community Men's Shed

Mr Peter Northover

Item: 10.4.1

Type: Section 5.63 Local Government Act 1995

Nature: Member of Cranbrook Community Men's Shed

Both Cr Denton and Mr Northover asked the meeting to allow them to continue to be present and participate in discussion and the decision making procedures as they believe their interest to be trivial and unlikely to influence their conduct in relation to this matter.

Cr Denton and Mr Northover left the meeting at 3.40pm while their request was considered.

COUNCIL DECISION

Motion 08092015

Moved Cr Standish, seconded Cr Beech that Cr Denton and Mr Northover be allowed to participate in discussion and decision making procedures on this matter as it is felt that their interest is trivial and will not influence their conduct in relation to consideration of Item 10.4.1.

Carried 7/0

Cr Denton and Mr Northover returned to the meeting at 3.42pm

10.4 ECONOMIC & COMMUNITY

10.4.1 SUBJECT

CRANBOOK COMMUNITY MEN'S SHED – COMMUNITY INFRASTRUCTURE

RESPONSIBLE OFFICER:	Cassandra Hughes Manager of Economic and Community Development
REPORT AUTHOR:	Cassandra Hughes Manager of Economic and Community Development
FILE REFERENCE:	CS216 / A9233
APPLICANT:	Cranbrook Community Men's Shed
DATE OF REPORT:	1 September 2015
ATTACHMENTS:	Nil

Purpose

The purpose of this report is to consider an application from the Cranbrook Community Men's Shed for financial and grant application assistance to purchase the building located at 52 Grantham Street, Cranbrook which currently houses the Men's Shed.

Background

Representatives from the Cranbrook Community Men's Shed have spoken to Shire staff over the past twelve months to discuss options for the purchase of the building (52 Grantham St, Cranbrook) in which they operate. Staff have made enquiries to Lotterywest as to their willingness to support an application for the building purchase. Lotterywest has indicated they may be willing to support up to 50% of the purchase price of the building.

The Men's Shed have now made a formal request to Council to contribute 50% toward the cost of purchasing the building.

Officers Comment

The Cranbrook Community Men's Shed is an active and highly engaged group within the Shire community. They currently have 13 members. Since inception in 2013, the group has continued to build its finances and membership, as well as the level of activity in the community and provides a valuable social network for Men in our community.

In 2013 the group negotiated a lease with the property owners at 52 Grantham St, Cranbrook, shown in the diagram below. The property was quite run down, and over the course of the last 18 months the Men's Shed have made a number of changes, improving the general amenity of the area.



Cranbrook Community Men’s Shed Financials

	Income	Expenditure
2013	\$625	
2014	\$6307	\$5498
2015	\$12592	\$11588

The bulk of income received is through grants, donations, membership and contributions for community projects undertaken. The expenses cover areas such as rent, electricity, hardware and materials to repair and renovate the building as well as materials for projects.

The Men’s shed are building capacity and financial sustainability through their activities, however it is clear that they are not in a position to fund the purchase of a building.

The Men’s Shed have indicated that the building is available to purchase for \$70,000, plus settlement costs. The group has requested a 50% contribution from the Shire and has also requested that staff make an application to Lotterywest for the balance.

The Men’s shed would continue to improve the building and cover the cost of all future maintenance. It is intended that the Men’s Shed will add a kitchen to the shed and have plans to re-roof the building once the weather is favourable.

The group has requested a peppercorn lease on the building and a waiver of the property rates. If the building was owned by the Shire of Cranbrook the property would not attract rates, however will incur rubbish, recycling, and ESL charges.

Other Community Group Comparisons

Community Group	Location	Comments
Cranbrook and Frankland River Golf Clubs	Both located on Reserve land	Both clubs have current peppercorn leases in place for land and have supplied and maintain their own buildings. Shire has assisted with some maintenance over the years through grant funding and interest free loans. Both clubs pay ESL, Rubbish and Recycling charges.

Cranbrook District Motorcycle Club	Currently lease Freehold land. Relocating to new Reserve land	The club has a current peppercorn lease in place. Shire have been paying all operating and maintenance costs at current premises. Expenditure from 2012 – 2014 was \$5,000 plus \$11,000 capital expenditure. Club have renewed the fencing and built the motocross track. Shire staff have spent a significant amount of time acquiring reserve and Council has budgeted to spend \$19,000 net in 2015/2016 to assist club to move to new location.
Cranbrook Art Group	Located in Brookfield railway building	Shire leases the building at no cost and pays all maintenance and operating costs. Expenditure from 2008 - 2015 was \$11,000 plus \$10,000 capital expenditure. The art group contributes \$100 per annum towards operating costs.
Home and Community Care (HACC)	Located in Cranbrook Community Centre	Shire is responsible for all maintenance and operating costs. HACC is a State Government Department and they pay \$1,000 per annum to hire the facility.
Cranbrook Craft Group	Located in Cranbrook Community Centre	Shire is responsible for all maintenance and operating costs. Previously the group have paid \$80 per annum to hire the facility. Current policy – no charge.
Cranbrook Day Care	Located in Cranbrook Community Centre	Shire is responsible for all maintenance and operating costs. Day Care was subsidised to commence the business and has had a Peppercorn lease. In 2015/2016 it is anticipated they will pay \$650 for the lease.
Frankland River Day Care	Located in Frankland River Community Centre	Shire is responsible for all maintenance and operating costs. Day Care was subsidised to commence the business and has had a Peppercorn lease. In 2015/2016 it is anticipated they will pay \$650 for the lease.

Cranbrook Sporting Club	Located on Reserve land (Frederick Square) New Building valued at \$1.2m	The club has a current lease in place and pay the Shire \$1,000 per annum. The club is responsible for all operating and maintenance costs of the building. The club pays ESL, Rubbish and Recycling charges.
Gillamii Centre	Located on Reserve land Renovated Building	Council provided the building and contributed \$73,000 of grant funding toward the renovation. The Gillamii Centre has a current peppercorn lease in place and is responsible for all maintenance and operating costs.
Frankland River and Cranbrook Libraries	Libraries are a Shire service	Shire pays the Frankland River Community Resource Centre and the Gillamii Centre to run the respective services.
Tenterden Tennis Club	Located on Reserve land	The club has a current peppercorn lease in place for land and have supplied and maintain their own building to date. The club pay ESL charges. Council have contributed \$50,000 towards a new building.
Frankland River District Country Club	Located on Reserve land	The club has a current peppercorn lease in place for land and have supplied and maintain their own building. The club pays Rates, ESL, Rubbish and Recycling charges.
Frankland River Community Resource Centre (FRCRC)	Located in the Frankland River Community Centre	The FRCRC have a Memorandum of Understanding in place with the Council. There is no charge to the CRC for the use of the building. Shire pays all maintenance and operating costs. FRCRC pays all internet charges. Shire pay the FRCRC to deliver library and other Shire services.
Cranbrook Youth Group	Located in Cranbrook Hall	Shire is responsible for all maintenance and operating costs. There is no charge to the group to hire the hall.
Frankland River Play Group	Located in the Frankland River Community Centre Crèche	Shire is responsible for all maintenance and operating costs. The playgroup pay \$60 per annum for hire of the crèche.

Tenterden Institute	Agricultural	Located on Reserve land Tenterden Hall/Fire Shed	The building is owned by the Shire. Tenterden Ag Institute has a Memorandum of Understanding with the Shire for the operation of the building. Shire pays 1/3 of electricity, pays all insurance and telephone costs. The group has full responsibility for income and expenses of the hall.
Nunijup Progress Association		Located on Reserve land Nunijup Hall	Nunijup Hall is managed by the Nunijup Progress Association. The group are responsible for all maintenance and operating costs.
Unicup Progress Association		Located on Reserve land Unicup Hall	Unicup Hall is managed by the Unicup Progress Association. The group are responsible for all maintenance and operating costs.
Cranbrook Museum		Located in Brookfield railway building	Shire leases the building at no cost and pays all maintenance and operating costs. Expenditure from 2008 - 2015 was \$3,500

Finance Options

There are a number of ways the property purchase could be financed.

1. Fully funded purchase by the Shire of Cranbrook
2. 50% cash contribution from the Shire of Cranbrook and Grant applications to fund the remaining 50%
3. Community group interest free loan for the 50% cash component and Grant applications to fund the remaining 50%.

It should be noted that Lotterywest will not fund the Men's Shed directly for the grant as they are not registered for GST. The maximum that the group could be funded directly is up to \$15,000.

Whilst this is a very old building, it is structurally in good condition, in a good location which is important to the amenity of the town centre and with the ongoing development by the Men's Shed, and their agreement to undertake all maintenance, major and minor, the ongoing operational costs would be minimal.

The new Cranbrook Community Hub will not be suitable for the Cranbrook Community Men's Shed as the group has already contributed significant time and effort to their current location, and indicated in early conversations that they wished to remain in their current building. Planning and design undertaken to date for the Cranbrook Community Hub, does not allow for sufficient space for the Men's Shed.

Community Wellbeing

With the ongoing concerns surrounding mental health in rural communities, the provision of services and activities for men is essential to the healthy fabric of communities. The Shire has a strong focus on mental health and wellbeing, being strong advocates of the Act Belong Commit campaign and it is considered appropriate to provide infrastructure to facilitate active community participation.

Based on the level of support offered to all other community groups, it is recommended that Council looks at the possible purchase of this property dependent upon obtaining a valuation and the availability of grant funding.

Should Lotterywest or alternative funding not be secured, the item will return to the Council for further consideration.

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

Initial indications are that the property is available for purchase at a cost of \$70,000 plus settlement costs. If the Council resolves to purchase this property, a grant application would be submitted to Lotterywest or other funding providers for 50% of the purchase price. The remaining 50% could be funded from the Rate Reserve Account or the Strategic Community Plan Projects Reserve Account.

The valuation will cost approximately \$400.

It is proposed that a peppercorn lease be negotiated with the Men's Shed, who will then be responsible for all ongoing maintenance and outgoings for the building.

Risk Implications

The risks associated with matters in this report are:

- Inadequate asset sustainability practices
- Providing inaccurate advice/information

The impact of the risk is Financial, Reputational and Property.

The consequences of these risks are considered to be Moderate.

The likelihood is Unlikely.

Hence the **risk rating** for this item is Moderate.

Risk mitigation includes acquiring an independent written valuation of the proposed property.

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: 1.5 Develop a Healthy Place to Grow and Age

Strategy: 1.5.2 Development of men's resources

Aspiration 4.0: By 2023 the Shire of Cranbrook will have Enviably Quality Infrastructure, Roads and Facilities

Objective: 4.1 Develop and Deliver Suitable and Innovative Infrastructure

Strategy: 4.1.1 Review and plan for additional community group infrastructure

Consultation

Consultation for this report included discussion with Men's Shed, Senior Management Team, Lotterywest and the community through the Strategic Community Plan.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 09092015

Moved Cr Denton, seconded Cr Adams that:

- 1. The Shire of Cranbrook obtain an independent written valuation on the property at 52 Grantham Street, Cranbrook; and**
- 2. Present a further report to the Council at the October 2015 meeting taking into account the valuation.**

Carried 8/0

Cr Pope returned to the meeting at 3.46pm and resumed the position of Presiding Person.

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

Cr Cunningham requested that a motion of thanks to Cr Pope, the Shire President and Cr Griffiths be recorded in the minutes as they have been wonderful contributors to the Shire.

Cr Griffiths thanked the Councillors and staff for his time as Councillor over the past six years.

Cr Pope thanked the Councillors and staff for their assistance over the past four years as Shire President.

There being no further business to discuss, the Shire President, Cr Pope declared the meeting closed at 3.52pm.