



MINUTES OF
ORDINARY COUNCIL MEETING
HELD
WEDNESDAY
12 FEBRUARY 2020
COMMENCING AT 4.00 PM



Disclosure of Interest Form
(Elected Members/Committee Members/Employees/Contractors)

Local Government Act 1995 (Section 5.65, 5.70 & 5.71)

To: Chief Executive Officer

☐ Ordinary Council Meeting held
on

☐ Special Council Meeting held
on

☐ Committee Meeting held on

☐ Other

Report No

Report Title

Name

☐ Elected
Member

☐ Committee

☐ Employee

☐ Contractor

Type of Interest (*see overleaf for further information)

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

Extent of Interest (if intending to seek Council approval to be involved with debate and/or vote)

Name: _____ Signed: _____ Date: _____

Note 1: For Ordinary meetings of Council, elected members and employees are requested to submit this completed form to the Chief Executive Officer prior to the meeting. Where this is not practicable, disclosure(s) must be given to the Chief Executive Officer prior to the matter being discussed.

Note 2: Employees or Contractors disclosing an interest in any matter apart from at meetings, where there is a conflict of interest including disclosures required by s5.71 are required to submit this form to the CEO as soon as practicable.

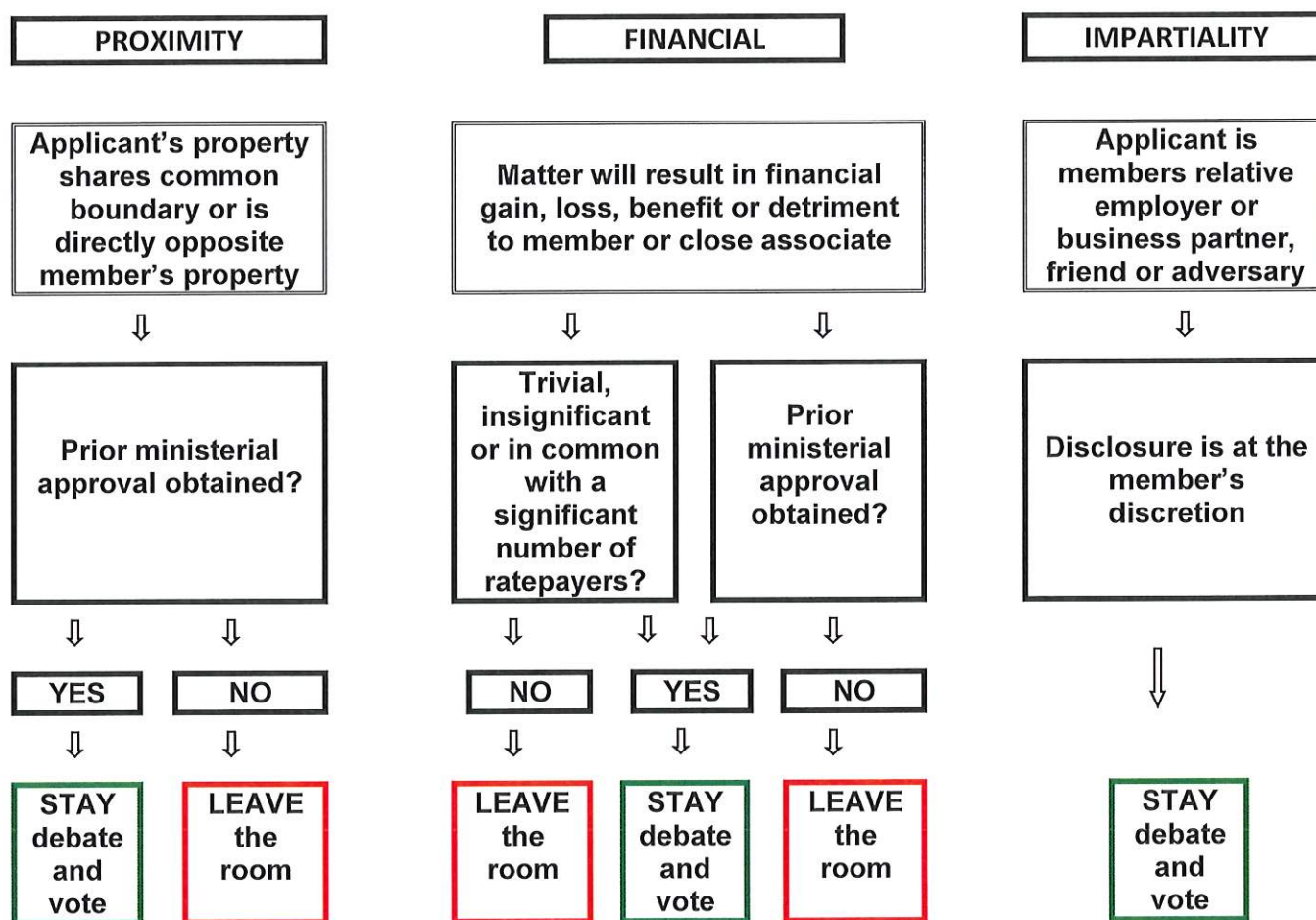
CEO

:

Signed:

Date:

* Declaring an Interest



Local Government Act 1995 - Extract

5.65 - Members' interests in matters to be discussed at meetings to be disclosed.

- (1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest:
 - (a) in a written notice given to the CEO before the meeting; or (b) at the meeting immediately before the matter is discussed. (Penalties apply).
- (2) It is a defence to a prosecution under this section if the member proves that he or she did not know:
 - (a) that he or she had an interest in the matter; or (b) that the matter in which he or she had an interest would be discussed at the meeting.
- (3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.70 - Employees to disclose interests relating to advice or reports.

- (1) In this section: 'employee' includes a person who, under a contract for services with the local government, provides advice or a report on a matter.
- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.
- (3) An employee who discloses an interest under this section must, if required to do so by the council or committee, as the case may be, disclose the extent of the interest. (Penalties apply).

5.71 - Employees to disclose interests relating to delegated functions.

- If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:
- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter. (Penalties apply)

'Local Government (Administration) Regulations 1996 – Extract

In this clause and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996:
"Interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 12 FEBRUARY 2020**

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 4.04pm

2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

	Attendance	Apologies	Approved Leave of Absences
Councillor Lane	Present		
Councillor Connaughton	Present		
Councillor Heal	Present		
Councillor Mutter	Present		
Councillor Mills	Present		
Councillor Ennor			12 February 2020
Councillor Eva	Present		
Chief Executive Officer	Present		
Deputy Chief Executive Officer	Present		
Manager Works	Present		
Minutes Clerk	Present		

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

		OCM Month	Moved	Seconded	Vote	Date
5.1	Cr.		Cr.	Cr.		
5.2	Cr.		Cr.	Cr.		
5.3	Cr.		Cr.	Cr.		

6. CONFIRMATION OF PREVIOUS MEETING MINUTES

That the Minutes of the following meetings are confirmed as true and accurate record of proceedings:

		Date	Moved	Seconded	Vote
6.1	Ordinary Council Meeting	11/12/2019	Cr. Mills	Cr. Mutter	6/0
6.2	Annual Electors Meeting	05/02/2020	Cr. Lane	Cr. Mutter	6/0
6.3	Audit Committee Meeting	05/02/2020	Cr. Eva	Cr. Mutter	6/0

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

President Chris Lane welcomed all Councillors and staff back to the first Ordinary Council Meeting of 2020 and made the following announcements:

2020 promises to be a big year for the shire of Three Springs. We have a lot of work ahead of us in regard to strategic planning for the future. Over the past few months the staff have been working very hard to give us a better understanding of where we are currently both in our regulatory requirements and a total review of our assets and the direction as adopted by the Strategic Community Plan in 2018.

There is still a lot of discussion and considered decisions to be made so please be prepared to "think outside your comfort zone". We need to be respectful, open minded, forward thinking, brave and unified as a council as we endeavour to make Three Springs a healthy and unified community with a bright future. This is reinforced by:

Our Values:

- A commitment to work together and respect each other
- To be a community that is fair minded, approachable, tolerant and responsive
- To have a regional focus
- To be an innovative and forward thinking community

President Chris Lane acknowledged the recent passing of two previous residents:

Mr Keith Page-Sharp – Keith lived in Three Springs in the 1990's running a business before starting as a Bowen therapist. He moved to the South West town of Waroona to continue his practice. Keith passed away on 8th Feb 2020

Mr Terry Reading – Terry was the son of a pioneering family who arrived in the district in the 20's. Farming & raising a family in East Three Springs until the late 1990's when Terry & Maree retired to Dongara. Terry was a Shire councillor for 20 years from 1975 - 1995 and Shire President 1992 - 1995. He was also bestowed the honour of being a Freeman of the Shire of Three Springs. Terry passed away on 17th December 2019 and is now resting in the Three Springs cemetery.

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activity
Cr. Lane	04/12/2019 – LEMC 10/12/2019 – ABC Wheatbelt Radio Broadcast 11/12/2019 – OCM & Staff Christmas Party 13/12/2019 – TSPS Awards Presentation Evening 17/12/2019 – Council Strategic workshop 26/01/2020 – Australia Day Awards and Citizenship ceremony
Cr. Connaughton	11/12/2019 – OCM & Staff Christmas Party 17/12/2019 – Council Strategic workshop 15/01/2020 - Duffy Store Dec / Jan - Vermin Culling
Cr. Heal	04/12/2019 - LEMC
Cr. Mutter	04/12/2019 – LEMC 10/12/2019 – ABC Wheatbelt Radio Broadcast 11/12/2019 – OCM & Staff Christmas Party 17/12/2019 - Shire Brainstorming session & primary returns.

Cr. Mills	11/12/2019 – OCM & Staff Christmas Party 17/12/2019 – Council Strategic Workshop
Cr. Ennor	
Cr. Eva	11/12/2019 – OCM & Staff Christmas Party 17/12/2019– Council Strategic workshop

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10. REPORTS OF OFFICERS

Executive Services	
10.1. Good Governance in Practice	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	12.02.2020
Author:	Chief Executive Officer, Keith Woodward
Attachment (s):	

Council Role:

- | | | |
|-------------------------------------|----------------|---|
| <input type="checkbox"/> | Advocacy | When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input checked="" type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input checked="" type="checkbox"/> | Legislative | Includes adopting local laws, local planning schemes and policies. |
| <input checked="" type="checkbox"/> | Review | When Council reviews decisions made by Officers. |
| <input type="checkbox"/> | Quasi-judicial | When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT). |

Report Purpose:

That Council Accepts:

1. The Governance Compliance Calendar report for month of December 2019 and January 2020.
2. Actions Performed under Delegated Authority for the month of December 2019 and January 2020.

Background:

Local Governments are required to fulfil duties and functions prescribed in legislation.

This expectation is prescribed in the *Local Government Act 1995* through the CEO duties which require the management of legislative compliance.

Officer's Comment:

Compliance Table for December 2019 and January 2020

Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Compliance Frequency	Position Title Officer Responsible for Action Compliance	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
December - Take Action								
Monthly Financial Report LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg. 34	DLGSC website - WA Local Government Accounting Manual	Monthly	DCEO	Feb-19	February OCM minutes	The monthly financial report was presented to Council at the February 2020 Ordinary Council Meeting.
Emergency Services Levy - Remittance Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures	Clause 5.13.	DFES -ESL website - Manual of Operating Procedures	Monthly	DCEO		N/A	
Emergency Services Levy - Option B Payment Due Due by: 21 December and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures		DFES -ESL website - Manual of Operating Procedures	Quarterly	SFO	Dec-19	December 19 Creditors	Invoice from DFES received and Shire made payment
Council / Committee Meeting Schedule - At least once per year, determine meeting schedule for next 12 months (see January - and give Local Public Notice)	Local Government Act 1995	s.5.25(1) (g) Admin.Reg.12		Annual	CEO	Nov-19	November 19 OCM Minutes	Completed November 2019 OCM
Annual Report - Accepted, by Absolute Majority, by no later than 31st December	Local Government Act 1995	s.5.53 s.5.54	DLGSC website - WA Local Government Accounting Manual	Annual	DCEO		December 19 OCM Minutes	Completed December 2019 OCM

Elections - Declarations of Office for new Elected Members, Shire President / Mayor and Deputy Shire President / Mayor sworn in following Election Day (2 months from declaration of result)	Local Government Act 1995	s.2.29	DLGSC website - Elections Timetable DLGSC website - Returning Officer Manual	Biennial	CEO	Nov-19	November 19 OCM Minutes	Completed November 2019 OCM
January - Take Action								
Monthly Financial Report LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg. 34	DLGSC WA Local Government Accounting Manual	Monthly	DCEO	February 2020 OCM	Minutes February 2020 OCM	
Emergency Services Levy - Option A Remittance Due by: 21st of the month Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures	Clause 5.13.	DFES -ESL Manual of Operating Procedures	Monthly	DCEO	N/A		
Primary Returns - Request Primary Return from any new employee who is a Designated Employee. Return must be received by CEO within 3 months of the person's start day	Local Government Act 1995	s.5.75	DLGSC Operational Guideline No.21 Disclosure of Financial Interests in Returns	Bi-monthly	CEO		Returns completed and included in the Register. Letter of acknowledging issued	

Financial Interests Register - Review Register to remove Primary and Annual Returns (not other interest disclosures) from the Financial Interest Register that relate to persons who are no longer Designated Employees (resigned or changed roles) or for Elected Members who have resigned. Returns that are removed are to be kept by the CEO as LG Record for at least 5 years after the person ceased to be a Designated Employee.	Local Government Act 1995	s.5.88(3)(4)		Bi-monthly	CEO	Dec-19	Register updated and the 5 year record is stored on the CEO/ES/Governance shelf in the safe.	
Compliance Audit Return - Commence Audit Commence the Compliance Audit Return as an internal audit. Due: 31 March	Local Government Act 1995	s.7.13(1)(l) Audit. Regs. 13, 14 and 15		Annual	CEO	15-Jan-20	Updated onto the DLG reporting platform	
Council / Committee Meeting Schedule - At least once per year, give Local Public Notice of the meeting schedule for next 12 months	Local Government Act 1995	s.5.25(1)(g) Admin. Reg. 12		Annual		November 19 OCM Minutes	Completed November 2019 OCM	Advertised on Shire web page, Midwest Times and the Shire notice board.
Primary Returns - New Elected Members - required to be lodged with CEO within 3 months of making Declarations of Office Due by: 03/02/2020	Local Government Act 1995	s.5.75(1)	WALGA - Governance Subscription - Guideline - Primary and Annual Returns Management DLGSC Operational Guideline No.21 Disclosure of Financial Interests in Returns	Biennial		18-Dec-19	Returns have been completed and letters of acknowledgements issued 18 December 2019. Primary Returns Register is up to date	

Revaluation of Assets - Plant and Equipment - Commence Work LG must revalue all assets within the Plant and Equipment Class by the expiry of each 3-yearly interval after 30 June 2016	Local Government Act 1995	FM.Reg. 17A(4)	4-yearly		N/A		Plant and Equipment was revalued in June 2019
Revaluation of Assets - Land, Buildings and Infrastructure - Commence Work LG must revalue all assets within the Land Building and Infrastructure Class by the expiry of each 3-yearly interval after 30 June 2017	Local Government Act 1995	FM.Reg. 17A(4)	4-yearly		30-Mar-20	Quotes received	Revalue will be completed by 30 March 2020
Revaluation of Assets - All Other Classes of Assets - Commence Work LG must revalue all other classes of assets (other than, Plan and Equipment and Land Building and Infrastructure classes) by the expiry of each 3-yearly interval after 30 June 2018	Local Government Act 1995	FM.Reg. 17A(4)	4-yearly		30-Mar-20	Quotes received	Revalue will be completed by 30 March 2020

Execution of Delegation for December 2019 and January 2020

Date	File Reference	Delegation Number	Decision Detail	Applicant	Officer	Comment
19/12/2019	ADM0192	GO004 Execution of Contract Documents	Agreement for a regional fixed standpipe water supply service	Water Corporation	CEO	Access to the WC standpipe located at Glyde Street Three Springs.
17/12/2019	PMT ID: 152808011	CS002-Payments from Municipal Fund and Trust Fund	Transfer Funds between Muni Accounts	NAB	CEO	Transfer funds to Licensing Account
17/12/2019	PMT ID: 152811202	CS002-Payments from Municipal Fund and Trust Fund	Transfer Funds between Muni Accounts	NAB	CEO	Transfer \$187K from Maximiser A/C to Muni A/C
17/12/2019	CHQ: 11588	CS002-Payments from Municipal Fund and Trust Fund	Shire of Chapman Valley	NAB	CEO	Creditor payment –signed cheque #11588- \$1,333.64
17/12/2019	CHQ: 11589	CS002-Payments from Municipal Fund and Trust Fund	Synergy	NAB	CEO	Creditor Payment – Signed Cheque 11589 for \$13,169.77
17/12/2019	CHQ: 11590	CS002-Payments from Municipal Fund and Trust Fund	Telstra	NAB	CEO	Creditor Payment – Signed Cheque 11590 for \$2,281.39
17/12/2019	PMT ID: 152817624	CS002-Payments from Municipal	Weekly Payment – Creditors	NAB	CEO	Creditor Payment – EFT PMT ID 152817624 for

		Fund and Trust Fund				\$314,729.39
20/12/2019	ADM0192	GO004 Execution of Contract Documents	Agreement for a Regional Fixed Standpipe Water Supply Service	Water Corporation	CEO	Service Located at Nxt L54 Daly St. Arrino, Lot Road Reserve
20/12/2019	ADM0192	GO004 Execution of Contract Documents	Agreement for a Regional Fixed Standpipe Water Supply Service	Water Corporation	CEO	Service Located at OPP 27L Dudawa Rd, Arrowsmith FL Lot 27
20/12/2019	ADM0192	GO004 Execution of Contract Documents	Agreement for a Regional Fixed Standpipe Water Supply Service	Water Corporation	CEO	Service Located at Nebru Rd, Three Springs FL Lot Road Reserve
20/12/2019	ADM0192	GO004 Execution of Contract Documents	Agreement for a Regional Fixed Standpipe Water Supply Service	Water Corporation	CEO	Service located at OPP L3567 Bluewater Rd, Arrowsmith FL Lot Road Reserve
22/01/2020	ICFR209737	CS005 – Waiving & Granting of Concessions & Write-Off of Debts other than Rates & Service Charges	Request for refund from L. Fry	L. Fry	CEO	Prorata refund associated with dog registration and the death of the dog.
17-Jan-20	PMT ID: 152808011	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds between Muni Accounts	NAB	Deputy Chief Executive Officer	Transfer funds to Licensing Account - \$162.35
17-Jan-20	PMT ID: 152811202	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds between Muni Accounts	NAB	Deputy Chief Executive Officer	Transfer \$187K from Maximiser A/C To Muni A/C.
17-Jan-20	CHQ: 11588	CS002 - Payments from Municipal Fund and Trust Fund	Shire of Chapman Valley	NAB	Deputy Chief Executive Officer	Creditor Payment - Signed Cheque 11588 for \$1,333.64
17-Jan-20	CHQ: 11589	CS002 - Payments from Municipal Fund and Trust Fund	Synergy	NAB	Deputy Chief Executive Officer	Creditor Payment - Signed Cheque 11589 for \$13,169.77
17-Jan-20	CHQ: 11590	CS002 - Payments from Municipal Fund and Trust Fund	Telstra	NAB	Deputy Chief Executive Officer	Creditor Payment - Signed Cheque 11590 for \$2,2281.39
17-Jan-20	PMT ID: 152817624	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 152817624 for \$314,729.32
22-Jan-20	PMT ID: 152974150	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds between Muni Accounts	NAB	Deputy Chief Executive Officer	Transfer \$50K from Maximiser A/C To Muni A/C.
22-Jan-20	PMT ID: 153046402	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds between Muni Accounts	NAB	Deputy Chief Executive Officer	Transfer funds to Licensing Account - \$118.05
22-Jan-20	PMT ID: 153062039	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Deputy Chief Executive Officer	Fortnightly Payroll \$38,211.49
23-Jan-20	PMT ID: 153146378	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds between Muni Accounts	NAB	Deputy Chief Executive Officer	Transfer funds to Licensing Account - \$44.05
24-Jan-20	PMT ID: 153221485	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds between Muni Accounts	NAB	Deputy Chief Executive Officer	Transfer funds to Licensing Account - \$88.10
31-Jan-20	PMT ID: 153592359	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds between Muni Accounts	NAB	Deputy Chief Executive	Transfer funds to Licensing Account - \$719.65

Date	File Reference	Delegation No	Decision Detail	Applicant	Officer	Comment
24-Jan-20	PMT ID: 153221485	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer funds to Licensing Account Banking 23/01/20 - \$88.10
28-Jan-20	PMT ID: 153315019	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer funds to Licensing Account Banking 24/01/20 - \$1,886.60
28-Jan-20	PMT ID: 153367685	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer funds to Licensing Account Banking 28/01/20 - \$1,093.65
Date	File Reference	Delegation No	Decision Detail	Applicant	Officer	Comment
17-Jan-20	PMT ID: 152808011	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer funds to Licensing Account - \$162.35
22-Jan-20	PMT ID: 153046402	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer funds to Licensing Account - \$118.05
23-Jan-20	PMT ID: 153146378	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer funds to Licensing Account - \$44.05
28-Jan-20	PMT ID: 153315019	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer funds to Licensing Account Banking 24/01/20 - \$1,886.60
28-Jan-20	PMT ID: 153367685	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer funds to Licensing Account Banking 28/01/20 - \$1,093.65
11-Dec-19	OCM 20 Nov 2019	GO003 Public Notice of Council and Committee Meetings	Advertisement of proposed dates for Ordinary Council Meetings in 2020	Shire of Three Springs	Executive Secretary	Advertised in 11 December 2019 edition of Midwest Times
18-Dec-19	OCM 11 Dec 2019	GO003 Public Notice of Council and Committee Meetings	Advertisement of Annual Electors Meeting to be held on 18 December 2020	Shire of Three Springs	Executive Secretary	Advertised in 18 December 2019 edition of Midwest Times

Consultation:

Nil

Statutory Environment:

Local Government Act 1995, Administration Part 5, Division 4, S.5.40

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) cause council decisions to be implemented; and*
- (d) manage the day to day operations of the local government; and*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) speak on behalf of the local government if the mayor or president agrees; and*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*

- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Local Government (Audit) Regulations 1996

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; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.
- (3) The CEO is to report to the audit committee the results of that review.

Policy Implications:

Council Policy 1100 Risk Management. The risk management objectives of this policy are:

- 1. Optimise the achievement of our vision, mission, strategies, goals and objectives.
- 2. Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- 3. Enhance risk versus return within our risk appetite.
- 4. Embed appropriate and effective controls to mitigate risk.
- 5. Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- 6. Enhance organisational resilience.
- 7. Identify and provide for the continuity of critical operations

The Good Governance in Practice Principles 'compliance and reporting' align with Council policy and legislation reducing organisation's risk.

Financial/Resources Implications:

Nil

Strategic Implications:

This item is relevant to the Councils approved 'Strategic Community Plan 2018-2028'

'Strategic Community Plan 2018-2028'.

Council Objectives:	Outcome:
A long term strategically focused Shire that is efficient, respected and	4.3.2. Ensure compliance with all

accountable.	relevant legislation.
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This item is relevant to the Councils approved 'Corporate Business Plan 2017 – 2021'.

'Corporate Business Plan 2017 – 2021'.	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:

Simple Majority.

Officer's Recommendation:

001/2020 OFFICERS RECOMMENDATION AND COUNCIL DECISION: 10.1
<p style="text-align: right;"><u>MOVED:</u> Cr. Mutter <u>SECONDED:</u> Cr. Connaughton</p> <p>That Council Accepts:</p> <ol style="list-style-type: none"> 1. The Governance Compliance Calendar report for month of December 2019 and January 2020. 2. Actions Performed under Delegated Authority for the month of December 2019 and January 2020. <p style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></p>

Executive Services	
10.2. 2019 Regulation 17 Financial Management Review and the Compliance Audit Return	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	12/02/2020
Author:	Chief Executive Officer, Keith Woodward
Attachment (s):	<p>The Review of Regulation 17 Financial Management, Risk Management, Legislative Compliance and Internal Controls Report; for period ending 31 December 2019. Confidential Attachment A.</p> <p>The Compliance Audit Return for period ending 31 December 2019.</p> <p>Minutes from the 5 February 2020 Audit Committee Meeting</p>

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☐ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☒ Legislative Includes adopting local laws, local planning schemes and policies.
- ☐ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

That Council:

1. Be presented, adopt and record in the minutes of this meeting:
 - The 5 February 2020 Audit Committee Minutes.
 - The Review of Regulation 17 Financial Management, Risk Management, Legislative Compliance and Internal Controls Report.
 - The Compliance Audit Return for period ending 31 December 2019.

2. The Chief Executive Officer (CEO) reports back to Council by December 2020 confirming that the 'matters' identified for improvement in the 'Regulation 17 Financial Management, Risk Management, Legislative Compliance and Internal Controls Report', have been appropriately managed to comply with legislation.

Background:

The CEO is to review the appropriateness and effectiveness of a Local Government's systems and procedures. This process is prescribed in the Local Government (Audit) Regulation 1996) s. 14, 16 & 17.

At the Audit Committee Meeting held on 5 February 2020 the Audit Committee resolved to:

1. *Receive the Review of Regulation 17, Financial Management, Risk Management, Legislative Compliance and Internal Controls Report for period ending 31 December 2019 report given by the Chief Executive Officer (CEO).*
2. *Endorse the Compliance Audit Return for period ending 31 December 2019.*
3. *Recommend that the CEO present the 5 February 2020 Audit Committee Meeting Report, the associated Minutes and the attached Regulation 17 and the Compliance Audit Return reports at the February 2020 Ordinary Council Meeting.*
4. *Recommend that Council, adopt and record in the minutes of the February 2020 Ordinary Council Meeting the:*
 - *5 February 2020 Audit Committee minutes, the Review of Regulation 17, Financial Management, Risk Management, Legislative Compliance and Internal Controls Report and the Compliance Audit Return for period ending 31 December 2019.*
5. *The CEO report back to Council by December 2020 confirming that the 'matters' identified for improvement in the Regulation 17, Financial Management, Risk Management, Legislative Compliance and Internal Controls Report have been appropriately managed to comply with legislation.*

Officer's Comment:

Nil

Consultation:

Nil

Statutory Environment:

Local Government (Audit) Regulation 1996) s. 14, 16 & 17.

14. Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*

- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
 - (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

16. Functions of audit committee

- (c) *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*

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; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

Policy Implications:

Council Policy 1100 Risk Management. The risk management objectives of this policy are:

1. *Optimise the achievement of our vision, mission, strategies, goals and objectives.*
2. *Provide transparent and formal oversight of the risk and control environment to enable effective decision making.*
3. *Enhance risk versus return within our risk appetite.*
4. *Embed appropriate and effective controls to mitigate risk.*
5. *Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.*
6. *Enhance organisational resilience.*
7. *Identify and provide for the continuity of critical operations*

The Good Governance in Practice Principles 'compliance and reporting' align with Council policy and legislation reducing organisation's risk.

Financial/Resources Implications:

Nil

Strategic Implications:

This item is relevant to the Councils approved 'Strategic Community Plan 2018-2028'

'Strategic Community Plan 2018-2028'.	
Council Objectives:	Outcome:
4. A long term strategically focused Shire that is efficient, respected and accountable.	4.3.2 Ensure compliance with all relevant legislation.

This item is relevant to the Councils approved 'Corporate Business Plan 2017 – 2021'.

'Corporate Business Plan 2017 – 2021'.	
Scope Statement:	Project Outputs:
Nil	

Voting Requirements:

Absolute Majority.

Officer's Recommendation:

002/2020 OFFICER'S RECOMMENDATION and COUNCIL DECISION: 10.2
<div style="text-align: right;"><u>MOVED: Cr. Heal</u> <u>SECONDED: Cr. Connaughton</u></div> <p>That Council:</p> <ol style="list-style-type: none">Be presented, adopt and record in the minutes of this meeting:<ul style="list-style-type: none">The 5 February 2020 Audit Committee Minutes.The Review of Regulation 17 Financial Management, Risk Management, Legislative Compliance and Internal Controls Report.The Compliance Audit Return for period ending 31 December 2019.The Chief Executive Officer (CEO) reports back to Council by December 2020 confirming that the 'matters' identified for improvement in the '<i>Regulation 17 Financial Management, Risk Management, Legislative Compliance and Internal Controls Report</i>', have been appropriately managed to comply with legislation.Authorise the Shire President and the Chief Executive Officer to sign the Compliance Audit Return for period ending 31 December 2019. <div style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></div>

Works and Services	
10.3 Capital Works Progress Update 2019-2020	
Agenda Reference:	ADM1112
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0155
Disclosure of Interest:	Nil
Date:	12/02/2020
Author:	Manager of Works
Attachment (s):	Capital Works Status Report

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☐ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☐ Legislative Includes adopting local laws, local planning schemes and policies.
- ☒ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

That Council accepts:

The Capital Works Report for November / December 2019 and January 2020.

Background:

This report provides Council with the 2019-2020 Capital Works Progress Update.

Officer's Comment:

Refer to the attached status report.

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Purchasing Policy 3007.1

Financial/Resources Implications

Shire of Three Springs Adopted Budget 2019-2020

Strategic Implications:

This item is relevant to the Council's approved 'Strategic Community Plan 2018-2028'

'Strategic Community Plan 2018-2028'.	
Council Objectives:	Outcome:
Nil	Nil

This item is relevant to the Council's approved 'Corporate Business Plan 2017 – 2021'.

'Corporate Business Plan 2017 – 2021'.	
Scope Statement:	Project Outputs:
<i>Built Environment /Infrastructure</i>	Road condition Improvement
Roads Program	Safer roads
<i>Community</i>	Paths which link key arrears and increase accessibility
Pathways Program	

Voting Requirements:

Simple Majority.

Officer's Recommendation:

003/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.3	
<p style="text-align: right;"><u>MOVED:</u> Cr. Mills <u>SECONDED:</u> Cr. Connaughton</p> <p>That Council accepts:</p> <p>The Capital Works Report for November / December 2019 and January 2020.</p> <p style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></p>	

Report of Manager of Works and Services	
10.4 Tender for the supply of a new Roller through the WALGA	
Agenda Reference:	
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	RFT2019/20-3
Disclosure of Interest:	Nil
Date:	03/02/2020
Author:	Manager of Works
Attachment (s):	Tender Analysis (Confidential)

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☒ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☐ Legislative Includes adopting local laws, local planning schemes and policies.
- ☐ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

That Council:

Award Tender RFT 2019/20-3 to Westrac for the supply and delivery of Caterpillar CS68B for \$149,281.05.

Background:

The Shire's 2019/2020 Capital Budget included the purchase of a new steel drum roller as per Plant Replacement Program endorsed by Council in 2019/20. GL135540 Plant Equipment \$150,000 ex. GST.

The Shire obtained a tendered rate for the supply of a new Roller through the WALGA tender Equote system. The WALGA tender number is RFT2019/20-3.

Officers Comment:

Local Government can purchase Plant and Equipment (General and Heavy), Trailers, Road Construction Equipment through the WALGA Preferred Supply Panel. This acquisition process is permitted in the Local Government Act 1995 (Functions and General) Regulation (s.3.57) "(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA". Under the Local

Government (Functions and General) Regulations, a tender exemption applies to WALGA's Preferred Supplier Contracts. WALGA Contracts are rigorously market tested using a compliant procurement process to ensure that the highest quality offerings are delivered at the best possible value. WALGA Members save millions of dollars each year utilising these Contracts, in addition to saving the cost and risk of independently tendering.

Consultation:

Shire of Three Springs Mechanic and Deputy CEO

Statutory Environment:

Local Government Act 1995 (Functions and General) Regulation (s.3.57) "(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA".

Policy Implications:

Purchasing Policy 3007.1

Financial/Resources Implications:

Shire of Three Springs Adopted Budget 2019-2020. GL135540 Plant Equipment \$150,000 ex. GST.

Strategic Implications:

This item is relevant to the Councils approved 'Strategic Community Plan 2018-2028'

'Strategic Community Plan 2018-2028'. Foundation 4: Civic Leadership	
Council Objectives:	Outcome:
Nil	Nil

This item is relevant to the Councils approved 'Corporate Business Plan 2017 – 2021'.

'Corporate Business Plan 2017 – 2021'. Governance/Leadership	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:

Simple Majority.

Officers Recommendation:

004/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.4	
That Council:	<p><u>MOVED: Cr. Heal</u> <u>SECONDED: Cr. Eva</u></p>
Award Tender RFT 2019/20-3 to Westrac for the supply and delivery of Caterpillar CS68B for \$149,281.05.	
	<p><u>CARRIED:</u> <u>Voted: 6/0</u></p>

10.5 REPORTS OF OFFICERS

CORPORATE SERVICES	
10.5 FINANCIAL STATEMENT FOR PERIOD ENDING 31 December 2019 & 31 January 2020	
Agenda Reference:	
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	4 February 2020
Author:	Deputy Chief Executive Officer
Attachment (s):	9.7.1 SOTS Financial Report Dec 2019 9.7.2 SOTS Financial Report Jan 2020

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☐ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☒ Legislative Includes adopting local laws, local planning schemes and policies.
- ☐ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

That Council accepts the financial report for the period ending 31 December 2019 and 31 January 2020.

Background:

The Provision of the FM Regulations 1996 34 (4) and associated regulations requires a monthly financial report to be presented at an ordinary council meeting within 2 months of the period end date.

- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.

Officers Comment:

Refer to Financial/Resources Implications

Consultation:

Nil

Statutory Environment:

The preparation of Monthly Financial reports is prepared under Section 6.4 of the Local Government Act 1995.

In accordance with FM regulation 34 (5), a report must be compiled on variances greater than the materiality threshold adopted by the council of \$10,000 or 10% whichever is greater. As this report is composed at a program level, variances commentary considers the most significant items that comprise the variance.

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications:

Nil

Financial/Resources Implications:

As at 31 January 2020, operating revenue is \$2,835,699. The operating Revenue made up of Rates 76%, Grants & Subsidies 15%, Fees and Charges 6% and others 3%.

The Operating Expenditure is \$2,274,063. The Operating expenditure made up of Employee Costs 38%, Depreciation 38%, Insurance 8%, Materials & Contracts 10%, Utilities 5% and others 1%.

Total Cash Available is \$3,666,156. Total cash is made up of Unrestricted cash \$2,174,324 and Restricted cash \$1,491,832 backed by various reserves.

SUMMARY OF FUNDS – SHIRE OF THREE SPRINGS		
	31 January 2020	31 December 2019
Municipal Account	\$34,418	\$95,229
Business Cash Maximiser (Municipal Funds)	\$1,140,658	\$1,376,844
Grant Funds Holding Maximiser Account (Municipal Funds)	\$902,400	\$901,825
Reserve Maximiser	\$1,491,832	\$1,491,832
Police Licensing Account	\$96,549	\$95,676
	\$3,665,857	\$3,961,406

Balances as at 31 January 2020	Amount
<i>Sundry Debtors Balance</i>	\$17,159
<i>Trade Creditors Balance</i>	\$103,313
<i>Rates Debtors Balance</i>	\$267,004

Strategic Implications:

This item is relevant to the Councils approved 'Strategic Community Plan 2018-2028'

'Strategic Community Plan 2018-2028'. Foundation 4: Civic Leadership	
Council Objectives:	Outcome:
Nil	Nil

This item is relevant to the Councils approved 'Corporate Business Plan 2017 – 2021'.

'Corporate Business Plan 2017 – 2021'. Governance/Leadership	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:

Simple Majority.

Officers Recommendation:

005/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.5
<p style="text-align: right;"><u>MOVED: Cr. Connaughton</u> <u>SECONDED: Cr. Mills</u></p> <p>That Council accept the Financial Report for the Financial period ending 31 December 2019 and 31 January 2020.</p> <p style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></p>

Corporate Services

10.6 Accounts for Payments 31 December 2019 & 31 January 2020

Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	12/02/2019
Author:	Finance and Payroll Officer
Attachment (s):	Lists of creditors paid as at 31 st December, 2019 and 31 st January 2020 is attached at 10.7.1

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☒ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☒ Legislative Includes adopting local laws, local planning schemes and policies.
- ☐ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

That Council accepts:

The payment of creditors in accordance with Local Government (Financial Management) Regulations 1996 section 13 (1).

Background:

Financial regulations require a schedule of payments made through the Council's bank accounts be presented to Council for their inspection. The list includes details for each account paid incorporating payee's name, amount of the payment, date of payment and sufficient information to identify the transaction.

Officer's Comment:

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 Section 6.4.

Local Government (Financial Management) Regulations 1996 Section 12 and 13.

12. Payments from municipal fund or trust fund, restrictions on making

- (1) *A payment may only be made from the municipal fund or the trust fund —*
 - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
 - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name; and*
 - (b) *the amount of the payment; and*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
 - (a) *for each account which requires council authorisation in that month —*
 - (i) *the payee's name; and*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction;**and*
 - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
 - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

Policy Implications:

Nil

Financial/Resources Implications:

Funds available to meet expenditure in accordance with Shire of Three Springs adopted budget 2019-2020.

Strategic Implications:

This item is relevant to the Council's approved 'Strategic Community Plan 2018-2028'

'Strategic Community Plan 2018-2028'.	
Council Objectives:	Outcome:
Nil	Nil

This item is relevant to the Council's approved 'Corporate Business Plan 2017 – 2021'.

'Corporate Business Plan 2017 – 2021'.	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:

Simple Majority.

Officer's Recommendation:

006/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.6
<div style="text-align: right;"><u>MOVED: Cr. Eva</u> <u>SECONDED: Cr. Mutter</u></div> <p>That Council accepts:</p> <ol style="list-style-type: none">1. The accounts for payment as presented for December, 2019 from the Municipal Fund totalling \$458,615.19 Represented by Electronic Fund Transfers No's 15760 - 15826, Cheque No's 11584 – 11587 and Direct Debits 12131.1, 12132.1, 12138.1 – 12138.6, 12147.1, 12155.1 – 12155.7 & 12157.1.2. Licensing Fund totalling \$23,956.45 represented by Direct Debit No 12159.1. <p>and</p> <ol style="list-style-type: none">3. The accounts for payment as presented for January, 2020 from the Municipal Fund totalling \$751,005.38 Represented by Electronic Fund Transfers No's 15827 - 15870, Cheque No's 11588 – 11590 and Direct Debits 12161.1 – 12161.6, 12163.1, 12168.1, 12175.1 – 12175.6 & 12178.1.4. Licensing Fund totalling \$31,465.15 represented by Direct Debit No 12183.1. <div style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></div>

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil

11. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

- 12.1. ELECTED MEMBERS - Nil
- 12.2. STAFF – Nil

13. CONFIDENTIAL ITEMS

Officers Recommendation:

007/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION:	13.1
<p style="text-align: right;"><u>MOVED: Cr. Mutter</u> <u>SECONDED: Cr. Eva</u></p> <p>That Council accept</p> <p>In accordance with the <i>Local Government Act 1995</i> Section 5.23(2)(d) & (f) it is appropriate for Council to resolve "<i>the meeting be closed to members of the public</i>" for Agenda Item 13.1.1 and 13.1.2</p> <p>It is a requirement of the <i>Freedom of Information Act 1992</i> that all this information is returned to the Chief Executive Officer at the completion of these items for appropriate filing to maintain confidentiality.</p> <p>Once all negotiations have been completed for Agenda Items 13.1.1 and 13.1.2 this will be considered an "exempt documents" in accordance with Schedule 1 of the <i>Freedom of Information Act 1992</i> denying public access.</p> <p style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></p>	

Note: *The Presiding Officer advised the meeting that the Deputy Chief Officer and the Manager of Works and Services had disclosed an interest in writing relating to the next item for discussion which is "Senior Employees" and both members of staff left the room at 4.22pm*

Executive Services	
13.1.1. Matter to be Considered Behind Closed Doors-Senior Employees	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	P68/P69
Disclosure of Interest:	Deputy Chief Officer and the Manager of Works
Date:	12/02/2020
Author:	Chief Executive Officer, Keith Woodward
Attachment (s):	

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☒ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☐ Legislative Includes adopting local laws, local planning schemes and policies.
- ☐ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Voting Requirements:

Absolute Majority.

Officer's Recommendation:

008/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION 13.1.1
<p style="text-align: right;"><u>MOVED: Cr. Connaughton</u> <u>SECONDED: Cr. Heal</u></p> <p>Council received information regarding Senior Employees.</p> <p style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></p>

Note: The Presiding Officer advised the meeting that the Chief Executive Officer had disclosed an interest in writing relating to the next item for discussion which is "Senior Employees" and both the Chief Executive Officer and Executive Secretary left the room at 4.58pm

Executive Services	
13.1.2 Matter to be Considered Behind Closed Doors-Senior Employees	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	P72
Disclosure of Interest:	Chief Executive Officer
Date:	12/02/2020
Author:	Chief Executive Officer, Keith Woodward
Attachment (s):	

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☒ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☐ Legislative Includes adopting local laws, local planning schemes and policies.
- ☐ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Voting Requirements:

Simple Majority.

Officer's Recommendation:

009/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 13.1.2

MOVED: Cr. Eva
SECONDED: Cr. Mutter

Council received information regarding Senior Employees.

CARRIED:
Voted: 6/0

13.2. RECOMMENDATION TO RE-OPEN COUNCIL MEETING

010/2020 OFFICER RECOMMENDATION and COUNCIL DECISION: 13.2

MOVED: Cr. Mutter
SECONDED: Cr. Eva

That Council re-open the meeting to members of the public after discussion of confidential items.

CARRIED:
Voted: 6/0

Note: *The Chief Executive Officer, Deputy Chief Executive Officer, Manager of Works and Services and Executive Secretary returned to the room at 5.18pm*

14. QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil

15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16. TIME AND DATE OF NEXT MEETING

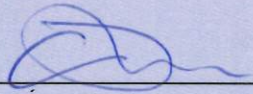
The Next Ordinary Council Meeting will be held on Wednesday 18 March 2020 at 4pm.

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 5.20pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____



Presiding Officer
Date: 18th March 2020