



AGENDA
ORDINARY COUNCIL MEETING
TO BE HELD ON
WEDNESDAY
23 AUGUST 2023
COMMENCING AT 5.30 PM



**SHIRE OF THREE SPRINGS
ORDINARY COUNCIL MEETING NOTICE PAPER
23 AUGUST 2023**

President and Councillors,

An ordinary meeting of Council is called for Wednesday, 23 August 2023, in the Council Chambers, Railway Road, Three Springs commencing at 5.30pm.

**Keith Woodward PSM
Chief Executive Officer**

17 August 2023

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

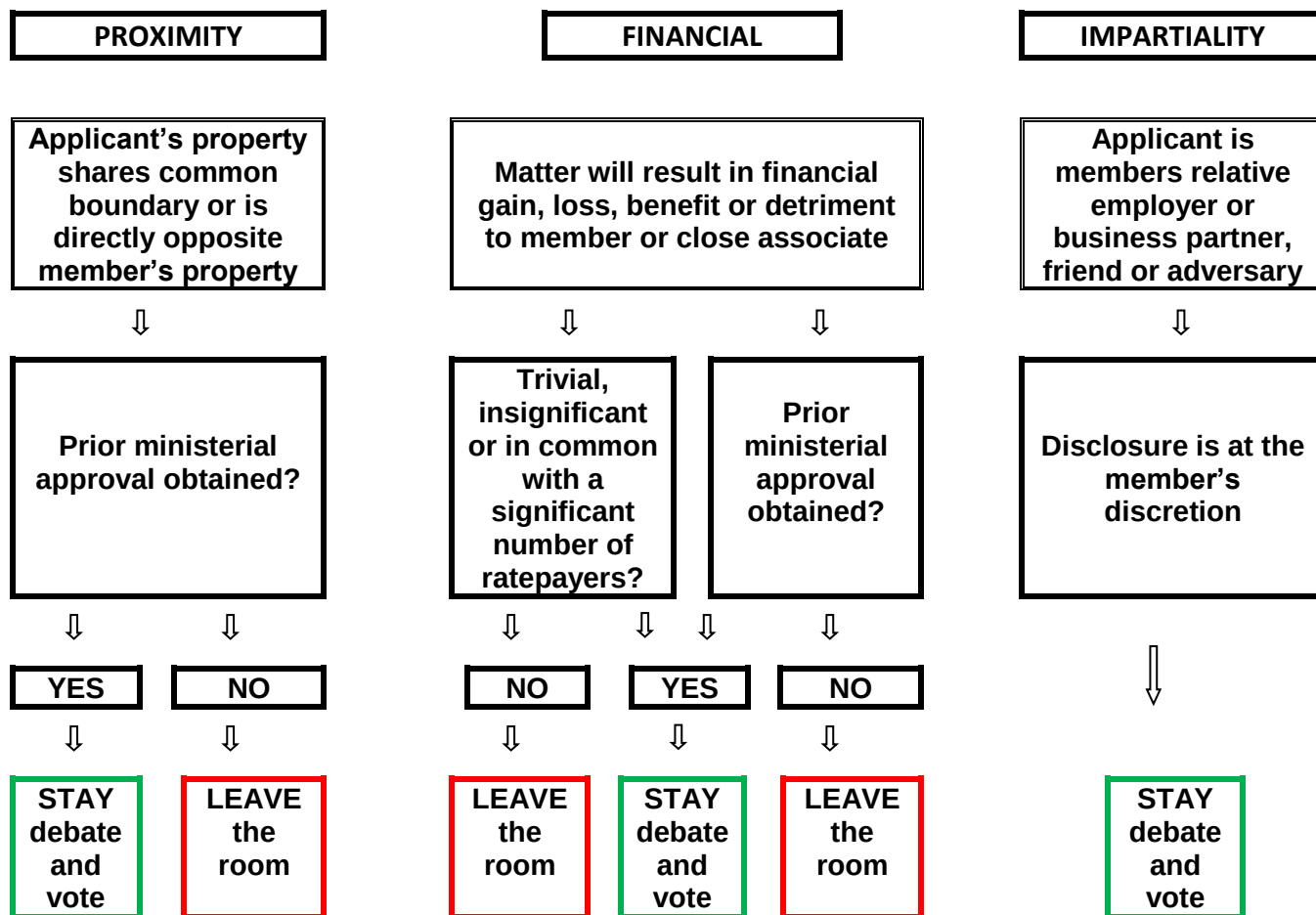
CEO

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 Connaughton			
Councillor Heal			
Councillor Mutter			
Councillor Mills			
Councillor Ennor			
Councillor Eva			
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 OCM	26.07.2023	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. Connaughton	
Cr. Heal	
Cr. Mutter	
Cr. Mills	
Cr. Ennor	
Cr. Eva	

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:	23 August 2023
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Nil

Council Role:

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

Report Purpose:

That Council Accepts:

1. The Governance Compliance Calendar report for July 2023.
2. Actions Performed under Delegated Authority for July 2023.

Background:

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

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

Officer's Comment:

Compliance Table for July 2023

Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
Monthly Financial Report LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg.34	DLGSC WA Local Government Accounting Manual	July 2023 Report submitted to the August 2023 OCM. Reference Minutes	
Report on Elected Member Training Due by: 31 July LG must prepare a report on the training completed by Council members in the previous financial year. CEO must publish the report on the LG's website within one month of the end of the financial year.	Local Government Act 1995	s.5.127		Training Register is up to date	
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	Local Government Act 1995	s.5.75	WALGA - Governance Subscription - Guideline - Primary and Annual Returns Management DLGSC Operational	No new designated employees	

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person's start day			Guideline No.21 Disclosure of Financial Interests in Returns		
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)		Register is up to date	
Emergency Services Levy - End of Year Reconciliation Report Due by: 31 July Schedule 6 Form C	DFES - ESL Manual of Operating Procedures	Clause. 5.13.4	DFES - ESL Manual of Operating Procedures	N/a	
Annual Returns - Request Elected Members and Designated Employees to provide an Annual Return by no later than 31 August CEO's Annual Return must be lodged with the President / Mayor	Local Government Act 1995	s.5.76(1)	DLGSC Operational Guideline No.21 Disclosure of Financial Interests in Returns	Annual Returns have been provided to Council and relevant Staff. A reminder has been sent to those who have still not returned the completed form.	
Elections - Electoral Commission agreement to conduct the election required by: (80th day)	Local Government Act 1995	s.4.20(2)(3)(4) s.4.61(2)(4)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Letter received from Electoral Commission dated 9 February 2023.	

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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.	
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Execution of Delegation for June 2023

Date	File Ref	Delegation Number	Decision Detail	Applicant	Initiating Officer	1 st Auth.	2 nd Auth.	Comment
03/074/2023	PMT ID: F3070324 96487	CS002 - Payments from Municipal Fund and Trust Fund	Transfer of Funds from the Muni Account to the Maxi Account	CBA-Muni	FO	DCEO	CEO	Funds Transfer from the Muni Account to the Maxi Account totalling \$1,551,818.00 for F.A.G.S. PMT ID: F307032496487
04-Jul-24	PMT ID: F3070425 78709	CS002 - Payments from Municipal Fund and Trust Fund	Internal Transfer for Payroll PPE 04/07/2023	CBA-Muni	FO	FO	CEO	Funds Transfer from the Maxi Account to the Muni Account totalling \$60,000.00 for Payroll 04/07/2023. PMT ID: F307042578709
04-Jul-23	PMT ID: F3070426 19249	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO	FO	CEO	Fortnightly Payroll through the CBA Muni Bank \$45,162.51 PMT ID: F307042619249
05-Jul-24	PMT ID: F3070526 57903	CS002 - Payments from Municipal Fund and Trust Fund	Internal Transfer to Cover Cheque Payment in Licensing Account not yet Cleared before Direct Debit	CBA-Muni	FO	FO	CEO	Internal Transfer to Cover Cheque Payment in Licensing Account not yet Cleared before Direct Debit totalling \$8,333.55. PMT ID: F307052657903 (To be reversed Once Cheque Cleared)
07-Jul-23	ADM0487	GO004- Execution of Contract Documents	LRCIP - Phase 4 (Grantee)	SoTS	CEO			Signed agreement to LRCIP for Phase 4
14-Jul-23	PMT ID: F3071433 41552	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	CEO	Weekly Creditor Payments totalling \$108,009.70 PMT ID: F307143341552
18-Jul-23	PMT ID:	CS002 -	Fortnightly	CBA-Muni	FO	DCEO	CEO	Fortnightly

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	F3071835 06438	Payments from Municipal Fund and Trust Fund	Payroll Through CBA Muni					Payroll through the CBA Muni Bank \$46,046.40 PMT ID: F307183506438
18-Jul-23	ADM0496	GO004- Execution of Contract Documents	Goods and Services Contract - SoTS and Dudawa Haulage	SoTS	CEO			
27-Jul-23	PMT ID: F3072740 84480	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payments	CBA-Muni	AFO	DCEO	FO	Funds Transfer from the Maximiser Account to the muni Account for Creditor Payments totalling \$25,000.00 PMT ID: F307274084480
27-Jul-23	PMT ID: F3072741 11643	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$38,897.50 PMT ID: F307274111643

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 July 2023. 2. The Execution of Delegation report for July 2023.	

10. REPORTS OF OFFICERS

Works and Services	
10.2 Works Progress Update 2023-2024	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	23 August 2023
Author:	Malcolm Elliot, Works Supervisor
Attachment (s):	Works Report 2022-2023 Grade Map

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☐ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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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 Works Report for July/August 2023.

Background:

This report provides Council with a Work progress update.

Officers Comment:

Construction:

- Undertake urgent repairs on Bunney Rd. Excavate failed road foundation, install a rock base and waterproof membrane and reconstruct the road.
- Repair culvert First North Rd
- Commence Re-sheeting Bunney Rd

Maintenance Grader:

- Maintenance grading completed on:
Robb Rd, Skipper Rd, First North Rd, Second North Rd,
Beekeeper Rd and Ding Rd
- Back slopes and verge clearing performed on Beekeeper Rd

Contractor Works:

- Community Hall –kitchen/toilets upgrade (Coral Coast)

General Parks and Gardens:

- Tidy Town's competition: Staff doing work to improve and add colour to the town
- Maintain all areas in the town and keep playgrounds and sporting areas tidy and clean

Plant Vehicles and machinery;

- P5002 Cat, Airbag failure–waiting parts
- P5009 B/hoe,4wd solenoid fail-waiting part
- TS-5020 Toro –returned from Geraldton, serviced and all repairs completed
- P5023 Gardener ute to Geraldton – removal of immobiliser

Staff Recruitment and Training:

- Mal and Raman attended a 5-day Safety Rep Course in Coorow

Other:

- Projection Event – Western Derby

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

Shire of Three Springs Adopted Budget 2023-2024

Strategic Implications:

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

Strategic Community Plan 2018 - 2028	
Council Objectives	Outcome
Nil	Nil

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.2
That Council accepts the Works Report for July/August 2023.	

10. REPORTS OF OFFICERS

Executive Services	
10.3 CSRFF Small Grant - Three Springs Swimming Pool Revitalisation Application	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	Chief Executive Officer
File Reference:	ADM0223
Disclosure of Interest:	Nil
Date:	23 August 2023
Author:	Raman S Viridi, Community Development Officer
Attachment (s):	(A) Project Location (B) Three Springs Aquatic Centre (C) Current Pool Condition (D) Support Letter (E) 2023-2024 CSRFF July Small Grants Application

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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Report Purpose:

That Council endorse the Three Springs Swimming Pool Revitalisation Project - Community Sporting & Recreation Facilities grant for \$106,557.00 (ex GST).

Background:

The main pool basin paint has faded in various locations, and the bulkhead and basin tiles have cracks in multiple places. Without undertaking actions, leaks will ensue, bacterial/occupational health and safety issues could arise, and the facilities will start to degrade, increasing the days that the pool is closed and limiting the opportunity for participation in aquatic recreation activities.

The facility has a children's pool (12m x 5m x 0.8m) which is deep for some children. The risk of kids injuring themselves while entering and exiting the pool area has been identified. To mitigate this risk steps are required for easy access to the pool.

Better facility communications are required. Therefore, the grant will include a PA announcement system.

Officer's Comment:

The CSRFF Small Grant requires a Council Resolution as part of the grant submission.

Consultation:

Shire of Three Springs, Three Springs Primary School, Royal Lifesaving WA.

Statutory Environment:

Nil

Policy Implications:

Shire of Three Springs Council Policy 3.9 Three Springs Aquatic Centre

Financial/Resources Implications:

The CSRFF Small Grant will fund 50% of the project's total cost. The other 50% of the cost will be drawn down from the Shire of Three Springs Swimming Pool Reserve.

The project cost is: \$213,114 (ex GST)

Strategic Implications:

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

Strategic Community Plan 2018 - 2028	
Council Objectives:	Outcome:
To retain and improve high-quality infrastructure.	2.8.5 Maintain and develop community and sporting facilities in line with the Sport and Recreation Plan

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

Corporate Business Plan 2020 - 2024	
Scope Statement:	Project Outputs:
To have a sustainable natural and built environment balanced with the needs of the community	2.3 Three Springs is a comfortable and welcoming place to live and visit, and reflects our lifestyle values

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.3
That Council endorse the Three Springs Swimming Pool Revitalisation Project - Community Sporting & Recreation Facilities grant for \$106,557.00 (ex GST).	

10. REPORTS OF OFFICERS

Executive Services	
10.4 Community Development Officer Update	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	Chief Executive Officer
File Reference:	
Disclosure of Interest:	Nil
Date:	23 August 2023
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 July 2023.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Australian Event Awards and Symposium (AEAS) – September 2023	The Australian Event Awards and Symposium is the national awards program and conference for the Australian events industry, fostering continued excellence, innovation and unity. Shire of Three Springs submitted an application for Silo Projection Grand Opening Event held on Saturday, 15 April 2023, under the Best Community Event category of AEAS. The Silo Projection Grand Opening Event has been recognised as one of the top five National nominees under the 'Best Small Regional Event' category.
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	The winners will be announced at the events award ceremony on Wednesday, 13 September 2023.
Western Councillor July/August Edition	Western Councillor publication is managed by the Western Australian Local Government Association. The Shire submitted the Silo Projection Project for inclusion in the upcoming July/August edition of the Western Councillor publication.
Silo Movie Night and Three Springs 360 Event	Silo Movie Night and Three Springs 360 event is organised by the Shire of Three Springs and Western Australia Off-Road Racing Association (WAORRA). The event will be held in Three Springs over the long weekend in September 2023. The event program will be published following the event planning meeting on Thursday, 17 August 2023.
Three Springs CCTV	The CCTV cameras are managed under Council Policy 3.8 Closed Circuit TV Systems. The CCTV cameras repair work has been completed.
Official Communication - Facebook page and the Shire website.	The Shire has updated its Facebook Page and website about ongoing activities.

Grants:

Regional Event Scheme 2023-24 (RES 2023-24)	RES 2023-24 is managed by Tourism WA. The Shire submitted an application to fund the 'Re-imagining Three Springs' Event in October 2023. An outcome notification was received with approved funding of \$5,000.00.
Thank a Volunteer Day Grants Program 2023	Thank a Volunteer Day Grants Program 2023 is managed by the Department of Communities. The Shire submitted an application requesting \$1,000.00 on Thursday, 27 July 2023. The grant application will fund the Volunteer Week celebration on Saturday, 09 December 2023.
Saluting Their Service Commemorations Grant (STSCG)	STSCG is managed by the Department of Veterans Affairs. The Shire received a successful outcome to produce the World War 1 and World War 2 banners for Main Street.
Local Roads and Community Infrastructure Program – (LRCIP) Phase 4	LRCIP Grant is managed by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts. The Shire received a notification advising Councils will be able to access \$329,104.00 Phase 4 funding allocations from July, with projects to be delivered by June 2025.

Ordinary Council Meeting Agenda – 23 August 2023

	Ordinary Council Meeting (Wednesday, 22 March 2023), item no. 10.4 Tender 22/23-02 Three Springs Multi-Purpose Hall, section Officer Comments, "4. Approve the resubmission of the Community Netball Courts project into the Australian Government Local Roads and Community Infrastructure Program Phase Four."
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Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.4
That Council accepts the Community Development report for July 2023.	

10. REPORTS OF OFFICERS

Corporate Services	
10.5 Adoption of the 2023-24 Annual Budget	
Agenda Reference:	201107
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0116
Disclosure of Interest:	Nil
Date:	23 August 2023
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Shire of Three Springs Statutory Budget 2023-24

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 approves the Shire of Three Springs Annual Budget 2023-24.

Background:

The Annual Budget 2023-24 has been prepared in accordance with the Corporate Business Plan and the Strategic Resources Plan (Long Term Financial Plan) as adopted by Council.

The Budget has been workshopped with Council in April – July 2023.

Officer's Comment:

The Statutory Compliant Budget has now been prepared and includes the information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. This Budget is submitted for adoption.

The budget continues to deliver on strategies adopted by the Council and maintains a high level of service across all programs while ensuring renewing of assets at sustainable levels.

There are still several outstanding invoices and the end of year calculation has to be completed. Once this occurs the carried forward surplus may change as a result of 2022-2023 final audit.

The presented budget is based on an expected surplus of over \$3.2M carrying forward from the 2022/23 year. This surplus is largely due to almost \$1.5M FAG pre-payment and capital works carried over or underspent budgets such as:

- Purchase of approximately \$500k of Plant has been carried over to 2023/24
- Road expenditure \$600k less than anticipated. Some works have been carried over
- Only half the capital works on buildings (excluding the Duffy project) were completed and approximately \$600k has been carried over or the projects have been cancelled.

Ministerial approval to impose differential rates was received 27 July 2023.

Consultation:

- Council
- Bob Waddell
- WATC
- Executive
- Staff

Statutory Environment:

Local Government Act 1995, section 6.2 & 6.35 (5)

Local Government Financial Management Regulation 22-33

Policy Implications:

This Budget is based on the principles of the Strategic Resource Plan 2020-2035 (Long Term Financial Plan), the Strategic Community Plan 2018-2028 and the Corporate Business Plan 2020-2024.

Financial/Resources Implications:

The 2023/24 Budget is the main document relating to Council's Income and Expenditure for the Financial Year.

Strategic Implications:

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

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

Voting Requirements:

Absolute Majority required as shown.

Simple Majority required as shown.

OFFICERS RECOMMENDATION

10.5

Officer's Recommendation:

PART A – MUNICIPAL FUND BUDGET FOR 2023/24 - ABSOLUTE MAJORITY REQUIRED

Pursuant to the provisions of Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the council adopt the Municipal Fund Budget as attached to this agenda and the minutes, for the Shire of Three Springs for the 2023/24 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a net surplus for 2022-23 of \$3,222,608
- Statement of Cash Flows
- Rates Setting Statement showing an amount required to be raised from rates of \$2,713,537
- Notes to and Forming Part of the Budget
- Transfers to and from Reserves
- Elected Members Fees as adopted at the Ordinary Council Meeting held 26 April 2023

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS – ABSOLUTE MAJORITY REQUIRED

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, Council pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following general rates and minimum payments on Gross Rental and Unimproved Values.

a) General Rates -	
GRV Town	12.7549 cents in the dollar
GRV Mining	23.9212 cents in the dollar
UV Rural & Arrino Town	1.1500 cents in the dollar
UV Mining	6.0800 cents in the dollar

b) Minimum Rates –	
GRV	\$500.00
UV	\$500.00

2. Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominates the following due dates for the payment in full by instalment;

i)	Due date/first instalment	3 October 2023
ii)	Second instalment	8 December 2023
iii)	Third instalment	12 February 2024
iv)	Fourth instalment	19 April 2024

3. Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996, Council adopts an instalment administration charge where the owner has elected to pay rates through an instalment option of \$15.00 for each instalment after the initial instalment is paid.
 4. Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996 Council adopts an interest rate of 5.5% where the owner has elected to pay rates through an instalment option.
 5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.
-

PART C – MATERIAL VARIANCE – SIMPLE MAJORITY REQUIRED

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality, the level to be used in financial activity in 2023/2024 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

PART D – GENERAL FEES AND CHARGES – ABSOLUTE MAJORITY REQUIRED

Pursuant to Section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges for 2023/2024 as included as an attachment of this agenda and minutes.

10. REPORTS OF OFFICERS

Corporate Services	
10.6 Monthly Financial Report for Period 31 July 2023	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	23 August 2023
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 31 July 2023

Council Role:

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

Report Purpose:

That Council accepts the monthly financial report for the period ending 31 July 2023.

Background:

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

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

Officer's Comment:

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 2022-2023 year has been audited.

The 2023-2024 Budget will be adopted at this OCM.

Further information can be found by referring to Financial/Resources Implications.

Consultation:

Nil

Statutory Environment:

The preparation of Monthly Financial reports is prepared under Section 6.4 of the Local Government Act 1995.

In accordance with FM regulation 34 (5), a report must be compiled on variances greater than the materiality threshold adopted by the council of \$10,000 and 10%. As this report is composed at a program level, variances commentary considers the most significant items that comprise the variance.

“34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

Committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
- (b) budget estimates to the end of the month to which the statement relates; and*
- © actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- © the net current assets at the end of the month to which the statement relates.*

(2) Each statement of financial activity is to be accompanied by documents containing —

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
- (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and*
- © such other supporting information as is considered relevant by the local government.*

(3) The information in a statement of financial activity may be shown —

- (a) according to nature and type classification; or*
- (b) by program; or*
- © by business unit.*

(4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.”

Policy Implications:

Nil

Financial/Resources Implications:

Total Cash Available as at 31 July 2023 is \$5,623,516. Cash available is made up of Unrestricted cash \$3,472,501 and Restricted cash of \$2,151,015 being primarily made up of various reserves.

Rates Debtors balance as at 31 July 2023 is \$78,329 Rates Notices for 2023-24 will be issued in August 2023.

July 2023:

Operating Revenue – Operating revenue of \$20,076 is made up of Rates – 0%, Grants - 100%, Fees and Charges - 0%, Other Revenue - 0% and Interest Earnings – 0%.

Operating Expenses – Operating expenses of \$317,355 is made of Depreciation - 0% (depreciation will be run after completion of Annual Financial Report audit), Employee Costs – 35%, Materials and Contracts – 25%, Insurance – 39%, Utilities – 1%, 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:

OFFICER'S RECOMMENDATION:	10.6
That Council accepts the monthly financial report for the period ending 31 July 2023.	

10. REPORTS OF OFFICERS

Corporate Services	
10.7 Accounts for Payments 31 July 2023	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	23 August 2023
Author:	Jelena Brown, Assistant Finance Officer
Attachment (s):	List of creditors paid as at 31 July 2023

Council Role:

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

Report Purpose:

That Council accepts the payment of creditors in accordance with Local Government (Financial Management) Regulations 1996 section 13 (1).

Background:

Financial regulations require a schedule of payments made through the Council's bank accounts be presented to Council for their inspection. The list includes details for each account paid, incorporating the payee's name, amount of the payment, date of payment and sufficient information to identify the transaction.

Officer's Comment:

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 Section 6.4.

Local Government (Financial Management) Regulations 1996 Section 12 and 13.

12. Payments from municipal fund or trust fund, restrictions on making

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Policy Implications:

Nil

Financial/Resources Implications:

Funds available to meet expenditure in accordance with Shire of Three Springs adopted budget 2022-2023.

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.7
That Council accepts: 1. The accounts for payment as presented for <i>July</i> 2023 from the CBA Municipal Fund totalling \$469,760.48. 2. Represented by Cheque no. 11672, Electronic Fund Transfers No's 18998 – 19063 and Direct Debits 15004.1 – 15004.6, 15034.1 – 15052.6 and 15074.1 – 15081.1. 3. Licensing Fund totalling \$35,248.05 represented by Direct Debit No. 15008.1 – 15031.1, 15053.1 – 15073.1 and 15084.1 – 15092.2. Total Payments for July 2023 - \$505,008.53	

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, 4 October 2023 @ 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: 4 October 2023