



MINUTES
ORDINARY COUNCIL MEETING
TO BE HELD ON
WEDNESDAY
24 MAY 2023
COMMENCING AT 5.30 PM



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

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

To: Chief Executive Officer

☐ Ordinary Council Meeting held
on _____

☐ Special Council Meeting held
on _____

☐ Committee Meeting held on _____

☐ Other _____

Report No _____

Report Title _____

Name _____

☐ Elected

☐ Committee

☐ Employee

☐ Contractor

Member

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

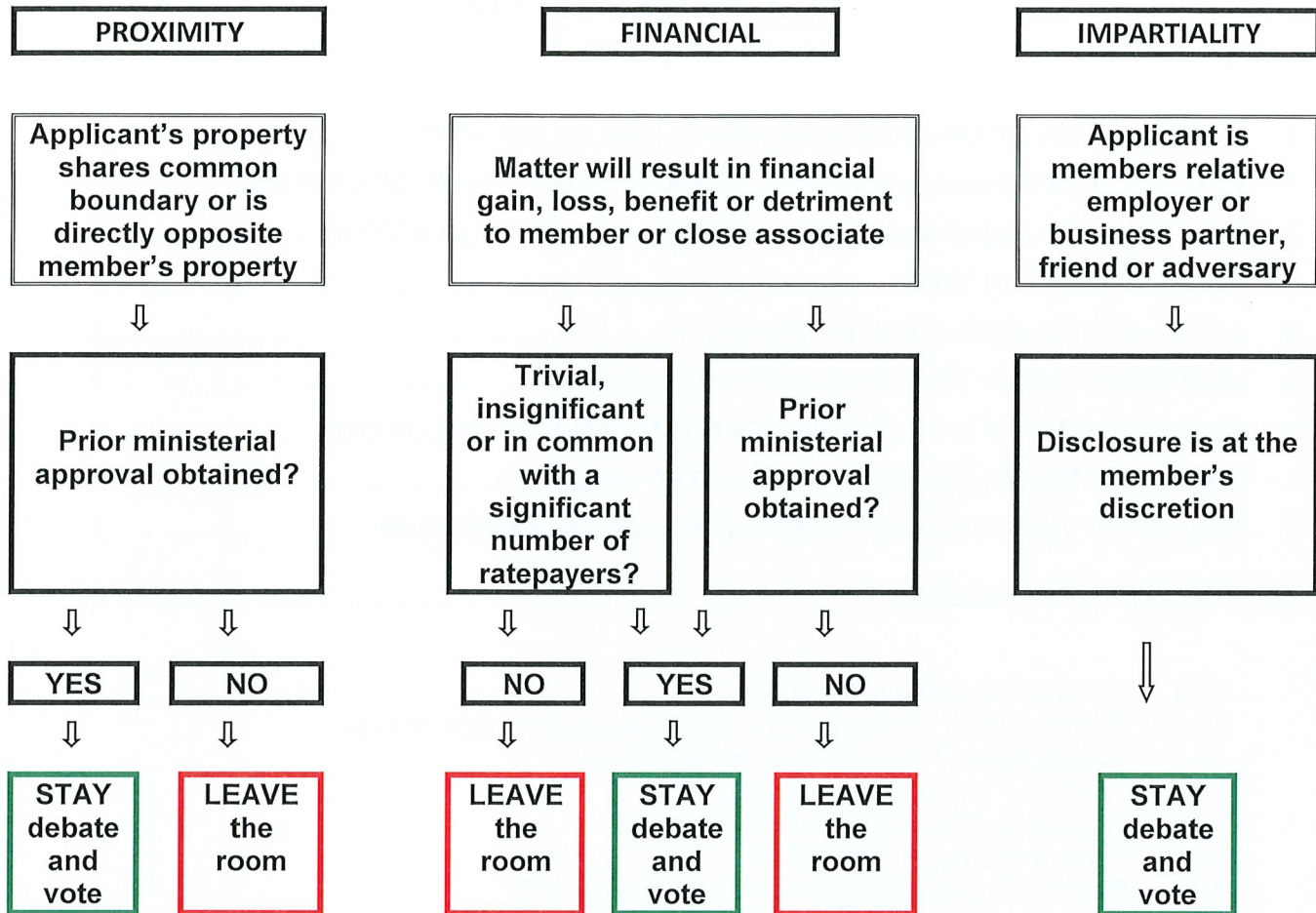
CEO

:

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 Final Adoption – Shire of Three Springs Local Heritage Survey	
10.3 Capital Works Progress Update 2022-2023	
10.4 Wildflower Country Incorporated	
10.5 Community Development Officer Update	
10.6 Fees and Charges 2023-2024	
10.7 Monthly Financial Report for Period 30 April 2023	
10.8 Accounts for Payments as at 30 April 2023	
11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	35
12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.....	35
12.1. ELECTED MEMBERS	35
12.2. STAFF	35
13. QUESTIONS BY MEMBERS WITHOUT NOTICE.....	35
14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	35
15. TIME AND DATE OF NEXT MEETING	35
16. CONFIDENTIAL ITEMS.....	35
17. MEETING CLOSURE.....	35

MINUTES

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 5.33pm

Acknowledgement of Country:-

The Shire of Three Springs acknowledges the traditional owners of this land – the Southern 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 Absence
Councillor Lane	Present		
Councillor Connaughton			Leave
Councillor Heal			Leave
Councillor Mutter	Present		
Councillor Mills	Present		
Councillor Ennor	Present		
Councillor Eva	Present		
Chief Executive Officer	Present		
Deputy Chief Executive Officer	Present		
Community Development Officer	Present		
Supervisor of Works	Present		
Executive Secretary	Present		

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

		OCM Month	Moved	Seconded	Vote	Date
5.1	Cr. Mills	June	Cr. Ennor	Cr. Eva	5/0	28.06.23

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	26.04.2023	Cr. Lane	Cr. Mutter	5/0

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The Shire President reminds Council Members and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting prior to the matter being discussed.

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activity
Cr. Lane	Saturday 15 April– Silo Event Tuesday 25 April – ANZAC Day service Wednesday 26 April – ANZAC Day service @ TSPS Wednesday 26 April – OCM Regular catch up with CEO
Cr. Connaughton	Saturday 15 April– Silo Event Wednesday 26 April – OCM
Cr. Heal	Saturday 15 April– Silo Event Wednesday 26 April – OCM
Cr. Mutter	Saturday 15 April– Silo Event Wednesday 26 April – OCM
Cr. Mills	Saturday 15 April– Silo Event
Cr. Ennor	Saturday 15 April– Silo Event Wednesday 26 April – OCM
Cr. Eva	Saturday 15 April– Silo Event Wednesday 26 April – OCM

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:	24 May 2023
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 April 2023.
2. Actions Performed under Delegated Authority for April 2023.

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 April 2023

Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	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	DLGSC WA Local Government Accounting Manual	April 2023 Report submitted to the May 2023 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.	DFES -ESL Manual of Operating Procedures	Option B Payment made 23/02/2023 – EFT18658	
Elections - Enrolment Eligibility Claims (Owners and Occupiers) Register - Prepare for Elections - Review register and take action re expired Eligibility Claims (no longer property owner / claim based on occupation or nominee expired)	Local Government Act 1995	s.4.35 Elections Regs.14 and 15 Form 6 and 7	WALGA Template Enrolment Eligibility Claims Register	Register review in progress	
Audit - Compliance Audit Return Action Plan Prepare a Compliance Audit Return Action Plan that assigns responsibility and timeframes for implementing outcomes / actions arising from the Compliance Audit Return. Provide Compliance Audit Return Action Plan to Council via Audit Committee for endorsement.	n/a	n/a	Operational Practice	N/a	
Audit - Compliance Audit Return Action Plan Prepare a Compliance Audit Return Action Plan progress report that details progress to completing outcomes / actions arising from the Audit Report. Provide Compliance Audit Return Action Plan Progress Report to Council via Audit Committee for endorsement.	n/a	n/a	Operational Practice	N/a	

Ordinary Council Meeting Minutes – 24 May 2023

Public Access to Information - Audit Check LG website, Library and LG office to ensure all information listed in s.5.94, s.5.96A and Admin. Reg.29 is publicly accessible (see s.5.96 too) and that customer service staff are trained to provide access accordingly. Audit to note limitations: s.5.95 and Admin. Regs. 29A and 29B	Local Government Act 1995	s.5.94 Admin. Reg.29 s.5.95 s.5.96 s.5.96A Admin. Regs 29A and 29B	WALGA - Governance Subscription Good Governance in Practice Resource - Public Information Access & LG Website Information Guide	Public Access to Information is up to date. ES is trained to provide access accordingly.	
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		Completed by City of Geraldton	

Execution of Delegation for April 2023

Date	File Ref	Delegation Number	Decision Detail	Applicant	Initiating Officer	1 st Auth.	2 nd Auth.	Comment
4-Apr-23	ADM0199	DS001- Appointment of Authorised Persons	Appointment of Dave Gibson Coordinator of Building Surveying to carry out pool inspections	Keith Woodward	Keith Woodward			Dave Gibson of City of Greater Geraldton to carry out pool inspections of residential pools within Three Springs
11-Apr-23	PMT ID: F30411733 7714	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	CEO	Weekly Creditor Payments totalling \$34,223.19.00 PMT ID: F304117337714
12-Apr-23	PMT ID: F30411739 7579	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO	DCEO	CEO	Fortnightly Payroll through the CBA Muni Bank \$42,376.60 PMT ID: F304117397579
13-Apr-23	PMT ID: F30413754 4836	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payments	CBA-Muni	FO	DCEO	CEO	Funds Transfer from the Maximiser Account to the muni Account for Payroll and Creditor Payments totalling \$80,000 PMT ID: F304137544836
13-Apr-23	PMT ID: F30413757 4332	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	CEO	Weekly Creditor Payments totalling \$122,106.17 PMT ID: F304137574332
20-Apr-23	PMT ID: F30420797 0917	CS002 - Payments from Municipal Fund and	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	CEO	Weekly Creditor Payments totalling \$8,993.59 PMT ID:

Ordinary Council Meeting Minutes – 24 May 2023

24-Apr-23	PMT ID: F304248150355	Trust Fund CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO	DCEO	CEO	F304207970917 Fortnightly Payroll through the CBA Muni Bank \$50,264.68 PMT ID: F304248150355
26-Apr-23	PMT ID: F304268200872	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Muni and Licensing Accounts due to large Cheque payment	CBA-Muni	FO	DCEO	CEO	Funds Transfer from the Muni Account to the Licensing Account Due to Large Cheque Deposit for Licensing deposited to Muni for Transfer Totalling \$6249.70 PMT ID: F304268200872

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:

036/2023 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.1

MOVED: Cr. Ennor
SECONDED: Cr. Mutter

That Council Accepts:

1. The Governance Compliance Calendar report for April 2023.
2. The Execution of Delegation report for April 2023.

CARRIED:
Voted: 5/0

10. REPORTS OF OFFICERS

10.2. Shire of Three Springs Local Heritage Survey	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0458
Disclosure of Interest:	Nil
Date:	24 May 2023
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Shire of Three Springs Local Heritage Survey 2023

Council Role:

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

Report Purpose:

This report presents the Shire of Three Springs Local Heritage Report 2023 and Heritage List 2023 for consideration and adoption by the Council.

The report provides background information on the statutory obligations related to the preparation of these heritage documents and outlines the public feedback received during the advertising period. During the public comment period, the Shire received five submissions, each with objections or suggestions.

The report highlights the benefits of adopting the heritage documents, including the preservation of cultural heritage, enhanced planning and development, community engagement and education, tourism and economic benefits, environmental considerations, and legal protection and funding opportunities.

Overall, the report recommends the Council's adoption of the Shire of Three Springs Local Heritage Report 2023 and Heritage List 2023 to recognize, preserve, and celebrate the community's cultural heritage and to promote sustainable development.

Background:

In accordance with the Heritage Act 2018, all local government authorities in Western Australia are mandated to create an inventory of buildings, places, and objects within their jurisdiction that are deemed, or have the potential to become culturally significant.

Previously, the draft heritage reports were reviewed by the Council during its meeting on 27 April 2022. At that meeting, the Council made a resolution to endorse the Draft Local Heritage Survey and Draft Heritage List, allowing them to be made available for public feedback. The Draft documents were then advertised for public comment from 2 May 2022 to 20 May 2022.

During the advertising period, the Shire received a total of five submissions, each with specific details and objections:

1. Submission from 106 Railway Road: The objection was raised against being included on the Heritage list.
2. Submission from CBH Silos: The objection was raised against being classified as Category 2.
3. Submission from Lot 97 Touche Street: No issue with clarification, but a correction was requested for the "Description of Place" column. The Presbytery was incorrectly listed as St. Paul's School.
4. Submission from 102 Railway Road: The preference expressed was to not be included on the Heritage list.
5. Submission from Touche Street St. Paul's School: The objection was raised against being included on the Heritage list.

After carefully considering all the public submissions, it has been determined that the classification for all of them falls under the Category "*No Constraints*" which means that there are no statutory requirements pertaining to heritage issues.

Officer's Comment:

In compliance with the Heritage Act 2018, the Shire of Three Springs undertook the task of preparing a Local Heritage List, identifying culturally significant buildings, places, and objects within its jurisdiction.

The heritage report offers several benefits, including:

1. Preservation of Cultural Heritage: The report helps identify and document buildings, places, and objects of cultural significance within a local government area. By recognizing and preserving these elements, the report contributes to safeguarding a community's cultural heritage for future generations.
2. Enhanced Planning and Development: The heritage report provides valuable information for land-use planning and development decisions. It assists local authorities in considering the heritage value of a site when assessing development proposals, ensuring that any changes or additions respect the cultural significance of the area.
3. Community Engagement and Education: The report raises awareness among the community about the historical and cultural value of their surroundings. It encourages public participation and engagement by seeking feedback during the drafting and review processes, fostering a sense of ownership and pride in local heritage.
4. Tourism and Economic Benefits: Cultural heritage sites often attract tourists and visitors, generating economic benefits for the local community. The heritage report can be used as a resource to promote tourism and heritage-based industries,

contributing to local economies and creating opportunities for cultural tourism development.

5. Environmental Considerations: The heritage report may also incorporate the environmental aspects associated with heritage sites, such as landscape features, ecological significance, and sustainability considerations. This holistic approach ensures that both cultural and environmental values are taken into account in heritage management and conservation efforts.
6. Legal Protection and Funding Opportunities: Inclusion in a Local Heritage List provides legal protection for significant sites, preventing their neglect, demolition, or unsympathetic alterations. It also opens up funding opportunities and grants for the conservation and restoration of heritage assets.

Overall, the heritage report plays a crucial role in recognizing, preserving, and celebrating a community's cultural heritage, promoting sustainable development, and fostering a sense of identity and pride among residents.

Consultation:

- Laura Gray: Heritage Intelligence (WA)
- Three Springs Community
- Shire of Three Springs Council

Statutory Environment:

The following statutory framework is applicable to the preparation, consideration and final adoption of a Local Heritage List:

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Heritage Act of Western Australia 2018
- 1996 Shire of Three Springs Municipal Heritage Inventory

When preparing a new Local Heritage List, the Shire has the following statutory obligations under clause 8, Part 3, Schedule 2 of the Regulation of the Heritage Act 2018:

- 1) The local government must establish and maintain a heritage list to identify places within the Scheme area that are of cultural heritage significance and worthy of heritage conservation.
- 2) A heritage list established under subclause (1) must set out a description of each place and the reason for its entry on the heritage list.
 - a) The local government must ensure that an up-to-date copy of the heritage list is published in accordance with clause 87.
 - b) Subclause (2a) is an ongoing publication requirement for the purposes of clause 87(5)(a).
- 3) The local government must not enter a place in, or remove a place from, the heritage list or modify the entry of a place in the heritage list unless the local government:
 - a) notifies in writing each owner and occupier of the place and provides each of them with a description of the place and the reasons for the proposed entry; and

- b) invites each owner and occupier to make submissions on the proposal within a period specified in the notice; and
 - c) carries out any other consultation the local government considers appropriate; and
 - d) following any consultation and consideration of the submissions made on the proposal resolves that the place be entered in the heritage list with or without modification or that the place be removed from the heritage list.
- 4) If the local government enters a place in the heritage list or modifies an entry of a place in the heritage list the local government must give notice of the entry or modification to:
- a) the Heritage Council of Western Australia; and
 - b) each owner and occupier of the place.

Policy Implications:

Nil.

Financial/Resources Implications:

Nil.

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
1.1.3 Develop complementary infrastructure and activities such as walk trails and heritage interpretation	Outcome 1.1 Develop tourism infrastructure and increase the length of stay.
1.1.5 Investigate and implement options for heritage opportunities	
1.4.1 Encourage, support and assist local businesses to improve the appearance and presentation of their buildings.	

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

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
1.1.5.1 Continue to maintain local heritage assets	Outcome 1.1 Develop tourism infrastructure and increase the length of stay.

Voting Requirements:

Simple majority

Officer's Recommendation:

037/2023 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.2

MOVED: Cr. Eva

SECONDED: Cr. Ennor

That Council:

Adopt the Shire of Three Springs Local Heritage Survey 2023.

CARRIED:

Voted: 5/0

10. REPORTS OF OFFICERS

Works and Services	
10.3 Capital Works Progress Update 2022-2023	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	24 May 2023
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Capital Works Report 2022-2023 Grade Map

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 April 2023.

Background:

This report provides Council with the 2022-2023 Capital Works progress update.

Officers Comment:

Refer to the attached status report.

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Purchasing Policy 1.5.

Financial/Resources Implications:

Shire of Three Springs Adopted Budget 2022-2023

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:

038/2023 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.3
<u>MOVED: Cr. Mills</u> <u>SECONDED: Cr. Lane</u> That Council accepts the Capital Works Report for April 2023. CARRIED: Voted: 5/0

10. REPORTS OF OFFICERS

Executive Services	
10.4 Community Development Officer Update	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	Chief Executive Officer
File Reference:	
Disclosure of Interest:	Nil
Date:	24 May 2023
Author:	Raman S Virdi, Community Development 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 the Community Development Report for April 2023.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Silos Grand Opening Night	The Shire of Three Springs hosted the Silos Grand Opening event on Saturday, 15 April 2023. - The event was held at the Jack Thorpe Garden, Three Springs. - The evening involved food the following: - Live Music - Food Stalls
---------------------------	--

Ordinary Council Meeting Minutes – 24 May 2023

	○ Face painting ○ Kids games ○ Stalls from local agencies ○ Screening of Top Gun: Maverick 2022 movie onto the Silos. • A total of 300 participants attended the event including ○ Hon. David Alan Templeman MLA (Minister for Culture and the Arts; Sport and Recreation; International Education; Heritage) ○ Hon. Sandra Anne Carr MLC (Member for the Agricultural Region) ○ Natalie Browning (Deputy Chair CBH Group) ○ Ken Seymour (Director at CBH Group).
Three Springs ANZAC Day Service	Three Springs ANZAC Day Service was organised by the Three Springs Returned and Services League (RSL) on Tuesday, 25 April 2023. The service was held at Three Springs Jack Thorpe Garden. The Shire assisted Three Springs RSL with road closure and a speaker system for the speeches and live music.
Three Springs Community Gym (TSCG)	The Shire has installed a new treadmill and mirrors at the TSCG.
Official Communication - Facebook page and the Shire website.	The Shire has updated its Facebook Page and website regarding ongoing activities.

Grants:

Regional Event Scheme 2023-24 (RES 2023-24)	RES 2023-24 is managed by Tourism WA. An application has been submitted to fund the 'Re-imagining Three Springs' Event in October 2023.
Stronger Communities Programme Grant – (SCP Grant Round 8)	SCP Grant – Round 8 is managed by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts. The Shire of Three Springs submitted an expression of interest and received an unsuccessful outcome to install LED community notice board on the main street, Three Springs.
Local Roads and Community Infrastructure Program – (LRCIP) Phase 4	LRCIP Grant is managed by Department of Infrastructure, Transport, Regional Development, Communications and the Arts. The Shire received a notification advising Councils will be able

Ordinary Council Meeting Minutes – 24 May 2023

	to access \$329,104.00 Phase 4 funding allocations from July, with projects to be delivered by June 2025. Ordinary Council Meeting (Wednesday, 22 March 2023), item no. 10.4 Tender 22/23-02 Three Springs Multi-Purpose Hall; the officer recommended: <i>“The Shire received notification on February 13, 2023, that The Shire of Three Springs has been granted \$329,104 under Australian Government’s Local Roads and Community Infrastructure Program Phase Four. The funds will be accessible starting from July 2023, and there are plans to re-submit the Community Netball Courts project subject to Council approval. The estimated cost for this project is approximately \$280,000”.</i>
--	--

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

Strategic Community Plan 2018 - 2028	
Council Objectives:	Outcome:
People are motivated, work together and have an increased pride and participation in the community.	3.1.6 Actively facilitate, support and participate in community events.
A well engaged and informed community that actively participates.	4.1.6 Actively facilitate, support and participate in community events.

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

Corporate Business Plan 2020 - 2024	
Scope Statement:	Project Outputs:
A prosperous, thriving and innovative local economy.	1.1 Develop tourism infrastructure and increase the length of stay.
A collaborative and forward-thinking community that is guided by strong leadership.	4.1 A well engaged and informed community that actively participates.

Voting Requirements:

Simple Majority.

Officer's Recommendation:

039/2023 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.4
<u>MOVED:</u> Cr. Mutter <u>SECONDED:</u> Cr. Eva That Council accepts the Community Development report for April 2023. CARRIED: Voted: 5/0	

10. REPORTS OF OFFICERS

Executive Services	
10.5. Wildflower Country Incorporated	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	
Disclosure of Interest:	Nil
Date:	24 May 2023
Author:	Raman S Viridi, Community Development Officer
Attachment (s):	WFC Member Letter

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:

Council to support the conclusion of the Wildflower Country Incorporated (WFC) and the termination of contract with Flash Marketing.

Background:

WFC is an association comprising of the Shires of Carnamah, City of Greater Geraldton, Coorow, Dalwallinu, Mingenew, Moora, Morawa, Mullewa, Perenjori, and Three Springs. The primary objective of WFC is to promote and initiate tourism development in the Wildflower Country region through cooperative efforts. The association's constitution was established in April 2011 and officially executed in March 2012.

Officer's Comment:

The WFC committee has been unable to form a quorum, including two attempted Annual General Meetings on December 10th, 2022, and February 16th, 2023.

Therefore, the committee could not execute its constitutional functions and it failed to appoint officers to the prescribed constitutional positions.

Please see the attached letter from WFC acting chairperson, Mia Maxfield.

Consultation:

Keith Woodward (Chief Executive Officer) and Mia Maxfield (WFC Acting Chair)

Statutory Environment:

Wildflower Country Incorporated Constitution

Policy Implications:

Shire of Three Springs Council Policy 1.21 Tourism

Financial/Resources Implications:

The council contribution of \$4,500.00 will not be required for the annual membership of the Wildflower Country Incorporated.

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
Outcome 1.1 Develop tourism infrastructure and increase length of stay	1.1.2 Participate in the "Wildflower Way" Tourist Drive

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

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
1.1.2 Participate in the "Wildflower Way" Tourist Drive	1.1.2.1 Continue involvement with Mid-West Tourism and the Regional Organisation of Councils to promote the region

Voting Requirements:

Simple Majority

Officer's Recommendation:

040/2023 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.5
<u>MOVED:</u> Cr. Lane <u>SECONDED:</u> Cr. Eva That Council endorses the following recommendation: 1. The Wildflower Country Committee be disbanded, and the associated funds be redirected to the local governments in a manner to be determined. 2. The contract with Flash Marketing should be concluded. CARRIED: Voted: 5/0	

10.6 REPORTS OF OFFICERS

Corporate Services	
10.6. Fees and Charges 2023/24	
Agenda Reference:	
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	24 May 2023
Author:	Krys East - Deputy Chief Executive Officer
Attachment (s):	Fees and Charges Schedule 2023-2024

Council Role:

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

Report Purpose:

This report presents the revised Schedule of Fees and Charges to Council for consideration.

Background:

The Local Government Act 1995 allows Councils to recoup some costs by implementing a Schedule of Fees and Charges.

Officer's Comment:

The Fees and Charges Schedule has been reviewed in consultation with staff providing relevant services to the community and ensuring appropriate levels of income are generated to the Shire whilst encouraging community usage of the Shire properties and facilities.

On 26 April 2023, Council workshopped the Draft Fees & Charges. Requested changes and amendments have been made to the Final Fees & Charges as presented.

To align with the adopted LTFF, an overall 3% increase was considered for each fee and charge that Council have authority to set.

The Fees and Charges schedule has been reviewed in comparison to previous years. Some fees and charges are to be increased, and new fees and charges are proposed for 2023/2024. Many of the presented fees and charges are similar or the same as last year's. Some have been rounded slightly to make cash handling and administration more straightforward and efficient. Others have been amended more significantly and are listed below:

New:

Postage

Postage	At cost + 10%
---------	---------------

Fines, Penalties and Infringement Notices Enforcement Regulations 1994

Schedule 2

Division 1

Fee for issuing a final demand (to be imposed when the final demand is issued)	\$ 25.30
--	----------

Fee for preparing an enforcement certificate in relation to an infringement notice — for each infringement notice (to be imposed when the infringement notice is registered)	\$ 21.50
--	----------

Fee for registering an infringement notice with the Registry (to be imposed when the notice is registered)	\$ 81.00
--	----------

Fee for issuing a notice of intention to enforce (to be imposed when a licence suspension order is made or when an enforcement warrant is issued, but not twice)	\$ 53.50
--	----------

Fee for issuing an enforcement warrant (to be imposed when the warrant is issued)	\$252.00
---	----------

Surrender of Animal

Voluntary Surrender of Dog, Cat, Puppies or Kittens	No Charge
---	-----------

Three Springs Community Hall/Pavilion

Exempt from charge for hire of facilities (including bonds)

North Midlands Project

North Midlands Health Services

Hire bond fees

Badminton, Indoor bowls and Veterinary Services No charge

Swimming Pool

10 Entrance Fees

Children/Students \$12.50

Monthly tickets

Each additional child on the family pass \$10.50

Season tickets

Each additional child on the family pass \$26.25

Gym fees – Sporting Clubs

***Club membership (per annum and one fob issued per club) \$250.00

Gym Key Bond \$100.00

*** Club membership only applies to gym use by Club on training day.

Delivery of Water (within Shire only unless approved by CEO)

Delivery subject to availability of Water Truck and Operator (Shire Works Program to take precedence)

For stock use only during summer (Three Springs Ratepayers only)

No charge

Water cost As per Water Corp rates + 25%

Water Truck plus operator and \$164.00 per hour

Delivery within 5km and No charge

Delivery in excess of 5km \$3 per km

Bus Hire

Three Springs Primary School and RSL (Bond of \$300 is still applicable)

No Charge

Significant change:

Rates

Late Payment Penalty Interest 11% ↑4%

Housing Rentals

All non-staff housing is negotiable

Gym fees

Annual Membership - Includes 16.67% Discount \$225.00

↑\$25.00

Annual Membership {Concessional **} \$112.50

↑\$12.50

6 Months Membership - Includes 12.5% Discount \$118.13

↑\$13.13

Ordinary Council Meeting Minutes – 24 May 2023

6 Months Membership {Concessional **}	\$ 59.06	↑\$ 6.56
3 Months Membership - Includes 10% Discount	\$ 60.75	↑\$ 6.75
3 Months Membership {Concessional **}	\$ 30.38	↑\$ 3.38
1 Months Membership	\$ 22.50	↑\$ 2.50
1 Months Membership {Concessional **}	\$ 11.25	↑\$ 1.25
Weekly membership	Not available	
Gym Key Bond	\$100	↑\$50.00

Refuse Charges (10% increase)

240 Litre Bin Collection	\$326.70	↑\$29.70
Additional 240 Litre Bin Collection	\$326.70	↑\$29.70
1500 Litre Bin Collection	\$1373.35	↑\$124.85
Additional 1500 Litre Bin Collection	\$1373.35	↑\$124.85
3000 Litre Bin Collection	\$2401.85	↑\$218.35
Additional 3000 Litre Bin Collection	\$2401.85	↑\$218.35
Asbestos Waste (per cubic metre – Shire of Three Springs ratepayers only)	\$350.00	↑\$140.00

Bus Hire

Commercial (charge per km), Bond	\$300	↑\$100
Community (charge per km), Bond	\$300	↑\$200

Purchase of Sand - Flat rate of:

Small Truck (approx. 5t) - per load (delivery within 5km only)	\$ 25.00
Large Truck/Semi Trailer (approx. 10t which is a half load) per load (delivery within 5km only)	\$ 50.00
Large Truck/Semi Trailer (approx. 20t full load) per load (delivery within 5km only)	\$100.00
6x4 Trailer Load (delivery within 5km only)	\$ 15.00

Purchase of Gravel - Flat rate of:

Small Truck (approx. 5t) - per load (delivery within 5km only)	\$ 50.00
Large Truck/Semi Trailer (approx. 10t which is a half load) per load (delivery within 5km only)	\$100.00
Large Truck/Semi Trailer (approx. 20t full load) per load (delivery within 5km only)	\$200.00
6x4 Trailer Load (delivery within 5km only)	\$ 30.00

Purchase of Blue Metal/Cracker Dust - Flat rate of:

Small Truck (approx. 5t) - per load (delivery within 5km only)	\$120.00
↑\$15.00	
Large Truck/Semi Trailer (approx. 10t which is a half load) per load (delivery within 5km only)	\$240.00
↑\$65.00	
Large Truck/Semi Trailer (approx. 20t full load)	\$480.00
↑\$180.00	
per load (delivery within 5km only)	
6x4 Trailer Load (delivery within 5km only)	\$ 60.00
↑\$30.00	

Delivery of Sand/Gravel/Blue Metal/Cracker Dust in excess of 5kms (within Shire only)

Small Truck (approx. 5t) per km (Plus purchase price)	\$3.00
Large Truck/Semi Trailer (approx. 10t which is a half load) per km (Plus purchase price)	\$5.00
Large Truck/Semi Trailer (approx. 20t full load) per km (Plus purchase price)	\$5.00
6x4 Trailer Load per km (Plus purchase price)	\$2.00

Generally, pricing for these charges is set below the financial cost of providing the service as there is an expected community service obligation for community/recreation services. In these instances, fees received make a minimal contribution towards the total cost of the service provision, with the balance being met from general rates revenue.

There is no requirement for advertising as the presented Fees and Charges Schedule form part of the Budget Adoption process.

Consultation:

Staff.

Statutory Environment:

Local Government Act 1995 section 6.16 allows for the setting of the Schedule of Fees & Charges.

“6.16. Imposition of fees and charges

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

** Absolute majority required.*

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

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

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

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

** Absolute majority required.*

6.17. *Setting level of fees and charges*

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*
 9. (a) *the cost to the local government of providing the service or goods; and*
 10. (b) *the importance of the service or goods to the community; and*
 11. (c) *the price at which the service or goods could be provided by an alternative provider.*
- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
 12. (a) *under section 5.96; or*
 13. (b) *under section 6.16(2)(d); or*
 14. (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
 15. (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 16. (b) *limit the amount of a fee or charge in prescribed circumstances.*

6.18. *Effect of other written laws*

- (1) *If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —*
 17. (a) *determine an amount that is inconsistent with the amount determined under the other written law; or*
 18. (b) *charge a fee or charge in addition to the amount determined by or under the other written law.*
- (2) *A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.*

6.19. *Local government to give notice of fees and charges*

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

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

Policy Implications:

Nil

Financial/Resources Implications:

The proposed interest and instalment fees as well other fees and charges will have a positive impact on the 2023/24 Budget. Revenue from fees and charges are approximately 5% of overall revenue.

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:

Absolute Majority

Officer's Recommendation:

041/2023 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.6
<u>MOVED: Cr. Ennor</u> <u>SECONDED: Cr. Mutter</u> That Council reviews the 2023/24 Schedule of Fees and Charges as attached and makes any additions, deletions or modifications as it sees fit with the final draft of the 2023/24 Schedule of Fees and Charges to be presented to Council for adoption at the same Ordinary Council meeting that Council will be adopting the Annual Budget for 2023/24 to be effective as of 1 July 2023. CARRIED: Voted: 5/0

10. REPORTS OF OFFICERS

Corporate Services	
10.7 Monthly Financial Report for Period 30 April 2023	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	24 May 2023
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 30 April 2023

Council Role:

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

Report Purpose:

That Council accepts the monthly financial report for the period ending 30 April 2023.

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:

The 2022-2023 Budget was adopted in August 2022.

Further information can be found by referring 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 and 10%. 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 April 2023 is \$4,704,252. Cash available is made up of Unrestricted cash \$2,885,092 and Restricted cash of \$1,819,160 being primarily made up of various reserves.

Rates Debtors balance as at 30 April is \$101,667. Rates Notices for 2022-23 were issued in August 2022. Rates collected as at end of April 2023 was \$2,367,792 95.88%.

April 2023:

Operating Revenue – Operating revenue of \$3,271,920 is made up of Rates – 51%, Grants - 41%, Fees and Charges - 5%, Other Revenue - 1% and Interest Earnings – 2%.

Operating Expenses – Operating expenses of \$4,560,101 is made of Depreciation - 46%, Employee Costs – 26%, Materials and Contracts – 14%, Insurance – 4%, Utilities – 4%, Loss on Disposal of Assets – 5% and Other Expenditure – 1%.

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 Corporate Business Plan 2020-2024.

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

042/2023 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.7
<u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Mills That Council accepts the monthly financial report for the period ending 30 April 2023. CARRIED: Voted:5/0	

10. REPORTS OF OFFICERS

Corporate Services	
10.8 Accounts for Payments 30 April 2023	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	24 May 2023
Author:	Donna Newton, Finance and Payroll Officer
Attachment (s):	List of creditors paid as at 30 April 2023

Council Role:

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

Report Purpose:

That Council 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 2022-2023.

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:

043/2023 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.8
<u>MOVED: Cr. Mutter</u> <u>SECONDED: Cr. Ennor</u> That Council accepts: 1. The accounts for payment as presented for <i>April</i> 2023 from the CBA Municipal Fund totalling \$217,936.43. 2. Represented by Cheque no. 11670, Electronic Fund Transfers No's 18784 – 18841 and Direct Debits 14759.1 - 14760.1, 14771.1 - 14772.1, 14775.1 - 14775.4, 14786.1, 14802.1 - 14808.1 and 14826.1. 3. Licensing Fund totalling \$29,846.40 represented by Direct Debit No. 14754.1, 14764.1 - 14767.1, 14774.1, 14779.1 - 14782.1, 14791.1, 14798.1 and 14815.1 - 14821.1. Total Payments for April 2023 \$247,782.83 CARRIED: Voted: 5/0	

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, 28 June 2023 @ 5.30pm.

17. CONFIDENTIAL ITEMS

Nil

18. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 5.52pm

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

Signed: _____



Presiding Officer

Date: 28 June 2023

