



MINUTES
OF
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY
27 OCTOBER 2021
COMMENCING AT 5PM

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

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

To: Chief Executive Officer

☐ Ordinary Council Meeting held
on

☐ Special Council Meeting held
on

☐ Committee Meeting held on

☐ Other

Report No

Report Title

Name

☐ Elected
Member

☐ Committee

☐ Employee

☐ Contractor

Type of Interest (*see overleaf for further information)

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

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

Name: _____ Signed: _____ Date: _____

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

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

OFFICE USE ONLY

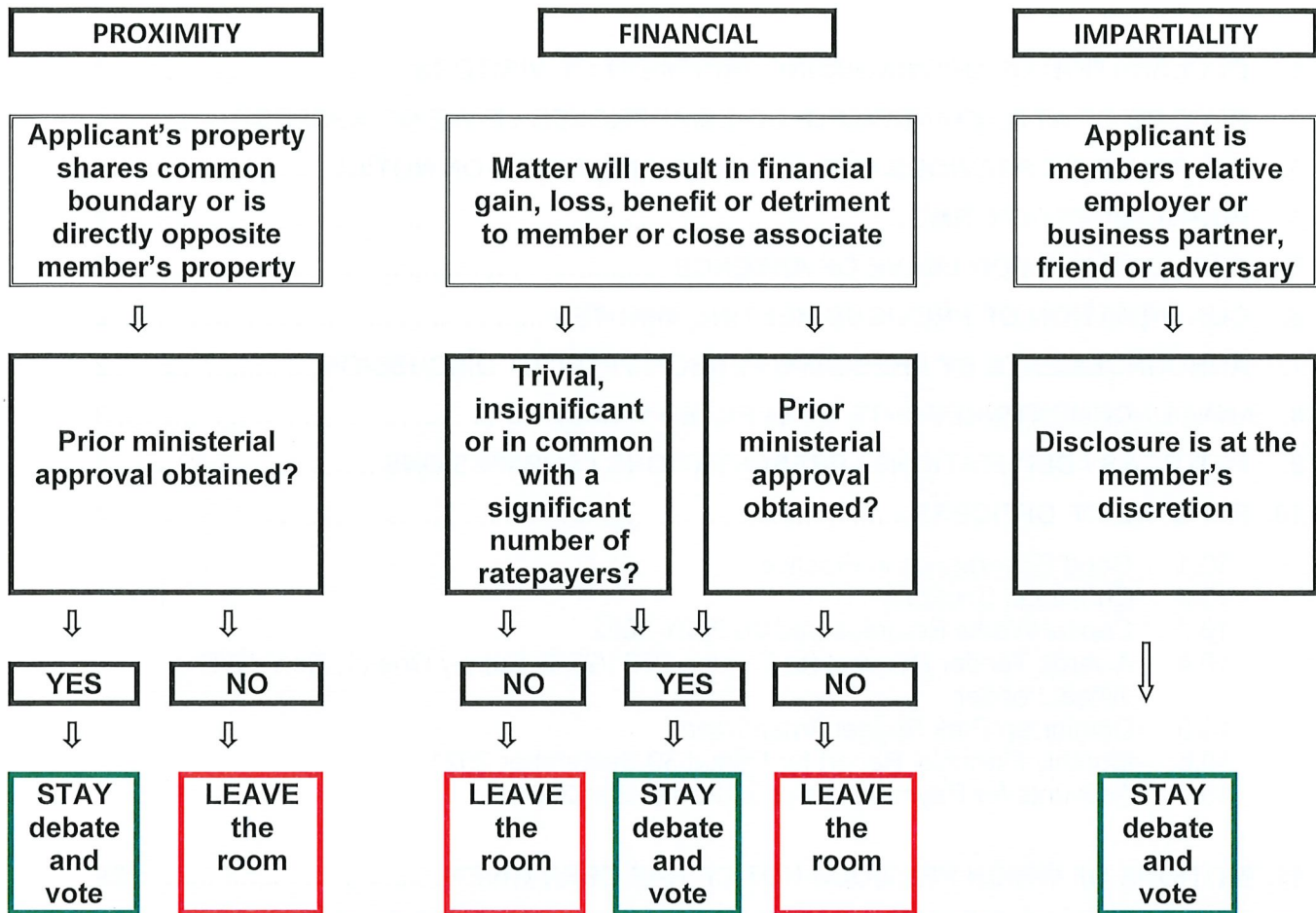
CEO

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.

TABLE OF CONTENTS

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	2
2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE.....	2
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	2
4. PUBLIC QUESTION TIME.....	2
5. APPLICATIONS FOR LEAVE OF ABSENCE	2
6. CONFIRMATION OF PREVIOUS MEETING MINUTES	2
7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....	2
8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS.....	3
9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	3
10. REPORTS OF OFFICERS	4
10.1 Good Governance in Practice	
10.2 Christmas Shutdown	
10.3 Capital Works Progress Update 2021-2022	
10.4 Awards Tender Request for Tender. 2021/22-3, Supply One (1) New 4WD Wheel Loader	
10.5 Dominican Park Budget Amendment	
10.6 Monthly Financial Report for Period 30 September 2021	
10.7 Accounts for Payments as at 30 September 2021	
11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	29
12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.....	29
12.1. ELECTED MEMBERS	29
12.2. STAFF	29
13. QUESTIONS BY MEMBERS WITHOUT NOTICE.....	29
14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	30
15. TIME AND DATE OF NEXT MEETING.....	30
16. CONFIDENTIAL ITEMS.....	30
17. MEETING CLOSURE.....	30

AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 5.10pm

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	Present		
Councillor Connaughton	Present		
Councillor Heal	Present		
Councillor Mutter	Present		
Councillor Mills			Approved Leave
Councillor Ennor	Present		
Councillor Eva	Present		
Chief Executive Officer			Approved Leave
A/Chief Executive Officer	Present		
Manager of Works & Services	Present		
Executive Secretary	Present		

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Email received from Mrs Joy Ridley on 27 October 2021 raising issues. Council discussed the issues raised and a full response will be sent to Mrs. Ridley upon the CEO's return from annual leave.

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	SCM 07/10/2021	Cr. Lane	Cr. Mutter	6/0
6.2	SCM 18/10/2021	Cr. Lane	Cr. Mutter	6/0

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activities for September 2021
Cr. Lane	Friday 10 Sept – JCP Consulting CEO Appraisal & Review Wednesday 22 Sept – OCM Thursday 30 Sept – Visit to Catholic Church followed by meeting at Shire Chambers Weekly catch up with CEO
Cr. Connaughton	Wednesday 22 Sept – OCM Thursday 30 Sept – Visit to Catholic Church followed by meeting at Shire Chambers Weekly catch up with CEO
Cr. Heal	
Cr. Mutter	
Cr. Mills	
Cr. Ennor	
Cr. Eva	

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10. REPORTS OF OFFICERS

Executive Services	
10.1 Good Governance in Practice	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	27 October 2021
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Nil

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 September 2021.
2. Actions Performed under Delegated Authority for September 2021.

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 Office of the CEO.

Officer's Comment:

Compliance Table for September 2021

Compliance Action	Compliance Requirement	Section / Ref	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
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	September 2021 Report submitted to the September 2021 OCM. Reference Minutes.	
Emergency Services Levy - Option A Remittance DUE by: 21st of the month Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures	Clause 5.13.		The Shire does not practice option A. Option B is activated during the months of September / March / June.
Primary Returns - Request Primary Return from any new employee who is a Designated Employee. Return must be received by CEO within 3 months of the person's start day	Local Government Act 1995	s.5.75	No new designated employees within the last 3 months.	
Financial Interests Register - Review Review register to remove Primary and Annual Returns (not other interest disclosures) from the Financial Interest Register that relate to persons who are no longer Designated Employees (resigned or changed roles) or for Elected Members who have resigned. Returns that are removed are to be kept by the CEO as LG Record for at least 5 years after the person ceased to be a Designated Employee.	Local Government Act 1995	s.5.88(3)(4)	Financial Interests Register – up to date	
Emergency Services Levy - Option B Payment Due Due by: 21 of the month and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures		Invoice received and payment made 8/10/2021	
Elections - Candidate Information Session Coordinate and promote a candidate information session - consider participation in WALGA Webinars.	n/a	n/a	Candidate Information Session took place on 16 August 21. Information and link also provided on WALGA webinar.	

Elections - Statewide Public Notice Call for Nominations - no later than 45th day before Election Day	Local Government Act 1995	s.4.47(1)	Call for Nominations advertised 23/08/21	
Elections - Nominations Open -(44th day before Election Day) First day for candidates to lodge completed nomination papers with the returning officer. Nominations are open for eight days	Local Government Act 1995	s.4.49(a)	3 Nominations received prior to 4pm on 08/09/2021	
Elections - Nominations Close at 4pm on (37th day before Election Day)	Local Government Act 1995	s.4.49(a)	3 Nominations received prior to 4pm on 08/09/2021	
Elections - Declarations of Office for new Elected Members <u>elected unopposed</u> (due 2 months from declaration of result - close of nominations 37th day before Election Day)	Local Government Act 1995	s.2.29 (s.2.32(c))	Declarations of Office will take place at a Special Council Meeting on 18 October 2021	
Elections - Candidate / Donor Gift Disclosures - CEO written advice to Candidates of Elections Gift Disclosure obligations.	Local Government Act 1995	s.4.59 Elections Regs Part 5A Form 9A	N/A	
Elections - Residents Roll to be prepared by Electoral Commissioner and forwarded to CEO - Due by 36th day before Election Day	Local Government Act 1995	s.4.40(2)	Residents Roll received from the Electoral Commission on 2 September 2021	
Elections - Owners and Occupiers Roll to be prepared and certified by CEO Due by 36th day before Election Day	Local Government Act 1995	s.4.41(1)	Certified Owner and Occupiers Roll sent to the Electoral Commission on 8 September	
Elections - Statewide Public Notice of Election Day by Returning Officer - between 36th and 19th day before Election Day	Local Government Act 1995	s.4.64(1)	N/A as no election to take place – 3 Elected Members re-elected unopposed.	
Elections - Consolidated Roll (Resident / Owners and Occupiers) at Returning Officer's discretion, to be completed by (22nd day before Election Day)	Local Government Act 1995	s.4.38(1) Elections Reg.18	N/A	
Elections - Supply of Rolls - CEO to provide Returning Officer with sufficient rolls and copies to be provided free of charge to candidates and Elected Members who ask	Local Government Act 1995	s.4.42	N/A	
Valuer General Information Due 14th day of each month - providing schedules of: • building licenses issued • building license works completed • registered plans and amendments under the Strata Titles Act 1985	Valuation of Land Act 1978	s.37	Prepared by the City of Geraldton	

Report on Waste Plan - Perth, Peel and major regional centre LGs must submit report on the implementation of their waste plan, including any or all of matters in s.44(2) required by the CEO. First due: 1 October 2021, then annually by 1 October	Waste Avoidance and Resource Recovery Act 2007	s.44	N/A to the Shire of Three Springs	
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Execution of Delegation for September 2021

Date	File Reference	Delegation Number	Decision Detail	Applicant	Officer	Comment
1-Sep-21	PMT ID: F109013981126	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Chief Executive Officer	Fortnightly Payroll PPE 31 August 2021 - \$52,902.74
2-Sep-21	PMT ID:	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Licens A/C	CBA	Chief Executive Officer	Fortnightly Payroll PPE 31 August 2021 - \$52,902.74
16-Sep-21	PMT ID: 190326836	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni A/C to CBA Maxi A/C	NAB	Chief Executive Officer	Transfer Funds from NAB Muni A/C to CBA Muni A/C 19/09/2021 \$46,215.53
17-Sep-21	PMT ID: F109174874899	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Chief Executive Officer	Transfer \$128,000.00 from CBA Muni A/C to CBA Maxi A/C to Cover Cheque Payment PMT ID: F109174874899
20-Sep-21	PMT ID: F109204946882	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Chief Executive Officer	Transfer \$170,000.00 from CBA Muni A/C to CBA Maxi A/C PMT ID: F109204946882
23-Sep-21	PMT ID: 190722872	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni A/C to CBA Maxi A/C	NAB	Chief Executive Officer	Transfer Funds from NAB Muni A/C to CBA Muni A/C 23/09/2021 \$21,300
23-Sep-21	ADM0471	GO004- Execution of Contract Documents	SoTS & Winchester Industries	SoTS	Chief Executive Officer	RFT2021-22-1
23-Sep-21	ADM0473	GO004- Execution of Contract Documents	SoTS & Bitutek	SoTS	Chief Executive Officer	RFT2021-22-1
23-Sep-21	PMT ID: F109235185950	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Chief Executive Officer	Transfer \$350,000.00 from CBA Muni A/C to CBA Maxi A/C PMT ID: F109235185950
28-Sep-21	PMT ID: F109295397193	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Chief Executive Officer	Fortnightly Payroll PPE 28 Sept 2021 - \$47,563.87
30-Sep-21	PMT ID: F109305507787	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Chief Executive Officer	Transfer \$500,000.00 from CBA Muni A/C to CBA Maxi A/C PMT ID: F109305507787
1-Sep-21	PMT ID: F109013978693	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Maxi A/C to Muni A/C	CBA	Deputy Chief Executive Officer	Transfer from CBA Maxi A/C to CBA Muni A/C for Payroll \$53,000.00 PMT ID: F109013978693
1-Sep-21	PMT ID: F109013981126	CS002 - Payments	Fortnightly Payroll	CBA	Deputy Chief	Fortnightly Payroll PPE 31 August 2021 - \$52,902.74

		from Municipal Fund and Trust Fund			Executive Officer	
2-Sep-21	PMT ID: F109024022810	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Licens A/C	CBA	Deputy Chief Executive Officer	Transfer \$386.05 from CBA Muni A/C to CBA Licens A/C to Cover Cheque Payment PMT ID: F109024022810
6-Sep-21	PMT ID: F109064236883	CS002 - Payments from Municipal Fund and Trust Fund	Bpay Payment - Water Corp	CBA	Deputy Chief Executive Officer	Manual Bpay Payment for Water Corp due to Direct Debit failure for \$553.23 PMT ID: F109064236883
10-Sep-21	PMT ID: F109104499837	CS02 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID F109104499837 for \$224,745.04
15-Sep-21	PMT ID: F109154672021	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Deputy Chief Executive Officer	Fortnightly Payroll PPE 14/09/2021 - \$ \$47,475.84
16-Sep-21	PMT ID: 190326836	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni A/C to CBA Maxi A/C	NAB	Deputy Chief Executive Officer	Transfer Funds from NAB Muni A/C to CBA Muni A/C 19/09/2021 \$46,215.53
17-Sep-21	PMT ID: F109174869594	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID F109174869594 for \$9,721.54
17-Sep-21	PMT ID: F109174874899	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Deputy Chief Executive Officer	Transfer \$128,000.00 from CBA Muni A/C to CBA Maxi A/C to Cover Cheque Payment PMT ID: F109174874899
20-Sep-21	PMT ID: F109204946882	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Deputy Chief Executive Officer	Transfer \$170,000.00 from CBA Muni A/C to CBA Maxi A/C PMT ID: F109204946882
20-Sep-21	PMT ID: F109204955022	CS002 - Payments from Municipal Fund and Trust Fund	Creditor Payment - Telstra	CBA	Deputy Chief Executive Officer	Creditor Payment to Telstra - EFT PMT ID FF109204955022 for \$53.24 due to Direct Debit not being set up in time of Bill
23-Sep-21	PMT ID: 190722872	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni A/C to CBA Maxi A/C	NAB	Deputy Chief Executive Officer	Transfer Funds from NAB Muni A/C to CBA Muni A/C 23/09/2021 \$21,300
23-Sep-21	PMT ID: F109235185950	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Deputy Chief Executive Officer	Transfer \$350,000.00 from CBA Muni A/C to CBA Maxi A/C PMT ID: F109235185950
28-Sep-21	PMT ID: F109295397193	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Deputy Chief Executive Officer	Fortnightly Payroll PPE 28 Sept 2021 - \$47,563.87
30-Sep-21	PMT ID: F109305507787	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Deputy Chief Executive Officer	Transfer \$500,000.00 from CBA Muni A/C to CBA Maxi A/C PMT ID: F109305507787
1-Sep-21	PMT ID: F109013978693	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Maxi A/C to Muni A/C	CBA	Customer Service Officer 2	Transfer from CBA Maxi A/C to CBA Muni A/C for Payroll \$53,000.00 PMT ID: F109013978693
2-Sep-21	PMT ID: F109024022810	CS002 - Payments from Municipal	Transfer Funds from CBA Muni A/C to CBA	CBA	Customer Service Officer 2	Transfer \$386.05 from CBA Muni A/C to CBA Licens A/C to Cover

		Fund and Trust Fund	Licen A/C			Cheque Payment PMT ID: F109024022810
6-Sep-21	PMT ID: F109064236883	CS002 - Payments from Municipal Fund and Trust Fund	Bpay Payment - Water Corp	CBA	Customer Service Officer 2	Manual Bpay Payment for Water Corp due to Direct Debit failure for \$553.23 PMT ID: F109064236883
17-Sep-21	PMT ID: F109174848706	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Licen A/C	CBA	Customer Service Officer 2	Transfer \$92.45 from CBA Muni A/C to CBA Licen A/C to Cover Cheque Payment PMT ID: F109174848706
17-Sep-21	PMT ID: F109174849066	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Licen A/C to CBA Muni A/C	CBA	Customer Service Officer 2	Transfer \$386.05 from CBA Licen A/C to CBA Muni A/C to Return Funds that Covered Cheque Payment PMT ID: F109174849066
17-Sep-21	PMT ID: F109174869594	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Customer Service Officer 2	Creditor Payment - EFT PMT ID F109174869594 for \$9,721.54
20-Sep-21	PMT ID: F109204955022	CS002 - Payments from Municipal Fund and Trust Fund	Creditor Payment - Telstra	CBA	Customer Service Officer 2	Creditor Payment to Telstra - EFT PMT ID FF109204955022 for \$53.24 due to Direct Debit not being set up in time of Bill
21-Sep-21	PMT ID: F109215009877	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA LicenA/C	CBA	Customer Service Officer 2	Transfer \$159.44 from CBA Muni A/C to CBA Licen A/C to Cover Merchant Fees PMT ID: F109215009877
23-Sep-21	PMT ID: F109235180919	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Customer Service Officer 2	Creditor Payment - EFT PMT ID F109235180919 for \$72,140.79

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 sub-regulation (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 2020–2024.

Corporate Business Plan 2020 - 2024	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:
Simple Majority.

Officer's Recommendation:

090/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.1
<p style="text-align: right;"><u>MOVED:</u> Cr. Ennor <u>SECONDED:</u> Cr. Connaughton</p> <p>That Council Accepts:</p> <ol style="list-style-type: none"> 1. The Governance Compliance Calendar report for September 2021. 2. The Execution of Delegation report for September 2021. <p style="text-align: right;">CARRIED: VOTED: 6/0</p>

10. REPORTS OF OFFICERS

Executive Services	
10.2. Christmas Shutdown	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	27 October 2021
Author:	Keith Woodward, 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 approve the shutdown period from 2.00pm Thursday 23/12/2021 returning to work on Tuesday 4/1/2022.

Background:

1. In previous years Council has resolved to close the Shire Office and depot over the Christmas New Year period. Shire staff will take annual or accumulated leave for the days on which the office/depot is closed.
2. Generally, the town is very quiet at that time of the year and previously it does not seem to have been inconvenient to the general public to have the office and depot closed.
3. Therefore, the office and depot will be closed from 2.00pm Thursday 23/12/2021 and reopen again on Tuesday, 4 January 2022.

Officer's Comment:

The following table shows the specific dates Shire departments will be closed during the Christmas period:

Department	Closed	Open
Shire Administration Office	2pm Thursday 23/12/21	Tuesday 04/01/22
Library	2pm Thursday 23/12/21	Tuesday 04/01/22
Swimming Pool	Closed Christmas day and Boxing Day	
Tip	Open	
Depot	2pm Thursday 23/12/21	Tuesday 04/01/22
<i>(Minimal staff will continue to operate during this time including Amenities Officer and Rubbish Truck who will operate as normal on all public holidays)</i>		

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

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:
Nil	Nil

This item is relevant to the Councils approved Corporate Business Plan 2020 – 2024

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:

Simple Majority.

Officer's Recommendation:

091/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.2
<p style="text-align: right;"><u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Mutter</p> <p>That Council approve the shutdown period from 2.00pm Thursday 23/12/21 returning to work on Tuesday 4/1/2022.</p> <p style="text-align: right;">CARRIED: VOTED: 6/0</p>

10. REPORTS OF OFFICERS

Works and Services	
10.3. Capital Works Progress Update 2021-2022	
Agenda Reference:	MWS
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	27 October 2021
Author:	Marc Bennett, Manager of Works and Services
Attachment (s):	Capital Works Report 2021-2022 Grade Map September 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 accepts the Capital Works Report for September 2021.

Background:

This report provides Council with the 2021-2022 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 2021-2022

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 2020–2024.

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Provide and maintain good quality tourism infrastructure and facilities.	Maintain and enhance attractions in line with the asset plan.
Continue to implement the main street revitalisation plan.	Reactivate the development strategy.
Investigate options for water harvesting	Support and encourage best practice water utilization management.

Voting Requirements:

Simple Majority.

Officer's Recommendation:

092/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.3
<p style="text-align: right;"><u>MOVED:</u> Cr. Heal <u>SECONDED:</u> Cr. Connaughton</p> <p>That Council accepts the Capital Works Report for September 2021.</p> <p style="text-align: right;">CARRIED: VOTED: 6/0</p>

10. REPORTS OF OFFICERS

Works and Services	
10.4 Awards Tender Request for Tender 2021/22-3, Supply One (1) New 4WD Wheel Loader	
Agenda Reference:	MWS
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	27 October 2021
Author:	Marc Bennett, Manager of Works and Services
Attachment (s):	CONFIDENTIAL - Evaluation Report RFT 2021/22-3

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:

This report recommends that Tender RFT2021/22-3 for Supply One (1) New 4WD Wheel Loader be awarded as per the recommendation in the Confidential Evaluation Report – RFT 2021/22-1 (Attachment 1).

Background:

Re-surfacing roads are part of the Council's asset preservation program funded by the Federal Governments Roads to Recovery Program, Regional Road Group Program, and Council funds. The preservation goal is to improve and restore the road surface.

Officers Comment:

Local Government can purchase heavy plant and equipment through the WALGA Preferred Supply Panel. This acquisition process is permitted in the Local Government Act 1995 (Functions and General) Regulation (s.3.57) "(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA". Under the Local Government (Functions and General) Regulations, a

tender exemption applies to WALGA's Preferred Supplier Contracts. WALGA Preferred Supplier Program

- The WALGA preferred Supplier Program complies with the Local Government Regulation 1996 (Function and General).
- Purchasing through WALGA means that you do not have to tender. A tender exemption applies to all of our Preferred Supplier Contracts. This saves on time, money and risks associated with tendering.
- All of the WALGA contract/tender suppliers are established by procurement specialists using a rigorous public and compliant market process. WALGA preferred suppliers are pre-qualified to provide Members with the safeguard of a quality-assured process, legal compliance, probity, risk mitigation and security of supply. The Shire asked four companies to tender with three tender submissions received via the WALGA Preferred Supplier Program.

The tender was advertised via the WALGA Preferred Supply Panel on Tuesday 24 August 2021. By the close of tender at 5pm Thursday 24 September 2021 the Shire received tender submissions from the following companies:

1. CJD Equipment (Volvo)
2. Hitachi Construction Machinery
3. WesTrac

Consultation:

Nil

Statutory Environment:

Division 2 — Tenders for providing goods or services (s. 3.57)

11. When tenders have to be publicly invited

(1A) In this regulation —

state of emergency declaration has the meaning given in the *Emergency Management Act 2005* section 3.

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless sub regulation (2) states otherwise.
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
 - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or
 - (aa) the supply of the goods or services is associated with a state of emergency; or
 - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or
 - [(ba) *deleted*]
 - (c) within the last 6 months —

- (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or
 - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;
- or
- (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the Council of the local government; or
- (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or
- (ea) the goods or services are to be supplied —
 - (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
 - (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;
- or
- (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or
- (g) the goods to be supplied under the contract are —
 - (i) petrol or oil; or
 - (ii) any other liquid, or any gas, used for internal combustion engines;
- or
- (h) the following apply —
 - (i) the goods or services are to be supplied by —
 - (I) a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or
 - (II) a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;
 - and
 - (ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and
 - (iii) the local government is satisfied that the contract represents value for money;
- or

- (i) the goods or services are to be supplied by an Australian Disability Enterprise; or
- (j) the contract is a renewal or extension of the term of a contract (the **original contract**) where —
 - (i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and
 - (ii) the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and
 - (iii) the original contract contains an option to renew or extend its term; and
 - (iv) the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;
- or
- (ja) the contract is a renewal or extension of the term of a contract (the **original contract**) where —
 - (i) the original contract is to expire within 3 months; and
 - (ii) the renewal or extension is for a term of not more than 12 months from the expiry of the original contract; and
 - (iii) the contract for renewal or extension is entered into at a time when there is in force a state of emergency declaration applying to the district, or part of the district, of the local government;
- or
- (k) the goods or services are to be supplied by a pre-qualified supplier under Division 3.

Policy Implications:

Purchasing Policy 3007.1

Financial/Resources Implications:

Shire of Three Springs Adopted Budget 2021-2022

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 2020–2024.

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:

Simple Majority

Officer's Recommendation:

093/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.4

MOVED: Cr. Connaughton

SECONDED: Cr. Eva

That Council:

1. Award the contract for Tender RFT 2021/22-3 as per the recommendation in the Confidential Evaluation Report at Attachment One.
2. Should negotiations with the preferred tenderer not progress, the Chief Executive Officer is authorised to award the second-ranked tenderer, as per the Confidential Evaluation Report – RFT 2021/22-3.

CARRIED:

VOTED: 6/0

10. REPORTS OF OFFICERS

Works and Services	
10.5. Dominican Park Budget Amendment	
Agenda Reference:	MWS
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	27 October 2021
Author:	Marc Bennett, Manager of Works and Services
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:

1. That Council retrospectively approves the increase of the Dominican Park Capital Project by \$35,000.
2. Budget amendment of \$35,000 – Increase budget of \$35,000 for PC007 {4110370} Dominican Park and decrease budget of \$35,000 for KM000 {2120211} Kerb Maintenance General.

Background:

At the 18 November 2020 Ordinary Council Meeting, the following resolution was carried.

MOVED: Cr. Mutter
SECONDED: Cr. Eva

That Council endorses:

1. The development of Dominican Park.
2. The allocation of the 2020-2021 Local Road and Community Infrastructure (LRCI) grant of \$234, 465 toward the development of Dominican Park.

CARRIED:
VOTED: 5/0

Officers Comment:

On 4 October, it became apparent that expenditure would exceed the \$125,000 allocated in the 2021/22 annual budget by \$35,000.

The original estimate for the lawn area was 1700m³. Once all earthworks and footpaths were complete, the lawn area increased to 2500m³, increasing the cost by \$23,712. The remainder is made up of higher than expected plumbing costs associated with the plumbing of the public toilet.

Consultation:

CEO, DCEO

Statutory Environment:

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

** Absolute majority required.*

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the Council.

Policy Implications:

Purchasing Policy 3007.1

Financial/Resources Implications:

There is no financial impact with a budget amendment for Dominican Park – 2021-22. There are no extra funds required to meet this obligation – Transfer from one program to another.

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 2020–2024.

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Provide and maintain good quality tourism infrastructure and facilities.	Maintain and enhance attractions in line with the asset plan.
Continue to implement the main street revitalisation plan.	Reactivate the development strategy.
Investigate options for water harvesting	Support and encourage best practice water utilisation management.

Voting Requirements:

Absolute Majority.

Officer's Recommendation:

094/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.5
<p style="text-align: right;"><u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Mutter</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. That Council retrospectively approves the increase of the Dominican Park Capital Project by \$35,000. 2. Budget amendment of \$35,000 – Increase budget of \$35,000 for PC007 {4110370} Dominican Park and decrease budget of \$35,000 for KM000 {2120211} Kerb Maintenance General. <p style="text-align: right;">CARRIED: VOTED: 6/0</p>	

10. REPORTS OF OFFICERS

Corporate Services	
10.6 Monthly Financial Report for Period 30 September 2021	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	27 October 2021
Author:	Rajinder Sunner, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 30 September 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 accepts the monthly financial report for the period ending September 2021.

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:

At the time of writing this report, there were still several outstanding invoices etc. and end of year calculation have yet to be done, so the closing surplus is an estimate only and is subject to change until 2020-2021 year has been audited.

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 complied 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*

© *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*

© *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*

© *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*

© *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:

Total Cash Available as at 30 September 2021 is \$3,967,299. Cash available is made up of Unrestricted cash \$1,853,429 and Restricted cash \$2113, 043 backed by various reserves.

Rates Debtors as at 30 September 2021 \$698,713. Rates Notices for 2021-22 were issued in September 2021. Rates collected as at end of September 2021 was \$1,687,199 – 70.72%. First instalment was due on 27 September 2021.

Strategic Implications:

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

Strategic Implications:

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

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

This item is relevant to the Council's Corporate Business Plan 2020-2024.

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:

Simple Majority.

Officer's Recommendation:

095/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.6
<p style="text-align: right;"><u>MOVED:</u> Cr. Lane <u>SECONDED:</u> Cr. Ennor</p> <p>That Council accepts the monthly financial report for the period ending 30 September 2021.</p> <p style="text-align: right;">CARRIED: VOTED: 6/0</p>

10. REPORTS OF OFFICERS

Corporate Services	
10.7 Accounts for Payments as at 30 September 2021	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	27 October 2021
Author:	Kate O'Donnell, Relief Finance and Payroll Officer
Attachment (s):	List of creditors paid as at 30 September 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 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 the 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 2020-2021.

Strategic Implications:

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

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

This item is relevant to the Council's Corporate Business Plan 2020-2024.

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:
Simple Majority.

Officer's Recommendation:

096/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.7
<p style="text-align: right;"><u>MOVED:</u> Cr. Mutter <u>SECONDED:</u> Cr. Heal</p> <p>That Council accepts:</p> <ol style="list-style-type: none"> 1. The accounts for payment as presented for September 2021 from the CBA Municipal Fund totalling \$344,922.55 2. Represented by Electronic Fund Transfers No's 17404 - 17475 and Direct Debits 13170.1 – 13256.1 3. Licensing Fund totalling \$12,522.40. Represented by Direct Debit No. 13251.1 <p>Total Payments for September 2021 \$357,474.95</p> <p style="text-align: right;">CARRIED: VOTED: 6/0</p>	

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

12.1. ELECTED MEMBERS – Nil

12.2. STAFF – Nil

13. QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil

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

Nil

15. TIME AND DATE OF NEXT MEETING

The Next Ordinary Council Meeting will be held on Wednesday 24 November 2021 @ 5pm.

16. CONFIDENTIAL ITEMS

Nil

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 5.47pm.

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

Signed:



Presiding Officer

Date: 24 November 2021

