

# COUNCIL MEETING

## AGENDA



For the Ordinary Meeting of Council to be held on

**16 June 2021**

Dear Council Member,

The next Ordinary Meeting of the Shire of Cranbrook will be held on Wednesday 16 June 2021 at the Cranbrook Council Chambers commencing at 3.00pm.



Garry Adams  
**Acting Chief Executive Officer**

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This agenda has yet to be dealt with by the Council. The recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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# AGENDA

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Horrocks will declare the meeting open at pm. The Shire President will alert the meeting to the procedures for emergencies including evacuation, designated exits and muster points.

## 2. 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 VN (Vanessa) Fiegert
	Cr JA (Jennifer) Quick
	Cr RW (Robert) Johnson
Acting Chief Executive Officer	Mr G (Garry) Adams
Manager Corporate and Community	Mrs PA (Trish) Standish
Manager of Works	Mr JE (Jeff) Alderton
Minute Taker	Ms JL (Jo) Scott

Members of the Public

### 2.2 APOLOGIES

### 2.3 APPROVED LEAVE OF ABSENCE

Nil

## 3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

## 4. PUBLIC QUESTION TIME

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

Nil

### 4.2 PUBLIC QUESTIONS

## 5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

## 6. APPLICATIONS FOR LEAVE OF ABSENCE

## 7. DISCLOSURE OF INTEREST

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

This meeting will be closed to discuss item 13.1

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

**9.1 ORDINARY MEETING – 19 May 2021**

**That the minutes from the ordinary meeting of Council held on 19 May 2021, be confirmed as a true and correct record.**

## 10. REPORTS OF OFFICERS

### 10.1 FINANCE & ADMINISTRATION

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#### 10.1.1 LIST OF PAYMENTS

<b>RESPONSIBLE OFFICER:</b>	Trish Standish – Manager Corporate and Community
<b>REPORT AUTHOR:</b>	Madeleine Hammond – Finance Administration Officer
<b>FILE REFERENCE:</b>	FM2
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	1 June 2021
<b>ATTACHMENTS:</b>	List of Payments – 1 May 2021 to 31 May 2021

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#### **Purpose**

The purpose of this report is to advise the Council of payments made during the period 1 May 2021 to 31 May 2021.

#### **Background**

Nil

#### **Officer's 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

### **OFFICER'S RECOMMENDATION**

**That the payment of accounts totalling \$486,687.51 as per the attachment be noted:**

- **Electronic Funds Transfers EFT12028 to EFT12092 - \$317,330.18;**
- **Municipal Fund Cheque No's 12234 – 12236 - \$15,782.51;**
- **Internal Account Transfers (Payroll) - \$123,160.90; and**
- **Direct Debit - \$30,413.92.**

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**10.1.2 MONTHLY FINANCIAL REPORT – MAY 2021**

<b>RESPONSIBLE OFFICER:</b>	Trish Standish – Manager Corporate and Community
<b>REPORT AUTHOR:</b>	Madeleine Hammond – Finance Administration Officer
<b>FILE REFERENCE:</b>	FM12
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	3 June 2021
<b>ATTACHMENTS:</b>	Financial Statements for May 2021

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**Purpose**

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 31 May 2021.

**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.

**Officer’s 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 May 2021 Monthly Financial Report represents eleven (11) months, or 92% of the financial year. The following items are worthy of noting on the May 2021 report:

- Closing surplus position of \$397,487 (shown on page 5)
- Cash and cash equivalents of \$2.9m, of which \$2.7m is held in cash backed reserve accounts (shown on page 9);
- Outstanding rates of \$45,585 equates to 1.8% of 2020/2021 rates levied (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

### **OFFICER'S RECOMMENDATION**

**That the attached Monthly Financial Report (containing the Statement of Financial Activity) for the period ending 31 May 2021 be received.**

## 10.2 GOVERNANCE & EXECUTIVE SERVICES

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### 10.2.1 LOT 258 (7) MASON STREET, CRANBROOK – OFFER TO PURCHASE

<b>RESPONSIBLE OFFICER:</b>	Trish Standish - Manager Corporate and Community
<b>REPORT AUTHOR:</b>	Trish Standish - Manager Corporate and Community
<b>FILE REFERENCE:</b>	CP112
<b>APPLICANT:</b>	D & N Briggs
<b>DATE OF REPORT:</b>	9 June 2021
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Submissions Received</li><li>2. Officer Response to Submissions Received</li><li>3. Cranbrook Residential Sales Flyer – Development WA</li></ol>

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#### **Purpose**

The purpose of this report is for the Council to consider submissions received from the advertising that was required under the Local Government 1995 for the sale of Lot 258 (7) Mason Street, Cranbrook.

#### **Background**

At the 19 May 2021 meeting of Council it was resolved:

**“That the Chief Executive Officer be authorised to advertise the sale of Lot 258 Mason Street, Cranbrook for public comment in accordance with section 3.58(2) of the Local Government Act 1995 to Damond and Natasha Briggs, for the sum of \$135,000.”**

#### **Officer’s Comment**

##### Residence

Lot 258 Mason Street is a 154m<sup>2</sup>, 4 bedroom, 1 bathroom brick and tile residence built in 1977 and is situated on a 1234m<sup>2</sup> block which is zoned residential and has an r-code of R12.5/30. The house is positioned towards the front of the block with side access to the back yard.

This is the oldest house that the Shire owns and was originally built as the Chief Executive Officer’s residence. It has already had some structural renovations, with the carport being enclosed and extra bedrooms being built onto one end of the house during the 1980’s.

The residence has had some upgrades in the past ten years with some of the kitchen being replaced, internal painting and some floorcoverings replaced. It is now starting to require more substantial maintenance including renovating the bathroom and laundry, together with the tiled roof requiring either major repairs and most likely replacement in the very near future.

The Shire’s Building Surveyor and previous building maintenance officer, have inspected the roof and it was noted that the pointing was failing and has advised that a tile roof has a life expectancy of approximately 50 years. Our records indicate the house is now approximately 44 years old. An indicative cost of replacing the roof inclusive of the roof structure itself, is approximately \$50,000.

### Valuation

As required by legislation, market value of the property must be obtained prior to the sale of any property owned by the local government. The valuation of \$135,000 has been provided by Opteon (Albany and Great Southern WA) who are an international provider of independent valuation, advisory and specialist property services located in Albany. They are recognised as the largest independent valuation professional services firm in the region.

In order to complete the valuation a sufficiently comprehensive inspection of the property was completed on 21 April 2021 specifically for the Shire's pre-sale purpose and was prepared in accordance with the international valuation standards.

The valuation states both the internal and external condition of the residence to be in 'Fair' condition and the valuation reflects the current state of the residence in its entirety.

The report also states that given the requirement that the roof is in need of replacement this would have an adverse effect on the selling period which may be longer than expected. Any intending purchaser is highly likely to discount the value of the dwelling by the cost of repairs. The period of time and the inconvenience of having to replace the roof will also have a negative effect on the value and marketability of the dwelling and its current value. These factors have been taken into account when assessing the property's value.

Given that the current valuation of the property, in its current state is \$135,000 and the cost to replace the roof is approximately \$50,000, this means that the value of the property is in fact \$185,000.

When contacted regarding the low value of the property, the valuer has made the following comments:

- There are significant defects on the property which has resulted in a lower value;
- This would be only one sale out of a number of sales in the district and does not affect other property values in the town, as more than one sale is used as market evidence when valuing properties;
- Any intending purchaser should take into account the amount of works to be completed on the property when looking to purchase.

### General Comments

As the current staff housing stock ages it makes good sense to dispose of older houses and build new residences to keep maintenance levels to a minimum. Whilst a new residence was built in King Street last year, it would be pertinent if the Council were to consider adding to the housing stock in the near future.

Currently the Shire own six (6) houses and six (6) units in Cranbrook and one (1) house in Frankland River for staff housing purposes. Of these residential properties, nine (9) are tenanted by members of staff with the remainder being private rentals.

Damond Briggs has been employed by the Shire as Leading Hand Parks and Gardens since November 2012 and is a valued member of staff. Mr Briggs and his family have been tenants of the abovementioned property for the past seven years and have submitted an offer to purchase the property as it is and understanding that a new roof will be required in the not too distant future.

Affordable housing was a key focus area that gained significant comments from the community during the community consultation process that was undertaken earlier this year for the preparation of the Community Strategic Plan that was adopted by Council on 19 May 2021. Council have also discussed on numerous occasions, various options of making residential land available within the Cranbrook townsite for as little as \$1 (if possible) to encourage families to purchase land and live in the town.

The sale of this property to Mr Briggs and his family will offer them the security of owning their own home, investing in their future in Cranbrook as well as assist the Council with funds to build a new residence, thus giving the town an uplifting welcoming appearance to new-comers.

Advertising has occurred in accordance with section 3.58 of the Local Government Act 1995. Submissions received are attached and Officer's responses are included as a separate attachment.

Section 3.58 (3)(b) of the Act requires the Council to consider any submissions made prior to the Council making the decision to sell.

### **Statutory Environment**

Section 3.58 of the Local Government Act 1995 defines the process required for the disposal of local government property. This section states:

- “(2) Except as stated in this section, a local government can only dispose of property to —
- (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned;
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include-
- (a) the names of all other parties concerned;
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.”

### **Policy Applicable – Implications**

Council Policy 2.12 – Workforce – Housing - Employees states that:

#### *Sale of Council Housing*

It is Council policy that tenants of any Shire property be given the opportunity to purchase at the assessed market valuation provided that they have kept the property in good condition throughout their tenancy, have made all rental payments and have held a tenancy for 12 months or more.

This section of the policy is to encourage tenants to care for their property and invest in local housing within the Shire of Cranbrook.

### **Financial Implications**

The sale of this property will not be finalised prior to 30 June 2021, therefore the sale will be included in the 2021/2022 draft budget. It is recommended that all sale proceeds are transferred to the Housing Reserve to assist the Council with construction costs of new staff housing in the future.

Whilst there are no agent's selling fees, there will be approximately \$1,000 of settlement agents fees involved with the sale of this property.

It should be noted that once this property is privately owned, it will become rateable. As the Shire do not pay property rates there is currently no rate income received for this property.

### **Risk Implications**

The risks associated with matters in this report are:

- Errors, Omissions and Delays
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Asset Sustainability Practices

The **impact** of the risk is Financial, Non-Compliance, Reputational and Property.

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 the advertising process has been undertaken prior to sale of the property and the Council are made aware of the concerns that have been submitted.

### **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

Outcome 4.2: Demonstrate strong leadership and civic responsibility

Strategy 4.2.1: Provide leadership to the community, staff and wider region

The 2021 – 2031 Shire of Cranbrook, Strategic Community Plan states that:

#### **Key Pillar Work**

**Outcome 7 - Enabled Economy:** A business system is well-functioning through partnerships and alliances.

**Deliverable 7.1:** Extra flexible housing options for various working needs.

#### **Key Pillar Connect**

**Outcome 13 - Knowledge:** A community driven-by-data, not opinions, and can see the balance between investing in work, live and visit.

**Deliverable 13.2:** A tracked performance analysis on changing investment in live, work, visit and connect.

**Outcome 16 - High-performing Council:** An accountable and respected Council, investing in its people and structures.

**Deliverable 16.1:** A Council, its workforce and supporting entities are well-governed with delineated roles and accountabilities.

### **Consultation**

Advertising has occurred in accordance with section 3.58 of the Local Government Act 1995. All submissions received have been addressed in the attachment to this report. Opteon valuers were consulted further in regards to the lower property value.

### **VROC Implications**

There are no strategic VROC implications from this report

### **Voting Requirements**

Simple Majority

### **OFFICER'S RECOMMENDATION**

#### **That Council:**

- 1. Note that submissions were received from nine ratepayers in relation to the sale of lot 258 Mason Street, Cranbrook following advertising undertaken in accordance with section 3.58 (3) of the Local Government Act 1995 and all submissions have been considered in Attachment 2 of this report;**
- 2. Note the valuation of lot 258 Mason Street, Cranbrook, takes into account that the required roof repairs total a cost of \$50,000 as identified by a Certified Building Estimator and if the property is retained this cost will be borne by the Shire;**
- 3. Resolves to sell lot 258 Mason Street, Cranbrook to Damond and Natasha Briggs for the sum of \$135,000; and**
- 4. Place the proceeds from the sale of lot 258 Mason Street, Cranbrook into the Housing Reserve.**

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<b>10.2.2</b>	<b>RISK MANAGEMENT REVIEW – AUDIT REGULATION 17</b>
<b>RESPONSIBLE OFFICER:</b>	Garry Adams – Acting Chief Executive Officer
<b>REPORT AUTHOR:</b>	Trish Standish – Manager Corporate and Community
<b>FILE REFERENCE:</b>	FM9
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	8 June 2021
<b>ATTACHMENTS:</b>	Risk Report – Confidential Attachment <i>Attachment covered under Confidential Cover, in accordance with s5.23 (2)(c) and (e, iii) of the Local Government Act 1995, being: (e) a matter that if disclosed, would reveal – (iii) information about the business.</i>

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### **Purpose**

The purpose of this report is to comment on the Shire’s risk management capability and compliance in respect of Local Government (Audit) Amendment Regulations 2013 – Regulation 17 (Risk Management Procedures).

### **Background**

Amendments to the Local Government Audit Regulations in 2013 require CEOs to review and report to their Audit Committee and Council, at least every two financial years, on the appropriateness and effectiveness of systems and procedures in relation to:

- Risk management;
- Internal controls; and
- Legislative compliance.

The Audit Committee is to consider the CEO’s review and report the results of the review to Council. The previous review was undertaken in December 2018.

### **Officers Comment**

The review has been completed in house by the Executive Management Team (EMT) and relevant staff. The EMT finalised the risk management review on Tuesday, 8 June 2021. The format for the desk top audit included reviewing and updating the Shire’s existing Risk Management Framework, comprising Risk Management Policy and Procedures, and Risk Profiles with a view to enabling compliance with the Regulations.

### Internal Control

- Reviewing the separation of roles and functions, processing and authorisations;
- Reviewing the system of document control and approvals, including letters, emails and financial records;
- Reviewing control of information technology applications, including back up arrangements and security of information;
- Reviewing financial controls whilst recognising that this functional risk area is mitigated by the engagement of external auditors and accountants; and
- Monitoring compliance with legislation and regulations.

The review has been based on the following risk profiles for the following 15 themes:

- Inadequate asset sustainability practices
- Business and community disruption
- Failure to fulfil compliance requirements (statutory, regulatory)
- Inadequate document management processes
- Ineffective employment practices

- External theft and fraud
- Ineffective management of facilities, venues and events
- Failure of Information Technology and communication systems and infrastructure
- Misconduct
- Inadequate project / change management
- Inadequate engagement practices
- Inadequate environmental management
- Errors, omissions and delays
- Inadequate safety and security practices
- Inadequate supplier / contract management

The findings are included in the attached confidential report indicating the various stages of completion. The following matrices are used when completing agenda reports and in day-to-day activities for staff.

RATING	PEOPLE	INTERRUPTION TO SERVICE	REPUTATION (Social / Community)	COMPLIANCE	PROPERTY (Plant, Equipment, Buildings)	NATURAL ENVIRONMENT	FINANCIAL IMPACT
<b>Insignificant (1)</b>	Near-Miss	No material service interruption Less than 1 hour	Unsubstantiated, localised low impact on community trust, low profile or no media item.	No noticeable regulatory or statutory impact	Inconsequential damage	Contained, reversible impact managed by on site response	Less than \$2,000
<b>Minor (2)</b>	First Aid Treatment	Short term temporary interruption – backlog cleared < 1 day	Substantiated, localised impact on community trust or low media item	Some temporary non compliances	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response	\$2,001 - \$10,000
<b>Moderate (3)</b>	Medical treatment / Lost time injury >30 Days	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Short term non-compliance but with significant regulatory requirements imposed	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies	\$10,001 to \$100,000
<b>Major (4)</b>	Lost time injury <30 Days / temporary disability	Prolonged interruption of services – additional resources; performance affected < 1 month	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Non-compliance results in termination of services or imposed penalties to Shire / Officers	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies	\$100,001 to \$500,000
<b>Extreme (5)</b>	Fatality, permanent disability	Indeterminate prolonged interruption of services non-performance > 1 month	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions	Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire or Officers	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact	More than \$500,000



LEVEL	RATING	Project TIME	Project COST	Project SCOPE / QUALITY
1	Insignificant	Exceeds deadline by >5% of project timeline	Exceeds project budget by 2%	Minor variations to project scope or quality
2	Minor	Exceeds deadline by >10% of project timeline	Exceeds project budget by 5%	Scope creep requiring additional work, time or resources. Reduced perception of quality by Stakeholders.
3	Moderate	Exceeds deadline by >15% of project timeline	Exceeds project budget by 7.5%	Scope creep requiring additional work, time and resources or shortcuts being taken. Stakeholder concerns.
4	Major	Exceeds deadline by >20% of project timeline	Exceeds project budget by 15%	Project goals, deliverables, costs and/or deadline failures. Project no longer aligned with the project scope Stakeholder intervention in project.
5	Extreme	Exceeds deadline by 25% of project timeline	Exceeds project budget by 20%	Failure to meet project objectives. Project outcomes negatively affecting the community or the environment. Public embarrassment, third party actions.

Level	Rating	Description	Frequency
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

Consequence		Insignificant	Minor	Moderate	Major	Extreme
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

It is worth noting also that the review did not focus on financial management systems and processes within the organisation as this is the subject of a separate external audit conducted annually.

The attached report has been provided under confidential cover in accordance with section 5.23 of the Local Government Act 1995. It is the Shire's third report to be introduced under the risk management framework. Its focus is on embedding and driving continual improvement. Future reports will continue to provide relevant insight and recommendations to assist governance activities for the EMT.

### **Statutory Environment**

Local Government (Audit) Amendment Regulations 2013 state:

Regulation 17 – CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to –
  - a. risk management
  - b. internal control; and
  - c. legislative compliance
- (2) The review may relate to any or all of the matters referred to in sub-regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

Part 7 of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996 address the situation of audit.

Regulation 16 – Functions of audit committee

An audit committee

- (c) is to review a report given to it by the CEO under regulation 17(3) (the CEO’s report) and is to –
- (i) report to the council the results of that review; and
  - (ii) give a copy of the CEO’s report to the council.

### **Policy Applicable – Implications**

Council Policy 1.8 Governance – Risk Management – states:

Purpose

‘To align effective risk management practices across Council within a common framework that can be clearly understood and applied by everyone engaged in Council business. The policy assists the organisation to prevent / minimise the adverse effects of risks associated with its operation and to capitalise on any positive opportunities’.

### **Financial Implications**

Each risk identified in the attached report may have its own financial implications which will be the subject of normal budget consideration.

### **Risk Implications**

The risks associated with matters in this report are

- Failure to fulfil statutory, regulatory or compliance requirements
- Providing inaccurate advice/information

**The impact** of the risk is Non-Compliance and Reputational

**The consequence** of these risks is considered to be Minor

**The likelihood** is Unlikely

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

Risk mitigation includes ensuring that the Executive Management Team reviews the Shire’s risk profiles on a regular basis and in keeping with statutory requirements.

### **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 for this report included members of the Executive Management Team and relevant administration staff.

### **VROC Implications**

There are no strategic VROC implications from this report

### **Voting Requirements**

Simple Majority

### **Audit Committee Recommendation**

The Audit Committee will be meeting at 12.30pmon Wednesday 16 June 2021 to discuss this report and will make a recommendation to the Council. The Officer's recommendation for the Audit Committee to consider is:

**That the Audit Committee recommends to the Council that the CEO's report on the Review of Risk Management, Internal Controls and Legislative Compliance be received.**

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<b>10.2.3</b>	<b>CORPORATE BUSINESS PLAN 2021-2025</b>
<b>RESPONSIBLE OFFICER:</b>	Garry Adams – Acting Chief Executive Officer
<b>REPORT AUTHOR:</b>	Greg Blycha – Acting Chief Executive Officer
<b>FILE REFERENCE:</b>	AD3
<b>DATE OF REPORT:</b>	11 June 2021
<b>ATTACHMENTS:</b>	Shire of Cranbrook Corporate Business Plan New Balance Realisation

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### **Purpose**

The purpose of this report is for the Council to consider the adoption of the Shire of Cranbrook Corporate Business Plan 2021 – 2025.

### **Background**

The Strategic Community Plan 2021-2031 is Council's key strategy and planning document and forms the basis of the Integrated Planning and Reporting (IPR) Framework providing the foundation to develop other strategic documents. The Strategic Community Plan was endorsed at the May 2021 Council meeting.

The Strategic Community Plan is a strategy and planning document that has been developed to reflect the Shire of Cranbrook community's vision, strategic direction and priorities for action over the next 10 years. It clearly links Council's vision and long-term strategy with community aspirations.

As part of the IPR, the Shire is required to prepare a number of documents to facilitate sustainable, long term and strategic management of the services the Shire provides. Critical components of the IPR are the Strategic Community Plan and the Corporate Business Plan.

The IPR Framework and Guidelines issued by the Department of Local Government, Sport and Cultural Industries states:

"IPR enables community members and stakeholders to participate in shaping the future of the community and in identifying issues and solutions. This is not restricted by the Council's direct service delivery responsibilities. A community's aspirations are expressed as a vision, outcomes (or similar) and priorities.

The Strategic Community Plan does not make local government accountable for high level community visions or outcomes. Rather, the Strategic Community Plan needs to include clear definition of the Council's strategic priorities, intentions for asset stewardship and service delivery, and resourcing implications over the coming decade – clearly linked to the community's aspirations. The Strategic Community Plan can also encompass the contributions of others and provide inspiration and guidance for alignment of all relevant stakeholders in favour of the community's aspirations."

Core components of the IPR are:

- Strategic Community Plan - Community vision, strategic direction, long and medium-term priorities and resourcing implications with a horizon of 10 years,
- Corporate Business Plan - Four-year delivery program, aligned to the Strategic Community Plan, and accompanied by four-year financial projections,
- Informing Strategies
  - o Long Term Financial Plan - long term financial position;
  - o Asset Management Plan - approach to managing assets to deliver chosen service levels;

- o Workforce Plan - shaping the Shire's workforce to deliver organisational objectives now and into the future;
- Annual Budget - Financial statements for one year.

### Officer's Comment

The Corporate Business Plan, provides the internal business planning tool that translates Council priorities into operations within the resources available. It details the services, operations and projects that the Shire intends to deliver over the next four years.

The Corporate Business Plan, titled New Balance Realisation, has been developed in conjunction with external consultants and internal staff to detail key priority work areas based on community aspirations as denoted in the Strategic Community Plan. This plan has adopted a contemporary approach with 4 key pillars: Live, Work, Visit and Connect.

Corresponding with the pillars, 16 Outcomes have been identified with a number of Deliverables contained within each Outcome. Additional details regarding the deliverables, timelines, measurements and the Points of Accountability are contained within the Corporate Business Plan. Pillars, Outcomes and Deliverables are detailed in the Table below.

Live	Work	Visit	Connect
<b>1. Community</b>  1.1 Safety and security 1.2 Culture-enhancement 1.3 Volunteer appreciation	<b>5. Business Engagement</b>  5.1 Data-base of businesses 5.2 Extra or shared workers 5.3 Business awards and networking	<b>9. Experiences</b>  9.1 Sport and recreation 9.2 Arts and culture 9.3 State-based experiential events	<b>13. Knowledge</b>  13.1 Knowledge hub 13.2 Technological analysis 13.3 Cranbrook perception survey
<b>2. Utilities</b>  2.1 Water access 2.2 Digital access 2.3 Significant Roads 2.4 Domestic waste	<b>6. Stimulated Economy</b>  6.1 Industrial site 6.2 Local regulation 6.3 Business Prospectus	<b>10. Tourism</b>  10.1 Tourism destination 10.2 100-year Celebration 10.3 Information and rest bays 10.4 Heritage management	<b>14. Environment</b>  14.1 Environmental point-of-difference 14.2 Green energy system
<b>3. Health</b>  3.1 Health positioning 3.2 Mental health 3.3 Community welfare	<b>7. Enabled Economy</b>  7.1 Flexible housing 7.2 Ongoing engagement 7.3 Enterprise-incentive-program	<b>11. Public Spaces</b>  11.1 Town main streets 11.2 Cranbrook town retail precinct	<b>15. Proactive People</b>  15.1 Community Advisory Team 15.2 Virtual Cranbrook community 15.3 Community-wide performance
<b>4. Priority Amenities</b>  4.1 Facility use analysis 4.2 Service provision 4.3 FR Community Facility 4.4 Facility prioritisation	<b>8. Business Attraction</b>  8.1 Addition business or micro-production 8.2 Social-enterprise activity	<b>12. Brand</b>  12.1 Cranbrook brand 12.2 Events program 12.3 Community-empowered communications	<b>16. High-performing Council</b>  16.1 Well-governed 16.2 Workforce structure 16.3 Working environment 16.4 Defined culture

To provide further guidance to Elected Members to enhance understanding on delivery, a New Balance Realisation Narration document has been developed with tactics on each deliverable. This document is not prescriptive but offers broad intent allowing the requisite context needed to deliver on community expectations.

The 'how' to achieve these deliverables has been left unscripted. This allows the workforce, and its partners, to be empowered to solve the 'how' when the time is right. However, to help guide the workforce, to better 'see and feel' the future state, a narration for each deliverable has been presented. It should be considered a starting point and is not a 'set rule' how to achieve the deliverable.

Further value of this document is for announcements and any story-telling. When any member, be it community or local council workforce asks, "what does this mean" the CEO can use this document as a script to answer the question. This document is considered a work-in-progress document and is owned by the CEO and the Elected Members. It should be continually added to as deliverables are actioned or delivered.

### **Statutory Environment**

The Shire of Cranbrook is required to implement the IPR Framework pursuant to S5.56 of the Local Government Act 1995.

Regulation 19C of the Local Government Administration Regulations 1996 requires that:  
"A local government is to ensure that a Strategic Community Plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013."

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

Formal adoption of the Corporate Business Plan New Balance Realisation 2021-2025 will be the basis from which the Workforce Plan, Asset Management Plan and ongoing Long Term Financial Plan will be developed, and from which the annual budget will be derived.

### **Risk Implications**

The risks associated with matters in this report are:

- Errors, Omissions and Delays
- Business and Community Disruption
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Engagement Practices

The **impact** of the risk is Reputational and Non-Compliance

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

The **likelihood** is Unlikely

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

Risk mitigation includes Councillors having a clear understanding of the content of the Strategic Community Plan, Corporate Business Plan and the entire IPR process.

### **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

Outcome 4.2: Demonstrate strong leadership and civic responsibility

Strategy 4.2.1: Provide leadership to the community, staff and wider region

### **Consultation**

Extensive community consultation was undertaken to assist with the development of the Corporate Business Plan.

### **VROC Implications**

There are no strategic VROC implications from this report.

### **Voting Requirements**

Simple Majority

### **OFFICER'S RECOMMENDATION**

**That Council consider the information provided in this report and adopt the draft Corporate Business Plan 2021-2025 New Balance Realisation as attached.**

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<b>10.2.4</b>	<b>LOCAL GOVERNMENT CONVENTION AND EXHIBITION 2021</b>
<b>RESPONSIBLE OFFICER:</b>	Garry Adams – Acting Chief Executive Officer
<b>REPORT AUTHOR:</b>	Maddison Pavlovich – Personal Assistant to the Chief Executive Officer
<b>FILE REFERENCE:</b>	GO24
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	2 June 2021
<b>ATTACHMENTS:</b>	Registration and Information Brochure

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### **Purpose**

The purpose of this report is to allow Councillors the opportunity to attend the annual Local Government Convention and Trade Exhibition.

### **Background**

The annual Local Government Convention for 2021 will be held between Sunday 19 and Tuesday 21 September at Crown Perth. The Annual General Meeting (AGM) of the Western Australian Local Government Association (WALGA) will be held on Monday 20 September 2021.

### **Officers Comment**

The Convention programme was received on 2 June 2021. The full brochure is available from the Chief Executive Officer.

This convention includes the Annual General Meeting of WALGA which is free to attend. The Shire President and Deputy Shire President are the Council's voting delegates at this event. The convention has been well attended in recent years by the Council, however consideration may want to be given to those Councillors who have not previously attended.

The convention provides the year's most important professional development and networking opportunity for all Councillors. Prior to and after the convention, there are normally several elected member professional development modules also being offered.

### **Statutory Environment**

There is no specific legislation applicable to this report.

### **Policy Applicable – Implications**

Council Policy 1.6 – (Local Government Convention - Attendance) states that:

- The Shire President, Deputy Shire President and Chief Executive Officer will attend the annual WALGA Local Government Annual General Meeting and Local Government Convention;
- The Council may decide and make a resolution to send other Elected Members as appropriate each year on a rotational basis to the WALGA Local Government Convention; and
- The expenditure for the conference be contained responsibly by all attendees and be consistent with the Financial Policies and Code of Conduct of the Shire of Cranbrook.

### **Financial Implications**

The 2021/2022 budget will include provision under Members' Conference Expenses for attendance at this year's convention. The average cost per person to attend the convention in recent years has ranged from \$3,500 in 2010 to \$2,000 in 2018.



### **Risk Implications**

The risks associated with matters in this report are:

- Failure to fulfil statutory, regulatory or compliance requirements

**The impacts** of these risks are Non-Compliance and 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 adherence to Council Policies 1.6 – Local Government Convention – Attendance, and 1.7 – Elected Members – Allowances and Reimbursements, as well as the Shire of Cranbrook Code of Conduct.

### **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

Outcome 4.2: Demonstrate strong leadership and civic responsibility

Strategy 4.2.1: Provide leadership to the community, staff and wider region

### **Consultation**

Consultation was not required for this report.

### **VROC Implications**

There are no strategic VROC implications from this report.

### **Voting Requirements**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That:

- 1. The President, Deputy Shire President, and Chief Executive Officer, be authorised to attend the 2021 Local Government Convention and Trade Exhibition from 19 to 21 September 2021 at Crown Perth;**
- 2. The President and Deputy Shire President be nominated as the Voting Delegates at the Annual General Meeting of the Association on Monday, 20 September 2021; and**
- 3. The Chief Executive Officer be nominated as the Proxy delegate at the Annual General Meeting of the Association in the event that either the President or Deputy President is unable to attend the Annual General Meeting of the Association on Monday, 20 September 2021.**

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<b>10.2.5</b>	<b>ADVERSE EVENTS PLAN</b>
<b>RESPONSIBLE OFFICER:</b>	Garry Adams – Acting Chief Executive Officer
<b>REPORT AUTHOR:</b>	Greg Blycha – Acting Chief Executive Officer
<b>FILE REFERENCE:</b>	AD11
<b>DATE OF REPORT:</b>	11 June 2021
<b>ATTACHMENT:</b>	Shire of Cranbrook Adverse Events Plan

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### **Purpose**

The purpose of this report is for the Council to consider the adoption of the Shire of Cranbrook Adverse Events Plan.

### **Background**

The Shire of Cranbrook Adverse Events Plan has been prepared by external consultants in conjunction with the Department of Fire and Emergency Services and Shire employees in response to the requirements of the Federal Government's Drought Communities Program.

The purpose of the Adverse Events Plan is to demonstrate the framework as it relates to adverse events that directly and indirectly affect the Shire of Cranbrook and its community. This plan has been written in response to the Commonwealth Government's Drought Communities Program, for which the Shire of Cranbrook received funding and is a requirement under that funding arrangement.

The objectives of the Plan are to:

- Identify the roles and responsibilities of Local Government across all areas of adverse event management: prevention, preparedness, response and recovery.
- Provide clarity as to the existing measures the Shire of Cranbrook undertakes to address the four key areas of adverse events management.
- Demonstrate effective integration of planning across the Shire of Cranbrook and the consideration of adverse event impacts.
- Addressing the individual action of the Shire of Cranbrook as a direct requirement of the Commonwealth Government's Drought Communities Program, including:
  - Natural resource management: water supply, ground cover, trees, erosion, levee banks, biodiversity
  - Economic diversification and community resilience: infrastructure planning, tourism investment, diversifying local industries
  - Communication and coordination: how and when to communicate and managing community messaging.

### **Officer's Comment**

Members of the Local Emergency Management Committee (LEMC) convened a session with the consultants from G11 in early 2021 where key adverse events applicable to the Shire of Cranbrook were discussed. Relevant considerations were explored with the central themes forming the basis of the Adverse Events Plan. This engagement provided an opportunity for the LEMC to convey their knowledge and understandings to help shape the Plan.

Any hybridisation of State Emergency Management Arrangements and the Adverse Events Plan is not recommended however recognises that emergency management practices do have commonalities.

### **Statutory Environment**

Section 2.7(2b) of the Local Government Act 1995, states that:  
The Council is to determine the Local Government's plans and policies.

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

There are no associated financial implications with the adoption of the Adverse Events Plan.

### **Risk Implications**

The risks associated with matters in this report are:

- Business and Community Disruption
- 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 Engagement Practices
- Inadequate Asset Sustainability Practices
- Inadequate Safety and Security Practices
- Ineffective Management of Facilities/Venues/Events

The **impacts** of the risks are Service Interruption, Compliance, Property and Financial

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 the Executive, the Community Emergency Services Manager and the LEMC having clear understanding of the content of the Adverse Events Plan. The Adverse Events Plan is to read in conjunction with the Local Recovery Plan and the Local Emergency Management Arrangements.

### **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

Outcome 4.2: Demonstrate strong leadership and civic responsibility

Strategy 4.2.1: Provide leadership to the community, staff and wider region

### **Consultation**

Consultation was undertaken to assist with the development of the Adverse Events Plan with external consultants and DFES personnel.

### **VROC Implications**

There are no strategic VROC implications from this report.

### **Voting Requirements**

Simple Majority

**OFFICER'S RECOMMENDATION**

**That Council consider the information provided in this report and adopt the draft Adverse Events Plan as attached.**

**10.3 WORKS**

Nil

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

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

**13. MATTERS BEHIND CLOSED DOORS**

**\*CONFIDENTIAL\***

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**13.1 COMMUNITY GRANT PROGRAM FUNDING - ALLOCATION**

**RESPONSIBLE OFFICER:** Trish Standish – Manager Corporate and Community

**REPORT AUTHOR:** Samantha O’Neill – Community Development Officer

**FILE REFERENCE:** CS103

**APPLICANT:** N/A

**DATE OF REPORT:** 4 June 2021

**ATTACHMENTS:** Applications for the Community Grant Program Funding are attached as confidential attachments

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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

**OFFICER'S RECOMMENDATION:**

That the meeting be closed to members of the public in accordance with section 5.23 (c) of the Local Government Act 1995, at \_\_\_\_\_ to discuss a contract to be entered into, or which may be entered into, by the local government.

**OFFICER'S RECOMMENDATION:**

That the meeting be re-opened to members of the public at \_\_\_\_\_.

**14. CLOSURE OF MEETING**

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