

COUNCIL MEETING

MINUTES



For the Ordinary Meeting of Council held on

22 August 2018

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MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy Shire President, Cr Horrocks declared the meeting open at 3.02pm. The Deputy Shire President alerted the meeting to the procedures for emergencies including evacuation, designated exits and muster points.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

2.1 ATTENDANCE

Deputy President	Cr PL (Phil) Horrocks
Councillors	Cr DJ (David) Adams
	Cr PM (Peter) Beech
	Cr ER (Ruth) Bigwood
	Cr PW (Peter) Slater
	Cr DS (David) Carey
	Cr VN (Vanessa) Fiegert

Acting Chief Executive Officer	Mrs PA (Trish) Standish
Manager of Works	Mr JE (Jeff) Alderton

Members of the Public	One
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2.2 APOLOGIES

Chief Executive Officer	Mr PB (Peter) Northover
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2.3 APPROVED LEAVE OF ABSENCE

President	Cr CY (Colin) Egerton-Warburton
Councillor	Cr P (Peter) Denton

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

Mrs Deb Coole – RO013 & RO012

Mrs Coole asked what is happening with Bokerup Road and Unicup Road, they were both in a terrible state with large potholes and were very rough.

The Manager of Works, Jeff Alderton, advised that staff were patching now and the grader would be on these roads within a couple of days. The recent weather has slowed the progress dramatically.

One member of the public left the chambers at 3.07pm

5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DISCLOSURE OF INTEREST

Nil

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 25 July 2018

Motion 01082018

Moved Cr Bigwood, seconded Cr Carey that the minutes from the ordinary meeting of Council held on 25 July 2018, be confirmed as a true and correct record.

Carried 7/0

10. REPORTS OF OFFICERS

10.1 FINANCE & ADMINISTRATION

10.1.1

LIST OF PAYMENTS

RESPONSIBLE OFFICER: Trish Standish – Manager of Finance and Administration

REPORT AUTHOR: Jodi Vitler – Finance Admin Officer

FILE REFERENCE: FM2

APPLICANT: N/A

DATE OF REPORT: 10 August 2018

ATTACHMENTS: List of Payments – 1 July 2018 to 31 July 2018

Purpose

The purpose of this report is to advise the Council of payments made during the period 1 July 2018 to 31 July 2018.

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
- 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 Low

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 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 4: Leadership - Demonstrate strong governance, leadership and organisational growth

Outcome 4.1: Excellence in governance, compliance, regulation and reporting

Strategy 4.1.1: Maintain a high level of corporate governance, responsibility and accountability

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 02082018

Moved Cr Adams, seconded Cr Slater that the payment of accounts totalling \$476,875.76 as per the attachment be noted:

- **Electronic Funds Transfers EFT8917 to EFT8981 - \$341,226.89;**
- **Municipal Fund Cheque No's 12117 – 12123 - \$11,278.69;**
- **Internal Account Transfers (Payroll) - \$102,310.68; and**
- **Direct Debit - \$22,059.50;**

Carried 7/0

10.1.2**MONTHLY FINANCIAL STATEMENTS**

RESPONSIBLE OFFICER:	Trish Standish – Manager of Finance and Administration
REPORT AUTHOR:	Trish Standish – Manager of Finance and Administration
FILE REFERENCE:	FM12
APPLICANT:	N/A
DATE OF REPORT:	14 August 2018
ATTACHMENTS:	Financial Statements for July 2018

Purpose

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 31 July 2018.

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 July financial statements report on 1 month, or 8% of the financial year. It is worthy to note:

- The 'Municipal Fund Summary' on page 2 shows that we have raised 61% of our expected operating income. This higher percentage is due to the fact that property rates are recognised as revenue when they are raised and not when they are paid;
- The 'Municipal Fund Summary' on page 2 shows that we have spent 6% of the budgeted operating expenditure for the year;
- The 'Municipal Fund Summary' on page 3 shows a net current assets position of \$3,599,901 (surplus), which is mainly made up of \$1.2m cash on hand and \$2.6m rates debtors; and
- The 'Variance Report' on page 8 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
- 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 Medium

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 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 4: Leadership - Demonstrate strong governance, leadership and organisational growth

Outcome 4.1: Excellence in governance, compliance, regulation and reporting

Strategy 4.1.1: Maintain a high level of corporate governance, responsibility and accountability

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 03082018

Moved Cr Adams, seconded Cr Fiegert that the attached financial statements for the period ending 31 July 2018 be noted.

Carried 7/0

10.2 GOVERNANCE & EXECUTIVE SERVICES

10.2.1	SENIORS ADVISORY GROUP (SAG) MEETING DRAFT MINUTES JUNE 2018
RESPONSIBLE OFFICER:	Peter Northover – Chief Executive Officer
REPORT AUTHOR:	Samantha O'Neill – Community and Executive Support Officer
FILE REFERENCE:	CS211
APPLICANT:	N/A
DATE OF REPORT:	6 August 2018
ATTACHMENTS:	6 June 2018 Draft Minutes – Seniors Advisory Group Meeting

Purpose

The purpose of this report is for the Council to consider the draft minutes of the 6 June 2018 Seniors Advisory Group Meeting

Background

At the 16 May 2018 meeting of Council it was resolved:

“That Council:

- 1. Endorse the establishment of a Seniors’ Advisory Group;**
- 2. Accept the Terms of Reference for the Seniors’ Advisory Group;**
- 3. Accept the nominations of John Gillam, Jenny Shaw, Bess O’Neill, Adrian Bridge, Judy Binet, Pat Saunders, June Roberts, Robert Andrews and the Frankland River Community Resource Centre Manager as community representatives on the Seniors’ Advisory Group; and**
- 4. Appoint Cr Slater as delegate and Cr Bigwood as proxy to the Seniors’ Advisory Group.”**

Officers Comment

The first meeting of the Shire of Cranbrook Seniors’ Advisory Group was held on 6 June 2018 at which the advisory group elected Peter Northover, Shire of Cranbrook Chief Executive Officer as the Chairperson.

The following is a list of topics that were discussed during the meeting;

- Linking Communities Project – Shire of Cranbrook
- Age Friendly Communities Survey Results –A Bridge
- Health and Medical Assistance – B O’Neill
- Seniors’ Village – J Binet
- Synergy Bills – J Binet
- Seniors’ Requiring Assistance Register – P Saunders
- Townscape – P Saunders
- Seniors’ Welfare During Scheduled Power Outages – P Saunders

The draft minutes of the 6 June 2018 meeting are attached with no recommendations to Council.

Statutory Environment

There is no specific legislation applicable to this report.

Policy Applicable – Implications

Council Policy 7.2, Disability Access and Inclusion, states that:

“Ensure that all members of the community, regardless of race, ability, age, religion, education or gender have equal access to all Council services, events, service, information, buildings and facilities. It will also ensure that, in line with the Shire of Cranbrook Community Engagement Strategy, all members of the community are able to be included in the public consultation process where required.”

Financial Implications

There are no financial implications for this report. Any recommendations from the SAG that have a financial impact will be submitted to Council for consideration as part of the annual budget process.

Risk Implications

The risks associated with matters in this report are:

- Inadequate Engagement Practices

The **impact** of the risk is Reputational

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

The **likelihood** is Rare

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

Risk mitigation includes the well managed operations of the SAG as a forum for community feedback participation including membership by the CEO, ESRO, CESO and councillor representative on the group.

Strategic Community Plan Reference

The 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 1: Social – Be respected for its friendly, vibrant, connected and safe communities

Outcome 1.1: An engaged, supporting and inclusive community

Strategy 1.1.2: Facilitate, encourage and support community groups, events and initiatives

Outcome 1.3: A healthy place to grow and age

Strategy 1.3.1: Facilitate community health and wellbeing and support provision of services to the community

Strategy 1.3.2: Support a healthy, sporting and active community

Consultation

Consultation was not required for this report.

VROC Implications

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

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 04082018

Moved Cr Slater, seconded Cr Bigwood that the attached draft minutes of the 6 June 2018 Seniors Advisory Group meeting be received.

Carried 7/0

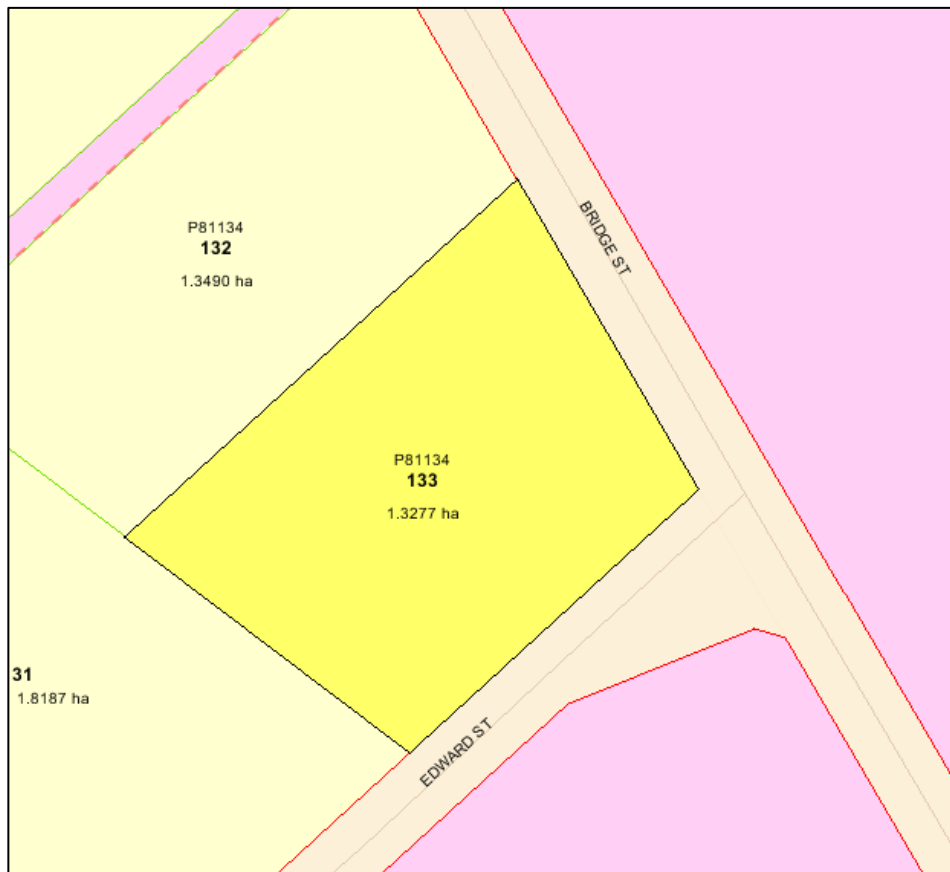
10.2.2	PLANNING APPLICATION - PROPOSED OUTBUILDING – LOT 133 EDWARD STREET, CRANBROOK
RESPONSIBLE OFFICER:	Peter Northover – Chief Executive Officer
REPORT AUTHOR:	Liz Bushby – Town Planning Innovations (TPI)
FILE REFERENCE:	A132
APPLICANT:	Stockdale Building Company
DATE OF REPORT:	15 August 2018
ATTACHMENTS:	Nil

Purpose

The purpose of this report is for the Council to consider an application seeking planning approval for an outbuilding on Lot 133 (No 59) Edward Street, Cranbrook

Background

Lot 133 is zoned 'Rural Residential' under the Shire of Cranbrook Town Planning Scheme No 4 ('the Scheme'). The lot has an area exceeding 1.3 hectares and is on the corner of Edward Street and Bridge Street



Location Plan

Officers Comment

Description of Application

There is an existing dwelling on the lot and an outbuilding is proposed to the south west of the house.



The outbuilding is proposed to setback 37.8 metres from Edward Street and 37.2 metres from the south west lot boundary. It will have a total floor area of 54m² (9m x 6m).

It will be constructed with external weatherboard cladding and a colorbond roof – refer elevations below.

Planning for Bushfire Protection

The Western Australian Planning Commission released SPP3.7 and associated Guidelines for Planning in Bushfire Prone Areas ('the Guidelines') in December 2015. These documents apply to all land identified as Bushfire Prone and have been amended.

As the outbuilding is proposed within a bushfire prone area a Bushfire Attack Level (BAL) assessment is required.

A BAL assessment has been prepared by the Great Southern Bushfire Consultants. It examines the location of the proposed outbuilding, surrounding vegetation, distances to vegetation and slope of the land.

The assessment determined that the outbuilding needs to comply with a BAL 12.5, which means that it will need to meet higher construction standards.

SPP 3.7 states that 'a notice on title' advising that the site is located in a bushfire prone area should be required as a condition of any planning approval.

Council can impose a condition on any approval requiring a notification to be placed on the Certificate of Title of Lot 133 to alert any future purchaser that it is in a bushfire prone area.

Council has to have 'due regard' for SPP 3.7, however Town Planning Innovations does not recommend any notification on the title for the following reasons:

- a) A notification would need to be compiled by a solicitor and there are costs associated with lodging any notification on a title.
- b) Bushfire mapping is reviewed annually and the existing vegetation on site is a snapshot in time.
- c) Bushfire mapping is readily available to purchasers through the DFES website. Any purchaser needs to undertake due diligence when buying land.

Statutory Environment

Shire of Cranbrook Town Planning Scheme No 4 – partially explained in the body of this report.

Requirement (2a) under Schedule 11 of the Scheme states for this Rural Residential zone that *'materials, equipment or outbuildings that are visually unsightly or could detract from the amenity of the area are not permitted on a lot unless they are screened to the local governments satisfaction'*.

The proposed outbuilding is of a good quality and TPI does not consider that it will have any negative impact on amenity.

Planning and Development (Local Planning Schemes) Regulations 2015 – Regulation 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

Risk Implications

The risks associated with matters in this report are:

- 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 Minor

The **likelihood** is Unlikely

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

Risk mitigation includes the use of a professional planning consultant.

Strategic Community Plan Reference

The 2017-2027 Shire of Cranbrook, Strategic Community Plan states that:

Objective 4: Leadership - Demonstrate strong governance, leadership and organisational growth

Outcome 4.1: Excellence in governance, compliance, regulation and reporting

Strategy 4.1.1: Maintain a high level of corporate governance, responsibility and accountability

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 05082018

Moved Cr Slater, seconded Cr Beech that Council:

- 1. Approve the application lodged by the Stockdale Building Company Pty Ltd for an ancillary outbuilding on Lot 133 (No 59) Edward Street, Cranbrook subject to the following conditions and footnote advice note:**
 - a. The plans lodged with this application received on the 2 August 2018 shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer.**
 - b. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve.**
 - c. Construction of the outbuilding is to comply with a Bushfire Attack Level (BAL) rating of 12.5 in accordance with the BAL Certificate prepared by the Great Southern Bushfire Consultants dated 4 August 2018.**
 - d. The outbuilding shall not be used for habitable purposes at any time.**
 - e. 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.**

FOOTNOTE ADVICE:

The applicant and owner is advised that this is only a planning consent and is not authorisation to commence any construction works. A separate building permit may be required.

Carried 7/0

10.3 WORKS

Nil

10.4 ECONOMIC & COMMUNITY

Nil

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

Nil

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

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. CLOSURE OF MEETING

There being no further business to discuss, the Deputy Shire President, Cr Horrocks declared the meeting closed at 3.17pm.