

# COUNCIL MEETING

## MINUTES



For the Ordinary Meeting of Council held on

**16 March 2016**

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## AGENDA

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

The Shire President, Cr Cunningham declared the meeting open at 3.20pm. 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

Councillors

Cr PM (Peter) Beech

Cr P (Peter) Denton

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

Nil

#### LEAVE OF ABSENCE

Councillor

Cr CY (Colin) Egerton-Warburton

#### APOLOGIES

Councillor

Cr DJ (David) Adams

### 3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil

### 4. PUBLIC QUESTION TIME

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

#### Item 4.2 from 17 February 2016 Council Meeting - A337 – Mr Munro White, Frankland River District Country Club / Public Toilet Car Park; Pruning of Trees; Dumping of Green Waste

The Chief Executive Officer sent Mr White a letter stating the following information:

- **PUBLIC TOILET CARPARK** – Limited area that can be set aside for a car park due to the location of existing services and flora. Will prepare a quote for the draft budget 2016/2017 for discussion;
- **PRUNING OF TREES** – Noted and will trim the trees when a contractor is appointed to perform other pruning in Frankland River. This will be in the new financial year; and
- **DUMPING OF GREEN WASTE** – Parks & Gardens employee used incorrect location for temporary waste site. Where ever possible, green waste will be taken directly to the Waste Facility. If not practicable due to operational issues, the temporary site is located at the Caravan Park north of the tent area.

**4.2 PUBLIC QUESTION TIME**

Nil

**5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7. DISCLOSURE OF INTEREST**

Cr JT Cunningham

Item 10.2.1

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

Nature: Shire President is listed as an authorised signatory

Cr TC Standish

Item 10.2.1

Type: Closely Associated Persons pursuant to Section 5.62 of the Local Government Act 1995

Nature: Spouse holds the Finance Officer Position who is listed as an authorised signatory

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

The meeting will be closed to discuss item 13.1.

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

**9.1 ORDINARY MEETING – 17 FEBRUARY 2016**

**Motion 01032016**

**Moved Cr Standish, seconded Cr Parsons that the minutes from the ordinary meeting of Council held on 17 February 2016, be confirmed as a true and correct record.**

**Carried 7/0**

## 10. REPORTS OF OFFICERS

### 10.1 FINANCE & ADMINISTRATION

10.1.1 SUBJECT	LIST OF PAYMENTS
<b>RESPONSIBLE OFFICER:</b>	Trish Standish Manager of Finance and Administration
<b>REPORT AUTHOR:</b>	Jessica Standish Finance Officer
<b>FILE REFERENCE:</b>	FM2
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	2 March 2016
<b>ATTACHMENTS:</b>	List of Payments – 2 February 2016 to 2 March 2016

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#### **Purpose**

The purpose of this report is to advise the Council of payments made during the period 2 February 2016 to 2 March 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 consequence/s** 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 02032016**

**Moved Cr Denton, seconded Cr Beech that the payment of accounts totalling \$697,201.88 as per the attachment be noted:**

- **Electronic Funds Transfers EFT 6433 to EFT 6516 - \$557,754.45;**
- **Municipal Fund Cheque No's 11843 – 11855 - \$21,617.36;**
- **Internal Account Transfers (Payroll) - \$93,824.53;**
- **Corporate Credit Card - \$4,397.13;**
- **Direct Debit - \$19,608.41.**

**Carried 7/0**



**10.1.2 SUBJECT**

**MONTHLY FINANCIAL STATEMENTS**

<b>RESPONSIBLE OFFICER:</b>	Trish Standish Manager of Finance and Administration
<b>REPORT AUTHOR:</b>	Jessica Standish Finance Officer
<b>FILE REFERENCE:</b>	FM12
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	3 March 2016
<b>ATTACHMENTS:</b>	Financial Statements February 2016

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**Purpose**

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 29 February 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 February financial statements report on 8 months, or 67% 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 77% of the budgeted operating expenditure for the year;
- The 'Municipal Fund Summary' on page 4 shows a net current assets position of \$842,462 (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 03032016**

**Moved Cr Horrocks, seconded Cr Bigwood that the attached financial statements for the period ending 29 February 2016 be noted.**

**Carried 7/0**

<b>10.1.3 SUBJECT</b>	<b>CRANBROOK GOLF CLUB – CSRFF APPLICATION</b>
<b>RESPONSIBLE OFFICER:</b>	Trish Standish Manager of Finance and Administration
<b>REPORT AUTHOR:</b>	Toni Melia Emergency Services and Recreation Officer
<b>FILE REFERENCE:</b>	CS108 & A1026
<b>APPLICANT:</b>	Cranbrook Golf Club
<b>DATE OF REPORT:</b>	8 March 2016
<b>ATTACHMENTS:</b>	Nil

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### **Purpose**

The purpose of this report is for the Council to consider:

- Setting the priority ratings of funding applications to be submitted to the Community Sporting and Recreation Facilities Fund (CSRFF) Small Grants Round; and
- Financially supporting the application

### **Background**

The WA Department of Sport and Recreation (DSR) provides funding to local government authorities and sporting organisations for the provision of sporting facilities for projects ranging from \$7,500 - \$200,000 through the small grants rounds that are held twice a year.

The process for funding under this programme is for applications to be submitted to the relevant Council for prioritising at a local level before being ranked by the Great Southern Department of Sport and Recreation Regional Manager, it is then progressed to the DSR Small Grants Committee, their recommendations are then made to the Minister for Sport and Recreation for consideration and approval.

### **Officers Comment**

One application for this round of funding has been received from the Cranbrook Golf Club. The Cranbrook Golf Club is situated on Ronaldshaw Road Cranbrook and was constructed in 1931. The clubhouse facilities include toilets /shower, a common room, kitchen, office and servery, as well as an outdoor play area and shed. The club is located approximately 5kms out of town, is isolated and not easily viewed from the road.

Over recent years the golf club has been broken into twice causing permanent damage to window frames and the structure around the front door. Several of the windows have also started leaking as a result of the damage. The ageing windows and front door to the building are no longer secure or sealed from water and wind.

The club is seeking assistance to replace eight windows and the front door with new, structurally secure ones with safety glass panes where appropriate.

The club members have been very proactive in the past in the maintenance and improvement of the facilities by undertaking the following work:

- Extension of the verandah, roof and paved area to create a larger clubroom space
- Extension of the shed to park the course tractor and mower
- Replaced the ceiling in the kitchen that was beginning to collapse
- Replaced the bar with a handmade timber top
- Replaced flags and cups on all greens, along with reseeding the course, and repairing the tee boxes.

Two quotes have been received by the club for the window and front door replacement project, ranging in price from \$8,010.90 to \$8,363.64 excl GST. The club has decided to go with the slightly more expensive quote as the contractor has carried out private work for members of the club previously to a very high standard.

<b>Applicant</b>	<b>Purpose of Funding</b>	<b>CSRFF Funding</b>	<b>Applicant Contribution</b>	<b>Shire Contribution</b>
Cranbrook Golf Club	To improve the security and longevity of the facility by replacing eight windows and the front door of the clubhouse.	\$2,787.88	\$2,787.88	\$2,787.88

Once the Council have considered this request and if the Officer’s Recommendation is adopted, the grant application will be sent to DSR. Notification of the outcome should be received from DSR by mid June 2016.

**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 item will be a maximum of \$8,363.64 GST exclusive with a requested Council contribution to a maximum of \$2,787.88 GST exclusive. This expenditure is anticipated to occur after June 2016 when the successful grants are announced by the Minister for Sport and Recreation. It is therefore recommended that this project be referred to the 2016/2017 Draft Budget to be funded from the Rates Discount Reserve.

**Risk Implications**

The risks associated with matters in this report are:

- Errors, Omissions and Delays
- Failure to fulfil statutory, regulatory or compliance requirements
- Inadequate supplier / contract management

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

The consequences of these risks are considered to be Moderate.

The likelihood is possible.

Hence the risk rating for this item is Moderate.

Risk mitigation includes ensuring that the club choose an appropriately qualified and experienced contractor who is capable of undertaking the renovations, and that the work is carried out 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: 1.3 Be Supportive and Inclusive

Strategy: 1.3.3 Encourage Community Participation

Objective: 1.5 Develop a Healthy Place to Grow and Age

Strategy: 1.5.3 Encourage 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 the Shire

### **Consultation**

Consultation for this report included liaising with the Cranbrook Golf Club, Great Southern Department of Sport and Recreation Regional Manager and Golf WA representative and the Shire's Club Development Officer.

### **VROC Implications**

There are no strategic VROC implications from this report.

### **Voting Requirements**

Simple Majority

### **OFFICERS RECOMMENDATION/COUNCIL DECISION**

#### **Motion 04032016**

**Moved Cr Denton, seconded Cr Parsons that:**

- 1. The application from the Cranbrook Golf Club for replacement of windows and the front door of the Cranbrook Golf Clubhouse be prioritised as the first priority funding in the current CSRFF Small Grants Round;**
- 2. The Council agree to contribute a maximum of \$2,787.88 GST exclusive as the Council's one third contribution towards the replacement of windows and the front door to the Cranbrook Golf Clubhouse as part of the CSRFF Small Grants Round; and**
- 3. The Council contribution be referred to the 2016/2017 Draft Budget to be funded from the Rates Discount Reserve.**

**Carried 7/0**

## 10.2 GOVERNANCE & EXECUTIVE SERVICES

### Cr JT Cunningham

Item 10.2.1

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

Nature: Shire President is listed as an authorised signatory

### Cr TC Standish

Item 10.2.1

Type: Closely Associated Persons pursuant to Section 5.62 of the Local Government Act 1995

Nature: Spouse holds the Finance Officer Position who is listed as an authorised signatory

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

### 10.2.1 SUBJECT

### PURCHASING POLICY 4.8 - AMENDMENT

#### RESPONSIBLE OFFICER:

Trish Standish  
Manager of Finance and Administration

#### REPORT AUTHOR:

Trish Standish  
Manager of Finance and Administration

#### FILE REFERENCE:

GO17

#### APPLICANT:

N/A

#### DATE OF REPORT:

2 March 2016

#### ATTACHMENTS:

Draft Amended Policy 4.8 - Purchasing

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#### **Purpose**

The purpose of this report is to consider an amendment to Policy 4.8 - Purchasing.

#### **Background**

The Shire's Auditor has recommended that best practice be adopted requiring two signatories on cheques and electronic funds transfers.

#### **Officers Comment**

It is believed that the best way to incorporate the recommendation is to amend the Council's Purchasing Policy 4.8 to require two signatories on all payments. This amendment has been included in the section of the Purchasing Policy relating to the payment of Creditors.

Having this condition written into a policy ensures that when staff change and when new bank accounts are opened, this requirement does not alter.

#### **Statutory Environment**

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

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

### **Policy Applicable – Implications**

This report proposes an amendment to Policy 4.8 - Purchasing.

### **Financial Implications**

There are no financial implications from this report.

### **Risk Implications**

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

- Misconduct
- External Theft and Fraud

**The impact** of the risk is Financial and Reputational

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

**The likelihood** is Unlikely

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

Risk mitigation includes adding a second signatory to all Shire financial transactions.

### **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

Objective 5.4: Demonstrate Sound Financial Planning and Management

### **Consultation**

Consultation for this report included Lincolns accounting firm, Elected Members, neighbouring local governments, the Senior Management Team and finance staff.

### **VROC Implications**

There are no strategic VROC implications from this report.

### **Voting Requirements**

***Absolute Majority***

### **OFFICERS RECOMMENDATION/COUNCIL DECISION**

**Motion 05032016**

**Moved Cr Parsons, seconded Cr Horrocks that the draft amended Policy 4.8 Purchasing as attached, be adopted.**

**Carried 7/0  
By Absolute Majority**

## 10.3 WORKS

### 10.3.1 SUBJECT **ROADS TO RECOVERY (BOYUP BROOK / CRANBROOK ROAD) – BUDGET AMENDMENT**

**RESPONSIBLE OFFICER:** Jeff Alderton  
Manager of Works

**REPORT AUTHOR:** Jeff Alderton  
Manager of Works

**FILE REFERENCE:** RO047

**APPLICANT:** N/A

**DATE OF REPORT:** 3 March 2016

**ATTACHMENTS:** Nil

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#### **Purpose**

The purpose of this report is for Council to consider amending the 2015/2016 adopted budget to include an additional Roads to Recovery project in the road construction program.

#### **Background**

During informal Council discussions, the Manager of Works advised the Council that the 2015/2016 road construction program may be completed earlier than expected as a result of increased output by staff and contractors.

#### **Officers Comment**

The Manager of Works indicated that the gravel re-sheeting of Parsons Road was brought forward due to the safety concerns about the condition of this road as a result of concurrent harvest and timber traffic. The outcome of this decision means that all of the Shire's road construction projects may be completed prior to June 2016.

To continue the road construction program until 30 June 2016, the Manager of Works applied to Roads to Recovery for approval to commence the Boyup Brook / Cranbrook Road (SLK 33.16 to 44.97) gravel re-sheeting project during this financial year. The project has been costed at \$485,000 and the application has been approved by Roads to Recovery.

#### **Statutory Environment**

There is no specific legislation applicable to this report.

#### **Policy Applicable – Implications**

Council Policy 5, Road Management is applicable to this report.

#### **Financial Implications**

To include the gravel re-sheeting of Boyup Brook / Cranbrook Road in the 2015/2016 financial year, the budget will require an amendment. As Roads to Recovery projects are fully funded this will have a nil effect on the budget.



### **Risk Implications**

The risks associated with matters in this report are:

- Providing inaccurate advice/information
- Inadequate document management processes
- Inadequate asset sustainability practices
- Inadequate project/change management

**The impact** of the risk is Reputational and Financial.

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

**The likelihood** is Possible.

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

The risks in this item have been mitigated by the proposal to include this additional Roads to Recovery project in the 2015/2016 road construction program.

### **Strategic Community Plan Reference**

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

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

Objective: 4.2 Deliver Safe and Appropriate Roads and Roads Infrastructure

Strategy: 4.2.1 Deliver quality roads throughout the Shire

### **Consultation**

Consultation for this report included Outside Crew Leadership Group, Senior Management Team, Elected Members and Roads to Recovery administrators.

### **VROC Implications**

There are no strategic VROC implications from this report

### **Voting Requirements**

***Absolute Majority (budget amendment)***

### **OFFICERS RECOMMENDATION/COUNCIL DECISION**

**Motion 06032016**

**Moved Cr Denton, seconded Cr Beech that:**

- 1. Council approve the inclusion of gravel re-sheeting of Boyup Brook/Cranbrook Road (SLK 33.16 to 44.97) in the 2015/2016 Roads to Recovery road construction program;**
- 2. The 2015/2016 adopted budget be amended by:**
  - a. Increasing account 121203 - Capital Expense Roads to Recovery Construction by \$485,000; and**
  - b. Increasing account 122301 - Capital Revenue Roads to Recovery Grants by \$485,000.**

**Carried 7/0**

***By Absolute Majority***

**10.3.2 SUBJECT**

**CRANBROOK & FRANKLAND RIVER TOWN SITE  
COMMUNITY RECYCLING BIN STATIONS**

<b>RESPONSIBLE OFFICER:</b>	Jeff Alderton Manager of Works
<b>REPORT AUTHOR:</b>	Jeff Alderton Manager of Works
<b>FILE REFERENCE:</b>	WM1 & WM3
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	3 March 2016
<b>ATTACHMENTS:</b>	Photos

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**Purpose**

The purpose of this report is for Council to consider the removal of the community recycling bin stations from Cranbrook and Frankland River townsites.

**Background**

At the 19 September 2007 meeting of Council it was resolved:

**“That:**

- 1. The proposal from Warren Blackwood Waste for kerbside recycling be implemented by the Council from 1 July, 2008. Bins to be purchased by the Council, totalling \$14,300 funded from its waste reserve account;**
- 2. A three year contract be entered into with Warren Blackwood waste for the provision of recycling services;**
- 3. The service is only provided so all recyclables are taken outside the Shire as outlined in the proposal from Warren Blackwood Waste.**
- 4. Community recycling bins be placed in a strategic central location in each townsite for use by residents who do not receive the weekly rubbish collection service;**
- 5. No burning of green waste is to occur at the Councils refuse site and that all green waste be chipped into mulch;**
- 6. A community education campaign be undertaken to assist with the implementation of the recycling service.”**

When the Shire commenced the recycling services, there were a number of ratepayers who were unable to dispose of their recyclables through the Shire’s normal kerbside collection process. There were also no recycling facilities available at either waste facility. As a result, the community recycling stations were established in both Cranbrook and Frankland River townsites.

**Officers Comment**

The cost of maintaining the community recycling stations by Warren Blackwood Waste is \$3.21 per bin per fortnight. Additionally the Shire also has a regular cost to maintain this area due to over filling of the bins by ratepayers and people from outside of the Shire. The over filling of the bins is a regular occurrence. (See attached photos) There is also an ongoing cost for the replacement of these bins and the concern that the bins are no longer being used exclusively for recyclable materials and evidence of late suggests that general household waste is being deposited in these facilities.

When the waste transfer stations were licenced in 2014, recycling stations were installed at Cranbrook and Frankland River for the benefit of the community. Having this service at the waste facilities is seen as a much better option rather than the unsightly appearance of the current recycling stations and the cost involved to dispose of the contents on a fortnightly basis.

### **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**

It is estimated that there will be a cost saving to the Shire of approximately \$2,100 per annum.

### **Risk Implications**

The risks associated with matters in this report are:

- Inadequate Environmental Management
- Business and Community Disruption
- Ineffective management of facilities

**The impact** of the risk is Health, Financial and Environment

**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 removal of the community recycling stations.

### **Strategic Community Plan Reference**

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

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

Objective: 3.3 Lead Energy and Water Efficiency and Best Practice Waste Management

Strategy: 3.3.1 Develop best practice waste management

### **Consultation**

Consultation for this report included the Senior Management Team, Warren Blackwood Waste and the Shire's Parks & Gardens Team.

### **VROC Implications**

There are no strategic VROC implications from this report

### **Voting Requirements**

Simple Majority

**OFFICERS RECOMMENDATION/COUNCIL DECISION**

**Motion 07032016**

**Moved Cr Parsons, seconded Cr Denton that Council:**

- 1. Consult with the ratepayers of the Shire of Cranbrook about the removal of the Cranbrook and Frankland River townsites community recycling stations;**
- 2. Remind the ratepayers of the Shire of Cranbrook that all recycling is located at the Cranbrook and Frankland River Waste Facilities and is available during the Waste Facilities normal opening times; and**
- 3. Remove the Cranbrook and Frankland River townsites community recycling stations from 1 May 2016.**

**Carried 7/0**

**10.4 ECONOMIC & COMMUNITY**

Nil

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

Nil

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

Motion 08032016

Moved Cr Beech, seconded Cr Standish that Council discuss Item 12.1 Lease – Lot 256 Mason Street Cranbrook now.

Carried 7/0

<b>12.1 SUBJECT</b>	<b>LEASE - LOT 256 MASON STREET CRANBROOK</b>
<b>RESPONSIBLE OFFICER:</b>	Trish Standish Manager of Finance and Administration
<b>REPORT AUTHOR:</b>	Trish Standish Manager of Finance and Administration
<b>FILE REFERENCE:</b>	CP115
<b>APPLICANT:</b>	Department of Housing
<b>DATE OF REPORT:</b>	11 March 2016
<b>ATTACHMENTS:</b>	Nil

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**Purpose**

The purpose of this report is to consider a request from the Department of Housing to renew the lease agreement for Lot 256 Mason Street, Cranbrook for a period of one (1) year with an option of a further one (1) year at the existing weekly rent of \$280.00.

**Background**

At the 18 March 2015 meeting of Council it was resolved:

**“That:**

- 1. The lease agreement between the Shire of Cranbrook and the Department of Housing for the rental of Lot 256 Mason Street, Cranbrook be renewed for a period of one (1) year with an option of a further one (1) year, subject to:**
  - a. Similar lease conditions to the current lease agreement;**
  - b. The weekly rent to be \$280.00; and**
  - c. The provision by Council of a current Electrical Safety Certificate to confirm all hard wired smoke alarms and RCD’s have been installed and are functioning correctly.**
- 2. The Chief Executive Officer and Shire President be authorised to affix the Council’s common seal to the new lease agreement.”**

**Officers Comment**

The current lease for this property expires on 22 March 2016. The Department of Housing have approached the Council requesting to renew the lease agreement for Lot 256 Mason Street, Cranbrook for a period of one (1) year with an option of a further one (1) year at the existing weekly rent of \$280.00. As part of the renewal the Department of Housing requires the Council to provide an Electrical Safety Certificate dated within the previous 12 months (to confirm all hard wired smoke alarms and RCD’s have been installed and are functioning correctly), this must be supplied no later than 24 March 2016.

The current lease agreement and tenancy for this property has operated for the majority of time without problem and for fair financial return (currently \$280 per week) since its commencement.

It is recommended that the lease agreement be renewed as requested for a period of one (1) year with an option of a further one (1) year.

### **Statutory Environment**

The requirements of section 3.58 (Disposition of Property) do not apply to this lease agreement as it is specifically exempt through Local Government Administration Regulation 30(2)(c)(ii) – disposition to a Department or instrumentality of the Crown.

### **Policy Applicable – Implications**

There is no Council policy applicable to this item.

### **Financial Implications**

The 2015/2016 budget includes rental income for this property of approximately \$14,560 whilst the Council's maintenance and operating costs are approximately \$1,800 per annum, this provides for \$12,760 profit. The approximate cost of an electrical safety certificate is \$250.00.

### **Risk Implications**

The risks associated with matters in this report are:

- Errors, Omissions and Delays; and
- Inadequate asset sustainability practices

**The impact** of the risk is Reputational 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:

- Ensuring the lease document is correct and returned in a timely manner.
- Housing/rental inspections are carried out as required to ensure the Council's asset is being maintained adequately.

### **Strategic Community Plan Reference**

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

### **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 09032016**

**Moved Cr Standish, seconded Cr Parsons that:**

- 1. The lease agreement between the Shire of Cranbrook and the Department of Housing for the rental of Lot 256 Mason Street, Cranbrook be renewed for a period of one (1) year with an option of a further one (1) year, subject to:
  - a. Similar lease conditions to the current lease agreement;**
  - b. The weekly rent to be \$280.00; and**
  - c. The provision by Council of a current Electrical Safety Certificate to confirm all hard wired smoke alarms and RCD's have been installed and are functioning correctly.****
- 2. The Chief Executive Officer and Shire President be authorised to affix the Council's common seal to the new lease agreement.**

**Carried 7/0**



**13. MATTERS BEHIND CLOSED DOORS**

**13.1 SUBJECT** **LOT 7 (25) GRANTHAM STREET CRANBROOK - STAFF HOUSING DISPOSAL**

**RESPONSIBLE OFFICER:** Trish Standish  
Manager of Finance and Administration

**REPORT AUTHOR:** Trish Standish  
Manager of Finance and Administration

**FILE REFERENCE:** CP110

**APPLICANT:** N/A

**DATE OF REPORT:** 3 March 2016

**ATTACHMENTS:** Valuation Report

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**Statutory Environment**

Section 5.23 of the Local Government Act 1995 allows the Council to close all or part of a Council Meeting to members of the public if the meeting or the part of the meeting deals with a range of issues, dealing with any of the following; (a) a matter affecting an employee or employees; (b) the personal affairs of any person; (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; (e) a matter that if disclosed, would reveal — (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; (f) a matter that if disclosed, could be reasonably expected to — (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; (ii) endanger the security of the local government's property; or (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and (h) such other matters as may be prescribed.

As such it is recommended that the meeting be closed to the public in order deal with these items.

A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

**Voting Requirements**

Simple Majority

**OFFICERS RECOMMENDATION/COUNCIL DECISION**

**Motion 10032016**

**Moved Cr Denton, seconded Cr Standish that the meeting be closed to members of the public at 3.30pm in accordance with section 5.23 (c) of the Local Government Act 1995, to discuss a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.**

**Carried 7/0**

**OFFICERS RECOMMENDATION/COUNCIL DECISION**

**Motion 11032016**

**Moved Cr Denton, seconded Cr Horrocks that:**

- 1. Lot 7 Grantham Street, Cranbrook be offered for sale by public auction;**
- 2. The Council authorise the Chief Executive Officer to engage a real estate agent and incur associated expenditure for the sale of Lot 7 Grantham Street, Cranbrook;**
- 3. The reserve sale price be set at the market value dated 1 March 2016; and**
- 4. The net proceeds of the sale of Lot 7 Grantham Street, Cranbrook be placed into the Housing Reserve account.**

**Carried 7/0**

**OFFICERS RECOMMENDATION/COUNCIL DECISION**

**Motion 12032016**

**Moved Cr Denton, seconded Cr Parsons that the meeting be re-opened to members of the public at 3.34pm.**

**Carried 7/0**

**14. CLOSURE OF MEETING**

There being no further business to discuss, the Shire President, Cr Cunningham declared the meeting closed at 3.35pm.