



AGENDA
ORDINARY COUNCIL MEETING
TO BE HELD ON
WEDNESDAY
24 APRIL 2024
COMMENCING AT 5.30 PM



**SHIRE OF THREE SPRINGS
ORDINARY COUNCIL MEETING NOTICE PAPER
24 APRIL 2024**

President and Councillors,

An ordinary meeting of Council is called for Wednesday, 24 April 2024, in the Council Chambers, Railway Road, Three Springs commencing at 3.30pm.

**Keith Woodward PSM
Chief Executive Officer**

18 April 2024

DISCLAIMER

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

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

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

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

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

To: Chief Executive Officer

- ☐ Ordinary Council Meeting held
on _____
- ☐ Special Council Meeting held
on _____
- ☐ Committee Meeting held on _____
- ☐ Other _____

Report No _____

Report Title _____

Name _____

☐ Elected
Member

☐ Committee

☐ Employee

☐ Contractor

Type of Interest (**see overleaf for further information*)

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

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

Name: _____ Signed: _____ Date: _____

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

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

OFFICE USE ONLY

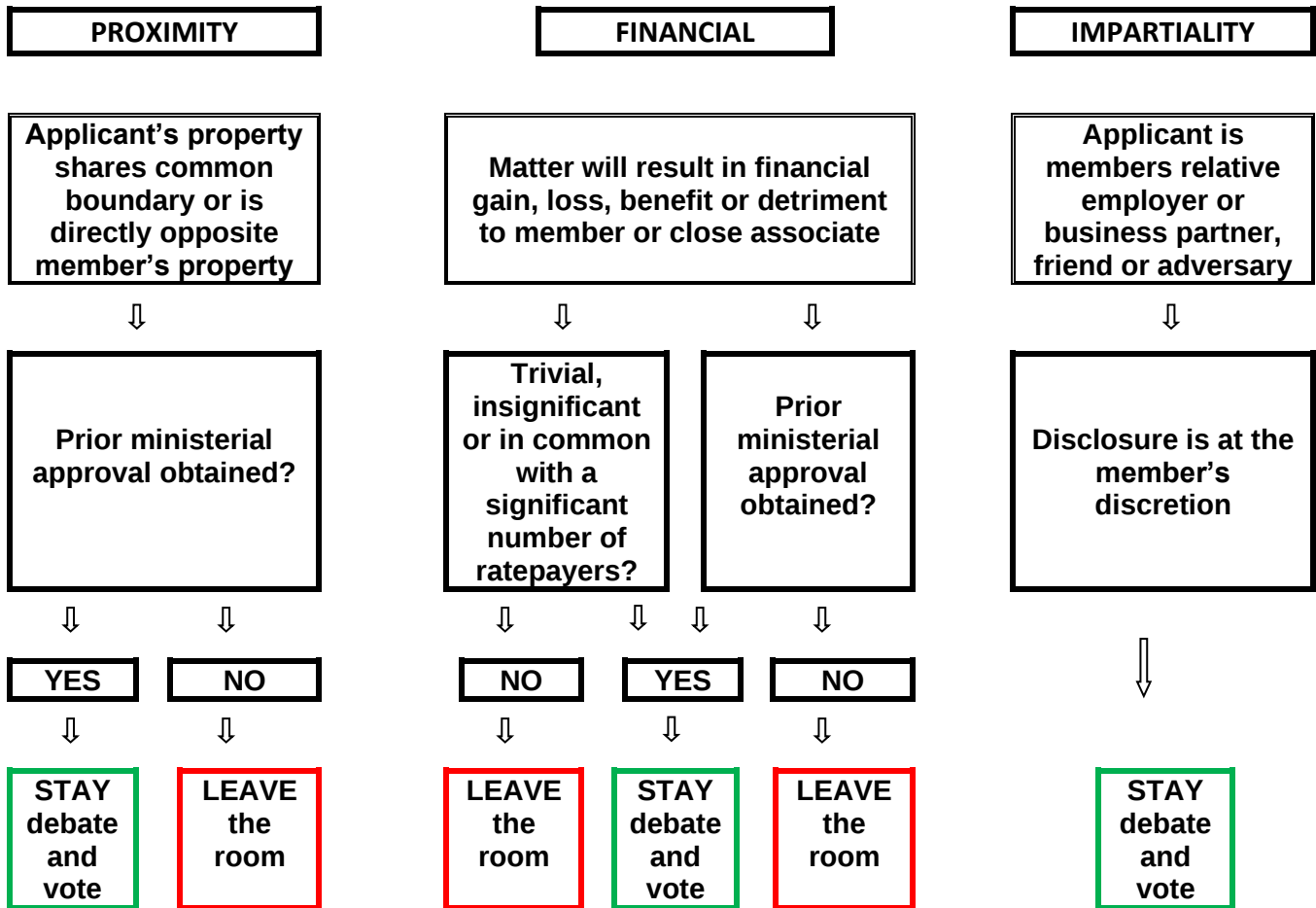
CEO

Signed:

Date:

:

Declaring an Interest



Local Government Act 1995 - Extract

5.65 - Members' interests in matters to be discussed at meetings to be disclosed.

- (1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest:
- (a) in a written notice given to the CEO before the meeting; or (b) at the meeting immediately before the matter is discussed. (Penalties apply).
- (2) It is a defence to a prosecution under this section if the member proves that he or she did not know:
- (a) that he or she had an interest in the matter; or (b) that the matter in which he or she had an interest would be discussed at the meeting.
- (3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.70 - Employees to disclose interests relating to advice or reports.

- (1) In this section: 'employee' includes a person who, under a contract for services with the local government, provides advice or a report on a matter.
- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the Council or a committee must disclose the nature of the interest when giving the advice or report.
- (3) An employee who discloses an interest under this section must, if required to do so by the Council or committee, as the case may be, disclose the extent of the interest. (Penalties apply).

5.71 - Employees to disclose interests relating to delegated functions.

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

'Local Government (Administration) Regulations 1996 – Extract

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

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

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AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at:

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			
Councillor Eva			
Councillor Heal			
Councillor Mutter			
Councillor Ennor			
Councillor Connaughton			
Councillor Mills			
Chief Executive Officer			
Deputy Chief Executive Officer			
Community Development Officer			
Executive Secretary			

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

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

6. CONFIRMATION OF PREVIOUS MEETING MINUTES

That the Minutes of the Council meeting are confirmed as true and accurate record of proceedings.					
		Date	Moved	Seconded	Vote
6.1	Ordinary Council Meeting	27.03.2024	Cr.	Cr.	

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	
Cr. Eva	
Cr. Heal	
Cr. Mutter	
Cr. Ennor	
Cr. Connaughton	
Cr. Mills	

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

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 April 2024
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 March 2024.

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 March 2024

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	March 2024 Report submitted to the March 2024 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	N/a	
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	WALGA - Governance Subscription - Guideline - Primary and Annual Returns Management DLGSC Operational Guideline No.21 Disclosure of Financial Interests in Returns	No new designated employees.	
Financial Interests Register - Review Review register to remove Primary and Annual Returns (not other interest disclosures) from the Financial Interest Register that relate to persons who are no longer Designated Employees (resigned or changed roles) or for Elected Members who have resigned. Returns that are removed are to be kept by the CEO as LG Record for at	Local Government Act 1995	s.5.88(3)(4)		Financial Interests Register is up to date.	

least 5 years after the person ceased to be a Designated Employee.					
Emergency Services Levy - Option B Payment Due by: 21 March and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures		DFES -ESL Manual of Operating Procedures	Payment made 23/02/2024 – EFT157011	
Compliance Audit Return - Report to Audit Committee Compliance Audit Return, report considered by Audit Committee, with recommendations to Council. Note - Schedule Committee / Council consideration with sufficient time to enable submission to DLGSCI by 31 March	Local Government Act 1995	s.7.13(1)(i) Audit.Reg. 13, 14 and 15		Compliance Audit Return to Council on 28 February 2024 and submitted to DLGSCI on 29 February 2024.	
Compliance Audit Return - Report to DLGSCI Compliance Audit Return certified by CEO and President / Mayor. Copy of Compliance Audit Return and Council report / minutes provided to Executive Director of DLGSCI DUE: 31 March	Local Government Act 1995	s.7.13(1)(i) Audit.Reg. 13, 14 and 15		Compliance Audit Return certified by CEO and President and submitted to DLGSCI on 29 February 2024.	
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		Carried out by the City of Greater Geraldton.	

Execution of Delegation March 2024

Date	File Ref	Delegation Number	Decision Detail	Applicant	Initiating Officer	1 st Auth.	2 nd Auth.	Comment
7-Mar-24	PMT ID: F4030778 01647	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payments	CBA-Muni	AFO	DCEO	CEO	Funds Transfer from the Maximiser Account to the muni Account for Payroll Payments totalling \$100,000.00 PMT ID: F403077801647
7-Mar-24	PMT ID:	CS002 -	Weekly	CBA-Muni	AFO	DCEO	CEO	Weekly Creditor

	F4030778 02913	Payments from Municipal Fund and Trust Fund	Creditor Payments					Payments totalling \$83,673.73 PMT ID: F403077802913
12-Mar-24	PMT ID: F4031279 85210	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payroll	CBA-Muni	FO	DCEO	CEO	Funds Transfer from the Maximiser Account to the muni Account for Payroll Payments totalling \$50,000.00 PMT ID: F403127985210
12-Mar-24	PMT ID: F4031280 41681	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 \$52,367.73 PMT ID: F403128041681
18-Mar-24	PMT ID: F4031884 02556	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	CEO	Weekly Creditor Payments totalling \$58398.91 PMT ID: F403188402556
18-Mar-24	PMT ID: F4031884 13222	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payroll	CBA-Muni	AFO	DCEO	CEO	Funds Transfer from the Maximiser Account to the muni Account for Payroll Payments totalling \$40,000.00 PMT ID: F403188413222
19-Mar-24	PMT ID: F4031984 92760	CS002 - Payments from Municipal Fund and Trust Fund	One Off Pay Run Payroll Through CBA Muni	CBA-Muni	FO	DCEO	CEO	Fortnightly Payroll through the CBA Muni Bank \$30,462.37 PMT ID: F403198492760
22-Mar-24	PMT ID: F4032287 59641	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$200,672.06 PMT ID: F403228759641
26-Mar-24	PMT ID: F4032689 36785	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payroll	CBA-Muni	AFO	DCEO	CEO	Funds Transfer from the Maximiser Account to the muni Account for Payroll Payments totalling \$60,000.00 PMT ID: F403268936785

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:

OFFICER'S RECOMMENDATION:	10.1
That Council Accepts: 1. The Governance Compliance Calendar report for March 2024. 2. The Execution of Delegation report for March 2024.	

10. REPORTS OF OFFICERS

Executive Services

10.2. Environmental Health Services

Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0220
Disclosure of Interest:	Nil
Date:	24 April 2024
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Draft Memorandum of Understanding

Council Role:

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

Report Purpose:

The purpose of this report is to seek the Council's approval to enter into a Memorandum of Understanding (MOU) with the Shire of Irwin for the provision of environmental health services.

Background:

The Shire of Three Springs Environmental Health Contractor will be concluding their service in June 2024.

Officer's Comment:

The proposed MOU outlines the framework for collaboration between our local government and the Shire of Irwin. This partnership aims to leverage the local governments expertise and resources, ensuring our community benefits from environmental health services. The MOU sets out the roles and responsibilities of each party, the scope of services to be provided, and the mechanisms for funding.

The MOU would take effect on 1 July 2024, with its terms and conditions are to be reviewed annually. However, there isn't a specified end date in the MOU terms and conditions. This implies an ongoing arrangement that continues until either party decides to terminate it, with the provision that any termination must be communicated in writing to the respective Chief Executive Officer.

This arrangement allows for flexibility and ensures that the MOU remains relevant and adapts to any changes in circumstances, legislative requirements, or needs of either party over time. The annual review is an opportunity to assess the effectiveness of the MOU, make necessary adjustments, or renew the agreement for another term based on the mutual satisfaction of both parties.

The key responsibilities of local government Environmental Health Officer (EHO) are:

- Food Safety:
Registration of food businesses, routine inspections, investigations, food sampling programs and food safety education.
- Hazardous materials:
Asbestos and contaminated sites.
- Housing and accommodation:
Caravan parks and camping grounds, lodging houses, houses unfit for habitation.
- Pest and vector control:
Mosquito management, complaints relating to insects and vermin.
- Pollution control:
Air quality, mould, and other pollution.
- Safe water:
Monitoring of drinking water in areas not connected to scheme water, recreational water quality and public swimming pool water quality.
- Wastewater:
Approval of on-site treatment of wastewater and greywater.
- Public Buildings and Events:
Issuing public building certificates for venues where the public gathers, issuing event approvals, and routine inspections of events and public buildings.
- Trading in Public Places:
Regulation of mobile businesses.

Consultation:

Shire of Irwin

Statutory Environment:

The health legislation affecting local government in Western Australia is primarily governed by the Public Health Act 2016. This Act provides a modern legislative framework for the regulation of public health. It aims to promote public health and well-being, prevent disease, injury, disability, and premature death, and reduce health inequalities among communities. The Act places a legal duty on individuals and entities to conduct their activities in a way that does not harm others' health, emphasising a community-wide responsibility for public health.

Building Act 2011

Food Act 2008

Public Health Act 2016

Local Government Act 1995

Policy Implications:

Nil

Financial/Resources Implications:

Based on the MOU terms and conditions these costs apply:

1. Hourly Rate for Services:

The Shire will charge an hourly rate of \$90 (+GST) for the provision of services. This charge applies to the time spent delivering the services, including time spent in meetings and handling general public inquiries when on-site.

2. Minimum Charge for Phone or Email Communication:

For any services related to specific applications or general inquiries handled via phone or email, the time will be documented and charged at the applicable rate of \$90 per hour (+GST), with a minimum charge of \$10 (+GST).

3. Travel Costs:

- Vehicle Use:

Travel will be conducted using a vehicle provided by Irwin, with costs charged according to the ATO's cents per kilometre method. This charge will be proportional if services are provided to multiple local governments within the same trip.

- Travel Time:

Irwin's travel time to and from the Shire of Three Springs will be charged at the same hourly rate of \$90 (+GST), again proportionally adjusted if the travel benefits multiple local governments.

4. Accommodation and Meals:

When on-site visits require overnight stays, the Shire of Three Springs is responsible for arranging and covering the costs of accommodation and meals

for the EHO. If services are provided to multiple local governments during the same trip, these costs will be proportionally charged.

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:

OFFICER'S RECOMMENDATION:	10.2
It is recommended that the Council: 1. Approves entering into a Memorandum of Understanding with the Shire of Irwin for the provision of environmental health services.	

10. REPORTS OF OFFICERS

Executive Services	
10.3 Appointment of Bush Fire Control Officers	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0146
Disclosure of Interest:	Nil
Date:	24 April 2024
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Minutes of the meeting of the Advisory Committee held Wednesday 20 March 2024.

Council Role:

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

Report Purpose:

That Council considers appointing persons to the positions of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Captain Bush Fire Control Officer associated Shire of Three Springs Volunteer Bush Fire Brigade.

Background:

At the Three Springs Bush Fire Brigade Advisory Committee meeting on the 20 March 2024 the following matter was *carried*:

5. ADVISORY COMMITTEE MATTERS

- *Elections for VBFB positions;*

CBFCO – Craig Morgan

DCBFCO – Ash Bone

Fire Weather Officer – No Nominations – Position vacant

CBFCO – Craig Morgan and Ash Bone both received nominations for the role, committee agreed for Craig Morgan to remain in the position for 12 months and provide Ash Bone guidance to look to take over the position next year.

*Moved: Jim Heal Seconded: Adam Thomas **Carried***

Captains of brigades to remain in current positions

*Arrino Captain – Ash Bone
Three Springs Town – Rod Ennor
Three Springs West – Jim Heal
Three Springs East – Christian Hausler*

- *Agreed for DBCA to be added to Three Springs VBFB WhatsApp group*
- *Agreed for bordering Shire's CBFCO/CESM to be added to group Three Springs group chat.*

Officer's Comment:

In accordance with the *Bush Fire Act 1954*, Section 38(1), the local government must appoint individuals to be Bush Fire Control Officers.

These appointments are statutory appointments under the provisions of the *Bush Fire Act 1954* and are typical.

Consultation:

Shire of Three Springs Bush Fire Brigades.

Statutory Environment:

The *Bush Fires Act 1954*, Part IV, Division 1, Section 38.

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

Strategic Community Plan 2018 - 2028	
Council Objectives:	Outcome:
People are motivated, work together and have an increased pride and participation in the community.	Maintain and improve the provision of emergency services. Support and acknowledge volunteers Continue to support community organisations.

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:

OFFICERS RECOMMENDATION:	10.3
That Council appoint the following persons to the positions of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Bush Fire Control Officer: Shire of Three Springs Volunteer Bush Fire Brigade: 1. Craig Morgan to the position of Chief Bush Fire Control Officer 2. Ash Bone to the position of Deputy Chief Bush Fire Control Officer Town Brigade: 3. Rod Ennor to the position of Captain Bush Fire Control Officer East Brigade: 4. Christian Haeusler to the position of Captain Bush Fire Control Officer Arrino Brigade: 5. Ash Bone to the position of Captain Bush Fire Control Officer West Brigade: 6. Jim Heal to the position of Captain Bush Fire Control Officer 7.	

10. REPORTS OF OFFICERS

Executive Services	
10.4 Three Springs Disability Access and Inclusion Plan 2024-28	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	Chief Executive Officer
File Reference:	
Disclosure of Interest:	Nil
Date:	24 April 2024
Author:	Raman S Virdi, Community Development Officer
Attachment (s):	Three Springs Disability Access and Inclusion Plan 2024-28

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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- ☐ 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:

For Council to adopt the Three Springs Disability Access and Inclusion Plan 2024-2028.

Background:

In accordance with the Western Australian Disability Services Act 1993 (amended 2004), Local Governments are required to review and amend their Disability Access & Inclusion Plan's (DAIP) annually with a complete revision required every five (5) years upon the end of plans stated functional period.

The DAIP serves as a structured framework for executing initiatives and programs aimed at ensuring that individuals with disabilities receive the same opportunities as others when it comes to accessing services, facilities, and information.

Officer's Comment:

The Three Springs DAIP 2024-2028 has been developed in accordance with the Disability Services Act 1993. The Shire acknowledges the input received from community members and groups within the community, which has been invaluable in preparation of the Three Springs DAIP 2024-2028.

Consultation:

Three Springs Community
Shire of Three Springs Staff

Statutory Environment:

Disability Services Act 1993 – Section 28 Disability access and inclusion plans

- 1) Each public authority must have a disability access and inclusion plan to ensure that in so far as its functions involve dealings with the general public, the performance of those functions furthers the principles in Schedule 1 and meets the objectives in Schedule 2.
- 2) A disability access and inclusion plan must meet any prescribed standards.
- 3) A public authority must lodge its disability access and inclusion plan with the Commission
 - a. if the authority was established before the commencement of the Disability Services Amendment Act 2004, without delay;
 - b. if the authority is established after the commencement of the Disability Services Amendment Act 2004, within 12 months after the day on which it is established.
- 4) A public authority may amend its disability access and inclusion plan at any time.
- 5) A public authority may review its disability access and inclusion plan at any time.
- 6) After reviewing its disability access and inclusion plan, a public authority must lodge a report of the review with the Commission in accordance with subsection (7).
- 7) Not more than 5 years is to elapse —
 - a. between the day on which a public authority first lodges its disability access and inclusion plan with the Commission and the day it lodges a report of a review of the plan with the Commission; or
 - b. between the lodgement of the report of one review of a plan and the lodgement of the report of another review of the plan.
- 8) After reviewing its disability access and inclusion plan, a public authority may amend the plan or prepare a new plan.
- 9) If at any time a public authority amends its disability access and inclusion plan or prepares a new plan, whether after a review or not, it must lodge the amended or new plan with the Commission as soon as practicable after doing so.
- 10) A public authority must undertake public consultation in accordance with the procedure specified in the regulations when preparing, reviewing, or amending a disability access and inclusion plan.

Policy Implications:

Access and Inclusion Policy Statement – Three Springs DAIP 2024-2028

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:
Three Springs is recognized as an Age-Friendly community	3.3.2 Review and update Disability Access and Inclusion Plan

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

Corporate Business Plan 2020 - 2024	
Scope Statement:	Project Outputs:
A healthy, cohesive and safe community	3.3 Three Springs is recognized as an Age-Friendly community

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.4
1. That Council adopt the Three Springs Disability Access and Inclusion Plan 2024-2028, in accordance with the Disability Services Act 1993.	

10. REPORTS OF OFFICERS

Executive Services	
10.5 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 April 2024
Author:	Raman S Virdi, Community Development Officer
Attachment (s):	Grants Since 2019

Council Role:

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

Report Purpose:

That Council accepts the Community Development Report for March 2024.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Storytowns – Audio Travel Guides	The Storytowns is an Australian based company, specialise in creating geo-located audio travel guides. The Storytowns offer the following audio travel guides: • Townscapes (approx. 6-8 mins introduction to a town) • Bespoke tours (3-5 mins, opportunity to highlight a topic important to your area)
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	- Walking tours (combination of min. 6 bespoke tours) - Road Signs (1-2 mins highlight pointing out a feature or encouraging a detour to your area) The Regional Development Australia Mid West Gascoyne is financially supporting the audio travel guides for Shires located in the Midwest Region. The Shire of Three Springs is currently engaging Storytowns to develop tailored audio content designed to encourage travellers to stop, stay, spend, and explore our area, enhancing local tourism and economic growth.
Shire Grants	The Shire of Three Springs applied for various grant programs since 2019. Please see the attachment <i>Grants Since 2019</i> for detailed information regarding funds raised through grants.
Three Springs Community LED Noticeboard (TSCLN)	The Shire of Three Springs displayed the following community notices on the TSCLN. 1. Microchipping and Desexing Vouchers advert 2. Fire Weather Warnings 3. Total Fire Ban Declarations 4. Wildflower Show and Art Exhibition Meeting 5. Three Springs Hockey Club advert
Official Communication - Facebook page and the Shire website.	The Shire has updated its Facebook Page and website about ongoing activities.

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	3.1.6 Actively facilitate, support and

have an increased pride and participation in the community.	participate in community events.
A well engaged and informed community that actively participates.	4.1.6 Actively facilitate, support and participate in community events. 4.1.5 Support and acknowledge volunteers

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:

OFFICER'S RECOMMENDATION:	10.5
That Council accepts the Community Development report for March 2024.	

10. REPORTS OF OFFICERS

Corporate Services	
10.6. Elected Members' Fees and Allowances For 2024-2025	
Agenda Reference:	ADM0206
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	24 April 2024
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Link to Salary and Wages Tribunal – 5 April 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:

Council to consider and set the member sitting fees and allowances for the 2024/25 financial year, within the range determined by the Salaries and Allowances Tribunal (SAT).

Background:

The Local Government Act 1995 and Local Government (Administration) Regulations 1996 give an entitlement to elected members of a sitting fee for attending Council and Committee meetings. SAT made slight increases to allowance rates/ranges from the previous determination applicable to Three Springs Council on 5 April 2024, effective from 1 July 2024. The Shire of Three Springs does have the capacity within its current band to increase sitting fees.

Officer's Comment:

SAT determines the range of payments and allowances within which local governments set the actual amount. The Shire of Three Springs is a Band 4 Council. All figures presented within this item apply to Band 4.

Meeting attendance fees and Annual allowance for Presidents and Deputy Presidents

The Shire of Three Spring's Policy 2.11 states:

"1.1 Presidents Allowance

The President shall be entitled to an annual Local Government allowance equal to the maximum amount permitted to be paid to the President as determined by the Salaries and Allowances Tribunal.

1.2 Deputy President Allowance

The President shall be entitled to an annual Local Government allowance equivalent to 25% of the President Allowance.

1.3 Meeting Attendance Allowance

The President and Council members shall be entitled to an annual meeting attendance allowance equal to the maximum amount permitted to be paid as determined by the Salaries and Allowances Tribunal."

All state "shall be entitled", therefore Council are required to set the Allowance amounts.

The following table shows the change in Allowances over the four preceding years.

Item	2020/21	2021/22	2022/23	2023/24
President's Allowance per annum	\$7,500	\$15,000	\$15,000	\$15,000
Deputy President's Allowance per annum	\$1,875	\$3,750	\$3,750	\$3,750
Council Meeting – President per meeting	\$200	\$400	\$400	\$400
Council Meeting – Councillor per meeting	\$100	\$200	\$200	\$200
Committee & Prescribed Meeting – All – per meeting	\$100	\$115	\$115	\$115

The following table shows the fees and allowances set in the preceding year (2023/24), the SAT Ranges effective from 1 July 2024 and the SAT Range median for each fee and allowance.

Item	Previous Year (2023/24) Adopted fees and allowances	SAT Range from 1 July 2024	Median \$ of SAT Range
President's Allowance per annum	\$15,000	\$556 - \$21,710	\$11,133
Deputy President's Allowance per annum	\$3,750	\$139 – \$5,427.50	\$2,783
Council Meeting – President per meeting	\$400	\$99 - \$530	\$315
Council Meeting – Councillor per meeting	\$200	\$99 - \$260	\$180
Committee Meeting – All – per meeting	\$115	\$52 - \$130	\$91

There is the option for Councillors to be paid an Annual attendance fee instead of meeting fees.

The SAT range for the Annual Attendance fees are:

	Councillor		President	
	Minimum	Maximum	Minimum	Maximum
Band 4	\$3,884	\$10,286	\$3,884	\$21,138

If Council determines to pay the Annual Attendance Fee, a Councillor who only attends the minimum required number of meetings may be paid the same as a Councillor who attends all meetings, including Committee meetings.

Annual allowances in lieu of reimbursement of expenses - ICT

As per the SAT determination of 5 April 2024, ICT expenses (Information & Communication Technology) means:

1. *rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; or*
2. *any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations; or*
3. *any expenses, including the purchase costs, of ICT hardware provided to elected members.*

”

Council Policy states:

“1.4 Telecommunications Allowance

Council members shall be entitled to an annual telecommunications allowance equal to 60% of the maximum amount permitted to be paid as determined by the Salaries and Allowances Tribunal to cover all information and communications technology costs that are a kind of expense for which Council members may be reimbursed as prescribed by Regulations 31(1)(a) and 32(1) of the Local Government (Administration) Regulations 1996.”

In 2023/24, the Shire of Three Springs ICT annual allowance was \$2,100.

SAT has determined that the minimum annual allowance for ICT expenses is \$500 and the maximum annual allowance is \$3,500. Adhering to the Policy, the recommendation for ICT annual allowance for 2024/25 remains at \$2,100.

Annual allowances in lieu of reimbursement of expenses – Travel and Accommodation

SAT has set an annual allowance for travel and accommodation expenses at \$100. Council Policy provides for reimbursing of these expenses, so an Annual allowance is not applicable following policy.

Reimbursement for travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained in Section 30.6 of the Local Government Officers’ (Western Australia) Award 2021 (Award) as at the date of this determination (5 April 2024) as per determination 8.2 (5)

The following are the rates stated in the Award:

30.6 Rates of hire for use of an Officer's own motor vehicle on official business shall be as follows: Engine displacement (in cubic centimetres)			
Area and Details	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
Cents per kilometre			
Metropolitan area	93.97	67.72	55.85
South West Land Division	95.54	68.66	56.69
North of 23.5 Latitude	103.52	74.12	61.21
Rest of state	99.01	70.87	58.37
Motor cycle	Rate c/km		
Distance travelled	32.55		

- Motor vehicles with rotary engines are to be included in the 1600 – 2600 category.
- Metropolitan area means that area within a radius of 50 kilometres from the Perth Railway Station.
- South West Land Division means the South West Land Division as defined by Section 28 of the Land Act.
- Other areas means that area of the State south of 23.5 degrees South Latitude, north of 23.5 degrees South Latitude, excluding the Metropolitan area and the South West Land Division.

Consultation:

Keith Woodward – CEO

Statutory Environment:

Salaries and Allowances Tribunal Determination 05 April 2024

Sections 5.98 – 5.100 of the Local Government Act 1995

Regulation 30 of the Local Government (Administration) Regulations 1996

Section 30.6 of the Local Government Officers' (Western Australia) Award 2021

Policy Implications:

Adherence to Policy 2.11

Financial/Resources Implications:

Council sitting fees, travel reimbursement, ICT allowance and President's/Deputy President's allowances will be included in the 2024/25 budget at the endorsed levels.

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:

Foundation 4: Civic Leadership ➤ A well engaged and informed community that actively participates ➤ A long term strategically focused Shire that is efficient, respected and accountable ➤ Continue to provide quality local government services and facilities ➤ Improved long term planning and strategic management ➤ Working in partnership with all community, government and corporate stakeholders To be strong advocates representing the community's interest	A Collaborative and forward thinking community that is guided by strong leadership
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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.

OFFICERS RECOMMENDATION:	10.6				
That Council adopts: Elected Members' Fees and Allowances for 2024-2025. - Pursuant to section 5.99 of the <i>Local Government Act 1995</i> and regulation 34 of the <i>Local Government (Administration) Regulations 1996</i>, council adopts the following fees for payment of elected members individual meeting attendance fees: <table> <tr> <td>President</td> <td>\$_____ per meeting</td> </tr> <tr> <td>Councillors</td> <td>\$_____ per meeting</td> </tr> </table> - Pursuant to section 5.98(2) (b) and (2a) (b) of the <i>Local Government Act 1995</i> and regulation 30 (3A) of the <i>Local Government (Administration) Regulations 1996</i>, council adopts the following fees for payment of elected members Prescribed meeting attendance fees:		President	\$_____ per meeting	Councillors	\$_____ per meeting
President	\$_____ per meeting				
Councillors	\$_____ per meeting				

Elected Members

\$____ per meeting

3. Pursuant to section 5.98(5) of the *Local Government Act 1995* and regulation 33 of the *Local Government (Administration) Regulations 1996*, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

President

\$_____ PA

Deputy President

\$_____ PA

4. Pursuant to section 5.99(A) of the *Local Government Act 1995*, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

ICT Allowance

\$2,100 PA

10. REPORTS OF OFFICERS

Corporate Services	
10.7 Monthly Financial Report for Periods 31 March 2024	
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 April 2024
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 31 March 2024

Council Role:

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

Report Purpose:

That Council accepts the monthly financial report for the period ending 31 March 2024.

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 2023-2024 Budget was adopted in August 2023.

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*
- (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 as at 31 March 2024 is \$6,068,515. Cash available is made up of Unrestricted cash \$3,916,912 and Restricted cash of \$2,151,603 being primarily made up of various reserves.

Rates Debtors balance as at 31 March 2024 is \$280,143. Rates Notices for 2023-24 were issued on the 28th August 2023. The rates collected as at end of March 2024 was \$2,580,193 – 90.21%

March 2024:

Operating Revenue – Operating revenue of \$3,433,882 is made up of Rates – 43%, Grants - 51%, Fees and Charges - 4%, Other Revenue - 1% and Interest Earnings – 1%.

Operating Expenses – Operating expenses of \$4,795,497 is made of Depreciation - 40%, Employee Costs – 32%, Materials and Contracts – 18%, Insurance – 4%, Utilities – 5%, Loss on Disposal of Assets – 0% 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:

OFFICER'S RECOMMENDATION:	10.7
That Council accepts the monthly financial reports for the periods ending 31 March 2024.	

10. REPORTS OF OFFICERS

Corporate Services	
10.8 Accounts for Payments 31 March 2024	
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 April 2024
Author:	Jelena Brown, Assistant Finance Officer
Attachment (s):	List of creditors paid as at 31 March 2024

Council Role:

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

Report Purpose:

That Council 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:

OFFICER'S RECOMMENDATION:	10.8
That Council accepts: 1. The accounts for payment as presented for <i>March</i> 2024 from the CBA Municipal Fund totalling \$404,165.19. 2. Represented by Cheque 11679 and Electronic Fund Transfers No's 19638 - 19703 and Direct Debits 15710.1, 15731.1 – 15736.1, 15742.1, 15753.1, 15765.1 – 15775.6, 15777.1 – 15778.1. 3. Licensing Fund totalling \$9,574.10 represented by Direct Debit No. 15706.1 – 15707.1, 15720.1 – 15721.1, 15741.1, 15743.1 – 15746.1, 15758.1, 15776.1 and 15783.1. Total Payments for March 2024 \$413,739.29.	

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

- 12.1. Elected Members
- 12.2. Staff

13. QUESTIONS BY MEMBERS WITHOUT NOTICE

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

15. TIME AND DATE OF NEXT MEETING

The Next Ordinary Council Meeting will be held on Wednesday, 22 May 2024 @ 5.30pm.

16. CONFIDENTIAL ITEMS

17. MEETING CLOSURE

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

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

Signed: _____
Presiding Officer

Date: 22 May 2024