

COUNCIL MEETING

MINUTES



For the Ordinary Meeting of Council held on

19 August 2020

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MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Horrocks declared the meeting open at 3.01pm. The 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

President	Cr PL (Phil) Horrocks
Deputy President	Cr ER (Ruth) Bigwood
Councillors	Cr PM (Peter) Beech
	Cr PW (Peter) Slater
	Cr P (Peter) Denton
	Cr DS (David) Carey
	Cr JA (Jennifer) Quick
	Cr RW (Robert) Johnson
Chief Executive Officer	Mr PB (Peter) Northover
Manager of Finance & Administration	Mrs PA (Trish) Standish
Manager of Works	Mr JE (Jeff) Alderton
Minute Taker	Mrs SM (Stevie) Egerton-Warburton
Members of the Public	One

2.2 APOLOGIES

Nil

2.3 APPROVED LEAVE OF ABSENCE

Councillor Cr VN (Vanessa) Fiegert

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

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

Val Boreham

A moments silence was observed as a mark of respect.

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

Nil

5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DISCLOSURE OF INTEREST

Closely Associated Persons Interest

Cr J Quick

Item 13.1

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

Nature: Close friends work for Tenderer

Indirect Financial Interest

Cr P Beech

Item 13.1 and 13.2

Type: Indirect Financial Interest pursuant to Section 6.51 of the Local Government Act 1995

Nature: Hires out equipment to Tenderer.

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

The meeting will be closed to discuss Items 13.1, 13.2 and 13.3

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 15 July 2020

Motion 01082020

Moved Cr Slater, seconded Cr Denton that the minutes from the ordinary meeting of Council held on 15 July 2020, be confirmed as a true and correct record.

Carried 8/0

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:	Madeleine Brady – Finance Admin Officer
FILE REFERENCE:	FM2
APPLICANT:	N/A
DATE OF REPORT:	4 August 2020
ATTACHMENTS:	List of Payments – 1 July 2020 to 31 July 2020

Purpose

The purpose of this report is to advise the Council of payments made during the period 1 July 2020 to 31 July 2020.

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 02082020

Moved Cr Quick, seconded Cr Johnson that the payment of accounts totalling \$738,910.04 as per the attachment be noted:

- **Electronic Funds Transfers EFT11055 to EFT11130 - \$515,405.72;**
- **Municipal Fund Cheque No's 12214 – 12217 - \$8,388.31;**
- **Internal Account Transfers (Payroll) - \$178,722.73; and**
- **Direct Debit - \$36,393.28.**

Carried 8/0

10.1.2 MONTHLY FINANCIAL REPORT – JULY 2020

RESPONSIBLE OFFICER:	Trish Standish – Manager of Finance and Administration
REPORT AUTHOR:	Madeleine Brady – Finance and Administration Officer
FILE REFERENCE:	FM12
APPLICANT:	N/A
DATE OF REPORT:	10 August 2020
ATTACHMENTS:	Financial Statements for July 2020

Purpose

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 31 July 2020.

Background

The Local Government (Financial Management) Regulations 1996 require a statement of financial activity to be prepared each month and prescribe the contents of that report and accompanying documents. The report is to be presented at an ordinary meeting of the Council within two months after the end of the month to which the report relates.

Officers Comment

The Monthly Financial Report (Containing the Statement of Financial Activity) complies with industry standards and all statutory reporting requirements are contained within the report.

The attached July 2020 Monthly Financial Report represents one (1) month, or 8% of the financial year. The following items are worthy of noting on the July 2020 report:

- Closing surplus position of \$3.76m (shown on page 5)
- Cash and cash equivalents of \$3.23m, of which \$2.8m is held in cash backed reserve accounts (shown on page 9);
- Outstanding rates of \$2,692,501 equates to 100% of 2020/2021 rates levied (0% collected) (shown on page 10); and
- Explanation of material variances is shown on page 24.

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 \$10,000 to be reported.

Financial Implications

The attached report represents the financial position of the Council at the end of the previous month and 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 03082020

Moved Cr Bigwood, seconded Cr Denton that the attached Monthly Financial Report (containing the Statement of Financial Activity) for the period ending 31 July 2020 be received.

Carried 8/0

10.2 GOVERNANCE & EXECUTIVE SERVICES

10.2.1 PLANNING APPLICATION - PROPOSED HOLIDAY ACCOMMODATION – LOT 2 (NO 786) FRANKLAND-KOJONUP ROAD, FRANKLAND RIVER

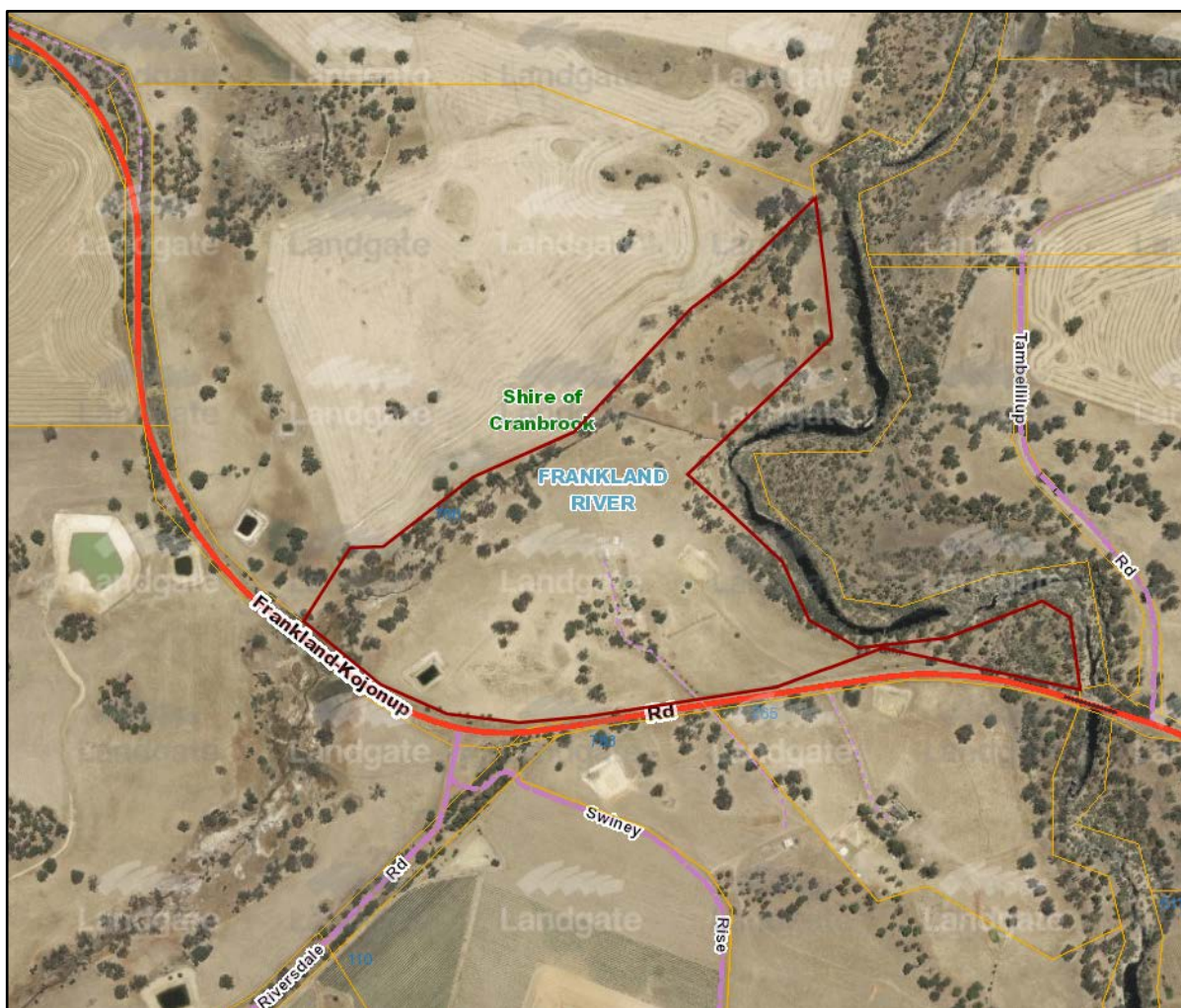
RESPONSIBLE OFFICER: Peter Northover – Chief Executive Officer
REPORT AUTHOR: Liz Bushby – Consultant Planner (Town Planning Innovations)
FILE REFERENCE: A1063
APPLICANT: Sonax Pty Ltd
DATE OF REPORT: 11 August 2020
ATTACHMENTS: Nil

Purpose

The purpose of this report is for Council to consider an application seeking approval for holiday accommodation on Lot 2 (No 786) Frankland-Kojonup Road, Frankland River.

Background

Lot 2 is zoned ‘Rural’ under the Shire of Cranbrook Town Planning Scheme No 4 (the Scheme).



The lot has been developed with dwellings and ancillary outbuildings. The applicant indicates that there is an existing short stay accommodation building on the lot.

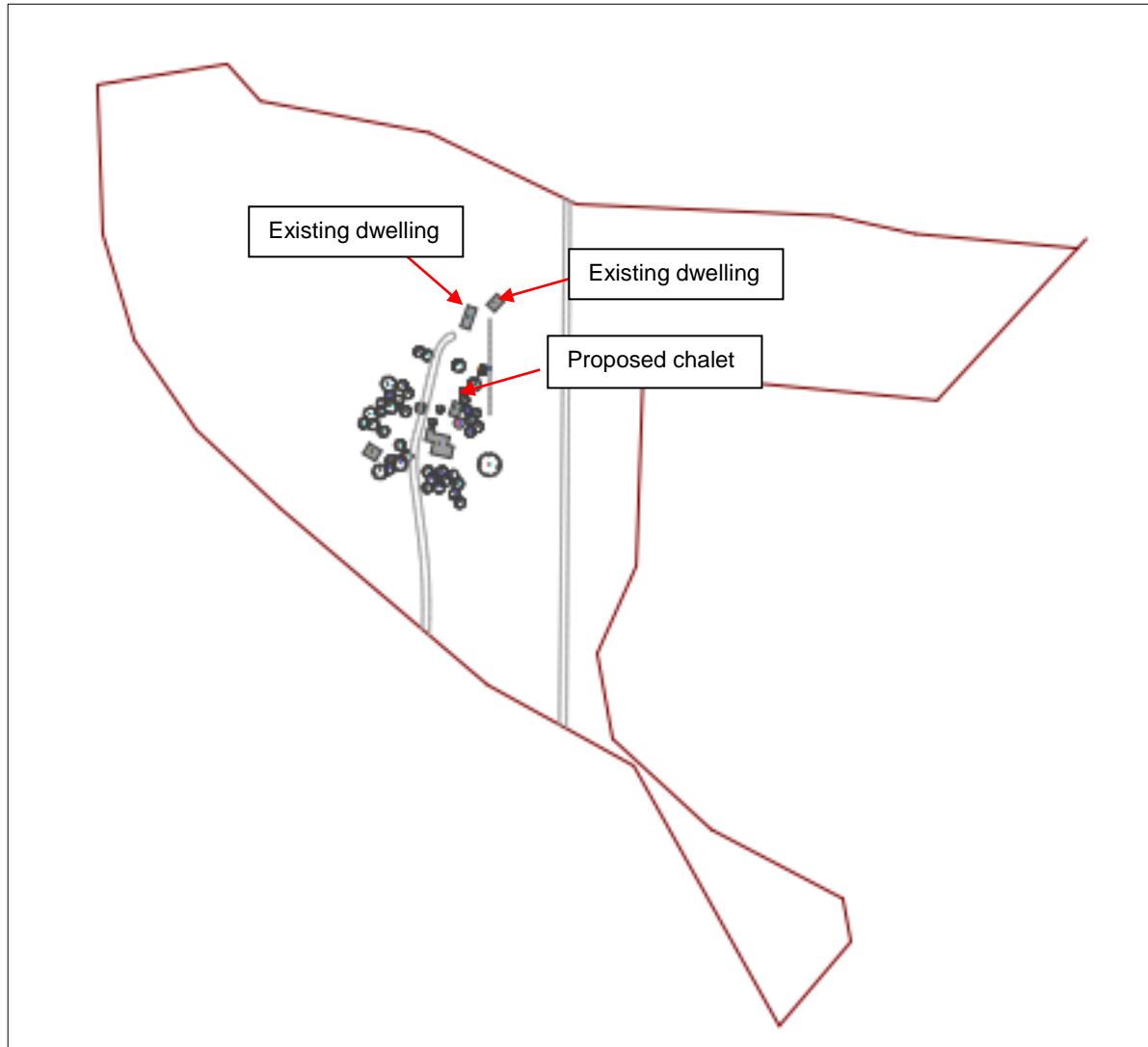
The land is used for agricultural activities and has an approximate area of 33.67 hectares.

Officers Comment

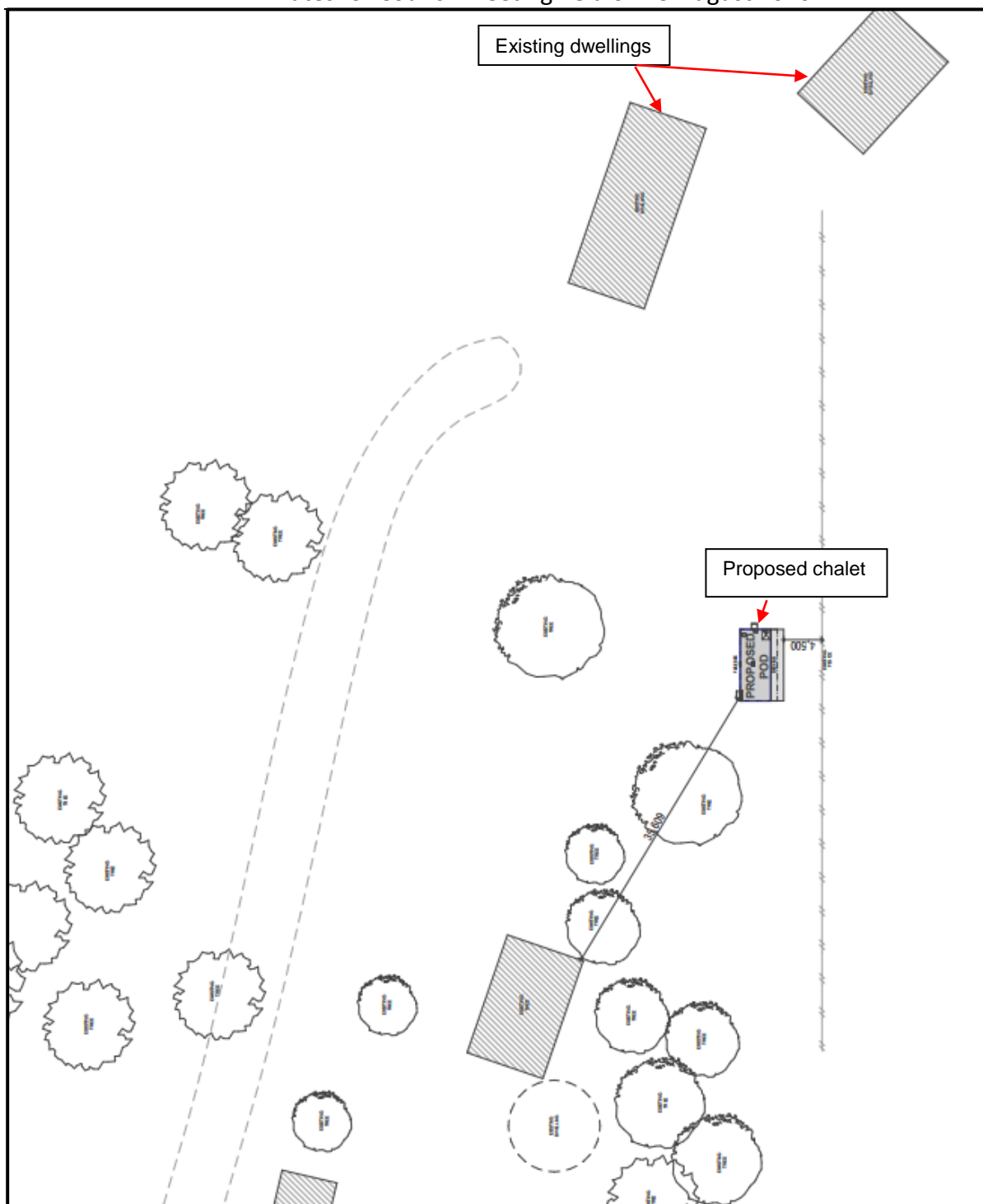
- *Description of Proposal*

The owner seeks approval to construct a self-contained chalet proposed to be let out for short stay accommodation.

The chalet is proposed central to the lot approximately 35.6 metres from an existing outbuilding – refer plan below and over page.



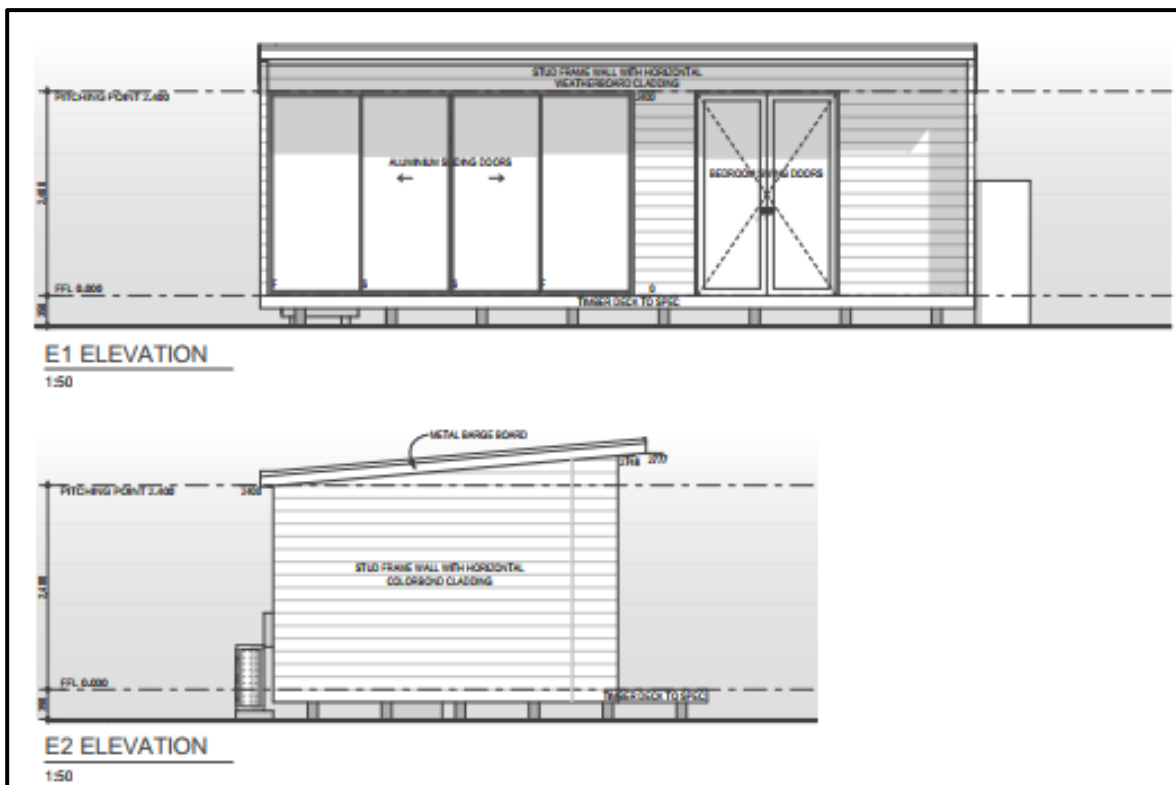
Above : Site Plan with TPI notations



Above : Enlargement of section of Site Plan with TPI notations

The chalet is proposed to be self-contained with one bedroom, an ensuite bathroom, a living area and small kitchen. The internal floor area is proposed to measure 3.6 metres by 8.4 metres (30.24m²) and an external deck is proposed.

Elevations are shown below.



The applicant has advised as follows:

- a) The proposed new building location has been selected to allow a private and secluded farm stay experience for guests. It is envisaged that in the short term (foreseeable future due to Covid19) the guests will be from Western Australia, moving into the future it is hoped that interstate and international guests will also return.
- b) Advertising will be done via various digital networks and forums (Facebook, Online Booking Apps, *Stayz* and others). The booking process is via various digital sites and the Frankland River Retreat Website. Bookings can also be done directly through the Owners via email and phone.
- c) The anticipated average length of stay is 3-4 days and the accommodation is proposed for short stay.
- d) Accommodation will be serviced locally for cleaning after each stay and maintenance as required.
- e) Waste water and effluent is going to be disposed of via septic tanks and leach drains as per the existing structures and will be serviced by local small business.
- f) Water and electricity is to be sourced from the main house via trenches in a proposed direct line where possible. It is also proposed that rainwater will also be harvested from the new structure to help service the new building. All services will be installed and connected by the correct and relevant trades and authorities.
- g) It is hoped that the new accommodation building will bring more people to the area and as such, help the local economy. Many of the previous guests talk about beautiful day trips to wineries and walking trails - as far as the Tree Top Walk.

- *Land Use Permissibility*

The building is construed as a 'chalet' which is defined as '*means detached holiday accommodation unit including cooking facilities which may be fully self-contained or not, and which is generally of single storey or split-level construction*' under the Shire of Cranbrook Town Planning Scheme No 4 (the Scheme).

The proposed land use is constructed as 'holiday accommodation' which is defined in the Scheme as '*means accommodation specifically catering to tourists and includes bed and breakfast accommodation, chalets, farmstay, guesthouses, caravan parks etc but does not include hotels or motels.*'

Holiday Accommodation is listed as 'D' Use in the Rural zone under 'Table 1-Zoning Table' under the Scheme, which '*means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.*'

- *Bush Prone Areas*

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. Portions of Lot 2 are within the declared bushfire prone area – refer plan over page.



Above: Extract of bushfire prone map DFES website

The Shire does not need to consider the Western Australian Planning Commission State Planning Policy 3.7 and associated Guidelines for Planning in Bushfire Prone Areas for this application as the development is proposed outside of the bushfire prone area (shown as pink on the above map).

Safety Issues

As any occupiers would not necessarily be familiar with the property layout and local road network, provision of an emergency plan is recommended as a condition. The Plan can address matters such as display of an evacuation escape route map (for guests), local emergency contact details, owners emergency contact details, and whether fire extinguishers/blankets are proposed to be provided. Smoke alarm provision will be addressed as part of the separate building application process.

The owner should consider procedures in the event of fire such as evacuation of guests. TPI has some example templates for emergency plans that can be provided to the applicant / owner.

- *Conclusion*

The Shire's Local Planning Strategy recognises that Frankland River has been increasingly associated with premium wine production and attracts tourists to its wide range of scenic wineries.

The proposed development will not have any adverse impact on the amenity of the area, and will cater for tourists visiting the area. The development is small scale and traditional agricultural use of the land will continue.

The proposed development is generally supported and conditional approval is recommended.

Statutory Environment

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

Planning and Development (Local Planning Schemes) Regulations 2015 - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply.

Clause 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 are no policy implications for this report.

Financial Implications

The Shire pays consultancy fees to 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, Reputational

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

The **likelihood** is Unlikely

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

Risk mitigation includes seeking professional planning advice.

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

Strategy 4.1.2: Maintain organisational policies and strategies for the attraction and retention of quality employees

Consultation

No consultation has been conducted in regards to this proposal.

VROC Implications

There are no strategic VROC implications from this report.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION/COUNCIL DECISION

Motion 04082020

Moved Cr Slater, seconded Cr Carey that Council:

- 1. Approve the application for holiday accommodation (one chalet) on Lot 2 (No 786) Frankland-Kojonup Road, Frankland River subject to the following conditions:**
 - a. 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. The chalet has been approved as holiday accommodation for short stay use provided either continuously or from time to time with no guest accommodated for a period totalling more than 3 months in any 12-month period;**
 - d. Prior to commencement, occupation or use the owner shall submit a Fire and Emergency Response Plan for separate written approval of the Chief Executive Officer;**
 - e. The owner is to implement any Fire and Emergency Response Plan approved by the Chief Executive Officer;**
 - f. All car parking is to be fully accommodated on site at all times to the satisfaction of the Chief Executive Officer; and**
 - g. 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:

- (i) The owner is advised that this is only a planning consent and is not authorisation to commence any construction works. A separate Building Permit is required prior to commencement of construction.**
- (ii) In regards to Condition 4, the Plan can consider matters such as display of an evacuation escape route map (for guests), local emergency contact details, owners contact details, and whether fire extinguishers/blankets are proposed to be provided. Smoke alarm provisions will be addressed as part of the separate building application process.
The owner should consider procedures in the event of fire such as evacuation of guests.**
- (iii) Please be advised that a separate 'Application to Construct or Install an Apparatus for the Treatment of Sewerage' form needs to be lodged to the Shire for assessment. All onsite effluent disposal systems require prior Shire approval before installation.**

The Shire is limited to approving systems that have already been approved for use in WA by the State Department of Health. The list of approved systems is available from: [https://ww2.health.wa.gov.au/Articles/A E/Approved-wastewater-systems](https://ww2.health.wa.gov.au/Articles/A_E/Approved-wastewater-systems)

Carried 8/0

10.3 WORKS

10.3.1 PROPOSED PROJECTS - LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM

RESPONSIBLE OFFICER:	Jeff Alderton – Manager of Works
REPORT AUTHOR:	Stevie Egerton-Warburton – Works Technical Officer
FILE REFERENCE:	RO306, CP300 and CP137
APPLICANT:	N/A
DATE OF REPORT:	11 August 2020
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Concept Plans <ul style="list-style-type: none"> • Tenterden Cemetery Internal Pedestrian and Vehicle Access Ways - 2007-01-00 • Ronaldshaw Road Gravel Walking Trail, Tenterden - 2009-01-00 • Formalised Pedestrian Crossing across Wingebellup Rd, Frankland River - 2010-01-00 • Marlock Street Footpath, Frankland River - 2011-01-00 • Upgrade of Parking at the Cranbrook Visitor Information Bay and Kerb Ramps near the Playground - 2006-01-00 2. Cranbrook Town Footpaths Scoring Spreadsheet

Purpose

The purpose of this report is for Council to consider projects proposed for construction as part of the Government Grant under the Local Roads and Community Infrastructure (LRCI) Program.

Background

The objective of the LRCI Program is to stimulate additional infrastructure construction activity in local communities across Australia to assist with the management of economic impacts resulting from COVID-19. The Shire of Cranbrook was fortunate to be offered \$441,469 as part of this Program.

The Executive Management Team is of the view that this is an appropriate opportunity to invest in the expansion and upgrade of our footpath and drainage networks which also aligns with our Strategic Resources Plan 2017 – 2032.

Officers Comment

There are a total of six (6) proposed projects that are recommended to be undertaken under the funding of the LRCI Program which are summarised below:

1. *Tenterden Cemetery Internal Pedestrian and Vehicle Access Ways.*
This project includes the construction of an internal one-way looped access for the hearse and the construction of internal footpaths. This will improve access to all parts of the cemetery, especially for pedestrians who use mobility aids such as wheelchairs, gophers, etc. Accessibility within the Tenterden Cemetery is an issue which the Shire acknowledges and therefore sees this project as a priority.
2. *Ronaldshaw Road Gravel Walking Trail, Tenterden.*
This project will provide a safe pedestrian link for all residents of Tenterden town. The trail will be constructed at an offset of approximately 500mm from the fence line on the Northern side of Ronaldshaw Road between the railway line and Brewer Street. The trail will encourage those walking to and from Tenterden town to travel off the road increasing their safety. The absence of a pedestrian network is an issue which has been identified by

the residents of Tenterden and acknowledged by the Shire, therefore is considered a priority.

3. *Formalised Pedestrian Crossing across Wingebellup Road, Frankland River connecting to the Sporting Precinct.*

This project will involve formalising a pedestrian crossing point across Wingebellup Road which is intended to be primarily used by the Frankland River School Children when commuting to and from the town oval. The crossing point has been designed to allow for adequate approach sight distance (ASD) and crossing sight distance (CSD) as per Austroads Guide to Road Design Part 4A. Currently there is not a designated crossing point and therefore is considered a priority.

4. *Marlock Street Footpath, Frankland River.*

This footpath will provide connection for visitors staying at the Caravan Park to the Main Street and Business Precinct. The footpath design will be altered to tie in with footpaths being installed as part of the Frankland River Chalets Project. This will allow for and encourage visitors to explore the town and visit local businesses.

5. *Upgrade Parking at the Cranbrook Visitor Information Bay and Kerb Ramps near the Playground.*

The current car bays located at the Cranbrook Visitor Information Bay and Public Toilets are not constructed to Australian Standards, therefore provide inadequate access for people with disability. The required upgrades will be designed to also allow for improved drainage which is a common complaint from users of the facility.

6. *Various Footpaths within Cranbrook Town.*

Making reference to attachment 6 - Cranbrook Town Footpaths Scoring Spreadsheet, all urban streets within Cranbrook town that currently do not have a footpath have been assessed against the scoring criteria as defined in Council Policy 5.3 – Pathways. It is intended that with the remainder of the grant funds, as many of these footpaths will be installed as possible with priority given to those scoring highest.

Statutory Environment

Local Government Act 1995

Road Traffic Code 2000

Disability Discrimination Act 1992

Austroads Guide to Road Design Part 6A: Pedestrians and Cyclist Paths

AS 1742 Part 10 - Manual for Uniform Traffic Control Devices - Pedestrian Control and Protection 2009

Main Roads Standards and Guidelines

Policy Applicable – Implications

Council Policies 4.8 Purchasing and 5.3 Pathways apply to this item.

Financial Implications

Budget

The 2020/21 adopted budget includes financial consideration for the provision of funding for this project within the Capital Program Schedule. Capital Expense 121212 the total cost of this report is anticipated to be \$441,469.

Risk Implications

The risks associated with matters in this report are:

- Business and Community Disruption
- Errors, Omissions and Delays
- Inadequate Project/Change Management
- Inadequate Supplier/Contract Management

The **impact** of the risks are Financial, Non-Compliance 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 contracting the works to reputable companies.

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 1.1.1: Welcoming to all residents, celebrating cultural and social diversity

Strategy 1.1.3: Provide, maintain and improve community facilities within available resources

Outcome 1.3: A healthy place to grow and age

Strategy 1.3.2: Support a healthy, sporting and active community

Objective 2: Economic – To be an innovative, diverse, prosperous and growing economy

Outcome 2.3: An active, innovative tourism industry

Strategy 2.3.1: Promote the hidden treasures and natural attractions of the Shire of Cranbrook

Objective 3: Environment - Enhance, maintain, protect and promote our built infrastructure and natural environment

Outcome 3.1: A protected, diverse, healthy natural environment

Strategy 3.1.1: Promote, enhance and maintain our natural attractions, parks and reserves

Outcome 3.2: A built infrastructure servicing the needs of the community

Strategy 3.2.1: Maintain and enhance our roads, built infrastructure, parks and reserves

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

Strategic Resource Plan Reference

The 2017-2032 Shire of Cranbrook, Strategic Resources Plan Chapter 9 states that Footpath Extension is included in the Forecast Capital Projects.

Consultation

Consultation for this report included the Council, EMT and the Outside Works Crew.

VROC Implications

There are no strategic VROC implications from this report

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION

That Council approves the six (6) projects listed below for construction under the Local Roads and Community Infrastructure (LRCI) Program:

- 1. Tenterden Cemetery Internal Pedestrian and Vehicle Access Ways;**
- 2. Ronaldshaw Road Gravel Walking Trail, Tenterden;**
- 3. Formalised Pedestrian Crossing across Wingebellup Rd, Frankland River connecting to the Sporting Precinct;**
- 4. Marlock Street Footpath, Frankland River;**
- 5. Upgrade Parking at the Cranbrook Visitor Information Bay and Kerb Ramps near the Playground; and**
- 6. Various Footpaths within Cranbrook Town.**

COUNCIL DECISION

Motion 05082020

Moved Cr Slater, seconded Cr Denton that Council approves the six (6) projects listed below for construction under the Local Roads and Community Infrastructure (LRCI) Program:

- 1. Tenterden Cemetery Internal Pedestrian and Vehicle Access Ways, in accordance with attached concept plan 2007-01-00;**
- 2. Ronaldshaw Road Gravel Walking Trail, Tenterden, in accordance with attached concept plan 2009-01-00;**
- 3. Formalised Pedestrian Crossing across Wingebellup Rd, Frankland River connecting to the Sporting Precinct, in accordance with attached concept plan 2010-01-00;**
- 4. Marlock Street Footpath, Frankland River, in accordance with attached concept plan 2011-01-00;**
- 5. Upgrade Parking at the Cranbrook Visitor Information Bay and Kerb Ramps near the Playground, in accordance with attached concept plan 2006-01-00; and**
- 6. Various Footpaths within Cranbrook Town, in accordance with attached Cranbrook Town Footpaths Scoring Spreadsheet dated 11 August 2020.**

Carried 8/0

Reason for Change

Council requested that reference to the attached concept plans and scoring spreadsheet be recorded in the minutes.

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

13.1 TENDER - ROAD CONSTRUCTION & MAINTENANCE

RESPONSIBLE OFFICER: Jeff Alderton – Manager of Works
REPORT AUTHOR: Stevie Egerton-Warburton – Works Technical Officer
FILE REFERENCE: FM21
APPLICANT: Not Applicable
DATE OF REPORT: 11 August 2020
ATTACHMENTS: Nil

13.2 TENDER - GRAVEL PUSHING

RESPONSIBLE OFFICER: Jeff Alderton – Manager of Works
REPORT AUTHOR: Stevie Egerton-Warburton – Works Technical Officer
FILE REFERENCE: FM21
APPLICANT: Not Applicable
DATE OF REPORT: 11 August 2020
ATTACHMENTS: Nil

13.3 TENDER - TRAFFIC MANAGEMENT SERVICES

RESPONSIBLE OFFICER: Jeff Alderton – Manager of Works
REPORT AUTHOR: Stevie Egerton-Warburton – Works Technical Officer
FILE REFERENCE: FM21
APPLICANT: Not Applicable
DATE OF REPORT: 11 August 2020
ATTACHMENTS: Nil

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

PROCEDURAL MOTION

Motion 06082020

Moved Cr Denton, seconded Cr Johnson that the meeting be closed to members of the public in accordance with section 5.23 (2)(c) of the Local Government Act 1995, at 3.17pm to discuss a contract to be entered into, or which may be entered into, by the local government.

Carried 8/0

One member of the public, Cr Quick and Cr Beech left the chambers at 3.18pm

Closely Associated Persons Interest

Cr J Quick

Item 13.1

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

Nature: Close friends work for Tenderer

Indirect Financial Interest

Cr P Beech

Item 13.1 and 13.2

Type: Indirect Financial Interest pursuant to Section 6.51 of the Local Government Act 1995

Nature: Hires out equipment to Tenderer.

13.1 TENDER - ROAD CONSTRUCTION & MAINTENANCE

COUNCIL DECISION

Motion07082020

Moved Cr Bigwood, seconded Cr Denton that Council include McNabb Plantations, Fulcher Earthmoving, Palmer Civil Constructions, A&A Contracting and River Hill Contracting on the Panel of Suppliers for the Shire's Road Construction and Maintenance requirements for the 2020/21 Capital Works Program, in accordance with their respective tender submissions for Tender 03-2020.

Carried 6/0

Cr Quick re-entered the chambers at 3.24pm

13.2 TENDER - GRAVEL PUSHING

COUNCIL DECISION

Motion 08082020

Moved Cr Slater, seconded Cr Johnson that Council include McNabb Plantations, Palmer Civil Constructions and Cranbrook Bulldozing on the Panel of Suppliers for the Shire's Gravel Pushing requirements for the 2020/21 Capital Works Program, in accordance with their respective tender submissions for Tender 02-2020.

Carried 7/0

Cr Beech re-entered the chambers at 3.25pm

13.3 TENDER - TRAFFIC MANAGEMENT SERVICES

COUNCIL DECISION

Motion 09082020

Moved Cr Carey, seconded Cr Johnson that Council include Advanced Traffic Management, Traffic Management Southwest and Road Projects Management on the Panel of Suppliers for the Shire's Traffic Management Services for the 2020/21 Capital Works Program, in accordance with their respective tender submissions for Tender 05-2020.

Carried 8/0

PROCEDURAL MOTION

Motion 10082020

**Moved Cr Denton, seconded Cr Quick that the meeting be re-opened to members of the public.
3.27pm**

Carried 8/0

14. CLOSURE OF MEETING

There being no further business to discuss, the Shire President, Cr Horrocks declared the meeting closed at 3.28pm.