

COUNCIL MEETING

AGENDA

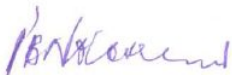


For the Ordinary Meeting of Council to be held on

17 February 2016

Dear Council Member,

The next Ordinary Meeting of the Shire of Cranbrook will be held on Wednesday 17 February 2016 at the Cranbrook Council Chambers commencing at 3.00pm.



Peter Northover
Chief Executive Officer

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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AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Cunningham 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. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

ATTENDANCE

| | |
|---|---------------------------------|
| President | Cr JT (Twynam) Cunningham |
| Deputy President | Cr CY (Colin) Egerton-Warburton |
| Councillors | Cr P (Peter) Denton |
| | Cr PM (Peter) Beech |
| | Cr DJ (David) Adams |
| | Cr ER (Ruth) Bigwood |
| | Cr TC (Tom) Standish |
| | Cr PL (Phil) Horrocks |
| | Cr HC (Helen) Parsons |
| 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

LEAVE OF ABSENCE

Nil

APOLOGIES

Nil

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.2 PUBLIC QUESTION TIME

5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. DISCLOSURE OF INTEREST

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 16 DECEMBER 2015

That the minutes from the ordinary meeting of Council held on 16 December 2015, be confirmed as a true and correct record.

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: | 1 February 2016 |
| ATTACHMENTS: | List of Payments – 4 December 2015 to 1 February 2016 |

Purpose

The purpose of this report is to advise the Council of payments made during the period 4 December 2015 to 1 February 2016.

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

That the payment of accounts totalling \$1,515,612.94 as per the attachment be noted:

- **Electronic Funds Transfers EFT 6225 to EFT 6431 - \$1,243,160.84;**
- **Municipal Fund Cheque No's 11811 – 11842 - \$46,828.16;**
- **Internal Account Transfers (Payroll) - \$183,412.58;**
- **Corporate Credit Card - \$4,660.68;**
- **Direct Debit - \$37,550.68.**

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: | 3 February 2016 |
| ATTACHMENTS: | Financial Statements December 2015 & January 2016 |

Purpose

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 31 December 2015 and 31 January 2016.

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 January financial statements report on 7 months, or 58% of the financial year. It is worthy to note:

- The 'Municipal Fund Summary' on page 2 shows that we have raised 85% of our expected operating income;
- The 'Municipal Fund Summary' on page 2 shows that we have spent 70% of the budgeted operating expenditure for the year;
- The 'Municipal Fund Summary' on page 4 shows a net current assets position of \$1,039,807 (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

That the attached financial statements for the period ending 31 December 2015 and 31 January 2016 be noted.

10.1.3 SUBJECT

BUDGET REVIEW 2015/2016

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: 5 February 2016

ATTACHMENTS: 2015/2016 Budget Review Document

Purpose

The purpose of this report is to consider a review of the Annual Budget for 2015/2016.

Background

The Local Government (Financial Management) Regulations state that a local government must undertake a budget review annually.

Regardless of statutory requirements, conducting a budget review at least once each year is sound financial management practice. It enables the Council to analyse the financial performance of the year to date and make changes to the authorisations that it puts in place for the performance of the local government's functions.

Officers Comment

The budget review papers are attached to this agenda as a separate document and individual comments are noted within these papers for major suggested changes to the budget. This budget review has been performed on a line by line basis against the January 2016 monthly financial statements.

Major Expenditure changes (greater than \$5,000) proposed are as follows:

| CAPITAL EXPENDITURE | | | | |
|----------------------------|---|------------------------------|-------------------------------|--|
| ACCOUNT NUMBER | PROJECT | CURRENT BUDGET AMOUNT | PROPOSED BUDGET AMOUNT | COMMENTS |
| 085200 | Disabled Access | \$60,000 | \$0 | Funding for project unsuccessful |
| 105201 | Gillamii Centre Building | \$0 | \$6,850 | As per Council Motion 09112015 |
| 107208 | Stormwater Harvesting Project | \$15,000 | \$24,883 | Carryover amount was missed in budget carryover figures |
| 111206 | Cranbrook Hall Major Maintenance | \$10,000 | \$0 | Defer project to 2016/2017 |
| 113222 | Frankland River Golf Club Clubroom Renovation | \$63,033 | \$0 | No grant application has been received from FR Golf Club |
| 116202 | Shelter for Historic Grader | \$15,000 | \$30,000 | Increased budget required for project |

| | | | | |
|------------------------------|---|---------------|---------------|---|
| BR489 | Bridge 489 – Refurbishment | \$0 | \$260,000 | Project not included in original budget – fully funded |
| CR012 | Unicup Road – Gravel Resheet | \$10,486 | \$12,349 | Project complete – increased budget required |
| CR198 | Parsons Road – Gravel Resheet | \$180,000 | \$191,435 | Project complete – increased budget required |
| OPERATING EXPENDITURE | | | | |
| 041000 | Admin Allocation Governance | \$241,030 | \$248,988 | Increased admin allocation required |
| 042008 | Legal Expenses | \$5,000 | \$16,758 | Increased budget required – smoke taint & other legal issues |
| 042050 | Admin Costs Allocated | \$(1,038,921) | \$(1,049,879) | Admin costs re-allocated throughout programs |
| 052002 | Animal Control | \$40,000 | \$30,000 | Transfer \$10,000 to Road Maintenance |
| 053004 | Emergency Signage | \$3,000 | \$8,000 | Transfer \$5,000 from Emergency Services Community Preparedness |
| 053005 | Emergency Services Community Preparedness | \$10,000 | \$0 | Project deferred to 16/17 |
| 106001 | Town Planning Fees | \$20,000 | \$25,000 | Extra budget required |
| 112002 | Lake Maintenance | \$25,000 | \$20,000 | Transfer \$5,000 to Road Maintenance |
| 113003 | Tenterden Parks & Gardens | \$16,000 | \$11,000 | Transfer \$5,000 to Road Maintenance |
| 122002 | Road Maintenance | \$849,000 | \$869,000 | \$20,000 transferred from Animal Control, Lake Maintenance, Tenterden P & G |
| 122003 | Depot Maintenance | \$35,000 | \$40,000 | Extra budget required |
| 122015 | WANDRRA Damage | \$0 | \$300,000 | WANDRRA event proclaimed |
| 142008 | Engineering Professional Services | \$25,000 | \$20,000 | Reduced budget required |
| 142029 | Works Staff Conference | \$1,200 | \$6,200 | Extra budget required |
| 143002 | Tyres & Tubes | \$30,000 | \$20,000 | Reduced budget required |
| 143004 | Parts & Repairs | \$140,000 | \$150,000 | Extra budget required |

Major Revenue changes (greater than \$5,000) proposed are as follows:

| CAPITAL REVENUE | | | | |
|------------------------|---|------------------------------|-------------------------------|--|
| ACCOUNT NUMBER | PROJECT | CURRENT BUDGET AMOUNT | PROPOSED BUDGET AMOUNT | COMMENTS |
| 085300 | Funding for Disabled Access | \$50,000 | \$0 | Funding was unsuccessful |
| 113316 | CSRFF Grant for FR Golf Club | \$21,011 | \$0 | Funding application not submitted |
| 113317 | FR Golf Club Contribution | \$21,011 | \$0 | Funding application not submitted |
| 116300 | Funding for Shelter for Historic Grader | \$7,500 | \$15,000 | Increased funding to be applied for project |
| 122304 | Special Projects Grants | \$0 | \$260,000 | Project not included in original budget – fully funded |

| OPERATING REVENUE | | | | |
|-------------------|--------------------------------|-----------|-----------|---------------------------|
| 032100 | Financial Assistance Grant | \$322,019 | \$343,074 | Increased grant received |
| 032102 | Municipal Interest | \$15,000 | \$6,000 | Reduced interest received |
| 051103 | Fire Map Funding | \$15,000 | \$0 | Funding unsuccessful |
| 053104 | Community Preparedness Funding | \$10,000 | \$0 | Project deferred to 16/17 |
| 122105 | WANDRRA Funding | \$0 | \$300,000 | WANDRRA event proclaimed |
| 141100 | Private Works Income | \$25,000 | \$30,000 | Increased income received |
| 143102 | Plant Insurance Reimbursements | \$1,000 | \$13,000 | Increased income received |

Proposed major (greater than \$5,000) reserve transfers are as follows:

- Transfer \$6,850 from Building Asset Management Reserve for the Gillamii Centre septic system repairs as per Council motion 09112015;
- Transfer \$19,000 from Community Associations Reserve for the Tenterden Tennis Club loan as per Council motion 04082015;
- Increase the transfer of \$40,000 to \$45,000 from the Waste and Water Management Reserve for the increased cost of the Storm water harvesting project; and
- Delete the transfer of \$21,011 from the Rate Discount Reserve as there has not been a grant application submitted for the Frankland River Golf Club clubroom renovation project;

Statutory Environment

Local Government (Financial Management) Regulation 33A states:

“Review of budget

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.
- (3) A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

**Absolute majority required.*

- (4) Within 30 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department.”

Policy Applicable – Implications

There is no Council policy applicable to this item.

Financial Implications

The budget review recommends changes to the adopted budget and, therefore, changes the projects previously authorised by the Council. Whilst individual projects have varying financial implications, the resulting changes maintain a balanced budget. See Page 5 of the Budget Review document.

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 project management
- Inadequate supplier / contract management

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

The consequence of these risks are considered to be Moderate

The likelihood is Unlikely

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

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

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 Shire of Cranbrook's Senior Management Team

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Absolute Majority (Budget amendment)

OFFICERS RECOMMENDATION

That the 2015/2016 Annual Budget be amended in accordance with the attached 2015/2016 Budget Review document.

| | |
|-----------------------------|--|
| 10.1.4 SUBJECT | FREDERICK SQUARE PAVILION - INSTALLATION OF COMMERCIAL DISHWASHER |
| RESPONSIBLE OFFICER: | Trish Standish Manager of Finance and Administration |
| REPORT AUTHOR: | Toni Melia Emergency Services and Recreation Officer |
| FILE REFERENCE: | CP120 |
| APPLICANT: | Cranbrook Sporting Club |
| DATE OF REPORT: | 14 January 2016 |
| ATTACHMENTS: | Nil |

Purpose

The purpose of this report is for Council to consider the Cranbrook Sporting Club's request to contribute half of the funds required to purchase and install a commercial dishwasher at the Frederick Square Pavilion in Cranbrook. The club also request permission from the Council, as the owner of the building, to install the dishwasher.

Background

The Frederick Square Pavilion was completed in October 2010 and houses a meeting room, change rooms, crèche, kiosk, large function room, commercial kitchen and bar facilities. The club is licensed for up to 200 people, and aside from the regular sporting events hosted by the clubs within the sporting group, the sporting club catering committee caters for large functions such as weddings, birthdays and funerals etc. The venue is also frequently hired by other organisations, groups, individuals and government departments to host seminars, meetings and workshops.

The purchase of a dishwasher was considered by the Cranbrook Sporting Club Steering Committee at the time of construction, however one was never purchased as it was not considered a priority.

Officers Comment

As the club is now used for many functions the Sporting Club believe the volunteers would benefit from having a dishwasher as it would be more hygienic and much quicker to do the dishes.

To assist with funding this project the Cranbrook Sporting Club has applied for the annual Department of Social Service (DSS) 2015 Volunteer Grant. This grant funding provides small amounts of money (\$1,000 - \$5,000) for which organisations can use to help their volunteers. These grants are part of the Government's initiative to support volunteers and the work they do in the community.

Due to time constraints the club did not approach Council prior to submitting the DSS grant application, but have since sent a letter outlining their submission and subsequent funding request from Council. Applicants will be notified by DSS in May 2016 if they have been successful or not in their grant application.

The full cost of the project is:

| | Cost (excl. GST) |
|---|-------------------|
| Dishwasher – supply of entry and exit bench, spray arm etc. | \$7,284.00 |
| Electrician – supply and install of 3 phase circuit with isolator | \$1,343.00 |
| Plumbing – installation of dishwasher (materials and labour) | \$830.00 |
| TOTAL | \$9,457.00 |

The total amount the club have applied for through the DSS volunteer grant application is \$4,410 (exclusive of GST). This funding will cover some of the total cost to supply and install the dishwasher and will leave a deficit of \$5,047 (exclusive of GST).

The Cranbrook Sporting Club is asking the Council to pay half of all the remaining costs associated with the project if they are successful with their DSS grant application. This would be as follows:

| | Amount (excl. GST) |
|-------------------------|--------------------|
| DSS Grant | \$4,410.00 |
| Cranbrook Sporting Club | \$2,523.50 |
| Shire of Cranbrook | \$2,523.50 |
| TOTAL | \$9,457.00 |

If however the club is unsuccessful in obtaining the DSS grant, they are asking the Council to pay half of all costs associated with the project. This would be as follows:

| | Amount (excl. GST) |
|-------------------------|--------------------|
| Cranbrook Sporting Club | \$4,728.50 |
| Shire of Cranbrook | \$4,728.50 |
| TOTAL | \$9,457.00 |

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

The total cost of this report will be either \$2,523.50, if the club are successful with their grant application, or \$4,728.50 if they are unsuccessful. Either way the cost of this request could be funded from the Rate Discount Reserve Account that has a budgeted closing balance at 30 June 2016 of \$200,763.

The Capital Expenditure for the Shire of Cranbrook for this project is up to \$4,728.50
 The annual Depreciation cost will be met by the Cranbrook Sporting Club.
 The annual Operating cost for this project will be met by the Cranbrook Sporting Club.

Risk Implications

The risks associated with matters in this report are:

- External Theft and Fraud
- Ineffective management of facilities/venues

The impact of the risk is Health, Financial and Reputational

The consequence of these risks are considered to be Minor

The likelihood is Unlikely

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

The risks associated with matters in this report are mitigated by ensuring that reputable suppliers and tradespeople are engaged to complete this project in a timely and professional manner.

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: 1.5.3 Support a sporting and active community

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

Objective: 4.3 Outstanding Public Facilities

Strategy: 4.3.2 Continue development of recreational and tourism facilities across Shire

Consultation

Consultation included representatives from the Cranbrook Sporting Club.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Absolute Majority (Budget Amendment)

OFFICERS RECOMMENDATION

That:

1. The Council agree to the installation of a commercial dishwasher in the Frederick Square Pavilion;
2. The Council contribute up to \$4,728.50 towards the supply and installation of a commercial dishwasher in the Frederick Square Pavilion; and
3. Up to \$4,728.50 be transferred from the Rate Discount Reserve Account for this project.

10.1.5 SUBJECT

**FRANKLAND RIVER DISTRICT COUNTRY CLUB –
KITCHEN UPGRADE**

| | |
|-----------------------------|---|
| RESPONSIBLE OFFICER: | Trish Standish Manager of Finance and Administration |
| REPORT AUTHOR: | Trish Standish Manager of Finance and Administration |
| FILE REFERENCE: | CP209 & A337 |
| APPLICANT: | Frankland River District Country Club |
| DATE OF REPORT: | 2 February 2016 |
| ATTACHMENTS: | Nil |

Purpose

The purpose of this report is for Council to consider the Frankland River District Country Club's (FRDCC) request to contribute towards the upgrade to the kitchen in the Frankland River District Country Club building.

Background

The Frankland River District Country Club submitted a grant application to the Department of Sport and Recreation through the Community Sporting Recreation Facilities Funding (CSRFF) round in September 2015 for funds to assist with the upgrade of the kitchen in the FRDCC building. The funding application was for \$11,431 (ex GST).

The initial quote, submitted with the grant application, was for the supply and install of new kitchen cabinets only. This quote was for \$10,887 (ex GST) and the CSRFF grant application included a 5% project contingency bringing the total to \$11,431. If the grant was successful the expense would have been split three ways with CSRFF, FRDCC and Council each contributing \$3,810 each. There were no demolition, plumbing or electrical costs included in this quote.

On 4 January 2016 the Shire were advised that this funding application was unsuccessful.

Officers Comment

The club have now asked the Council to assist them with funding this kitchen upgrade from the Frankland River Sporting Facilities Reserve Account.

A number of years ago, reserve accounts were created to assist with upgrades to both Cranbrook and Frankland River Sporting Facilities. The reserve account for the upgrade to the Cranbrook sporting facilities was fully utilised in the construction of Frederick Square oval and the facilities located there.

The Frankland River Sporting Facilities Reserve account has been utilised for numerous upgrades to various facilities over the years and has a budgeted balance at 30 June 2016 of \$289,456.

The club have now obtained a quote for the complete refurbishment of the kitchen with the scope of works being:

1. Demolition of the existing kitchen – including removal of all existing cupboards and benches, pressure washing of all surfaces, repair of any damaged areas, preparation for plumbing and electrical work and preparation of the room for painting; and
2. Installation of the new kitchen – including painting of walls and ceiling, floor coverings for bare areas, assemble and install new cupboards and sink, reinstate plumbing and electrical fittings, move all appliances back into place.

The approximate cost of this work is \$44,500 (ex GST).

The club have indicated they have raised \$10,000 towards this project and have asked for a contribution towards the remaining cost. The Shire's Club Development Officer Nicole Selesnew, has indicated that the FRDCC may be able to source additional funding for this project through other avenues and has said that the Shire's support of this project will assist them in their funding applications.

It is considered reasonable for the Shire to contribute half of the quoted cost towards this refurbishment project allowing the club to apply for funding to assist with the remaining costs.

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

The total cost to the Council would be \$22,250 (ex GST) and could be funded from the Frankland River Sporting Facilities Reserve Account that has a budgeted closing balance at 30 June 2016 of \$289,456.

The Capital Expenditure for the Shire of Cranbrook for this project is \$22,250

The annual Depreciation cost will be met by the Frankland River District Country Club

The annual Operating cost for this project will be met by the Frankland River District Country Club

Risk Implications

The risks associated with matters in this report are:

- External Theft and Fraud
- Errors, Omissions and Delays
- Inadequate project/change management
- Inadequate supplier/contract management
- Ineffective management of facilities/venues

The impact of the risk is Health, Financial and Reputational

The consequence of these risks are considered to be Minor

The likelihood is Unlikely

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

The risks associated with matters in this report are mitigated by ensuring that reputable suppliers and tradespeople are engaged to complete this project in a timely and professional manner.

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: 1.5.3 Support a sporting and active community

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

Objective: 4.3 Outstanding Public Facilities

Strategy: 4.3.2 Continue development of recreational and tourism facilities across Shire

Consultation

Consultation included representatives from the Frankland River District Country Club.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Absolute Majority (Budget Amendment)

OFFICERS RECOMMENDATION

That:

- 1. The Council contribute \$22,250 towards the cost of renovations to the kitchen in the Frankland River District Country Club; and**
- 2. \$22,250 be transferred from the Frankland River Sporting Facilities Reserve Account for this project.**

10.2 GOVERNANCE & EXECUTIVE SERVICES

| | |
|-----------------------------|---|
| 10.2.1 SUBJECT | LOCAL EMERGENCY MANAGEMENT COMMITTEE DRAFT MINUTES – 9 DECEMBER 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: | 11 January 2016 |
| ATTACHMENTS: | Draft December 2015 Minutes – Local Emergency Management Committee |

Purpose

The purpose of this report is to present to Council the draft minutes of the 9 December 2015 Local Emergency Management Committee.

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 Support (DCP&FS)
- Plantagenet Health Service
- Red Cross

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

Officers Comment

There were no recommendations from the 9 December 2015 meeting for Council to consider.

It should be noted however in item 5.3 of the draft minutes, the committee has decided to establish a working group to review the Shires evacuation planning and procedures. This has evolved as a result of incidences that have occurred throughout the Shire during this fire season and in response to the ESRO's concerns after speaking to residents of the Shire about their understanding of evacuation procedures and alerts.

Statutory Environment

The Emergency Management Act 2005.

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 for this report included members of the LEMC.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION

That that the attached draft minutes of the 9 December 2015 Local Emergency Management Committee meeting be received by Council.

10.2.2 SUBJECT

POLICY MANUAL REVIEW

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | Peter Northover Chief Executive Officer |
| REPORT AUTHOR: | Trish Standish Manager of Finance and Administration |
| FILE REFERENCE: | GO17 |
| APPLICANT: | N/A |
| DATE OF REPORT: | 8 February 2016 |
| ATTACHMENTS: | Policy Manual, Code of Conduct, Delegations and Authorisations Registers |

Purpose

The purpose of this report is to consider the adoption of the revised Policy Manual, Code of Conduct, Delegations and Authorisations Registers.

Background

At the 17 February 2015 meeting of Council it was resolved that:

“The attached revised Shire of Cranbrook Policy Manual, Code of Conduct, Delegations and Authorisations Registers be adopted.”

Officers Comment

In 2013/2014 the Policy Manual was critically reviewed and rewritten. The impetus for the review was partially driven by the Integrated Planning and Reporting process and also by the Senior Management Team, which recognised that there was a need for continuous improvement across the entire organisation.

Since then and again this year, a number of changes have been made to the manual, which include a number of new policy inclusions and improvement updates to existing policies. Whilst not exhaustive, the major changes include:

1. The creation of three new policies:
 - **Policy 2.20 Workforce - Disciplinary** – This policy has been created to ensure that any disciplinary procedure will be applied in a consistent, fair and objective manner and it will ensure that, where reasonable, employees are given an opportunity and assistance to improve;
 - **Policy 2.21 Workforce - Superannuation** – This policy is to set the guidelines for offering additional superannuation contributions for permanent employees of the Shire of Cranbrook; and
 - **Policy 10.0 Environment - Environmental Management** – This policy demonstrates the Council’s commitment to maintain, protect, enhance and promote the environment of the Shire of Cranbrook.
2. The deletion of **Policy 1.4 – Governance – Confidential Reports to Council** - Given that reports of this nature are uploaded directly to ‘Docs on Tap’ and then deleted immediately after the matter has been dealt with by Council, there is no need for this policy.

3. Changes to **Policy 2.19 – Workforce – Drug and Alcohol** – The main changes to this policy include a statement that clearly states that the Shire of Cranbrook have a zero tolerance to drugs, alcohol and smoking in the workplace.
4. Changes to **Policy 4.8 – Finance – Purchasing** – Changes have been made to the purchasing limits to incorporate the change to the Local Government (Functions and General) Regulations 1996 that have increased the tender threshold from \$100,000 to \$150,000.

The Code of Conduct remains unchanged and the Delegations' Register has some minor changes to reflect monetary limits that have changed in associated policies. The only change to the Authorisations' Register is to update relevant employee names.

Other minor changes, including grammatical correction, have been made throughout the policy manual.

Statutory Environment

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

The Council is to determine the Local Government's policies.

Delegations and authorisations are designated by various acts and regulations as specified in the manual.

Policy Applicable – Implications

This report proposes adoption of the revised Policy Manual, Code of Conduct and Delegations and Authorisations registers.

Financial Implications

There are various financial implications from this report, all of which are considered as part of the budget process.

Risk Implications

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

- Misconduct
- Business and Community Disruption
- External Theft and Fraud
- Errors, Omissions and Delays
- Failure of IT and or Communication Systems and Infrastructure
- Failure to fulfil statutory, regulatory or compliance requirements
- Providing inaccurate advice/information
- Inadequate document management processes
- Inadequate engagement practices
- Inadequate asset sustainability practices
- Inadequate safety and security practices
- Ineffective employment practices
- Inadequate project/change management
- Inadequate supplier / contract management
- Ineffective management of facilities / venues / events

The impact of the risk is Health, Financial, Service Interruption, Non-Compliance, Reputational, Property and Environment.

The consequences of these risks are considered to be Moderate.

The likelihood is Likely.

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

Risk mitigation includes:

- Councillors having a clear understanding of the content of the policies in the attached policy manual.
- The successful execution of the policies, delegations and authorisations by the Senior Management Team and staff.

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 1.2: Develop Community Leadership

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

Objective 2.2: Support Economic Growth and Development

Aspiration 3.0: By 2023 the Shire of Cranbrook will Maintain, Protect, Enhance and Promote its environment

Objective 3.1: Have a Healthy Environment

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 Road Infrastructure

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

Objective 5.2: Demonstrate Strong Leadership

Objective 5.4: Demonstrate Sound Financial Planning and Management

Objective 5.5: Provide Outstanding People and Service

Objective 5.6: Listen to, Hear and Engage the Community

Objective 5.7: Effectively Represent the Shire of Cranbrook

Consultation

Consultation for this report included members of the Senior Management Team and staff.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Absolute Majority

OFFICERS RECOMMENDATION

That the attached revised Shire of Cranbrook Policy Manual, Code of Conduct, Delegations and Authorisations Registers be adopted.

| | |
|-----------------------------|---|
| 10.2.3 SUBJECT | COMPLIANCE AUDIT RETURN – 2015 |
| RESPONSIBLE OFFICER: | Peter Northover Chief Executive Officer |
| REPORT AUTHOR: | Trish Standish Manager of Finance and Administration |
| FILE REFERENCE: | AD5 |
| APPLICANT: | N/A |
| DATE OF REPORT: | 8 February 2016 |
| ATTACHMENTS: | 2015 Compliance Audit Return |

Purpose

The purpose of this report is to consider the Compliance Audit Return (CAR) for the 2015 calendar year as required by the Local Government Act 1995.

Background

The CAR is one of the tools that allow the Council to monitor how the organisation is functioning. Each Local Government is required to carry out a compliance audit for the period 1 January – 31 December 2015 against the requirements included in the Local Government (Audit) Regulations.

Officers Comment

The structure of the CAR continues in the reduced format that was introduced in 2011 with the areas of compliance restricted to those considered high risk.

The Audit Committee continues to be required to review the CAR and report the results of that review to the Council prior to adoption by the full Council and submission to the Department of Local Government.

The Audit Committee will be meeting at 12.45pm on Wednesday 17 February 2016, to discuss this return.

After the CAR has been presented to the Council, a certified copy of the return together with the relevant section of the minutes and any additional information explaining or qualifying the Compliance Audit, is to be submitted to the Executive Director of the Department of Local Government by 31 March 2016.

Statutory Environment

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

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

There are no financial implications for this report.

Risk Implications

The risk associated with matters in this report is:

- Failure to fulfil statutory, regulatory or compliance requirements

The impact of the risk Compliance

The consequence/s of these risks are considered to be Insignificant

The likelihood is rare

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

Risk mitigation includes ensuring the CAR is completed on time each year.

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.

5.1.2 Develop effective policies, procedures and practices.

Consultation

Consultation was not required for this report.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

AUDIT COMMITTEE RECOMMENDATION

The audit committee will be meeting at 12.45pm on Wednesday 17 February 2016 to discuss this report and will make a recommendation to the Council. The Officers recommendation for the Audit Committee to consider is:

That the Audit Committee recommends to the Council that the Shire of Cranbrook's Compliance Audit Return for the period 1 January to 31 December 2015, as attached, be adopted.

| | |
|----------------------------|--|
| 10.2.4 SUBJECT | PLANNING APPLICATION - PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE – LOT 3 PARSONS ROAD, TENTERDEN |
| RESPONSIBLE OFFICER | Peter Northover Chief Executive Officer |
| REPORT AUTHOR: | Liz Bushby Gray & Lewis Landuse Planners |
| FILE REFERENCE: | A754 |
| APPLICANT: | Aurecom Australia |
| DATE OF REPORT: | 4 January 2016 |
| ATTACHMENTS: | Nil. |

Purpose

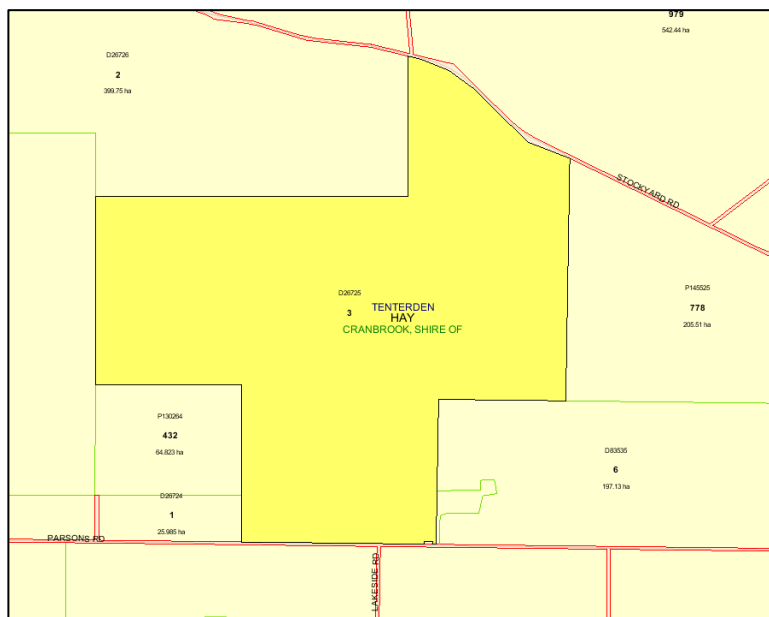
The purpose of this report is for Council to consider an application for planning approval for telecommunications infrastructure on Lot 3 Parsons Road, Tenterden.

Background

At the 21 October 2015 meeting of Council it was resolved:

“that Council:

- 1. Determine that the proposed telecommunication infrastructure may be consistent with the objectives of the Rural zone and thereafter follow the advertising procedures of Clause 9.4.3 in considering an application for planning approval;**
- 2. Authorise the Chief Executive Officer to write to nearby landowners and Telstra seeking comment on the application within 14 days in accordance with Clause 9.4.3 (a) of the Shire of Cranbrook Town Planning Scheme No 4; and**
- 3. Note that a further report will be referred to Council following formal advertising.”**



Officers Comment

Zoning

The lot is zoned 'Rural' under the Shire of Cranbrook Town Planning Scheme No 4 ('the Scheme').

The objectives of the Rural zone include *'to ensure the continuation of broad hectare agriculture in the district encouraging where appropriate the retention and expansion of agricultural activities'* and *'to consider non rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources of the environment'*.

Description of Application

The application is for a 65 metre high lattice tower to provide high speed wireless broadband coverage. The tower includes ancillary components such as antennas and 2 outdoor units which will be enclosed in a secure fenced compound.

The applicant has advised as follows:

- NBN Co is a government business enterprise and is a wholly federal government owned company established to design, build and operate the National Broadband Network.
- The tower will provide a fixed wireless network which is like a fixed broadband network but delivered over air instead of fibre optic cable.
- The tower will provide services locally (west of Tenterden) and to Frankland River.
- A number of candidate sites were examined for in depth investigation and this site was considered the preferred option in Tenterden.
- The compound will be setback approximately 21 metres to Parsons Road.
- No removal of trees or other native vegetation is required.
- The nearest dwelling is approximately 400 metres from the proposed facility.
- The tower will be located approximately 50 metres west of an existing Telstra tower already located on the lot.

A copy of the applicants planning report is available to Councillors on request, and includes detailed site photographs.

Landuse classification and permissibility

When an application is lodged, part of the planning assessment involves examining the landuse definitions in the Scheme, and determining the 'best fit' landuse classification.

There is a specific landuse definition for 'telecommunications infrastructure' under the Shire of Cranbrook Town Planning No 4 ('the Scheme') and it is defined as *'means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in connection with, a telecommunications network'*.

Whilst the 'telecommunications infrastructure' landuse is defined in the Scheme, it is not listed in the Zoning Table.

At the October meeting, Council resolved to *"determine that the use may be consistent with the objectives of the Rural zone and thereafter follow the advertising procedures of Clause 9.4 in considering an application for planning approval"*.

The application has been advertised by the Shire and no submissions have been received.

Western Australian Planning Commission Statement of Planning Policy No 5.2 on 'Telecommunications Infrastructure'.

The Western Australian Planning Commission (WAPC) has an adopted Statement of Planning Policy No 5.2 for Telecommunications Infrastructure ('SPP 5.2') (March 2004) (which predates the NBN).

The WAPC Policy discusses issues such as the need to meet the communication needs of the community and minimising potential adverse visual impact.

The objectives of SPP5.2 include:

*'To facilitate the provision of telecommunications infrastructure in an efficient, cost-effective and environmentally responsible manner to meet community needs and
To minimise disturbance to the environment and loss of amenity in the provision of telecommunications infrastructure. '*

The Policy includes a series of guiding principles for the location, siting, and design of telecommunications infrastructure such as *"Telecommunications facilities should be located and designed to meet the communication needs of the community"*.

The Policy discusses the long term benefits of telecommunications infrastructure, however still includes guiding principles aimed to minimise adverse impacts on the visual character and amenity of the surrounding area and minimising potential adverse visual impact. In particular, impacts on prominent landscape features, general views in the locality, and individual significant views.

It is important to acknowledge the Policy references *"to minimise"* and that SPP2.5 does not require a tower to be invisible or have no visual impact.

From a practical perspective, height is an essential attribute of telecommunications infrastructure and is integral to the development being able to provide a service to the community.

Importantly, one of the guiding principles of SPP 5.2 is *'unless it is impractical to do so telecommunications towers should be located within commercial, business, industrial and rural areas and areas outside identified conservation areas'*.

Statutory Environment

Shire of Cranbrook Town Planning Scheme No 4 – Clause 9.4.1 (a) states that an application which involves a 'use not listed in the zoning table' is to be advertised in accordance with Clause 9.4.3. Clause 9.4.3 requires a 14 day advertising period.

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 risk associated with matters in this report providing inaccurate advice/information.

The impact of the risk is Reputational

The consequence of this risk is considered to be Minor

The likelihood is Unlikely

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

Risk mitigation includes utilising the service of a professional planner.

Strategic Community Plan Reference

There is no reference to this report in the Council's Strategic Community Plan.

Consultation

The application was advertised between 3 December 2015 and 19 December 2015.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION

That Council:

1. **Having determined that the proposed development of telecommunication infrastructure on Lot 3 Parsons Road, Tenterden may be consistent with the objectives of the Rural zone, has caused the application for development by Aurecon to be advertised in accordance with the Shire of Cranbrook Town Planning Scheme No 4 ('the Scheme').**
2. **Note that no submissions have been received during advertising.**
3. **Resolves to approve the application lodged by Aurecon for 'telecommunications infrastructure' on Lot 3 Parsons Road, Tenterden subject to:**
 - (i) **All development to be in accordance with the plans lodged as part of this application (Drawing 6MBA-51-10-TEND Revision 2), unless otherwise agreed to in writing by the Chief Executive Officer.**
 - (ii) **If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.**
4. **Advise the applicant through footnotes on any planning consents as follows:**
 - a. **A planning consent is not an approval to commence any works. A building permit is required for construction works.**

| | |
|-----------------------------|---|
| 10.2.5 SUBJECT | PLANNING APPLICATION – 52 GRANTHAM ST, CRANBROOK |
| RESPONSIBLE OFFICER: | Cassandra Hughes Manager of Economic and Community Development |
| REPORT AUTHOR: | Cassandra Hughes Manager of Economic and Community Development |
| FILE REFERENCE: | CS216 |
| APPLICANT: | Cranbrook Community Men’s Shed |
| DATE OF REPORT: | 11 January 2016 |
| ATTACHMENTS: | Nil |

Purpose

The purpose of this report is for Council to consider a planning application to use the premises located at 52 Grantham Street, Cranbrook as the club premises for the Cranbrook Community Men’s Shed.

Background

At the 16 September 2015 meeting of Council it was resolved 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.**

And

At the 18 November 2015 meeting of Council it was resolved that:

- 1. The Chief Executive Officer be authorised to make an offer to the owners of 52 Grantham St, Cranbrook to the value of the property valuation dated 28 October 2015 subject to grant funding;**
- 2. The Shire of Cranbrook make application to Lotterywest for 50% funding of the purchase price of the building at 52 Grantham St, Cranbrook; and**
- 3. The remainder be funded from the Rate Reserve Account.**

Officers Comment

Zoning

52 Grantham St, Cranbrook is located in the Town Centre zone of the Cranbrook townsite. The objectives of the Town Centre Zone are:

- To ensure the established town centres remain the principal places for retail, commercial, civic and administrative functions;
- To ensure development will not adversely affect local amenities, and will enhance the character of townsites in the district;
- To provide for the efficient and safe movement of pedestrians and vehicles, (including trucks, buses and caravans);

- To provide sufficient parking spaces for cars, caravans, and buses without compromising pedestrian movements;
- To provide an increased level of public amenities including public toilets, shaded areas and street furniture; and
- To provide for expansion of commercial activity and community facilities to meet future demands.

Description of Application

The application received from the Cranbrook Community Men's Shed is to consider the use of 52 Grantham St, Cranbrook for the purpose of Club Premises for their group. The building is a workshop and has a small retail area, office, meeting/communal social area and large workshop. The area and building is well suited to the purpose of a Men's Shed group for their club premises.

Landuse Classification and Permissibility

When an application is lodged, part of the planning assessment involves examining the landuse definitions in the Scheme, and determining the 'best fit' landuse classification.

There is a specific definition for "club premises" and it is defined as; premises used by a legally constituted club or association or other body of persons united by a common interest.

Club Premises are specifically listed in the Town Planning Scheme Zoning Table, as a "D" use which means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

It is recommended that the Council approve the land use as a "club premises". The Council has agreed to purchase the building for the purpose of the Cranbrook Community Men's Shed and have applied to Lotterywest for contributory funds to that project.

Statutory Environment

Shire of Cranbrook Town Planning Scheme No4.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

The request for planning approval has come with a request to waive the planning application fees. Hence the Shire will not receive the planning fee. There are no other financial implications of this report.

Risk Implications

The risk associated with matters in this report is failure to fulfil statutory, regulatory or compliance requirements.

The impact of the risk is Non-Compliance

The consequences of these risks are considered to be Moderate

The likelihood is Rare

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

Risk mitigation includes The Cranbrook Community Men's Shed has been requested to submit a planning application to ensure the correct landuse is considered and in place for the use of the building.

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 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 Cranbrook Community Men's Shed.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION

That Council:

- 1. Having determined that the proposed landuse "club premises" is consistent with the objectives of the Town Centre zone and is therefore permitted;**
- 2. Advise the applicant through footnotes on the planning approval that this is a planning consent only for the use of the land and that separate building and health requirements may also need to be met.**

10.3 WORKS

Nil

10.4 ECONOMIC & COMMUNITY

10.4.1 SUBJECT

CRANBROOK REGIONAL COMMUNITY HUB – EXPRESSION OF INTEREST – SALE OF EXISTING FITTINGS AND FIXTURES

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | Cassandra Hughes Manager of Economic and Community Development |
| REPORT AUTHOR: | Cassandra Hughes Manager of Economic and Community Development |
| FILE REFERENCE: | A200 |
| APPLICANT: | Nil |
| DATE OF REPORT: | 18 January 2016 |
| ATTACHMENTS: | Expression of Interest Document |

Purpose

The purpose of this report is for Council to consider the sale of the fixtures and fittings remaining in the Cranbrook Community Hub by expression of interest.

Background

At the 17 June 2015 meeting of Council it was resolved that:

- 1. Council supports the submission of an application to the National Stronger Regions Fund for the purpose of the internal fitout of the Cranbrook Community Hub;**
- 2. Council agrees to fund 50% of the estimated cost as provided in the Quantity Survey dated 12 June 2015, from the Rates Discount Reserve and the Cranbrook Community Hub Reserve in the 2015/2016 draft budget.**

Officers Comment

To enable construction of the new Regional Community Hub, various existing fixtures and fittings will need to be removed from the building to make way for new internal construction. An expression of interest document has been prepared and is attached for information on the items to be offered for sale.

As the amount to be received from the sale of items is unknown, this item has been presented to meet legislative requirements of the Local Government Act (1995), Local Government Functions and General Regulations (1996) and Councils Delegation Register, which require the sale of any items of a value of over \$20,000 to be the decision of the Council.

As the revenue to be received may be above \$20,000 it is prudent to present the decision to the Council for approval to sell the stated items.

Statutory Environment

Section 3.58 of the Local Government Act of 1995, states that:

- (2) Except as stated in this section, a local government can only dispose of property to
- (a) the highest bidder at public auction or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

Section 30 (3) of the Local Government (Functions and General) Regulations of 1996, states that:
A disposition of property other than land is an exempt disposition if

- (a) Its market value is less than \$20,000;

Shire of Cranbrook – Delegation Register, provides a delegation for the Chief Executive Officer to dispose of property up to \$20,000 without a Council Decision.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

The Council will receive payments for goods sold. Any funds received will be utilised for the construction of the project and deposited into Capital Revenue account 111300, Cranbrook Community Centre Development Funding.

Risk Implications

The risks associated with matters in this report are

- External Theft and Fraud
- Inadequate supplier / contract management
- Ineffective management of facilities / venues / events

The impact of the risk is Financial, and Property.

The consequence of these risks are considered to be, Minor

The likelihood is Unlikely

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

Risk mitigation includes:

- Adequate advertising
- Good document management and controls over the sale of items
- Controls over building access and supervision during removal of items

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: 1.1 Create Engaged Communities

Strategy: 1.1.3 Support Community building and development

Objective: 1.5 Develop a health place to grow and age

Strategy: 1.5.1 Provision of services to children and the aged

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

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

Objective: 4.3 Provide Outstanding Public Facilities

Strategy: 4.3.4 Provision, development, maintenance and delivery of outstanding built assets

Consultation

Consultation for this report was not required as it is part of the agreed project. However, the Senior Management Team has discussed the Expression of Interest process. Any expression of interest will be advertised locally and in State wide media.

VROC Implications

VROC Vision: *To sustain a collaborative partnership that serves as an exemplar to other Local Government groupings.*

Objectives:

Regional Community Development

Build capacity to enable communities to achieve.

S2: Collaborate on common community development projects

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION

That Council:

- 1. Approves the attached Expression of Interest document that lists all items for sale in the Cranbrook Regional Community Hub; and**
- 2. Authorises the Chief Executive Officer to accept the most acceptable expression of interest/s.**

10.4.2 SUBJECT

CBH MEMORANDUM OF UNDERSTANDING

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | Cassandra Hughes Manager of Economic and Community Development |
| REPORT AUTHOR: | Cassandra Hughes Manager of Economic and Community Development |
| FILE REFERENCE: | CP125 |
| APPLICANT: | CBH |
| DATE OF REPORT: | 4 February 2016 |
| ATTACHMENTS: | <ol style="list-style-type: none">1. Memorandum of Understanding – Cranbrook Joint Venture Accommodation Units2. CBH Annexure B – Premises3. CBH Annexure C – CBH Dedicated Non- Harvest Accommodation |

Purpose

The purpose of this report is for Council to consider the renewal and extension of the Memorandum of Understanding (MOU) between the Shire of Cranbrook and Cooperative Bulk Handling (CBH) for the Cranbrook Joint Venture Accommodation Units.

Background

At the 17 February 2010 meeting of Council it was resolved that:

“the attached memorandum of understanding between Shire of Cranbrook and Cooperative Bulk Handling be approved and the Chief Executive Officer be authorised to execute the document and affix the common seal.”

The MOU was signed in 2010 and the facility has been successfully operating since that time. During the period of operation there have been only three occasions when behaviour or operational matters needed to be referred to CBH. In general the operation, management arrangement and general conduct within the facility have been very positive and successful.

Officers Comment

Approximately 12 months ago the Manager of Economic and Community Development and CBH representative Mr Lee Nilan commenced a renegotiation of the MOU for the Accommodation Units. The renegotiation initially commenced after a review of the operations of the units, and with the installation of the second unit complex. Since that time, the initial term of the MOU has also reached maturity.

The changes to the MOU are largely administrative, clearly defining how the units are operated and managed.

The significant changes are as follows:

CBH will have permanent access to Units 1-8, and Kitchen 1. These are part of the original installation. This will allow CBH workers to be provided accommodation at all times should they require it.

In order to fairly distribute the costs for the operation of the units the following will now occur.

1. During the Harvest period from November to February each year, CBH will manage the whole facility and all costs associated with this period will be charged to CBH. There is no change to this arrangement.
2. During the non-Harvest period, CBH will retain use of Units 1-8 and Kitchen 1. They will pay a rate based on pro-rata usage of utilities during this period.
3. During the non-Harvest period the balance of the units are managed by the Shire, the revenue and expenses for this period are shared 50%.
4. Increased reporting to monthly reports of income and expenditure. It is not a cumbersome reporting structure, and will be easily supplied through the Shire's financial system.

The unit complex is working very well for both CBH and the Shire. It has been a very successful joint venture providing harvest accommodation for the large CBH workforce and individual accommodation for visitors, workers and groups during the non harvest period.

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

To date the following table represents the profit/loss shared by the Shire and CBH over the course of the current MOU.

| Year | Shire of Cranbrook Profit/Loss | CBH Profit/Loss |
|-----------|--------------------------------|--------------------|
| 2011/2012 | \$499.60 (loss) | \$499.60 (loss) |
| 2012/2013 | \$191.00 (loss) | \$191.00 (loss) |
| 2013/2014 | \$1280.00 (profit) | \$1280.00 (profit) |
| 2014/2015 | \$1522.00 (profit) | \$1522.00 (profit) |

The new arrangements will slightly increase the amount to be oncharged to CBH as they will pay a pro-rata portion of the unit costs during the non harvest period when their staff are present.

Eg. If CBH are the only users of the facility during a particular month, all electrical and water consumption costs are charged direct to CBH. Should guests also use the facility, their proportionate room nights will be charged to the 50% Shared Expense Account to be shared between the Shire and CBH, along with the revenue from the guest.

Risk Implications

The risks associated with matters in this report are;

- Inadequate supplier / contract management
- Ineffective management of facilities / venues / events

The impact of the risk is Reputational, Property,

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 a high level of consultation with CBH has occurred to determine the best management and reporting structures for the facility. Both parties are treated equitably in the MOU. The MOU represents good practice in managing the arrangement.

The further ten year term is a long term positive strategy for economic growth and management of the facility.

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

Strategy 2.1.3: Development of the Southern Link Transport Hub

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 4.1.2: Review and plan for industrial infrastructure

Consultation

A high level of consultation has occurred between the Manager of Economic and Community Development and CBH. There has also been some consultation with the Caretakers who provide a level of service to CBH through the Shire.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION

That Council:

- 1. Approves the attached Memorandum of Understanding for The CBH Joint Venture Accommodation Units between Shire of Cranbrook and Cooperative Bulk Handling; and**
- 2. Authorises the Chief Executive Officer to execute the document and affix the common seal.**

- 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 Cunningham will declare the meeting closed at pm.