

COUNCIL MEETING

MINUTES



For the Ordinary Meeting of Council held on

17 February 2016

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MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Cunningham declared the meeting open at 3:00pm. 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 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	Two
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LEAVE OF ABSENCE

Nil

APOLOGIES

Nil

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

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

Peter Pitman
Lottie Palmer
Shirley Williamson
Errol Kaighan
Jeanette Enderberry

A moments silence was observed as a mark of respect.

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Item 4.2 from 16 December 2015 Council Meeting - A3003 Peter Morris, 21 Armstrong Street Cranbrook

The Chief Executive Officer sent Mr Morris a public health information sheet titled "Hazards on Your Property After a Fire". Mr Morris was specifically referred to page 2 of the document regarding "Asbestos Hazards, Clean-up and Disposal" and in particular dot point 2 where it states "during a bushfire, asbestos fibres released into the air is likely to be low".

4.2 PUBLIC QUESTION TIME

A337 – Mr Munro White, Frankland River District Country Club

Public Toilet Car Park

Mr White advised the Council that he asked a question at the Annual Electors' Meeting in November 2015 in Frankland River regarding the driveway entrance to the Frankland River Country Club that has deteriorated due to people using this entrance when accessing the public toilets. Mr White asked if anything is going to be done to repair this as the potholes make access to the Country Club intolerable.

The Chief Executive Officer, Mr Peter Northover advised that some repairs had been completed and there was no point undertaking a major reseal of the car park if a capital upgrade to the building was going to be completed.

The Shire President, Mr Twynam Cunningham asked Mr White if he had been sent to the meeting by the Country Club committee.

Mr White advised that many of the committee were busy farmers and as he was retired, he had the time to do these things.

Mr White advised that some of the potholes had been repaired.

The Manager of Works, Mr Jeff Alderton advised that it would be quite expensive to reseal the entire car park.

Mr White asked if a separate car park could be created for people that use the public toilets.

Mr Alderton advised that he would need to have a look at the area to see if a separate parking area could be constructed and if so, he would then need to cost it.

Mr Northover advised that this would be looked at and costed for next year's draft budget.

Pruning of Trees

Mr White advised the Council that he had spoken to the Chief Executive Officer some time ago regarding pruning the trees between the Bowling Green and Tennis Courts in Frankland River. He advised that leaves and gumnuts fall on the bowling green and that a cherry picker would be required to prune the trees. Mr White said the Chief Executive Officer had advised that this could be completed however nothing has been done as yet.

The Chief Executive Officer, Mr Peter Northover advised that this would be taken on notice and will be looked at in the coming weeks to see what can be done.

Dumping of Green Waste

Mr White advised that the Shire had dumped green waste to the north of the bowling green in Frankland River. Mr White said he spoke to the female gardener who advised him that her boss had instructed her to dump it there. Mr White said it was a considerable fire hazard that needs to be removed.

The Manager of Works, Mr Jeff Alderton advised that there was a designated area to the north of the caravan park, not north of bowling green for green waste to be left until a truck could remove it to the waste site. Mr Alderton will follow this up with the parks and gardens team to ensure the green waste is being left in the designated area.

One member of the public left the chambers at 3.13pm

5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Motion 01022016

Moved Cr Standish, seconded Cr Bigwood that Cr Egerton-Warburton and Cr Denton be granted a leave of absence for the 16 March 2016 ordinary meeting of Council.

Carried 9/0

7. DISCLOSURE OF INTEREST

Cr P Horrocks

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

Cr JT Cunningham

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

Cr P Denton

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member and Vice President of Cranbrook Sporting Club

Cr TC Standish

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

Mr Jeffrey Alderton

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

Mr Peter Northover

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

Cr ER Bigwood

Item 10.1.5

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Frankland River District Country Club

Cr HC Parsons

Item 10.1.5

Type: Financial Interest Section 5.60A Local Government Act 1995

Nature: Parsons Family Trust trades as Mundaberra Pty Ltd who has supplied a quote for the upgrade to the kitchen of the Frankland River District Country Club

Cr P Denton

Item 10.2.5

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Men's Shed

Mr Peter Northover

Item 10.2.5

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Men's Shed

Cr P Denton

Item 10.4.1

Type: Proximity Interest Section 5.60B Local Government Act 1995

Nature: Owner of land adjacent to Cranbrook Community Hub

Cr TC Standish

Item 10.4.2

Type: Financial Interest Section 5.60A Local Government Act 1995

Nature: Employee of Cooperative Bulk Handling

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 16 DECEMBER 2015

Motion 02022016

Moved Cr Parsons, seconded Cr Egerton-Warburton that the minutes from the ordinary meeting of Council held on 16 December 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:	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/COUNCIL DECISION

Motion 03022016

Moved Cr Horrocks, seconded Cr Adams 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.**

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:	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/COUNCIL DECISION

Motion 04022016

Moved Cr Horrocks, seconded Cr Adams that the attached financial statements for the period ending 31 December 2015 and 31 January 2016 be noted.

Carried 9/0

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.

COUNCIL DECISION

Motion 05022016

Moved Cr Egerton-Warburton, seconded Cr Adams that the 2015/2016 Annual Budget be amended in accordance with the attached 2015/2016 Budget Review document which is inclusive of the following adjustments:

- **Account 116202 Budget Amended to \$10,000**
- **Account 116300 Budget Amended to \$0**
- **Account 122002 Budget Amended to \$874,000**

**Carried 9/0
By Absolute Majority**

Reason For Change

The Council wished to reduce the scope of works for the shelter for the historic grader and transfer the remaining funds into road maintenance.

Cr P Horrocks

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

Cr JT Cunningham

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

Cr TC Standish

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

Cr Horrocks, Cr Cunningham and Cr Standish declared that they will consider this matter on its merits and vote accordingly.

Cr P Denton

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member and Vice President of Cranbrook Sporting Club

Cr Denton chose not to participate in the discussion or decision making regarding this matter and left the chambers at 3.19pm

Mr Jeffrey Alderton

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

Mr Peter Northover

Item 10.1.4

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Sporting Club

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

Moved Cr Adams, seconded Cr Standish 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.

Lost 3/5

COUNCIL DECISION

Motion 06022016

Moved Cr Egerton –Warburton, seconded Cr Adams that:

1. The Council agree to the installation of a commercial dishwasher in the Frederick Square Pavilion; and
2. The Council offer the Cranbrook Sporting Club an interest free loan for up to \$4,728.50 over a term not more than 5 years, towards the supply and installation of a commercial dishwasher in the Frederick Square Pavilion.

Carried 8/0

Reason for Change

Council felt that the purchase of a dishwasher was the responsibility of the Sporting Club and not the Council.

Cr Denton re-entered the chambers at 3.35pm

One member of public left the chambers at 3.35pm

Cr ER Bigwood

Item 10.1.5

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Frankland River District Country Club

Cr Bigwood declared that she will consider this matter on its merits and vote accordingly.

Cr HC Parsons

Item 10.1.5

Type: Financial Interest Section 5.60A Local Government Act 1995

Nature: Parsons Family Trust trades as Mundaberra Pty Ltd who has supplied a quote for the upgrade to the kitchen of the Frankland River District Country Club

Cr Parsons left the chambers at 3.36pm

The Shire President, Cr Cunningham adjourned the meeting at 3.40pm and all those present evacuated the building.

The Shire President, Cr Cunningham re-commenced the meeting at 3.47pm with the following in attendance.

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

Cr Parsons was still absent from the chambers

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)

Motion 07022016

Moved Cr Denton, seconded Cr Adams that Cr Parsons be asked to re-enter the chambers to answer questions that some Councillors have regarding this matter.

Carried 8/0

Cr Parsons re-entered the chambers at 3.48pm to provide further information to the Council.

Cr Parsons left the chambers at 4.00pm.

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 08022016

Moved Cr Denton, seconded Cr Egerton-Warburton 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.**

Carried 8/0

By Absolute Majority

Cr Parsons re-entered the chambers at 4.03pm

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 Shire's 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/COUNCIL DECISION

Motion 09022016

Moved Cr Parsons, seconded Cr Adams that that the attached draft minutes of the 9 December 2015 Local Emergency Management Committee meeting be received by Council.

Carried 9/0

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 Envable 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/COUNCIL DECISION

Motion 10022016

Moved Cr Parsons, seconded Cr Denton that the attached revised Shire of Cranbrook Policy Manual, Code of Conduct, Delegations and Authorisations Registers be adopted.

**Carried 9/0
By Absolute Majority**

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.

COUNCIL DECISION

Motion 11022016

Moved Cr Adams, seconded Cr Beech that the Shire of Cranbrook's Compliance Audit Return for the period 1 January to 31 December 2015, as attached, be adopted.

Carried 9/0

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

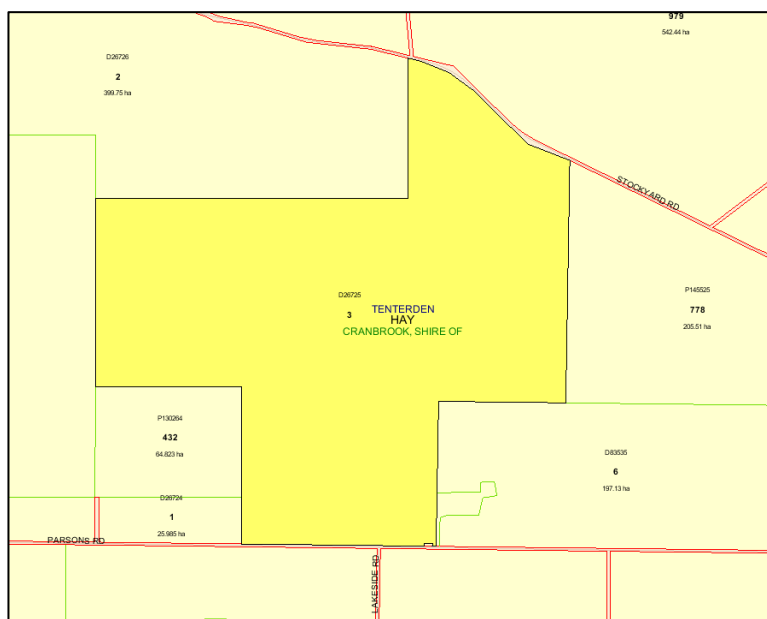
The purpose of this report is for Council to consider an application for planning approval for telecommunications infrastructure on Lot 3 Parsons Road, Tenterden.

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/COUNCIL DECISION

Motion 12022016

Moved Cr Standish, seconded Cr Beech 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.**

Carried 9/0

Cr P Denton

Item 10.2.5

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Men's Shed

Cr Denton declared that he will consider this matter on its merits and vote accordingly.

Mr Peter Northover

Item 10.2.5

Type: Impartiality Interest Regulation 11, Local Government (Rules of Conduct Regulations 2007)

Nature: Member of Cranbrook Men's Shed

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/COUNCIL DECISION

Motion 13022016

Moved Cr Egerton-Warburton, seconded Cr Standish 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.**

Carried 9/0

10.3 WORKS

Nil

10.4 ECONOMIC & COMMUNITY

Cr P Denton

Item 10.4.1

Type: Proximity Interest Section 5.60B Local Government Act 1995

Nature: Owner of land adjacent to Cranbrook Community Hub

Cr Denton left the chambers at 4.10pm

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/COUNCIL DECISION

Motion 14022016

Moved Cr Bigwood, seconded Cr Parsons 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.**

Carried 8/0

Cr Denton re-entered the chambers at 4.14pm

Cr TC Standish

Item 10.4.2

Type: Financial Interest Section 5.60A Local Government Act 1995

Nature: Employee of Cooperative Bulk Handling

Cr Standish left the chambers at 4.14pm

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:

1. Memorandum of Understanding – Cranbrook Joint Venture Accommodation Units
2. CBH Annexure B – Premises
3. 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

Motion 15022016

Moved Cr Parsons, seconded Cr Adams that standing orders be suspended at 4.14pm to discuss this item in more detail.

Carried 8/0

Motion 16022016

Moved Cr Parsons, seconded Cr Adams that standing orders be resumed at 4.19pm.

Carried 8/0

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 17022016

Moved Cr Parsons, seconded Cr Adams 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.**

Carried 8/0

Cr Standish re-entered the chambers at 4.20pm

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

Nil

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

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. CLOSURE OF MEETING

There being no further business to discuss, the Shire President, Cr Cunningham declared the meeting closed at 4.21pm.