



AGENDA FOR THE  
ORDINARY COUNCIL MEETING  
TO BE HELD ON  
WEDNESDAY  
19 AUGUST 2020  
COMMENCING AT 4.00 PM



**SHIRE OF THREE SPRINGS  
ORDINARY COUNCIL MEETING NOTICE PAPER  
19 AUGUST 2020**

President and Councillors,

An ordinary meeting of Council is called for Wednesday, 19 August 2020, in the Council Chambers, Railway Road, Three Springs commencing at 4pm.

**Keith Woodward  
Chief Executive Officer**

**11 August 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: \_\_\_\_\_

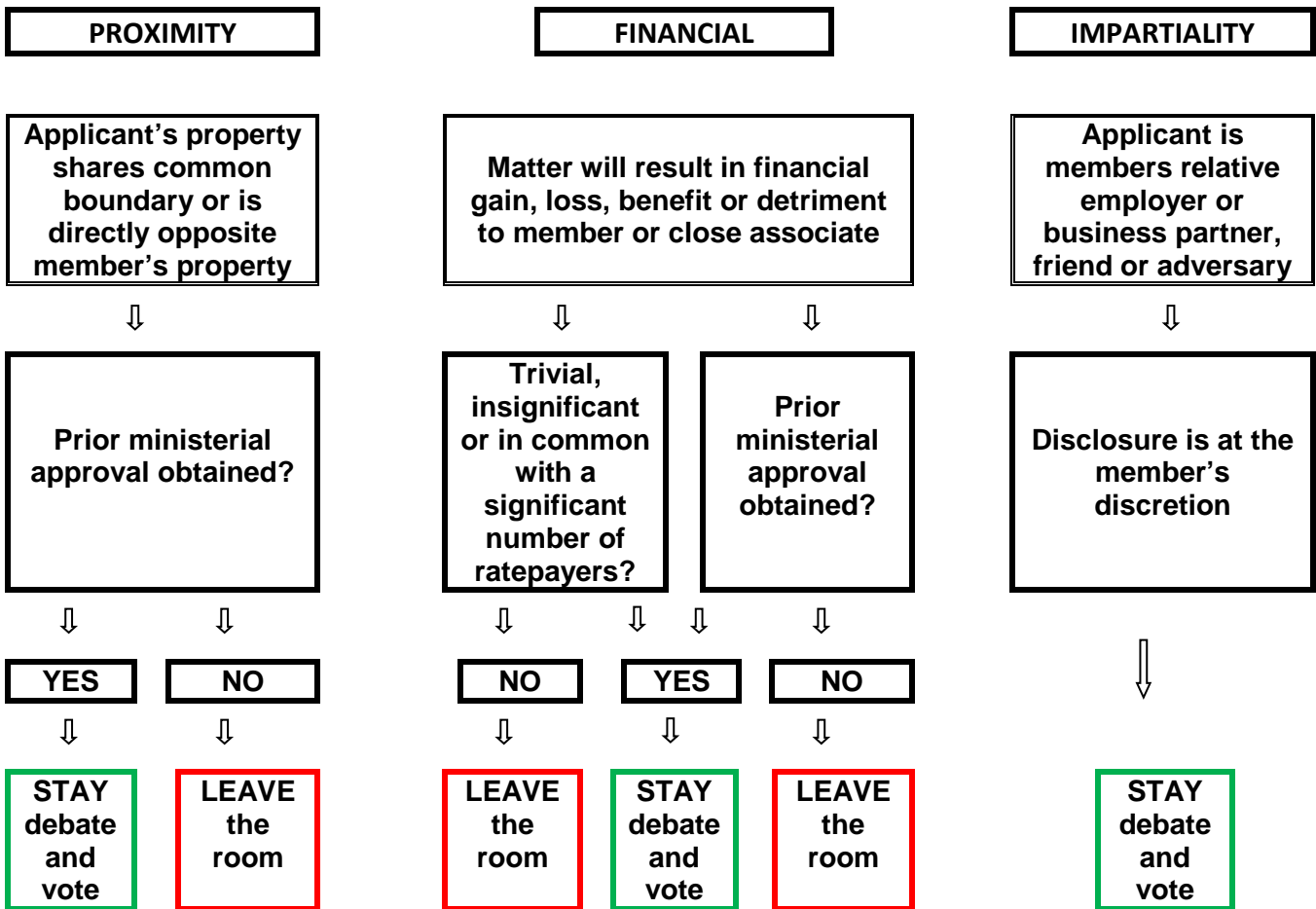
**Note 1: For Ordinary meetings of Council, elected members and employees are requested to submit this completed form to the Chief Executive Officer prior to the meeting. Where this is not practicable, disclosure(s) must be given to the Chief Executive Officer prior to the matter being discussed.**

**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.*

<b>TABLE OF CONTENTS</b>
--------------------------

<b>1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....</b>	<b>2</b>
<b>2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE .....</b>	<b>2</b>
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....</b>	<b>2</b>
<b>4. PUBLIC QUESTION TIME .....</b>	<b>2</b>
<b>5. APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>2</b>
<b>6. CONFIRMATION OF PREVIOUS MEETING MINUTES.....</b>	<b>2</b>
<b>7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....</b>	<b>2</b>
<b>8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS.....</b>	<b>3</b>
<b>9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS.....</b>	<b>3</b>
<b>10. REPORTS OF OFFICERS .....</b>	<b>4</b>
10.1 Good Governance in Practice	
10.2 Ordinary Council Meeting Times	
10.3 Capital Works Status Report July 2020	
10.4 Financial Statement for Period Ending 31 July 2020	
10.5 Accounts for Payments 31 July 2020	
<b>11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>23</b>
<b>12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING .....</b>	<b>23</b>
<b>12.1. ELECTED MEMBERS .....</b>	<b>23</b>
<b>12.2. STAFF .....</b>	<b>23</b>
<b>13. QUESTIONS BY MEMBERS WITHOUT NOTICE.....</b>	<b>23</b>
<b>14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....</b>	<b>23</b>
<b>15. TIME AND DATE OF NEXT MEETING .....</b>	<b>23</b>
<b>16. CONFIDENTIAL ITEMS.....</b>	<b>23</b>
<b>17. MEETING CLOSURE.....</b>	<b>23</b>

**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			19 August 2020
Councillor Mills			
Councillor Ennor			
Councillor Eva			
Chief Executive Officer			
Deputy Chief Executive Officer			
Manager of 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	Ordinary Council Meeting	15 July 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:	19 August 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 July 2020.
2. Actions Performed under Delegated Authority for the month of July 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.



**Ordinary Council Meeting Agenda – 19 August 2020**

**Officer’s Comment:**

Compliance Table: July 2020

<b>Compliance Action</b>	<b>Compliance Requirement</b>	<b>Section / Ref</b>	<b>Records Ref (Evidence of completion)</b>	<b>Comments. If Action not completed, report on plan to rectify non-compliance</b>
<p><b>Monthly Financial Report</b> 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.</p>	Local Government Act 1995	s.6.4 FM.Reg.34	July 2020 report submitted to the August 2020 OCM. Reference Minutes	N/A
<p><b>Emergency Services Levy - Option A Remittance</b> Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A</p>	DFES - ESL Manual of Operating Procedures	Clause 5.13.	Payment Remittance	Shire does not practice option A.  Option B is activated during months of September/March/June
<p><b>Primary Returns - Request</b> 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</p>	Local Government Act 1995	s.5.75		N/A
<p><b>Financial Interests Register-</b> 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.</p>	Local Government Act 1995	s.5.88(3)(4)	2020/21 Interests Register	The Interests Register has been audited and is compliant with the statutory directive.
<p><b>Emergency Services Levy - Year End ESL Reconciliation</b> Lodgement and Aged Debtor Report Due by: 31 July</p>	DFES - ESL Manual of Operating Procedures	Clause. 5.13.5	Synergy Record of ESL year end and Aged Debtors Report lodged 14 July 2020.	The ESL year end and Aged Debtors Report lodged 14 July 2020.

## Ordinary Council Meeting Agenda – 19 August 2020

<p><b>Annual Returns</b> - Request Elected Members and Designated Employees to provide an Annual Return by no later than <b>31 August</b> CEO's Annual Return must be lodged with the President / Mayor</p>	<p style="text-align: center;">Local Government Act 1995</p>	<p style="text-align: center;">s.5.76(1)</p>	<p>Formal letters have been recorded in Synergy and in the 2020/21 Interest Register</p>	<p>Annual Returns have been provided to Council and relevant Staff.</p>
<p><b>Elections</b> - Electoral Commission agreement to conduct the election required by: (80th day)</p>	<p style="text-align: center;">Local Government Act 1995</p>	<p style="text-align: center;">s.4.20(2)(3)(4) s.4.61(2)(4)</p>		<p style="text-align: center;">N/A</p>

### Execution of Delegation for July 2020

Date	File Reference	Delegation Number	Decision Detail	Applicant	Officer	Comment
20-Jul-20	ADM0349	GO004-Execution of Contract Documents	For the Supply of Goods and / or Services in respect to the provision of Engineering Consulting Services	Shire of Three Springs & KCTT	CEO	Supply of Goods and / or Services
24-Jul-20	ADM0051	CC001 - Sponsorships, Donations and Waiver of Fees	Donation of \$500.00 to Three Springs Primary School towards camp costs	Three Springs Primary School	CEO	Donation
07-Jul-20	PMT ID: 163063708	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Deputy Chief Executive Officer	Fortnightly Payroll PPE 7 July 2020 - \$40,344.86
09-Jul-20	PMT ID: 163183349	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$109,170.56 from GFH A/C To Muni A/C
09-Jul-20	PMT ID: 163191255	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 163191255 for \$107,916.56
09-Jul-20	Chq 11611	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - Shire Of Chapman Valley	NAB	Deputy Chief Executive Officer	Creditors Payment - Shire Of Chapman Valley # 11611 - \$1,254.00
16-Jul-20	PMT ID: 163622027	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$30,000 from GFH A/C To Muni A/C
16-Jul-20	PMT ID: 163630807	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 163630807 for \$70,790.55
16-Jul-20	Chq 11612	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - City of Greater Geraldton	NAB	Deputy Chief Executive Officer	Creditors Payment - City of Greater Geraldton # 11612 - \$1,079.84
22-Jul-20	PMT ID:	CS002 - Payments	Transfer Funds from	NAB	Deputy	Transfer \$50,000.00

## Ordinary Council Meeting Agenda – 19 August 2020

	163902423	from Municipal Fund and Trust Fund	GFH to Muni A/C		Chief Executive Officer	from GFH A/C To Muni A/C
22-Jul-20	PMT ID: 163920738	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Deputy Chief Executive Officer	Fortnightly Payroll PPE 21 July 2020 - \$39,784.81
24-Jul-20	PMT ID: 164079794	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 23/07/2020 - \$47.20
29-Jul-20	PMT ID: 164340960	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$152,479.35 from GFH A/C To Muni A/C
29-Jul-20	Chq 11613	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - Telstra	NAB	Deputy Chief Executive Officer	Creditors Payment - Telstra # 11613 - \$333.52
29-Jul-20	PMT ID: 164356204	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 164356204 for \$152,145.83
30-Jul-20	PMT ID: 164444896	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 29/07/2020 - \$913.05
30-Jul-20	PMT ID: 164492676	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 30/07/2020 - \$67.95
1-Jul-20	PMT ID: 162694431	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 30/06/2020 - \$768.90
2-Jul-20	PMT ID: 162777003	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 01/07/2020 - \$784.85
07-Jul-20	PMT ID: 163063708	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Senior Finance Officer	Fortnightly Payroll PPE 7 July 2020 - \$40,344.86
09-Jul-20	PMT ID: 163183349	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH to Muni A/C	NAB	Senior Finance Officer	Transfer \$109,170.56 from GFH A/C To Muni A/C
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09-Jul-20	PMT ID: 163191255	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 163191255 for \$107,916.56
15-Jul-20	PMT ID: 163514577	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 14/07/2020 - \$6,043.45
16-Jul-20	PMT ID: 163586117	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 15/07/2020 - \$248.65
16-Jul-20	PMT ID: 163622027	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maximiser Account to Municipal Account	NAB	Senior Finance Officer	Transfer \$30,000 from Maxi A/C to Muni A/C
16-Jul-20	Chq 11612	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - City of Greater Geraldton	NAB	Senior Finance Officer	Creditors Payment - City of Greater Geraldton # 11612 - \$1,079.84
16-Jul-20	PMT ID: 163630807	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 163630807 for \$70,790.55

## Ordinary Council Meeting Agenda – 19 August 2020

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22-Jul-20	PMT ID: 163912493	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 21/07/2020 - \$2,466.55
23-Jul-20	PMT ID: 164001346	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 22/07/2020 - \$73.40
24-Jul-20	PMT ID: 164079794	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 23/07/2020 - \$47.20
29-Jul-20	PMT ID: 164340960	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH to Muni A/C	NAB	Senior Finance Officer	Transfer \$152,479.35 from GFH A/C To Muni A/C
29-Jul-20	Chq 11613	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - Telstra	NAB	Senior Finance Officer	Creditors Payment - Telstra # 11613 - \$333.52
29-Jul-20	PMT ID: 164356204	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 164356204 for \$152,145.83
30-Jul-20	PMT ID: 164444896	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 29/07/2020 - \$913.05
1-Jul-20	PMT ID: 162694431	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 30/06/2020 - \$768.90
2-Jul-20	PMT ID: 162777003	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 01/07/2020 - \$784.85
15-Jul-20	PMT ID: 163514577	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 14/07/2020 - \$6,043.45
16-Jul-20	PMT ID: 163586117	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 15/07/2020 - \$248.65
22-Jul-20	PMT ID: 163912493	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 21/07/2020 - \$2,466.55
23-Jul-20	PMT ID: 164001346	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 22/07/2020 - \$73.40

### 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 2020 – 2024’.

‘Corporate Business Plan 2020 – 2024’.	
Scope Statement:	Project Outputs:
Nil	Nil

**Voting Requirements:**

Simple Majority.

**Officer’s Recommendation:**

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

## 10. REPORTS OF OFFICERS

<b>Executive Services</b>	
<b>10.2 Ordinary Council Meeting Times 2020</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:	19 August 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.
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- 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. Change the Ordinary Council Meeting date from 9 December 2020 to the 16 December 2020.
2. Council Meetings start at 5.00pm instead of 4.00pm.
3. The *Council Briefing and Networking Forum* to be held on the Monday before the Wednesday Council meeting starting at 5.00pm.

### Background:

In the past the *Council Networking Forum* was held prior to and after the Council Meeting.

This arrangement has now changed and is guided by *Council Policy 19-Council Briefing and Networking Forum*.

The *Council Briefing and Networking Forum* will be held on Monday before the Wednesday Council meeting from 5.00pm to 7.00pm.

**Officers Comment:**

Nil

**Consultation:**

Nil

**Statutory Environment:**

Local Government (Administration) Regulations 1996

12. *Meetings, public notice of (Act s. 5.25(1)(g))*

(1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*

(a) *the ordinary council meetings; and*

(b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*

*are to be held in the next 12 months.*

**Policy Implications:**

Council Policy 19-Council Briefing and Networking Forum

**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'. Foundation 4: Civic Leadership	
Council Objectives:	Outcome:
A long term strategically focused Shire that is efficient, respected and accountable.	4.1.4. Lead by example to get the community involved in the decision making process.
Working in partnership with all community, government and corporate stakeholders	4.3.2. Ensure compliance with all relevant legislation.
To be strong advocates representing the community's interest	

This item is relevant to the Councils approved '*Corporate Business Plan 2020-2024*'.



‘Corporate Business Plan 2020 – 2024’. Governance/Leadership	
Scope Statement:	Project Outputs:
Continue to lobby and advocate for key government and infrastructure services, and solve community issues and act on opportunities.	Advocacy on key issues

**Voting Requirements:**

Simple Majority

**Officer’s Recommendation:**

OFFICER’S RECOMMENDATION:	10.2
<p>That Council endorses:</p> <ol style="list-style-type: none"> <li>1. Change the Ordinary Council Meeting date from 9 December 2020 to the 16 December 2020.</li> <li>2. Council Meetings start at 5.00pm instead of 4.00pm.</li> <li>3. The <i>Council Briefing and Networking Forum</i> to be held on the Monday before the Wednesday Council meeting starting at 5.00pm.</li> </ol>	

**10. REPORTS OF OFFICERS**

<b>Executive Services</b>	
<b>10.3. Capital Works Progress Update 2020-2021</b>	
Agenda Reference:	ADM0155
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM01056
Disclosure of Interest:	Nil
Date:	19 August 2020
Author:	Chief Executive Officer
Attachment (s):	Maintenance Grading Map July 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 accept the Capital Works Report for July 2020.

**Background:**

This report provides Council with the 2020-2021 Capital Works progress update.

**Officers Comment:**

Program	Budget	Actual	Delivery Time Frame
<b>Roads</b>			
Morawa Road Re-Seal/shoulders	\$369,688		Aug - Dec 2020
Sheppard Road Re-Sheet	\$131,828		Apr - May 2021
Nebru Road Re-Sheet	\$131,828		Feb - Mar 2021
Hydraulic Road Re-Sheet	\$131,828		Mar - Apr 2021
Arrino West Second Coat	\$102,000		Dec 2020
Nebru Road Second Coat	\$100,575		Dec 2020
Walter Street Re-Seal	\$ 28,025		Dec 2020

**Ordinary Council Meeting Agenda – 19 August 2020**

Maley Street Re-Seal	\$ 28,025		Dec 2020
<b>Plant &amp; Equipment</b>			
CEO Car	\$ 47,000		Aug 2020
MWS Car	\$ 49,000		Aug 2020
Garden Truck	\$ 60,000		Aug 2020
Ford Escape (sell)	\$ 18,000		Aug 2020
Western Star (sell)	\$ 80,000		May 2021
Holden Calais (sell)	\$ 20,000		Jan 2021
Amrok (sell)	\$ 20,000		Aug 2020
Fuel System	\$ 15,000		Sept 2020
Mitsubishi Canter (sell)	\$ 5,000		Sept 2020
<b>Infrastructure</b>			
Footpath Slaughter Street	\$ 62,750		Sept - Oct 2020
Kerb & Drainage	\$ 54,356		Sept - June 2021
Skate Park	\$ 10,000		Feb - Mar 2021
<b>Building</b>			
Housing	\$ 80,800		Jan - June 2021
Building	\$ 25,000		Jan - June 2021
Work Shop Extension	\$ 45,000		Aug - Dec 2020
Foreman's Office (demolition)	\$ 10,000		Dec 2020
Building Signs	\$ 28,895		Jan - Jun 2021
Duffys Store	\$ 10,000		Jan - Mar 2021
<b>Furniture &amp; Equipment</b>			
Pool Sand filter	\$ 50,000		Sept 2020
<b>Drought Funding</b>			
New Gym	\$180,000		Oct - Dec 2020
Sports Club Air Con	\$ 30,000		Oct 2020
ECLC Solar	\$ 25,000		Oct 2020
Pool Lights	\$ 40,000		Nov 2020
Main Street Revitalisation	\$479,104		Oct - Dec 2020
Lovelock	\$100,000		May - Jun 2021
Dominican Park	\$ 55,000		Oct - Dec 2020

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Policy Implications:**

Purchasing Policy 3007.1

**Financial/Resources Implications:**

Shire of Three Springs Adopted Budget 2020-2021

**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 2020 – 2024'.

<b>'Corporate Business Plan 2020 – 2024'. Governance/Leadership</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Provide and maintain good quality tourism infrastructure and facilities.	Maintain and enhance attractions in line with 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:**

Simple Majority.

**Officer's Recommendation:**

<b>OFFICER'S RECOMMENDATION:</b>	<b>10.3</b>
That Council accept the Capital Works Report for July 2020.	

**10.4 REPORTS OF OFFICERS**

<b>Corporate Services</b>	
<b>10.4. Financial Statement for Period Ending 31 July 2020</b>	
Agenda Reference:	201107
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	19 August 2020
Author:	Deputy Chief Executive Officer
Attachment (s):	10.4 - Financial Report July 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 July 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.*

## Ordinary Council Meeting Agenda – 19 August 2020

- (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 is \$2,587,962. Total cash is made up of Unrestricted cash \$729,951 and Restricted cash \$1,858,011 backed by various reserves.

### Strategic Implications:

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

<b>'Corporate Business Plan 2020 – 2024'.</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Nil	Nil

### Voting Requirements:

Simple Majority.

### Officer's Recommendation:

<b>OFFICER'S RECOMMENDATION:</b>	<b>10.4</b>
That Council accepts the monthly financial report for the period ending 31 July 2020.	

<b>Corporate Services</b>	
<b>10.5 Accounts for Payments 31 July 2020</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	19 August 2020
Author:	Finance and Payroll Officer – Donna Newton
Attachment (s):	10.5 - Lists of creditors paid as at 31 July 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 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 2020-2021.

**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:**

OFFICER’S RECOMMENDATION:	10.5
<p>That Council accepts:</p> <p style="padding-left: 40px;">The accounts for payment as presented for July, 2020 from the;</p> <ol style="list-style-type: none"> <li>1. Municipal Fund totalling \$371,256.03 Represented by Electronic Fund Transfers No’s 16257 - 16350, Cheque No’s 11611 - 11613 and Direct Debits 12421.1, 12423.1, 12425.1, 12426.1, 12432.1 – 12432.7, 12435.1 – 124325.2, 12444.1, 12445.1, 12446.1, 12447.1, 12449.1, 12452.1 – 12452.7 and 12464.1.</li> <li>2. Licensing Fund totalling \$20,505.00 represented by Electronic Funds Transfer No 16351.</li> </ol> <p style="padding-left: 40px;">Total for July 2020 \$391,761.03</p>	

**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. QUESTIONS BY MEMBERS WITHOUT NOTICE**

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

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

The Next Ordinary Council Meeting will be held on Wednesday 16 September 2020 at 5pm.

**16. CONFIDENTIAL ITEMS**

**17. MEETING CLOSURE**