



MINUTES
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY
26 OCTOBER 2022
COMMENCING AT 5 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

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

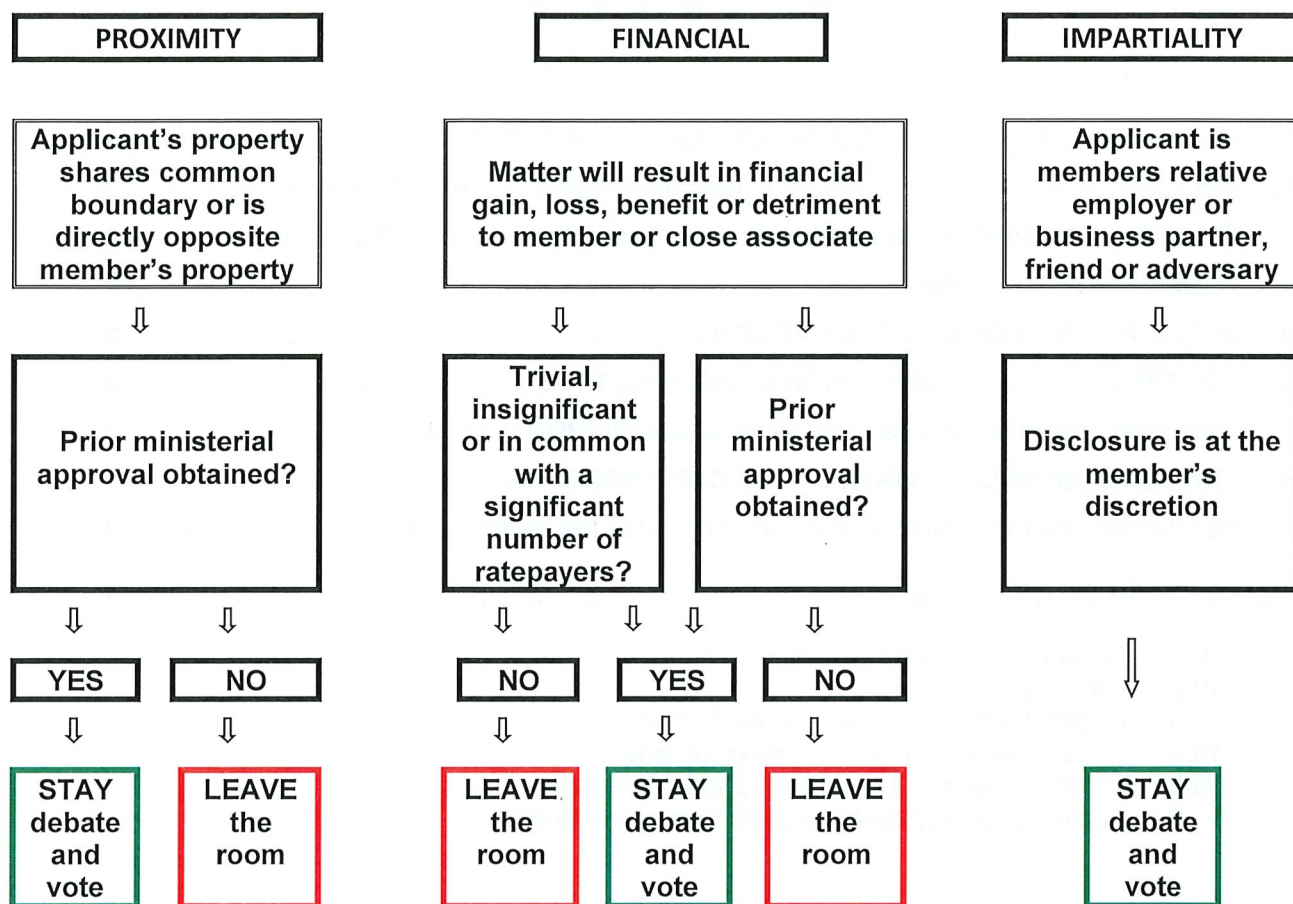
CEO

:

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: 5.00pm

Acknowledgement of Country:-

The Shire of Three Springs acknowledges the traditional owners of this land – the Yamatji people, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to elders both past, present and emerging.

2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

	Attendance	Apologies	Approved Leave of Absence
Councillor Lane	Present		
Councillor Connaughton	Present		
Councillor Heal			Approved Leave
Councillor Mutter	Present		
Councillor Mills			Approved Leave
Councillor Ennor	Present		
Councillor Eva	Present		
Chief Executive Officer			Approved Leave
Acting Chief Executive Officer	Present		
Acting Manager of Works	Present		
Executive Secretary	Present		
Community Development Officer	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.Connaughton	November & December	Cr.Eva Cr. Lane	Cr.Ennor Cr. Mutter	5/0	26.10.22
5.2	Cr.Mutter	November	Cr.Eva	Cr.Ennor	5/0	26.10.22
5.3	Cr.		Cr.	Cr.		

6. CONFIRMATION OF PREVIOUS MEETING MINUTES

That the Minutes of the Council meeting are confirmed as true and accurate record of proceedings.

	Date	Moved	Seconded	Vote
6.1 OCM	28/09/2022	Cr. Lane	Cr. Ennor	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	16 Sept – Clean up Australia Day with TSPS 28 Sept – OCM Weekly meeting with CEO
Cr. Connaughton	
Cr. Heal	28 Sept – OCM
Cr. Mutter	
Cr. Mills	28 Sept – OCM
Cr. Ennor	28 Sept – OCM
Cr. Eva	28 Sept – 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:	26 October 2022
Author:	Krys East, Acting Chief Executive Officer
Attachment (s):	Nil

Council Role:

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

Report Purpose:

That Council Accepts:

1. The Governance Compliance Calendar report for September 2022.
2. Actions Performed under Delegated Authority for September 2022.

Background:

Local Governments are required to fulfil duties and functions prescribed in legislation.

This expectation is prescribed in the *Local Government Act 1995* through the Office of the CEO.

Officer's Comment:

Compliance Table for September 2022

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	August 2022 reports were submitted to the September 2022 OCM. Minutes reference	
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 least 5 years after the person ceased to be a Designated Employee.	Local Government Act 1995	s.5.88(3)(4)		Financial Interests Register is up to date	
Emergency Services Levy - Option B Payment Due Due by: 21 of the month and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures		DFES - ESL Manual of Operating Procedures	Submitted Form A to DFES 22.8.22 - OCR225032	
Elections - Candidate Information Session Coordinate and promote a candidate information session - consider participation in WALGA Webinars.	n/a	n/a	WALGA Webinar Prospective Elected Members	Next LG Elections 2023	

Elections - Statewide Public Notice Call for Nominations - no later than 45th day before Election Day	Local Government Act 1995	s.4.47(1)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Next LG Elections 2023	
Elections - Nominations Open -(44th day before Election Day) First day for candidates to lodge completed nomination papers with the returning officer. Nominations are open for eight days	Local Government Act 1995	s.4.49(a)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Next LG Elections 2023	
Elections - Nominations Close at 4pm on (37th day before Election Day)	Local Government Act 1995	s.4.49(a)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Next LG Elections 2023	
Elections - Declarations of Office for new Elected Members <u>elected unopposed</u> (due 2 months from declaration of result - close of nominations 37th day before Election Day)	Local Government Act 1995	s.2.29 (s.2.32(c))	DLGSC Elections Timetable DLGSC Returning Officer Manual	Next LG Elections 2023	
Elections - Candidate / Donor Gift Disclosures - CEO written advice to Candidates of Elections Gift Disclosure obligations.	Local Government Act 1995	s.4.59 Elections Regs Part 5A Form 9A		Next LG Elections 2023	
Elections - Residents Roll to be prepared by Electoral Commissioner and forwarded to CEO - Due by 36th day before Election Day	Local Government Act 1995	s.4.40(2)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Next LG Elections 2023	
Elections - Owners and Occupiers Roll to be prepared and certified by CEO Due by 36th day before Election Day	Local Government Act 1995	s.4.41(1)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Next LG Elections 2023	
Elections - Statewide Public Notice of Election Day by Returning Officer - between 36th and 19th day before Election Day	Local Government Act 1995	s.4.64(1)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Next LG Elections 2023	
Elections - Consolidated Roll (Resident / Owners and Occupiers) at Returning Officer's discretion, to be completed by (22nd day before Election Day)	Local Government Act 1995	s.4.38(1) Elections Reg.18	DLGSC Elections Timetable DLGSC Returning Officer Manual	Next LG Elections 2023	
Elections - Supply of Rolls - CEO to provide Returning Officer with sufficient rolls and copies to be provided free of charge to candidates and Elected Members who ask	Local Government Act 1995	s.4.42		Next LG Elections 2023	
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 Geraldton	

Report on Waste Plan - Perth, Peel and major regional centre LGs must submit report on the implementation of their waste plan, including any or all of matters in s.44(2) required by the CEO. First due: 1 October 2021, then annually by 1 October	Waste Avoidance and Resource Recovery Act 2007	s.44		Report completed and accepted by the Dept of Water & Env Reg on 11.08.22. – ICR2217884	
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Execution of Delegation for September 2022

Date	File Ref	Delegation Number	Decision Detail	Applicant	Initiating Officer	1 st Auth.	2 nd Auth.	Comment
05-Sep-22	PMT ID: F209054813956	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer from Municipal Account to Maxi Account Due To Excess Funds	CBA-Muni	CSO2	CSO2	Deputy CEO	Funds Transfer from Municipal Account to Maxi Account Due To Excess Funds for the amount of \$620,000.00 PMT ID: F209054813956
08-Sep-22	PMT ID: F209085058864	CS002 - Payments from Municipal Fund and Trust Fund	Transfer from Maxi to Muni for Creditor payments	CBA-Muni	CSO2	CSO2	Deputy CEO	Transfer of Funds from the Maximiser account to the Municipal Account for the amount of \$20,000.00 to Cover Creditor payments PMT ID: F209085058864
08-Sep-22	PMT ID: F209085078120	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	CSO2	Deputy CEO	CEO	Weekly Creditor Payments totalling \$95,947.07 PMT ID: F209085078120
13-Sep-22	PMT ID: F209135324326	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni Bank	CBA-Muni	CSO2	CEO	Deputy CEO	Fortnightly Payroll through the CBA Muni Bank \$39,218.56 PMT ID: F209135324326
23-Sep-22	PMT ID: F209235900128	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer from Municipal Account to Maxi Account Due To Excess Funds	CBA-Muni	CSO2	CSO2	Deputy CEO	Funds Transfer from Municipal Account to Maxi Account Due To Excess Funds for the amount of \$900,000.00 PMT ID: F209235900128
23-Sep-22	PMT ID: F209235919504	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	CSO2	Deputy CEO	CEO	Weekly Creditor Payments totalling \$148,642.62 PMT ID: F209235919504

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:

085/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.1
<p style="text-align: right;"><u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Ennor</p> <p>That Council Accepts:</p> <ol style="list-style-type: none"> 1. The Governance Compliance Calendar report for September 2022. 2. The Execution of Delegation report for September 2022. <p style="text-align: right;">CARRIED: Voted: 5/0</p>

10. REPORTS OF OFFICERS

Executive Services	
10.2. Christmas Shutdown	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	26 October 2022
Author:	Krys East, Acting Chief Executive Officer
Attachment (s):	

Council Role:

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

Report Purpose:

That Council approve the shutdown period from 2.00pm Thursday 22/12/22 returning to work on Tuesday 3/1/2023.

Background:

1. In previous years Council has resolved to close the Shire Office and depot over the Christmas New Year period. Shire staff will take annual or accumulated leave for the days on which the office/depot is closed.
2. Generally, the town is very quiet at that time of the year and previously it does not seem to have been inconvenient to the general public to have the admin office and depot closed.
3. Therefore, the office and depot will be closed from 2.00pm Thursday 22/12/22 with the admin office reopening again on Tuesday, 3 January 2023 and the depot reopening on Wednesday 4 January 2023.

Officer's Comment:

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

Department	Closed	Open
Shire Administration Office	2pm Thursday 22/12/22	Tuesday 03/01/23
Library	2pm Thursday 22/12/22	Tuesday 03/01/23
Swimming Pool	Christmas day and Boxing Day	
Tip	Open	
Depot	2pm Thursday 22/12/22	Wednesday 04/01/23

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

This item is relevant to the Councils approved Strategic Community Plan 2018-2028

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

086/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.2
<p style="text-align: right;"><u>MOVED:</u> Cr. Ennor <u>SECONDED:</u> Cr. Connaughton</p> <p>That Council approve the shutdown period from 2.00pm Thursday 22/12/22 with admin office staff returning to work on Tuesday 3/1/2023 and the Depot staff returning on Wednesday 4/01/2023.</p> <p style="text-align: right;">CARRIED: Voted: 5/0</p>

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:	26 October 2022
Author:	Malcolm Elliot, Acting Manager of Works
Attachment (s):	Capital Works Report 2022-2023

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.
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- ☒ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

That Council accepts the Capital Works Report for September 2022.

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 3007.1

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:

087/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.3
<p style="text-align: right;"><u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Connaughton</p> <p>That Council accepts the Capital Works Report for September 2022.</p> <p style="text-align: right;">CARRIED: Voted: 5/0</p>

10. REPORTS OF OFFICERS

Executive Services	
10.4 Community Development Officer Update	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	
Disclosure of Interest:	Nil
Date:	26 October 2022
Author:	Raman S Viridi, Community Development Officer
Attachment (s):	Nil

Council Role:

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- ☒ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

That Council accepts the Community Development Report for September 2022.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Silos Projection Project	<p>The Silos Projection Project is funded by the Shire of Three Springs and Lotterywest grants.</p> <p>The Shire of Three Springs placed an order for the projector, lens and carry case on 02 August 2022 and the projector is expected to be delivered by 31 October 2022.</p> <p>Projector testing will be commenced once the projector is delivered.</p>
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Three Springs Silos Community Opening Night Event (TSSCON Event)	<p>TSSCON Event will be managed by the Shire of Three Springs.</p> <p>The event will be held on Saturday, 03 December 2022 on Main Street, Three Springs.</p>
Three Springs Seniors Christmas Dinner Event (TSSCD Event)	<p>In previous years, TSSCD event was organised by the Community Action Group. The Community Action Group is currently inactive.</p> <p>An email invite has been sent out to community leaders to form an events committee for the purpose of organising the TSSCD event.</p>
Official Communication - Facebook page and the Shire website.	<p>The fourth edition of the Shire Newsletter was published on 08 September 2022.</p> <p>The Shire has updated its Facebook Page and website about ongoing activities.</p>

Grants:

Regional Event Scheme 2023-24 (RES 2023-24)	<p>RES 2023-24 is managed by Tourism WA.</p> <p>An application has been submitted to fund the 'Re-imagining Three Springs' Event in October 2023.</p>
Australia Day Community Event Grant – 2023 (ADCE Grant)	<p>ADCE Grants are managed by National Australia Day Council.</p> <p>The round for Australia Day 2023 is open now. The closing date for the ADCE grant is Friday, 07 November 2022.</p>

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:
Develop tourism infrastructure and increase the length of stay.	<p>1.1.2 Participate in the "Wildflower Way" Tourist Drive.</p> <p>1.1.6 Rebrand and promote Three Springs as an attractive place to live and work.</p>

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:

088/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.4
<p style="text-align: right;"><u>MOVED:</u> Cr. Lane <u>SECONDED:</u> Cr. Mutter</p> <p>That Council accepts the Community Development Report for September 2022.</p> <p style="text-align: right;">CARRIED: Voted: 5/0</p>	

10. REPORTS OF OFFICERS

Corporate Services	
10.5 Monthly Financial Report for Period 30 September 2022	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	26 October 2022
Author:	Krys East, A/Chief Executive Officer
Attachment (s):	Monthly Financial Report 30 September 2022

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 September 2022.

Background:

The Provision of the FM Regulations 1996 and associated regulations requires a monthly financial report to be presented at an ordinary council meeting within 2 months of the period end date.

- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.

Officer's Comment:

At the time of writing this report, there were still several outstanding invoices etc. and end of year calculation have yet to be done, so the closing surplus is an estimate only and is subject to change until 2021-2022 year has been audited.

The 2022-2023 Budget was adopted in August.

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 or 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 September 2022 is \$5,781,369. Cash available is made up of Unrestricted cash \$3,969,823 and Restricted cash of \$1,791,530 being primarily made up of various reserves.

Rates Debtors balance as at 30 September is \$616,249. Rates Notices for 2022-23 were issued in August 2022. Rates collected as at end of September 2022 was \$1,850,621 -75.02%

September 2022:

Operating Revenue – Operating revenue of \$2,798,452 is made up of Rates – 54%, Grants - 43%, Fees and Charges - 3%, Other Revenue - 0% and Interest Earnings – 0%.

Operating Expenses – Operating expenses of \$766,751 is made of Depreciation - 0% (depreciation will be run after completion of Annual Financial Report audit), Employee Costs – 46%, Materials and Contracts – 33%, Insurance – 15%, Utilities – 6%, Loss on Disposal of Assets – 0% and Other Expenditure – 0%.

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:

089/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.5
<p style="text-align: right;"><u>MOVED:</u> Cr. Connaughton <u>SECONDED:</u> Cr. Lane</p> <p>That Council accepts the monthly financial report for the period ending 30 September 2022.</p> <p style="text-align: right;">CARRIED: Voted: 5/0</p>

10. REPORTS OF OFFICERS

Corporate Services	
10.6 Accounts for Payments as at 30 September 2022	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	18 October 2022
Author:	Donna Newton, Finance and Payroll Officer
Attachment (s):	List of creditors paid as at 30 September 2022

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:

090/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.6
<p style="text-align: right;"><u>MOVED: Cr. Mutter</u> <u>SECONDED: Cr. Eva</u></p> <p>That Council accepts:</p> <ol style="list-style-type: none"> 1. The accounts for payment as presented for <i>September</i> 2022 from the CBA Municipal Fund totalling \$299,908.17 represented by Electronic Fund Transfers No's 18269 – 18310 and Direct Debits 14149.1 – 14178.5, 14205.1 – 14207.1, 14214.1 – 14218.1 and 14227.1 – 14229.1. 2. Licensing Fund totalling \$10,304.25 represented by Direct Debit No. 14196.1 – 14204.1, 14208.1 and 14224.1 – 14225.1. <p>Total Payments for September 2022 is \$310,212.42</p> <p style="text-align: right;">CARRIED: Voted: 5/0</p>

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

12.1. ELECTED MEMBERS- Nil

12.2 STAFF- Nil

13. QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil

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

Nil

15. TIME AND DATE OF NEXT MEETING

The Next Ordinary Council Meeting will be held on Wednesday, 23 November 2022 @ 5pm.

16. CONFIDENTIAL ITEMS

Nil

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 5.21 pm.

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

Signed: _____

Presiding Officer

Date: 23 November 2022

