



MINUTES FOR THE
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY
19 AUGUST 2020



Shire of Three Springs

PO Box 117, Three Springs
WA 6519

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

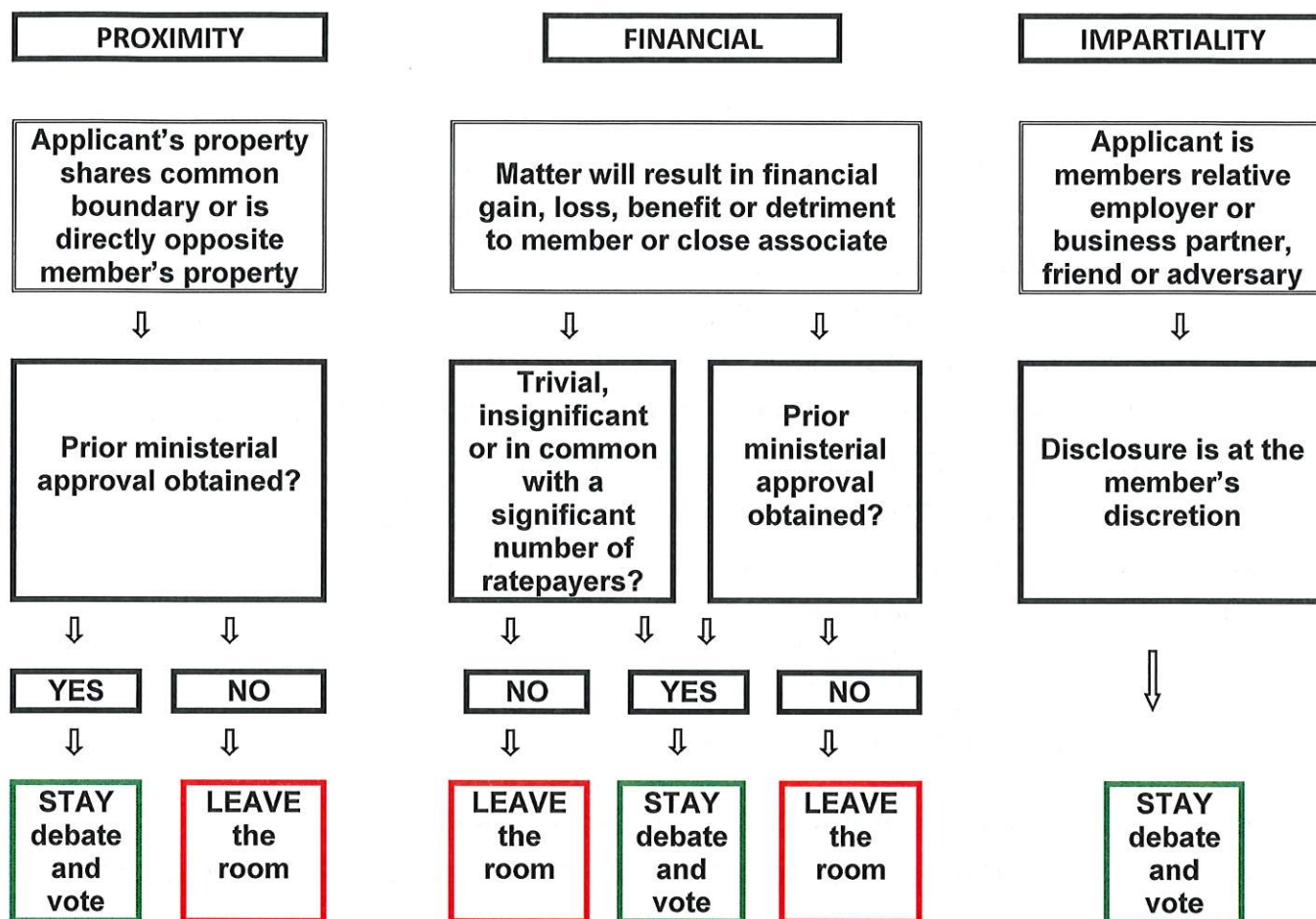
CEO

:

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 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).

5.71 - Employees to disclose interests relating to delegated functions.

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

'Local Government (Administration) Regulations 1996 – Extract

In this clause and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996:

"Interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

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MINUTES

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 4.03pm

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 | | | 19 August 2020 |
| Councillor Mills | Present | | |
| Councillor Ennor | Present | | |
| Councillor Eva | Present | | |
| Chief Executive Officer | Present | | |
| Deputy Chief Executive Officer | Present | | |
| Manager of Works | Present | | |
| Executive Secretary | Present | | |

Public Gallery

Steve Cosford

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

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

6. CONFIRMATION OF PREVIOUS MEETING MINUTES

| | | | | | |
|---|-----|--------------|--------------|-----------------|-------------|
| That the Minutes of the Council meeting are confirmed as true and accurate record of proceedings. | | | | | |
| | | Date | Moved | Seconded | Vote |
| 6.1 | OCM | 15 July 2020 | Cr. Lane | Cr. Eva | 6/0 |

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

| Councillor | Activity |
|-------------------|---|
| Cr. Lane | Citizenship Ceremony 15/07/2020 OCM 15/07/2020 Weekly meetings with CEO |
| Cr. Connaughton | Citizenship Ceremony 15/07/2020 OCM 15 July 20 |
| Cr. Heal | Citizenship Ceremony 15/07/2020 OCM 15 July 20 |
| Cr. Mutter | Citizenship Ceremony 15/07/2020 OCM 15 July 20 |
| Cr. Mills | Citizenship Ceremony 15/07/2020 OCM 15 July 20 |
| Cr. Ennor | Citizenship Ceremony 15/07/2020 OCM 15 July 20 |
| Cr. Eva | Citizenship Ceremony 15/07/2020 OCM 15 July 20 |

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: | 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.

Officer's Comment:Compliance Table: July 2020

| 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 | July 2020 report submitted to the August 2020 OCM. Reference Minutes | N/A |
| Emergency Services Levy - Option A Remittance Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A | DFES - ESL Manual of Operating Procedures | Clause 5.13. | Payment Remittance | Shire does not practice option A. Option B is activated during 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 | | N/A |
| Financial Interests Register- Review register to remove Primary and Annual Returns (not other interest disclosures) from the Financial Interest Register that relate to persons who are no longer Designated Employees (resigned or changed roles) or for Elected Members who have resigned. Returns that are removed are to be kept by the CEO as LG Record for at least 5 years after the person ceased to be a Designated Employee. | Local Government Act 1995 | s.5.88(3)(4) | 2020/21 Interests Register | The Interests Register has been audited and is compliant with the statutory directive. |
| Emergency Services Levy - Year End ESL Reconciliation Lodgement and Aged Debtor Report Due by: 31 July | 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. |
| Annual Returns - Request Elected Members and Designated Employees to provide an Annual Return by no | Local Government Act 1995 | s.5.76(1) | Formal letters have been recorded in Synergy and | Annual Returns have been provided to Council and relevant Staff. |

| | | | | |
|--|---------------------------------|---------------------------------|--|-----|
| later than 31 August CEO's Annual Return must be lodged with the President / Mayor | | | in the 2020/21 Interest Register | |
| Elections - Electoral Commission agreement to conduct the election required by: (80th day) | Local Government Act 1995 | s.4.20(2)(3)(4) s.4.61(2)(4) | | N/A |

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: 163902423 | CS002 - Payments from Municipal Fund and Trust Fund | Transfer Funds from GFH to Muni A/C | NAB | Deputy Chief Executive Officer | Transfer \$50,000.00 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 | Fortnightly Payroll PPE 21 July 2020 - \$39,784.81 |

| | | | | | | |
|-----------|----------------------|---|--|-----|---|--|
| | | | | | Officer | |
| 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 |
| 09-Jul-20 | Chq 11611 | CS002 - Payments from Municipal Fund and Trust Fund | Creditors Payment - Shire Of Chapman Valley | NAB | Senior Finance Officer | Creditors Payment - Shire Of Chapman Valley # 11611 - \$1,254.00 |
| 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 |
| 22-Jul-20 | PMT ID: 163902423 | CS002 - Payments from Municipal Fund and Trust Fund | Transfer Funds from GFH to Muni A/C | NAB | Senior Finance Officer | Transfer \$50,000.00 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 | Senior Finance Officer | Fortnightly Payroll PPE 21 July 2020 - \$39,784.81 |
| 22-Jul-20 | PMT ID: | CS002 - Payments | Transfer Funds from | NAB | Senior | Transfer Funds to |

| | | | | | | |
|-----------|-------------------|---|---|-----|------------------------|---|
| | 163912493 | from Municipal Fund and Trust Fund | Muni Account to Licensing Account | | Finance Officer | 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:

| 053/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.1 |
|---|
| <p style="text-align: right;"><u>MOVED:</u> Cr. Mills <u>SECONDED:</u> Cr. Connaughton</p> <p>That Council Accepts:</p> <ol style="list-style-type: none"> 1. The Governance Compliance Calendar report for July 2020. 2. The Execution of Delegation report for July 2020. <p style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></p> |

10. REPORTS OF OFFICERS

| Executive Services | |
|---|-------------------------|
| 10.2 Ordinary Council Meeting Times 2020 | |
| 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.
- ☒ 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. 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:

| 054/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.2 |
|--|
| <p style="text-align: right;"><u>MOVED:</u> Cr. Connaughton <u>SECONDED:</u> Cr. Heal</p> <p>That Council endorses:</p> <ol style="list-style-type: none"> 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 <i>Council Briefing and Networking Forum</i> to be held on the Monday before the Wednesday Council meeting starting at 5.00pm. <p style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></p> |

10. REPORTS OF OFFICERS

| Executive Services | |
|--|-----------------------------------|
| 10.3. Capital Works Progress Update 2020-2021 | |
| 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 |
|-------------------------------|-----------|--------|---------------------|
| Roads | | | |
| 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 |

| | | | |
|----------------------------------|-----------|--|------------------|
| Maley Street Re-Seal | \$ 28,025 | | Dec 2020 |
| Plant & Equipment | | | |
| 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 |
| Infrastructure | | | |
| Footpath Slaughter Street | \$ 62,750 | | Sept - Oct 2020 |
| Kerb & Drainage | \$ 54,356 | | Sept - June 2021 |
| Skate Park | \$ 10,000 | | Feb - Mar 2021 |
| Building | | | |
| 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 |
| Furniture & Equipment | | | |
| Pool Sand filter | \$ 50,000 | | Sept 2020 |
| Drought Funding | | | |
| 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'

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

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

| 'Corporate Business Plan 2020 – 2024'. Governance/Leadership | |
|--|---|
| Scope Statement: | Project Outputs: |
| 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:

| 055/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.3 |
|---|
| <p style="text-align: right;"><u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Connaughton</p> <p>That Council accept the Capital Works Report for July 2020.</p> <p style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></p> |

10.4 REPORTS OF OFFICERS

Corporate Services

10.4. Financial Statement for Period Ending 31 July 2020

| | |
|-------------------------|-----------------------------------|
| 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.*
- (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'

| '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:

| |
|--|
| 056/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.4 |
| <p style="text-align: right;"><u>MOVED: Cr. Ennor</u> <u>ECONDED: Cr. Eva</u></p> <p>That Council accepts the monthly financial report for the period ending 31 July 2020.</p> <p style="text-align: right;"><u>CARRIED:</u> <u>Voted: 6/0</u></p> |

Corporate Services

10.5 Accounts for Payments 31 July 2020

| | |
|-------------------------|---|
| 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:

| 057/2020 OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.5 | |
|--|--|
| <p><u>MOVED: Cr. Connaughton</u> <u>SECONDED: Cr. Heal</u></p> <p>That Council accepts:</p> <p>The accounts for payment as presented for July, 2020 from the;</p> <ol style="list-style-type: none">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 12464.1.2. Licensing Fund totalling \$20,505.00 represented by Electronic Funds Transfer No 16351. <p>Total for July 2020 \$391,761.03</p> <p><u>CARRIED:</u> <u>Voted: 6/0</u></p> | |

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

- 12.1. ELECTED MEMBERS
- 12.2. STAFF

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 16 September 2020 at 5pm.

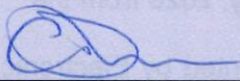
16. CONFIDENTIAL ITEMS

Nil

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 4.09pm

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

Signed: 

Presiding Officer
Date: 16 September 2020