



AGENDA FOR THE  
ORDINARY COUNCIL MEETING  
TO BE HELD ON  
WEDNESDAY  
17 JUNE  
COMMENCING AT 4.00 PM



**SHIRE OF THREE SPRINGS  
ORDINARY COUNCIL MEETING NOTICE PAPER  
17 JUNE 2020**

President and Councillors,

An ordinary meeting of Council is called for Wednesday, 17 June 2020, in the Council Chambers, Railway Road, Three Springs commencing at 4pm.

**Keith Woodward  
Chief Executive Officer**

**11 June 2020**

**DISCLAIMER**

No responsibility whatsoever is implied or accepted by the Shire of Three Springs for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff.

The Shire of Three Springs disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement occurring during Council/Committee meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Three Springs during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Three Springs. The Shire of Three Springs warns that anyone who has an application lodged with the Three Springs Shire Council must obtain and only should rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Three Springs in respect of the application.

**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 Member
- 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: \_\_\_\_\_

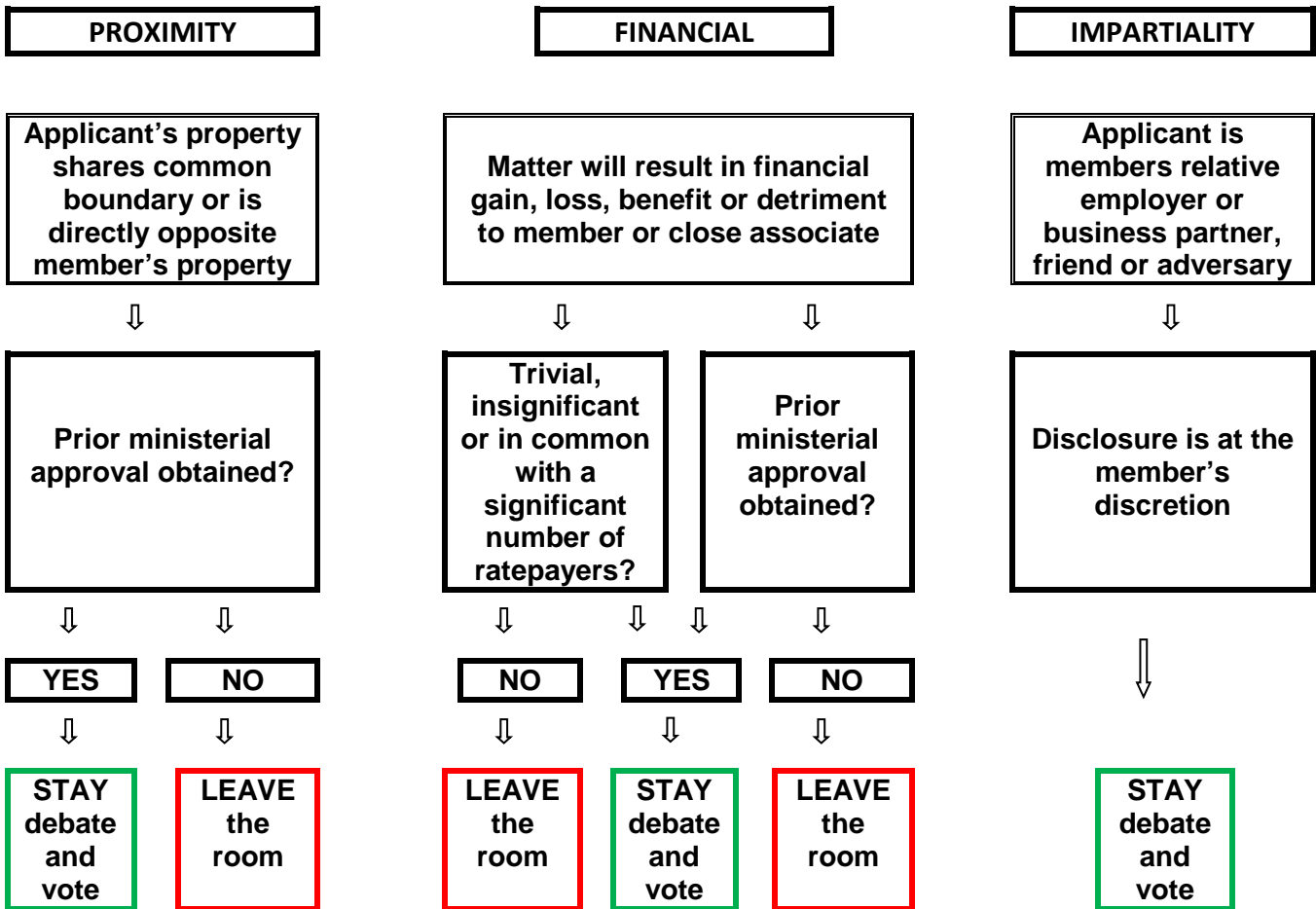
**Note 1: For Ordinary meetings of Council, elected members and employees are requested to submit this completed form to the Chief Executive Officer prior to the meeting. Where this is not practicable, disclosure(s) must be given to the Chief Executive Officer prior to the matter being discussed.**

**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.**

OFFICE USE ONLY

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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**AGENDA**

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

The Shire President declared the meeting open at:

***Welcome to Country:-***

The Shire of Three Springs acknowledges the traditional owners of this land – the Yamatji people, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to elders both past, present and emerging.

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

	Attendance	Apologies	Approved Leave of Absences
Councillor Lane			
Councillor Connaughton			
Councillor Heal			
Councillor Mutter			
Councillor Mills			
Councillor Ennor			
Councillor Eva			
Chief Executive Officer			
Deputy Chief Executive Officer			
Manager Works			
Executive Secretary			

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**4. PUBLIC QUESTION TIME**

**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 Council meeting are confirmed as true and accurate record of proceedings.

		Date	Moved	Seconded	Vote
6.1	OCM	20 May 2020	Cr.	Cr.	

**7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

**8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS**

<b>Councillor</b>	<b>Activity</b>
Cr. Lane	
Cr. Connaughton	
Cr. Heal	
Cr. Mutter	
Cr. Mills	
Cr. Ennor	
Cr. Eva	

**9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

**10. REPORTS OF OFFICERS**

<b>Executive Services</b>	
<b>10.1. Good Governance in Practice</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	4 June 2020
Author:	Chief Executive Officer
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).

**Report Purpose:**

That Council Accepts:

1. The Governance Compliance Calendar report for month of May 2020.
2. Actions Performed under Delegated Authority for the month of May 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 May 2020**



Ordinary Council Meeting Agenda – 17 June 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)
<b>April - Take Action</b>							
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	June 2020 OCM	May report submitted to the June 2020 OCM. Minutes
Emergency Services Levy - Option A Remittance <b>Due by: 21st of the month</b> 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 <b>3 months</b> of the person's start day	Local Government Act 1995	s.5.75	WALGA - Governance Subscription - Guideline - Primary and Annual Returns Management DLGSC Operational Guideline No.21 Disclosure of Financial Interests in Returns	Bi-monthly	No new designated employees		

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<p><b>Audit - Compliance Audit Return Action Plan</b> Prepare a Compliance Audit Return Action Plan that assigns responsibility and timeframes for implementing outcomes / actions arising from the Compliance Audit Return. Provide Compliance Audit Return Action Plan to Council via Audit Committee for endorsement.</p>	n/a	n/a	Operational Practice	Annual or as required	CEO/DCE O	Lodged with the DLGSC prior to the 31 March 2020	March 2020 OCM Minutes
<p><b>Elected Members - Review Meeting Attendance Register - check EMs have not been absent for 3 consecutive meetings without Leave of Absence being granted</b></p>	Local Government Act 1995	s.2.25		Quarterly	CEO		
<p><b>Public Access to Information - Audit</b> Check LG website, Library and LG office to ensure all information listed in s.5.94 and Admin. Reg.29 is publicly accessible (see s.5.96 too) and that customer service staff are trained to provide access accordingly. Audit to note limitations: s.5.95 and Admin. Regs. 29A and 29B</p>	Local Government Act 1995	s.5.94 Admin. Reg.29 s.5.95 s.5.96 Admin. Regs 29A and 29B	<b>WALGA</b> - Governance Subscription Guideline - Schedule of Public Information Access	Annual	CEO/ES		The Public Access to Information has been audited. Note the attached information

**Execution of Delegation for May 2020**

Date	File Reference	Delegation Number	Decision Detail	Applicant	Officer	Comment
07-May-20	ADM0187	GO004 – Execution of Contract Documents	Annual Service Agreement for waste services	Cleanaway	Chief Executive Officer	Annual waste pick-up contract. 3 quotes received. Accounted in annual budget GL117620.
07-May-20	PMT ID: 159429394	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maximiser Account to Municipal Account	NAB	Deputy Chief Executive	Transfer \$130,000 from Maximiser A/C to Muni A/C to cover Creditor Payments

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					Officer	
07-May-20	Chq 11609	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - Telstra	NAB	Deputy Chief Executive Officer	Creditors Payment - Synergy # 11609 - \$2,581.98
07-May-20	PMT ID: 159436142	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 159436142 for \$123,720.24
13-May-20	PMT ID: 159728114	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Deputy Chief Executive Officer	Fortnightly Payroll PPE 12 May 2020 - \$37,711.67
22-May-20	PMT ID: 160317099	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 160317099 for \$75,069.73
29-May-20	PMT ID: 160737428	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Deputy Chief Executive Officer	Transfer Funds to Licensing Account Banking 28/05/2020 - \$1,080.95
01-May-20	PMT ID: 159046123	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 30/04/2020 - \$458.55
01-May-20	PMT ID: 159135293	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 28/04/2020 - \$495.75
06-May-20	PMT ID: 159364466	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 05/05/2020 - \$658.60
07-May-20	PMT ID: 159398420	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 06/05/2020 - \$1,215.70
07-May-20	PMT ID: 159429394	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maximiser Account to Municipal Account	NAB	Senior Finance Officer	Transfer \$130,000 from Maximiser A/C to Muni A/C to cover Creditor Payments
07-May-20	Chq 11609	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - Telstra	NAB	Senior Finance Officer	Creditors Payment - Synergy # 11609 - \$2,581.98
07-May-20	PMT ID: 159436142	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 159436142 for \$123,720.24
08-May-20	PMT ID: 159481318	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 07/05/2020 - \$63.40
13-May-20	PMT ID: 159713765	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 12/05/2020 - \$758.50
13-May-20	PMT ID: 159728114	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Senior Finance Officer	Fortnightly Payroll PPE 12 May 2020 - \$37,711.67
14-May-20	PMT ID: 159802413	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 13/05/2020 - \$29.35
15-May-20	PMT ID: 159897890	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 14/05/2020 - \$149.50
20-May-20	PMT ID: 160131052	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 19/05/2020 - \$3,659.85
22-May-20	PMT ID: 160282290	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 21/05/2020 - \$521.80
22-May-20	PMT ID: 160317099	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 160317099 for \$75,069.73
27-May-20	PMT ID: 160511203	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 26/05/2020 - \$553.35

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27-May-20	PMT ID: 160518461	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Senior Finance Officer	Fortnightly Payroll PPE 26 May 2020 - \$37,419.05
28-May-20	PMT ID: 160614409	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Municipal Account to Maximiser Account	NAB	Senior Finance Officer	Transfer \$100,000 from Muni A/C to Maximiser A/C
28-May-20	PMT ID: 160614233	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Municipal Account to Grant Funds Holding Account	NAB	Senior Finance Officer	Transfer \$625,114 from Muni A/C to Grant Funds Holding A/C
01-May-20	PMT ID: 159046123	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 30/04/2020 - \$458.55
6-May-20	PMT ID: 159364466	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 05/05/2020 - \$658.60
08-May-20	PMT ID: 159481318	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 07/05/2020 - \$63.40
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27-May-20	PMT ID: 160511203	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 26/05/2020 - \$553.35
6-May-20	OCM 20 May 2020	GO003 Public Notice of Council and Committee Meetings	Advertisement of Change to Electronic Council Meetings	Shire of Three Springs	Executive Secretary	Advertised in 6 May 2020 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 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	Nil

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

OFFICERS RECOMMENDATION:	10.1
That Council Accepts:	
<ol style="list-style-type: none"> <li>1. The Governance Compliance Calendar report for May 2020.</li> <li>2. The Execution of Delegation report for May 2020.</li> </ol>	

**10. REPORTS OF OFFICERS**

<b>Executive Services</b>	
<b>10.2. Report Title: Council Policy</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0200
Disclosure of Interest:	Nil
Date:	4 May 2020
Author:	Chief Executive Officer-Keith Woodward
Attachment (s):	Council Policy Manual 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:

1. Rescind Council Policy Manual dated June 2019 in its entirety.
2. Adopt the Council Policy Manual dated June 2020.

**Background:**

The Chief Executive Officer commenced the Policy Manual review in March 2020. The purpose of the review was to improve the effectiveness of the policy structure and the administration of the Shire.

The draft policy manual was circulated to Council members and Shire Staff seeking feedback. Where the feedback identified improvements, these were incorporated into the final draft.

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The objectives of the Council's Policy Manual are:

1. To provide Council with a formal written record of all policy decisions
2. To provide the staff with precise guidelines in which to act in accordance with Council's guidelines
3. To enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council
4. To enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Council
5. To enable Council to maintain a continual review of Council Policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances
6. To enable ratepayers to obtain immediate advice on matters of Council Policy.

### Officer's Comment:

Policy overview

	Policy Title	Brief Description of Policy
Policy No. 01	Council Policy Management	The purpose of this policy is to enable the documentation and maintenance of a record of policies adopted by Council and to outline processes to be followed for their drafting and implementation.
Policy No. 02	Audit Committee – Terms of Reference	The Committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.
Policy No. 03	Code of Conduct for Council Members and Employees	Provides Council Members, Committee Members and employees in Local Government with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issues of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.
Policy No. 04	Investment of Surplus Funds	The Council and delegated investment employee have fiduciary responsibilities under s6.14 of the Local Government Act and therefore risks must be kept to a minimum and the investment managed with the care, diligence and skill that a prudent person would exercise.
Policy No. 05	Procurement Policy	The Shire of Three Springs is committed to delivering the objectives, principles and practices outlined in this Policy, when purchasing goods, services or conducting works to achieve the Shire's strategic and operational objectives.
Policy No. 06	Regional Price Preference	To encourage the use of competitive local businesses in goods, services and works purchased or contracted on behalf of the Shire of Three Springs.
Policy No. 07	Official Communications	This policy details legislative obligations and establishes protocols applicable to the Shire of Three Springs official communications with our community, to ensure the Shire of Three Springs is professionally and accurately represented



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		and to maximise a positive public perception of the Shire of Three Springs.
Policy No. 08	Complaints Management Policy	The Council members, employees and contractors at the Shire of Three Springs are committed to providing an efficient, effective, systematic and consistent approach that strives for continuous improvement in the management of complaints.
Policy No. 09	CEO performance review	To ensure the Shire of Three Springs complies with s5.38 of the Local Government Act 1995, (the Act) which requires that the performance of the Chief Executive Officer be reviewed at least once in relation to every year of employment. To also describe the processes and procedures for annual, midterm and interim reviews of the CEO's performance.
Policy No. 10	Covid-19 Financial Hardship	To give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic, the Shire of Three Springs recognises that these challenges will result in financial hardship for our ratepayers.
Policy No. 11	Public Interest Disclosure	The Shire of Three Springs does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of the public functions of the Shire of Three Springs and its employees, and contractors.
Policy No. 12	Public Question Time at Council Meetings	To permit and describe the way members of the public, whether ratepayers or residents of the Shire of Three Springs or not are able to ask questions in relation to the Shire and receive an answer.
Policy No. 13	Legal Representation and Costs Indemnification	Designed to protect the interests of Council members and employees where they become involved in civil legal proceedings because of their official functions. In most situations the Local Government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.
Policy No. 14	Information Technology and Social Media	This policy outlines the conditions governing use of all Information Technology facilities provided by the Shire of Three Springs to employees and Council members including portable devices.
Policy No. 15	Execution of Documents	To provide guidance on the appropriate method of execution for the Shire's documents.
Policy No. 16	Corporate Credit Cards	To provide clear direction on the use of Corporate Credit Cards by employees.
Policy No. 17	Record Keeping	To provide Council's expectations and commitment for record keeping of business transactions and official activities of the Shire of Three Springs in line with legislative requirements.
Policy No. 18	Civic Receptions, Functions and Provision of Food and Refreshments	To provide direction to the President and Chief Executive Officer in the provision of refreshments during Ordinary, Special and Annual Electors Meetings of Council, Civic Functions, Receptions General, Specific Functions, Ceremonies and General Hospitality.
Policy No. 19	Council Briefing and Networking Forum	To provide guidance regarding the convening and conduct of Council briefing and network forums.
Policy No. 20	Related Parties	The purpose of this policy is to provide guidance to Council to achieve compliance with the Australian Accountant Standard AASB 124 – Related Party Disclosures.
Policy No. 21	Freedom of Information Statement	This information statement is published in accordance with the Freedom of Information Act 1992.
Policy No. 22	Corporate	The Shire of Three Springs exists to provide the best

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	Governance Charter	possible facilities and services for all the residents, ratepayers and stakeholders.
Policy No. 23	Recognition of Council member's Service	To recognise and acknowledge Council members following the completion of their time of service on Council.
Policy No. 24	Display of National and other flags	To properly recognise precedence in relation to the flying of flags at Shire facilities.
Policy No. 25	Use of Crest and Logo	To protect the usage of the Shire Crest, title and logo on material, other than Shire of Three Springs material and to set a framework for the circumstances in which approval may be sought and obtained for external usage.
Policy No. 26	Risk Management	To outline the Shire's commitment and approach to managing risks that may impact on its day-to-day operations and threaten the achievement of its objectives.
Policy No. 27	Fraud and Corruption Prevention	The Shire of Three Springs recognizes that fraud and corruption is illegal and contrary to the Shire's organizational values. In view of this, a proactive stance is taken to ensure incidences of fraudulent or corrupt activities or behaviors do not occur.
Policy No. 28	Community Small Grants Fund	To describe the circumstances and prerequisites for community groups and individuals to apply for donations, grants or other support from the Shire of Three Springs, via the Community Assistance Fund
Policy No. 29	Professional Development and Conferences – Council Members	The Shire acknowledges its commitment to the training and development of Council members in order to promote ongoing professional development, well informed decision making and enhance the quality of community representation.
Policy No. 30	Deputy CEO Communicating with Shire President	The objective of this policy is for the Deputy CEO to have the ability to communicate with the Shire President for Compliance and HR issues relating to the Chief Executive Officer.
Policy No. 31	Council member Allowances, Expenses and Entitlements	To outline the support that will be provided to Council members through the payment of allowances, reimbursement of expenses incurred, insurance cover and supplies provided in accordance with the Local Government Act 1995 while performing the official duties of office.
Policy No. 32	Voluntary Emergency Services Leave	It is recognised that the participation of employees in volunteer emergency organisations is a positive and often vital role, particularly in smaller remote communities such as those in the Three Springs Shire. Employees seeking leave to participate in a volunteer emergency service organisation under this Policy must provide certification that they have become members of a recognised volunteer service organisation.
Policy No. 33	Equal Employment Opportunity – Commitment	Council considers it the right of every employee to carry out their job in an environment which promotes job satisfaction, maximizes performance and provides economic security. Such an environment is dependent of it being free from all forms of harassment, discrimination and victimisation.
Policy No. 34	Sexual Harassment	Council considers sexual harassment to be an unacceptable form of behaviour which will not be tolerated and recognizes that sexual harassment is unlawful.
Policy No. 35	Employees Medical and Police Clearance Certificates	Council considers it important that all new employees are able to satisfy the CEO about their fitness for work, especially in relation to a satisfactory medical certificate and police clearance.
Policy No. 36	Employees – Superannuation	To establish the employer superannuation contributions available to employees of the Shire.

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		This applies to all employees of the Shire to the exclusion of casuals unless otherwise stated.
Policy No. 37	Occupational Health and Safety	To affirm Council's commitment to the highest standards of occupational, health and safety. This applies to all Council members and employees of the Shire.
Policy No. 38	Council members - Attendance at Events	The Shire of Three Springs is required under the Local Government Act 1995 to approve and report on attendance at events for Council members and the Chief Executive Officer. This policy addresses attendance at any event, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government.
Policy No. 39	Public Consultation	The purpose of this Policy is to outline the principles and procedures that the Council will follow to involve the community in planning and decision-making in the local area, and to ensure accountability of the Council to the community through effective communication and consultation strategies.
Policy No. 40	Rate Notices and Debt Recovery	To ensure there is consistency in the advice given to ratepayers about the payment of rates and the recovery of outstanding rates. This policy outlines the requirements for rates recovery within the Shire of Three Springs.
Policy No. 41	Rates Exemption	In accordance with the Local Government Act 1995, s6.26 (2) describes land that is not ratable land and as such is exempt from general rates without being referred to Council for determination.
Policy No. 42	Australia Day - Citizenship Award	The purpose of this policy is to provide for the recognition of individuals and organizations that have made significant contributions to the Shire of Three Springs's community, through annual awards presented on Australia Day.
Policy No. 43	Honorary Freeman	The Shire of Three Springs has historically recognised that, from time to time, members of the community demonstrate an outstanding commitment and contribution to the Shire and that this contribution should be appropriately recognised.
Policy No. 44	Consumption of Alcohol – Council Property	To outline the Council's commitment to encourage the responsible consumption of alcohol on Shire property.
Policy No. 45	Regulation of Dog Kennels	To set requirements and specifications for the management and control of dog kennels throughout the Shire of Three Springs.
Policy No. 46	Regulation of Cat Pounds	To set regulations and specifications for the management and control of cat pounds throughout the Shire of Three Springs.
Policy No. 47	Closed Circuit TV Systems	CCTV Systems are installed to assist in the management and protection of the Shire's assets. The purpose of this policy is to establish functional categorization of CCTV Systems and protocols for the management of recorded data
Policy No. 48	Three Springs Aquatic Centre	To provide guidance and rules regarding the Three Springs Aquatic Centre.
Policy No. 49	Recognition of Passing of Community Member	On the advice of the death of a past or present resident of the Shire of Three Springs, Council will arrange a card to be forwarded to the family from the President, Councillors and staff in recognition of the deceased's contribution to the Shire
Policy No. 50	Heavy Vehicles Conditions for use on Shire Roads	To ensure safe road use on the RAV network within the Shire of Three Springs. This policy applies to haulage users on the RAV Network within the Shire of Three Springs.

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Policy No. 51	Infrastructure Policy – Asset Management	Ensure that the Shire's services and infrastructure are provided in a sustainable manner, taking into consideration the whole of life costs and ensure the appropriate levels of services are provided to customers in line with Shire's Community Strategic Plan and Corporate Plan.
Policy No. 52	Crossovers, Crossings, Gates and Pipes Across Roads	To provide guidance in relation to crossover, crossings, gates and pipes across road. This Policy applies throughout the Shire of Three Springs.
Policy No. 53	Roadside Vegetation	To provide guidance in roadside vegetation within the Shire. Trees and scrub shall be removed as necessary for cuts, fills and general drainage works. However, every care shall be taken to preserve trees and shrubs wherever possible.
Policy No. 54	Lighting Management	Lighting Management Policy outlines the commitment and objectives regarding management of current and proposed lighting within the Shire as it seeks to develop Astrotourism to diversify the regional economy, grow tourism and create jobs.
Policy No. 55	Standard Drawings	The purpose of these documents is to ensure that construction within the Shire of Three Springs is built and maintained to a safe standard and ensuring consistency of design. The standard drawings contain comprehensive technical information, installation procedures, permissible materials, guidelines and specifications.

West Australian Local Government Association WALGA  
 Department of Local Government, Sport and Cultural Industries  
 Local Government Consultant, Steven Tweedie

### **Statutory Environment:**

#### 2.7. Role of council

- (1) The council —
  - (a) governs the local government's affairs; and
  - (b) is responsible for the performance of the local government's functions.
  
- (2) Without limiting subsection (1), the council is to —
  - (a) oversee the allocation of the local government's finances and resources; and
  - (b) determine the local government's policies.

### **Policy Implications:**

Annual review of Policy

### **Financial/Resources Implications:**

Nil

### **Strategic Implications:**

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

‘Strategic Community Plan 2018-2028’.	
Council Objectives:	Outcome:
A collaborative and forward thinking community that is guided by strong leadership.	Maintain, review and ensure relevance of Council policies and local laws.

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:**

Absolute Majority.

**Officer’s Recommendation:**

<b>OFFICERS RECOMMENDATION:</b>	<b>10.2</b>
<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Rescind Council Policy Manual dated June 2019 in its entirety.</li> <li>2. Adopt the Council Policy Manual dated June 2020.</li> </ol>	

**10. REPORTS OF OFFICERS**

<b>Executive Services</b>	
<b>10.3. Report Title: Corporate Business Plan</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0165
Disclosure of Interest:	Nil
Date:	4 May 2020
Author:	Chief Executive Officer-Keith Woodward
Attachment (s):	Corporate Business Plan 2020-2024

**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 adopt the Corporate Business Plan 2020-2024.

**Background:**

All Western Australian local governments are required to prepare a Plan for the Future for their district, comprising of two key strategic documents, a Strategic Community Plan and Corporate Business Plan, which the local government is required to have regard for when forming its annual budget.

The Draft Corporate Business Plan 2020 – 2024, together with the Strategic Community Plan 2018 - 2028, is the Shire of Three Springs’s Plan for the Future and has been prepared to achieve compliance with the Local Government (Administration) Regulations 1996.

Under Local Government (Administration) Regulations 1996 Regulation 19DA (3), a Corporate Business Plan is to:

- set out, consistent with any relevant priorities included in the Strategic Community Plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
- govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
- develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

In forming the annual budget the Shire must have regard for the contents of the Plan for the Future in terms of Section 6.2(2) of the Local Government Act 1995.

Development of the Plan has also been influenced by the Department of Local Government and Communities Framework and Guidelines for Integrated Planning and Reporting.

**Officer's Comment:**

Achieving the community's vision and the Shire's strategic objectives requires the development of actions to address each strategy contained within the Strategic Community Plan. Careful operational planning and prioritisation is required to achieve the objectives and desired outcomes due to the limited resources available. This planning process is formalised by the development of the Corporate Business Plan. The Corporate Business Plan converts the Strategic Community Plan into action through the adoption of an Annual Budget. Actions requiring funding will only be undertaken once approved within the statutory budget and subject to funding availability. Along with achieving the community aspirations and objectives, the Corporate Business Plan draws on information contained within the following strategic documents:

***Strategic Resource Plan***

The Shire took a combined approach to asset management and long term financial planning processes to produce an overarching Strategic Resource Plan. A key objective of the Strategic Resource Plan is to highlight and define key long term strategies to maintain financial and asset services to the community.

***Asset Management Planning Component***

The Shire has developed an initial Asset Management Plan for major asset classes in accordance with Council's Asset Management Policy. The Asset Management Plan forms a component of an overall Asset Management Strategy which addresses the Shire's current processes and sets out the steps required to continuously improve the management of Shire controlled assets. Capital renewal estimates contained within the Asset Management Plan have been included to the extent the financial and workforce resources are available to enable the renewals to occur.

***Long Term Financial Planning Component***

The Shire of Three Springs is planning for a positive and sustainable future. The

Shire seeks to maintain, and where possible, improve service levels into the future while maintaining a healthy financial position. During the development of this Corporate Business Plan, the Long Term Financial Plan was updated to confirm the financial capability to undertake the planned actions and ensure integration with this Plan. The results of this update are reflected within the Forecast Statement of Funding included within this document.

**Workforce Plan**

The Workforce Plan provides the workforce management and resource strategies necessary to deliver the objectives, outcomes and strategies of the Shire's Strategic Community Plan. Workforce issues have been considered during the development of this Corporate Business Plan and the financial impacts of the Workforce Plan captured within the Long Term Financial Plan. A combination of workforce and financial constraints has influenced the prioritisation of actions within this Plan.

**Review of Plan**

In accordance with statutory requirements, the Corporate Business Plan is reviewed and updated annually to assess the progress of projects and realign the Plan's actions and priorities based on current information and available funding.

**Consultation:**

Department of Local Government and Communities Framework and Guidelines for Integrated Planning and Reporting

**Statutory Environment:**

*Local Government Act 1995, Part 5, Division 6, s5.56:*

*5.56. Planning for the future*

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

*Local Government (Administration) Regulations 1996 Regulation 19DA (3):*

- (1) A local government is to ensure that a corporate business 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.*
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to —*
  - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
  - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*



- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
  
\*Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

**Policy Implications:**

Nil

**Financial/Resources Implications:**

As adopted by Council

**Strategic Implications:**

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

‘Strategic Community Plan 2018-2028’.	
Council Objectives:	Outcome:
A collaborative and forward thinking community that is guided by strong leadership.	Maintain, review and ensure relevance of Council policies and local laws.  Review Corporate Business Plan  Review and improve strategic financial reporting for ease of understanding

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:**

Absolute Majority.

**Officer’s Recommendation:**

<b>OFFICERS RECOMMENDATION:</b>	<b>10.3</b>
That Council adopt the Corporate Business Plan 2020-2024.	

**10. REPORTS OF OFFICERS**

<b>Executive Services</b>	
<b>10.4. Report Title: Work Force Plan</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM01056
Disclosure of Interest:	Nil
Date:	4 May 2020
Author:	Chief Executive Officer-Keith Woodward
Attachment (s):	Workforce Plan 2020-2023

**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 adopt the Workforce Plan 2020-2023.

**Background:**

The Workforce Plan 2020 - 2023 assists the Shire to respond to its workforce challenges in a strategic way as we work with the community to build a bright future and a capable workforce.

The Shire’s Strategic Community Plan and Corporate Business Plan outline the community’s hopes and aspirations and the Workforce Plan plays an important part as we seek to ensure the Shire has the right people, in the right place, at the right time, to meet the needs of our community.

The Shire seeks to maximise employment opportunities for local residents whilst meeting the needs of employees at the various stages of their careers and working life.

The Shire continues on its journey to meet the changing service demands of its community. This requires a skilled, flexible and productive workforce across the organisation to deliver the Shire's Strategic Community Plan objectives. It also requires the organisation to build a culture of discipline, innovation and continual improvement to make it happen.

**Officer's Comment:**

Workforce planning is a process of analysis to ensure the Shire has the right people, in the right place, at the right time to achieve the objectives set out in the Shire's Strategic Community Plan. Workforce planning assists management to anticipate change, identify the important issues driving workforce activity and implement the strategies to support positive workforce development and strategic outcomes.

Key principles of workforce planning:

1. Building workforce strategies aligned to and supporting the Shire's strategic direction and values;
2. Ensuring the workforce planning process is joined to the Shire's Integrated Planning Process;
3. Actively involve managers, employees and other stakeholders in developing, communicating and implementing the workforce strategies;
4. Utilising a risk management approach to workforce planning and identifying 'Mission Critical' areas of operations;
5. Establishing effective implementation processes to ensure the successful execution of core strategies; and
6. Continually monitoring and evaluating the progress towards implementing the workforce strategies and measuring its contribution towards meeting the Shire's strategic goals.

Integration with the Integrated Planning and Reporting Framework Workforce planning responds to the requirements of the State Integrated Planning and Reporting Framework which is a planning obligation on all local governments in Western Australia.

The four elements of the framework are:

1. Strategic Community Planning
2. Corporate Business Planning
3. Budgeting
4. Reporting

The Shire has developed a Strategic Community Plan and Corporate Business Plan with these plans informed and supported by a Strategic Resource Plan (incorporating long term financial and asset management planning) along with this Workforce Plan.

**Consultation:**

Department of Local Government and Communities Framework and Guidelines for Integrated Planning and Reporting

**Statutory Environment:**

*Local Government Act 1995, Part 5, Division 6, s5.56:*

5.56. *Planning for the future*

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

*Local Government (Administration) Regulations 1996 Regulation 19DA (3):*

- (1) *A local government is to ensure that a corporate business 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.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
  - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
  - (c) *develop and integrate matters relating to resources, including asset management, **workforce planning** and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*

*\*Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

**Policy Implications:**

Nil

**Financial/Resources Implications:**

As adopted by Council.

**Strategic Implications:**

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

'Strategic Community Plan 2018-2028'.	
Council Objectives:	Outcome:
A collaborative and forward thinking community that is guided by strong leadership.	Review and improve workforce planning.  Continue to provide staff training and development.

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:**

Absolute Majority.

**Officer's Recommendation:**

OFFICERS RECOMMENDATION:	10.4
That Council adopt the Workforce Plan 2020-2023.	

**10. REPORTS OF OFFICERS**

<b>Executive Services</b>	
<b>10.5. Report Title: Roads to Recovery</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0097
Disclosure of Interest:	Nil
Date:	4 June 2020
Author:	Chief Executive Officer
Attachment (s):	22 May 2020 Roads to Recovery Correspondence.

**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:**

The purpose of this report is to advise Council that the Shire has received correspondence from the Australian Government Roads to Recovery Program (RtR) stating that we will receive \$329,104 to support jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

The Chief Executive Officer (CEO) is proposing that the additional RtR funds are invested into the Three Springs Revitalisation Program and the Three Springs Revitalisation Program four year funding program be transferred to the development of Dominican Park.

**Background:**

On the 22 May 2020 the Shire of Three Springs received correspondence from the Australian Government Roads to Recovery Program (RtR) stating that we will receive an additional \$329,104 to support jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Typically the Roads to Recovery Program eligible local road projects could include works involving any of the following associated with a road:

- traffic signs
- traffic control equipment
- street lighting equipment
- a bridge or tunnel
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station)
- facilities off the road that support the visitor economy
- road and sidewalk maintenance

Eligible community infrastructure projects could include works involving:

- Closed Circuit TV (CCTV)
- bicycle and walking paths
- painting or improvements to community facilities
- repairing and replacing fencing
- improved accessibility of community facilities and areas
- landscaping improvements, such as tree planting and beautification of roundabouts; picnic shelters or barbeque facilities at community parks
- playgrounds and skateparks (including all ability playgrounds)
- noise and vibration mitigation measures
- off-road car parks (such as those at sporting grounds or parks).

**Officer's Comment:**

In April 2020 the Manager of Works and Services presented a report to Council establishing an agreed scope of works and budget with the intent of completing the Three Springs Revitalisation Project by 2023/24. The proposal in this report would see the Three Springs Revitalisation Project completed by 2021/2022.

The principal objectives of the Revitalisation Project is to revitalise Three Springs, to provide it with a dynamic and inviting street presence and to establish it as a preferred visitor stopover point. Fast tracking the Revitalisation Project will help to embed the image of Three Springs being a prosperous, thriving and innovative local economy. It will show confidence in the future to both existing and potential businesses and tourists. The Shire investing in the revitalisation of the town would provide the ideal platform to request that where applicable, local businesses improve the appearance and presentation of their buildings along Railway Road. These initiatives further embed the Shire vision *“Three Springs becomes a healthy and unified community with a bright future.”*

In May 2020 the Shire's Drought Communities Program submission included a funding request of \$55,000 to commence the development of Dominican Park. Whilst the exact development cost has not been calculated an estimate of \$150,000 is being used. The ongoing capital funding of this project has not been identified, this proposal identifies a method of funding the project.

**Consultation:**

Based on the notion that the grant funding will be available from 1 July 2020 the Revitalisation Project will commence in August 2020 with plans to complete in November-December 2020.

Leading by example, correspondence and meetings will be arranged with the property owners along Railway Road to encourage, support and assist local businesses to improve the appearance and presentation of their buildings.

**Statutory Environment:**

National Land Transport Act 2014  
Local Government Act 1995

**Policy Implications:**

Purchasing Policy

**Financial/Resources Implications:**

The Revitalisation Project budget that was presented at the April 2020 OCM:

<b>Year</b>	<b>Budget</b>	<b>Comment</b>
2019/20	\$17,000	Shire funded
2020/21	\$147,000	Commonwealth Drought Communities Program Grant.
2021/22	\$114,500	Shire funded
2022/23	\$137,000	Shire funded
2023/24	\$167,000	Shire funded
<b>Total</b>	<b>\$582,500</b>	

The May 2020 Revitalisation project budget proposed:

<b>Year</b>	<b>Budget</b>	<b>Comment</b>
2019/20	\$17,000	Shire funded
2020/21	\$147,000	Commonwealth Drought Communities Program Grant.
2020/21	\$329,104	Roads to Recovery
2021/22	\$89,396	Shire funded
<b>Total</b>	<b>\$582,500</b>	

The Dominican Park project budget general framework proposal:

<b>Year</b>	<b>Budget</b>	<b>Comment</b>
2020/21	\$55,000	Commonwealth Drought Communities Program Grant.
2021/22	\$95,000	Shire funded
<b>Total</b>	<b>\$150,000</b>	

**Strategic Implications:**

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

<b>'Strategic Community Plan 2018-2028'</b>	
<b>Council Objectives:</b>	<b>Outcome:</b>
Provide and maintain good quality tourism infrastructure and facilities	1.1 Develop tourism infrastructure
Continue to implement main street revitalisation project	2.5.2 Attractive, inviting and functional main street
	1.4.1 Encourage, support and assist local businesses to improve the appearance and presentation of their buildings



	2.3.2 Encourage, support and assist local businesses to improve the appearance and presentation of their buildings
--	--------------------------------------------------------------------------------------------------------------------

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:**

Absolute Majority.

**Officer's Recommendation:**

<b>OFFICERS RECOMMENDATION:</b>	<b>10.5</b>
That Council approve the Australian Government Roads to Recovery grant of \$329,104 being allocated to the 2020/21 Revitalisation Project.	

**10. REPORTS OF OFFICERS**

<b>Executive Services</b>	
<b>10.6. Report Title National Redress Scheme</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	9 June 2020
Author:	Chief Executive Officer
Attachment (s):	Local Government Information Paper (December 2019)

**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. Note the background information and the WA Government’s decision in relation to the National Redress Scheme.
2. Note the key considerations and administrative arrangements for the Shire of Three Springs to participate in the National Redress Scheme.
3. Formally endorse the Shire of Three Springs participation as part of the WA Government’s declaration in the National Redress Scheme.
4. Grant authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received.

**Background:**

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

All levels of Australian society (including the WA local government sector and the Shire of Three Springs) will be required to consider leading practice approaches to child safeguarding separately in the future.

**National Redress Scheme**

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme.

The Western Australian Government (the State) started participating in the Scheme from 1 January 2019.

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), local governments may be considered a State Government institution.<sup>1</sup>

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme, and for fuller consideration of how the WA local government sector could best participate.

### Details

Following extensive consultation, the State Government (December 2019): Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;

- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agrees to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the *State Records Act 2000*); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:

- Providing the State with the necessary (facilities and services) information to participate in the Scheme;
- Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- Costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The WALGA State Council meeting of 4 March 2020:

1. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

The State and WALGA will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

State agencies (led by DLGSC), WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020 (or earlier, subject to completing the necessary arrangements).

The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks endorsement of the Shire of Three Springs participation in the Scheme.

As an independent entity and for absolute clarity, it is essential that the Shire of Three Springs formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress

Scheme) and be included in the WA Government's amended participation declaration.

The Shire of Three Springs will not be included in the State's amended declaration, unless it formally decides to be included.

The financial and administrative coverage offered by the State will only be afforded to WA local governments that join the Scheme as a State Government institution, as part of the State's amended declaration.

The option also exists for the Shire of Three Springs to formally decide not to participate in the Scheme (either individually or as part of the State's declaration).

Should the Shire of Three Springs formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire of Three Springs include:

- Divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations).
- Potential reputational damage at a State, sector and community level.
- Complete removal of the State's coverage of costs and administrative support, with the Shire of Three Springs having full responsibility and liability for any potential claim.
- Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire of Three Springs.

### **Considerations for the Shire of Three Springs**

Detailed below is a list of considerations for the Shire of Three Springs to participate in the Scheme:

#### 1. Executing a Service Agreement

All Royal Commission information is confidential, and it is not known if the Shire of Three Springs will receive a Redress application. A Service Agreement will only be executed if the Shire of Three Springs receives a Redress application.

Shire of Three Springs needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe (3 weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

#### 2. Reporting to Council if / when an application is received

Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

Administratively the Shire of Three Springs will determine:

- Which position(s) will be responsible for receiving applications and responding to Requests for Information;
- Support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements

4. Record Keeping

The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the *State Records Act 2000* (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire of Three Springs record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in *The Act*.

5. Redress Decisions

The Shire of Three Springs should note that decisions regarding Redress applicant eligibility and the responsible institution(s), are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State Government and the Shire of Three Springs do not have any influence on the decision made and there is no right of appeal.

**Officer's Comment:**

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

The Chief Executive Officer will be the 'Appointed Person'.

**Consultation:**

The State, through the Department of Local Government, Sport and Cultural Industries (DLGSC), consulted with the WA local government sector and other key

stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments via:

- Webinars to local governments, predominately in regional and remote areas;
- Presentations at 12 WALGA Zone and Local Government Professional WA meetings;
- Responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments;
- lack of insurance coverage of Redress payments by LGIS, meaning local governments would need to self-fund participation and Redress payments.

LGIS published and distributed an update (April 2019) regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

The WALGA State Council meeting on 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed*



*in principle, noting that further engagement with the sector will occur in the second half of 2019.*

2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

DLGSC representatives presented at a WALGA hosted webinar on 18 February 2020 and presented at all WALGA Zone meetings in late February 2020.

The State's decision, in particular to cover the costs / payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

**Statutory Environment:**

The Shire of Three Springs in agreeing to join the Scheme, is required to adhere to legislative requirements set out in the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth).

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

**Policy Implications:**

Nil

**Financial/Resources Implications:**

The State's decision will cover the following financial costs for local governments:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost the local government may incur will be the payment of the DPR's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that

the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

**Strategic Implications:**

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

<b>'Strategic Community Plan 2018-2028'</b>	
<b>Council Objectives:</b>	<b>Outcome:</b>
Nil	Nil

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

<b>'Corporate Business Plan 2017 – 2021'</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Nil	Nil

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

<b>OFFICERS RECOMMENDATION:</b>	<b>10.6</b>
<p>That Council:</p> <ol style="list-style-type: none"> <li>1) Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments;</li> <li>2) Endorses the participation of the Shire of Three Springs in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;</li> <li>3) Grants authority to Chief Executive Officer to execute a service agreement with the State, if a Redress application is received;</li> </ol> <p>Notes that a confidential report will be provided if a Redress application is received by the Shire of Three Springs.</p>	

10. REPORTS OF OFFICERS

<b>Works and Services</b>	
<b>10.7 Capital Works Progress Update 2019-2020</b>	
Agenda Reference:	ADM
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	9 June 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 May 2020.

**Background:**

This report provides Council with the 2019-2020 Capital Works progress update.

**Officers 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 Councils approved 'Strategic Community Plan 2018-2028'

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

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

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

**Voting Requirements:**

Simple Majority.

**Officers Recommendation:**

<b>OFFICERS RECOMMENDATION:</b>	<b>10.7</b>
That Council accepts the Capital Works Report for May 2020.	

**10 REPORTS OF OFFICERS**

<b>Corporate Services</b>	
<b>10.8. Financial Statement for Period Ending 31 May 2020</b>	
Agenda Reference:	201107
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	7 April 2020
Author:	Deputy Chief Executive Officer
Attachment (s):	10.8 SOTS Financial Report May 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 monthly financial report for the period ending 31 May 2020.

**Background:**

The Provision of the FM Regulations 1996 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.

**Officer's 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 May 2020 the operating revenue was \$3,862,175. The operating Revenue is made up of Rates 56%, Grants & Subsidies 34%, Fees and Charges 6% and others 4%. We have received FAG Grant funding of \$625,114 in advance.

The Operating Expenditure is \$4,059,027. The Operating expenditure is made up of Employee Costs 35%, Depreciation 39%, Insurance 5%, Materials & Contracts 14%, Utilities 5% and others 2%.

Shire has collected as at 31 May 2020 – 97.80% of total outstanding rates. Outstanding rates debtors \$29,137 and General Debtors \$25,169.

Total Cash Available is \$3,210,731. Total cash is made up of Unrestricted cash \$1,713,271 and Restricted cash \$1,497,460 backed by various reserves. This cash includes advance FAG Grant of \$625,114 – approximately 50% and balance is paid in four payments during 2020-21 Financial Year.

**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.

OFFICERS RECOMMENDATION:	10.8
That Council accepts the monthly financial report for the period ending 31 May 2020.	

10 REPORTS OF OFFICERS

<b>Corporate Services</b>	
<b>10.9. Fees and Charges 2020-21</b>	
Agenda Reference:	
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	9 June 2020
Author:	Deputy Chief Executive Officer
Attachment (s):	10.9 Fees and Charges Schedule 2020-2021

**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 approves the Shire’s Schedule of Fees and Charges for 2020-21 financial year.

**Background:**

The Shire Budget (SB) preparation schedule for 2020-2021 included the review of the Fees and Charges (FC) prior to the adoption of the 2020-2021 SB. This allows Council time to review each fee and charge prior to the adoption of the SB.

The FC Schedule has been reviewed in consultation with staff, ensuring appropriate levels of income are generated whilst encouraging community usage of the Shire properties and facilities.

There will be no FC increase for 2020-2021.



There will be no interest charged for rate late payment and instalments for 2020-2021.

There will be no admin fees charged for instalments and rate payments by special arrangement.

**Officer's Comment:**

The FC are set below the cost of providing the service. In these instances the FC received are expected to make minimal contribution towards the total cost of providing the service. The balance being met from general rates revenue.

**Consultation:**

Chief Executive Officer  
Senior Finance Officer

**Statutory Environment:**

Local Government Act 1995, Local Government (Finance) Regulations 1996

**Section 6.16. Imposition of fees and charges**

*(1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed. \* Absolute majority required.*

*(2) A fee or charge may be imposed for the following —*

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) supplying a service or carrying out work at the request of a person;*
- (c) subject to section 5.94, providing information from local government records;*
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) supplying goods;*
- (f) such other service as may be prescribed.*

*(3) Fees and charges are to be imposed when adopting the annual budget but may be —*

- (a) imposed\* during a financial year; and*
- (b) amended\* from time to time during a financial year.*

*\* Absolute majority required.*

*6.19. Local government to give notice of fees and charges If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —*

- (a) its intention to do so; and*
- (b) the date from which it is proposed the fees or charges will be imposed.”*

**Policy Implications:**

Nil

**Financial/Resources Implications:**

The initiatives within this report will be reducing the Shire income by \$8,500.

**Strategic Implications:**

Nil

‘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:**  
 Absolute Majority

**Officer’s Recommendation:**

<b>OFFICERS RECOMMENDATION:</b>	<b>10.9</b>
That Council approves: <ol style="list-style-type: none"> <li>1. The Schedule of Fees and Charges for the 2020-2021 financial year, as presented be approved and to become effective from 1 July 2020.</li> <li>2. Local public notice be given in accordance with Section 6.19 of the Local Government Act 1995.</li> </ol>	

10 REPORTS OF OFFICERS

<b>Corporate Services</b>	
<b>10.10 Accounts for Payments as at 31 May 2020</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	9 June 2020
Author:	Finance and Payroll Officer
Attachment (s):	Lists of creditors paid as at 31 <sup>st</sup> May 2020 is attached at 10.10.1, 10.10.2, 10.10.3

**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:**

OFFICERS RECOMMENDATION:	10.10
<p>That Council accepts:</p> <ol style="list-style-type: none"> <li>The accounts for payment as presented for May, 2020 from the Municipal Fund totalling \$239,541.43, Represented by Electronic Fund Transfers No’s 16094 - 16155, Cheque No’s 11609 and Direct Debits 12609.1 – 12309.2, 12314.1, 12318.1, 12319.1, 12320.1, 12323.1, 12328.1-12328.7, 12346.1, 12347.1, 12348.1, 12350.1-12350.7, 12351.1, 12352.1, 12353.1, 12354.1 and 12356.1.</li> <li>Licensing Fund totalling \$8,981.65 represented by Direct Debit No 12358.1.</li> </ol>	

- 11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
- 12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
  - 12.1. ELECTED MEMBERS
  - 12.2. STAFF

**13. CONFIDENTIAL ITEMS**

**13.1. RECOMMENDATION TO CLOSE COUNCIL MEETING**

Reason for Confidentiality. Local Government Act 1995: Section 5.23 (2) (c) “a contract entered into, or which may be entered into, by the local government and which relates to as matter to be discussed at the meeting”.

It is a requirement of the *Freedom of Information Act 1992* that all this information is returned to the Chief Executive Officer at the completion of these items for appropriate filing to maintain confidentiality.

Once all negotiations have been completed for Agenda Item 13.1.1 this will be considered an “exempt document” in accordance with Schedule 1 of the *Freedom of Information Act 1992* denying public access.

<b>Executive Services</b>	
<b>13.1.1 Matter to be Considered Behind Closed Doors</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	
File Reference:	ADM0306
Disclosure of Interest:	Nil
Date:	4 June 2020
Author:	Chief Executive Officer
Attachment (s):	

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**Officer's Recommendation:**

<b>OFFICERS RECOMMENDATION:</b>	<b>13.1.1</b>
That Council approves:	

**OFFICERS RECOMMENDATION**

**13.2.**

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

**14. QUESTIONS BY MEMBERS WITHOUT NOTICE**

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

**16. TIME AND DATE OF NEXT MEETING**

**The Next Ordinary Council Meeting will be held on Wednesday 15 July 2020 at 4pm.**

**17. MEETING CLOSURE**