



MINUTES
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY
27 MARCH 2024
COMMENCING AT 5.30 PM



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

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

To: Chief Executive Officer

☐ Ordinary Council Meeting held
on

☐ Special Council Meeting held
on

☐ Committee Meeting held on

☐ Other

Report No

Report Title

Name

☐ Elected
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

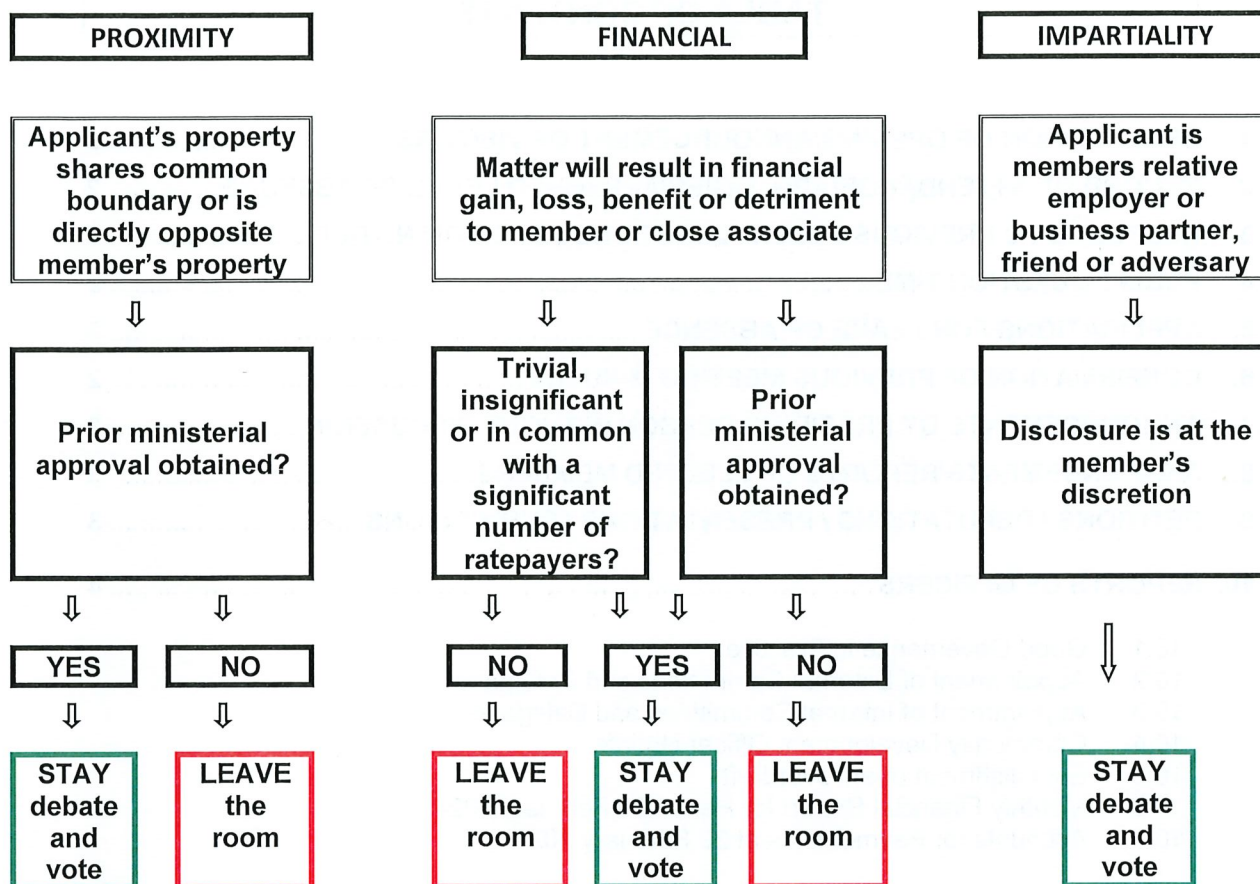
CEO

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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MINUTES

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 5.55pm

Acknowledgement of Country: -

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

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

	Attendance	Apologies	Approved Leave of Absence
Councillor Lane	Present		
Councillor Eva	Present		
Councillor Heal	Present		
Councillor Mutter	Present		
Councillor Ennor	Present		
Councillor Connaughton	Present		
Councillor Mills	Present		
Chief Executive Officer	Present		
Deputy Chief Executive Officer	Present		
Executive Secretary	Present		

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

		OCM Month	Moved	Seconded	Vote	Date
5.1	Cr.		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	Annual Electors Meeting	13.02.2024	Cr. Eva	Cr. Connaughton	7/0
6.2	Ordinary Council Meeting	28.02.2024	Cr. Heal	Cr. Ennor	7/0

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.

The Shire President acknowledged the recent passing of former long term resident of Three Springs, Mrs. Margaret Patricia Cruickshank.

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activity
Cr. Lane	05.02.24 – SCM 05.02.24 – Annual Electors Meeting 05.02.24 – Council Workshop
Cr. Connaughton	05.02.24 – SCM 05.02.24 – Annual Electors Meeting 05.02.24 – Council Workshop 28.02.24 - OCM
Cr. Heal	05.02.24 – SCM 05.02.24 – Annual Electors Meeting 05.02.24 – Council Workshop 28.02.24 - OCM
Cr. Mutter	28.02.24 - OCM
Cr. Ennor	05.02.24 – SCM 05.02.24 – Annual Electors Meeting 05.02.24 – Council Workshop
Cr. Eva	05.02.24 – SCM 05.02.24 – Annual Electors Meeting 05.02.24 – Council Workshop 28.02.24 - OCM

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:	27 March 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 February 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 February 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	February 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	
Elected Members - Review Meeting Attendance Register - check EMs have not been absent for 3 consecutive meetings without Leave of Absence being granted	Local Government Act 1995	s.2.25		No Elected Member absent for 3 consecutive meeting.	
Compliance Audit Return - Finalise Audit Complete the Compliance Audit Return as an internal audit and prepare Council report for consideration via Audit Committee.	Local Government Act 1995	s.7.13(1)(i) Audit.Reg. 13, 14 and 15		Compliance Audit Return completed and submitted to Council at February meeting.	
Rate Exempted Properties - Review In preparation for next financial year, review previously approved rate exempt properties to determine if the basis of exemption remains unchanged. Advise owners where status is changed or approval has expired.	Local Government Act 1995	s.6.26(2)		Reviewed	
Authorised Persons - Review Review the LG's authorised persons to ensure authorisations are accurate, valid and the correct certificates of authorisation and / or identity cards have	Various		WALGA - Governance Subscription - Decision Making in Practice Toolkit - Part 3 Authorisations	Under review.	

been issued					
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 the by City of Greater Geraldton.	

Execution of Delegation February 2024

Date	File Ref	Delegation Number	Decision Detail	Applicant	Initiating Officer	1 st Auth.	2 nd Auth.	Comment
05-Dec-23	PMT ID: F3120522 57219	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO - Erin	DCEO	CEO	Fortnightly Payroll through the CBA Muni Bank \$51898.96 PMT ID: F312052257219
1-Feb-24	PMT ID: F4020155 90051	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	CEO	Weekly Creditor Payments totalling \$24161.62 PMT ID: F402015590051
13-Feb-24	PMT ID: F4020155 90051	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	CEO	Weekly Creditor Payments totalling \$24161.62 PMT ID: F402015590051
13-Feb-24	PMT ID: F4021362 53440	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO - Erin	DCEO	CEO	Fortnightly Payroll through the CBA Muni Bank \$50,7000.89 PMT ID: F402136253440
15-Feb-24	ADM0223	GO004- Execution of Contract Documents	Agreement between DLGSC & SoTS - CSRFF Fund - \$102,937- Swimming Pool		CEO			Community Sporting and Recreation Facilities Fund (CSRFF)
16-Feb-24	PMT ID: F4021665 28109	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 Payroll Payments totalling \$90,000.00 PMT ID: F402166528109

16-Feb-24	PMT ID: F4021665 27840	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$143,253.89 PMT ID: F402166527840
23-Feb-24	PMT ID: F4022369 05317	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payments	CBA-Muni	AFO	FO	CEO	Funds Transfer from the Maximiser Account to the muni Account for Payroll Payments totalling \$30,000.00 PMT ID: F402236905317
23-Feb-24	PMT ID: F4022369 05449	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	FO	CEO	Weekly Creditor Payments totalling \$61,372.26 PMT ID: F402236905449
27-Feb-24	PMT ID: F4022770 92151	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 \$70,000.00 PMT ID: F402277092151
27-Feb-24	PMT ID: F4022771 30853	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO - Erin	DCEO	CEO	Fortnightly Payroll through the CBA Muni Bank \$51,764.21 PMT ID: F402277130853
28-Feb-24	PMT ID: F4022872 34266	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 \$90,000.00 PMT ID: F402287234266
29-Feb-24	PMT ID: F4022973 24409	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$64604.41 PMT ID: F402297324409

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:**014/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.1**

MOVED: Cr. Mutter
SECONDED: Cr. Mills

That Council Accepts:

1. The Governance Compliance Calendar report for February 2024.
2. The Execution of Delegation report for February 2024.

	FOR	AGAINST
Cr. Lane (President)	✓	
Cr. Eva (Deputy President)	✓	
Cr. Heal	✓	
Cr. Ennor	✓	
Cr. Mutter	✓	
Cr. Connaughton	✓	
Cr. Mills	✓	

CARRIED:
VOTED: 7/0

10. REPORTS OF OFFICERS

Executive Services	
10.2. Appointment to External Committees and Delegates	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	27 March 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 Cr Mills is appointed as a representative to external committees.

Background:

In December 2023 the Shire of Three Springs Council appointed the Western Australian Electoral Commission (WAEC) to run the 2024 Extraordinary Election as a Postal Voting Election.

Mills, Zachary was elected as Councillor for the Shire of Three Springs and will hold the office until the 16 October 2027.

Therefore Cr. Mills should be appointed to external committees as per Local Government Act 1995 Section 5.8, 5.9 and 5.10 which empowers Council to establish committees and elect persons to serve on those committees.

At the Ordinary Council Meeting 25 October 2023, the following resolution was passed.

MOVED: Cr. Mutter
SECONDED: Cr. Eva

That Council:

1. Revoke the Council decision 18 October 2021, report 10.2. "external Committees".
2. Authorise the appointment of Councillors as representatives to the Shire of Three Springs external committees.

A. WALGA Conference Delegates

- President / Cr. Lane
- Deputy (Proxy) / Cr. Eva
- Cr. Connaughton
- Cr. Mutter

B. Northern Country Zone of WALGA

- President / Cr. Lane
- Deputy (Proxy) / Cr. Eva
- Cr. Ennor
- Cr. Mutter

C. MRWA Regional Road Group

- President / Cr. Connaughton
- Deputy (Proxy) / Cr. Heal

D. Three Springs LEMC

- President / Cr. Heal
- Deputy (Proxy) Cr. Mutter
- Cr. Eva

E. Development Assessment Panel

- President / Cr. Connaughton
- Deputy (Proxy) / Cr. Ennor
- Cr. Lane
- Cr. Mutter

	FOR	AGAINST
Cr. Chris Lane (President)	✓	
Cr. Nadine Eva (Deputy President)	✓	
Cr. Jim Heal	✓	

Cr. Jenny Mutter	✓	
Cr. Julia Ennor	✓	
Cr. Chris Connaughton	✓	

CARRIED:
VOTED: 6/0
By Absolute Majority

MOVED: Cr. Lane
SECONDED: Cr. Mutter

At 5.50pm the Shire President requested suspending Standing Orders pending further Council discussions on Item 10.3 "Appoint Representative to Internal Committee's".

	FOR	AGAINST
Cr. Chris Lane (President)	✓	
Cr. Nadine Eva (Deputy President)	✓	
Cr. Jim Heal	✓	
Cr. Jenny Mutter	✓	
Cr. Julia Ennor	✓	
Cr. Chris Connaughton	✓	

CARRIED:
VOTED: 6/0

MOVED: Cr. Lane
SECONDED: Cr. Ennor

At 5.52pm the Shire President requested to resume Item 10.3 "Appoint Representative to Internal Committee's".

	FOR	AGAINST
Cr. Chris Lane (President)	✓	
Cr. Nadine Eva (Deputy President)	✓	
Cr. Jim Heal	✓	
Cr. Jenny Mutter	✓	
Cr. Julia Ennor	✓	
Cr. Chris Connaughton	✓	

CARRIED:
VOTED: 6/0

Officer's Comment:

Nil

Consultation:

Nil

Statutory Environment:

All Committees are established under provisions of Subdivision 2 – Committees and their meetings s 5.8 to 5.18 of the *Local Government Act 1995*.

The committee is to be appointed by an absolute majority decision of Council and consist of three or more person to assist the council. In accordance with s.5.9 (2) of the members a committee is to comprise of:

5.9. *Committees, types of*

(2) *A committee is to comprise —*

(a) *council members only; or*

(b) *council members and employees; or*

(c) *council members, employees and other persons; or*

(d) *council members and other persons; or*

(e) *employees and other persons; or*

(f) *other persons only.*

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:
A long term strategically focused Shire that is efficient, respected and accountable.	4.1.4. Lead by example to get the community involved in the decision making process.
Improved long term planning and strategic management.	4.5.2. Maintain links with bodies such as MWDC.
Working in partnership with all community, government and corporate stakeholders.	4.5.2 Continued involvement with Government and corporate stakeholders such as the Regional Road Group.
To be strong advocates representing the community's interest.	4.6.1. Continue to lobby government and corporate entities to ensure adequate services and facilities are available for the community.

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

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Aligned to the CSP objectives	

Voting Requirements:

Absolute Majority

Officer's Recommendation:

015/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.2

MOVED: Cr. Mutter
SECONDED: Cr. Connaughton

Authorise the appointment of Cr Mills as a representative to the Shire of Three Springs external committees.

F. MRWA Regional Road Group

- *President / Cr. Connaughton*
- *Deputy (Proxy) / Cr. Heal*
- *Cr. Mills*

	FOR	AGAINST
<i>Cr. Lane (President)</i>	✓	
<i>Cr. Eva (Deputy President)</i>	✓	
<i>Cr. Heal</i>	✓	
<i>Cr. Mutter</i>	✓	
<i>Cr. Ennor</i>	✓	
<i>Cr. Connaughton</i>	✓	
<i>Cr. Mills</i>	✓	

CARRIED:
VOTED: 7/0
By Absolute Majority

10. REPORTS OF OFFICERS

Executive Services	
10.3. Appoint Representative to Internal Committees	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	27 March 2024
Author:	Chief Executive Officer, Keith Woodward
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.

Report Purpose:

That Cr. Mills is appointed as a representative to internal committees.

Background:

In December 2023 the Shire of Three Springs Council appointed the Western Australian Electoral Commission (WAEC) to run the 2024 Extraordinary Election as a Postal Voting Election.

Mills, Zachary was elected as Councillor for the Shire of Three Springs and will hold the office until the 16 October 2027.

Therefore Cr. Mills should be appointed to internal committees as per Local Government Act 1995 Section 5.8, 5.9 and 5.10 which empowers Council to establish committees and elect persons to serve on those committees.

At the Ordinary Council Meeting 25 October 2023, the following resolution was passed.

087/2023 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.3
<i>MOVED: Cr. Ennor</i> <i>SECONDED: Cr. Eva</i>

That Council:

1. *Revoke the Council decision 18 October 2021, report 10.3. "Appoint Representative to Internal Committees".*

2. **Appoint councillors to the following Shire of Three Springs internal Audit and Risk Committee.**

*President / Cr. Lane
Deputy President / Cr. Eva
Cr. Heal
Cr. Mutter
Cr. Ennor
Cr. Connaughton*

3. **Appoint Councillors to the following Shire of Three Springs Community Fund Assessment Committee.**

*President / Cr. Ennor

Deputy President / Cr. Eva
CEO*

4. **Appoint councillors to the Shire of Three Springs Chief Executive Officer - Performance and Salary Review Committee.**

*President / Cr. Lane
Deputy President / Cr. Eva
Cr. Heal
Cr. Mutter
Cr. Ennor
Cr. Connaughton*

	FOR	AGAINST
Cr Chris Lane (President)	✓	
Cr Nadine Eva (Deputy President)	✓	
Cr. Heal	✓	
Cr Jenny Mutter	✓	
Cr Julia Ennor	✓	
Cr Chris Connaughton	✓	

CARRIED:
VOTED: 6/0
By Absolute Majority

Officer's Comment:

Nil

Consultation:

Nil

Statutory Environment:

All Committees are established under provisions of Subdivision 2 – Committees and their meetings s 5.8 to 5.18 of the *Local Government Act 1995*.

The committee is to be appointed by an absolute majority decision of Council and consist of three or more person to assist the council. In accordance with s.5.9(2) of the members a committee is to comprise of:

5.9. *Committees, types of*

- (2) *A committee is to comprise —*
- (a) council members only; or*
 - (b) council members and employees; or*
 - (c) council members, employees and other persons; or*
 - (d) council members and other persons; or*
 - (e) employees and other persons; or*
 - (f) other persons only.*

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:
A long term strategically focused Shire that is efficient, respected and accountable.	4.1.4. Lead by example to get the community involved in the decision-making process.
Improved long term planning and strategic management.	4.5.2. Maintain links with bodies such as MWDC.
Working in partnership with all community, government and corporate stakeholders.	4.5.2 Continued involvement with Government and corporate stakeholders such as the Regional Road Group.
To be strong advocates representing the community's interest	4.6.1. Continue to lobby government and corporate entities to ensure adequate services and facilities are available for the community.

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

Corporate Business Plan 2020 – 2024	
Scope Statement:	Project Outputs:
Aligned to the CSP objectives	

Voting Requirements:
Absolute Majority

Officer's Recommendation:

016/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.3

MOVED: Cr. Mutter
SECONDED: Cr. Eva

That Council:

1. Appoint councillors to the following Shire of Three Springs internal Audit and Risk Committee.

President / Cr. Lane
Deputy President / Cr. Eva
Cr. Heal
Cr. Mutter
Cr. Ennor
Cr. Connaughton
Cr. Mills

2. Appoint councillors to the Shire of Three Springs Chief Executive Officer - Performance and Salary Review Committee.

President / Cr. Lane
Deputy President / Cr. Eva
Cr. Heal
Cr. Mutter
Cr. Ennor
Cr. Connaughton
Cr. Mills

	FOR	AGAINST
Cr. Lane (President)	✓	
Cr. Eva (Deputy President)	✓	
Cr. Heal	✓	
Cr. Mutter	✓	
Cr. Ennor	✓	
Cr. Mills	✓	
Cr. Connaughton	✓	

CARRIED:
VOTED: 7/0
By Absolute Majority

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:	27 March 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 February 2024.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Disability Access and Inclusion Plan (DAIP) Review	The Shire of Three Springs is obligated, under the Disability Services Act 1993, to submit a Disability Access and Inclusion Plan (DAIP) to the Department of Communities. The current DAIP is under a comprehensive review. The Shire has completed the Stakeholder Consultation including the following: • Community Survey
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	• Shire Staff Survey • Community Consultation Workshop The DAIP is expected to be adopted at April 2024 Ordinary Council Meeting.
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) • 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.
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 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. 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:

017/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION		10.4																								
<u>MOVED:</u> Cr. Mutter <u>SECONDED:</u> Cr. Lane That Council accepts the Community Development report for February 2024. <table border="1" data-bbox="399 1447 1147 1800"> <thead> <tr> <th></th><th>FOR</th><th>AGAINST</th></tr> </thead> <tbody> <tr> <td>Cr. Lane (President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Eva (Deputy President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Heal</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr Julia Ennor</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Mutter</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Connaughton</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr Mills</td><td style="text-align: center;">✓</td><td></td></tr> </tbody> </table> CARRIED: VOTED: 7/0				FOR	AGAINST	Cr. Lane (President)	✓		Cr. Eva (Deputy President)	✓		Cr. Heal	✓		Cr Julia Ennor	✓		Cr. Mutter	✓		Cr. Connaughton	✓		Cr Mills	✓	
	FOR	AGAINST																								
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Cr. Heal	✓																									
Cr Julia Ennor	✓																									
Cr. Mutter	✓																									
Cr. Connaughton	✓																									
Cr Mills	✓																									

10. REPORTS OF OFFICERS

Executive Services	
10.5. Establishment of Bank Loan	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	27 March 2024
Author:	Krys East, Deputy 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.
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- ☐ 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:

To seek Council approval for applying for a one million (\$1,000,000) loan to cover potential shortfalls during the implementation of works funded by the Main Roads Mid West Secondary Grain Freight Routes Funding.

Background:

The project prioritises the upgrade of key grain freight routes on local roads across the Mid West region. The Shire of Three Springs will receive \$11,500,000 in funding for work to be carried out on Three Springs – Eneabba Road, Inering Road and Perenjori - Three Springs Road. The work will focus on providing sealed shoulders, widening traffic lanes to safely accommodate grain trucks, signage installations and line marking.

The planning phase has already commenced and the project is anticipated to be completed by December 2025.

Officer's Comment:

Due to the substantial expenses involved in the project, any delay between the Shire's payment for the work and reimbursement following claim submission could potentially lead to cash flow challenges. To mitigate this risk, having a loan approved and accessible would be prudent.

The projected expenditure for the project is as follows:

January 2024 to June 2024:	\$ 45,400
July 2024 to December 2024:	\$2,420,000
January 2025 to March 2025:	\$3,830,000
April 2025 to June 2025:	\$3,784,600
July 2025 to September 2025:	\$1,420,000.

Additionally, the Shire has other capital works projects to complete, and normal operating expenses, including supplier payments and payroll, will continue. As of today's date (19/03/2024), the Shire's accessible bank account balances are as follows:

Municipal Account:	\$ 7,692
Muni Maxi Direct:	\$3,936,640.

An alternative to a loan would be to take out an overdraft.

Costs of a Commonwealth Bank Overdraft:

Establishment fee:	Waived
Limit:	\$1,000,000
Term:	Can be cancelled at any time
Interest Rate:	10.83% (charged on the used portion of the overdraft limit, calculated as the Overdraft Index Rate, currently at 11.93% p.a., minus a variable margin of 0.50% p.a.)
Line Fee:	0.20% p.a., charged quarterly of the full limit irrespective of whether any of the limit is drawn or not and on cancellation of the limit. This equates to \$2,000 p.a.

Choosing to pay interest quarterly, bi-annually, or annually would incur a premium, increasing the Shire's costs.

Costs of a Westpac Bank Overdraft:

Establishment fee:	\$820 approx.
Limit:	\$1,000,000
Term:	Can be cancelled at any time
Interest Rate:	9.34% Unsecured Overdraft which will likely require a general security agreement only
Line Fee:	1.20% p.a., charged quarterly of the full limit irrespective of whether any of the limit is drawn or not and on cancellation of the limit. This equates to \$12,000 p.a.

The procedure for obtaining an overdraft involves obtaining approved minutes endorsing the application, securing credit approval from the bank, and finalizing an agreement to be signed off by both the CEO and President.

Any increase to the limit would require the same process as the initial application for an overdraft.

Western Australia Treasury Corporation (WATC)

A short-term loan from the WATC would offer significant cost savings. There are no fees or charges associated with its setup, and if left unused, there are no additional costs. Securing this loan for a two-year duration would be more than adequate.

Should we anticipate a shortfall in meeting our obligations within this timeframe, we would request a drawdown with just one day's notice. We would specify a maturity date aligned with our projection of recouping sufficient funds to cover both the drawdown amount and interest. The interest rate is determined by the period between drawdown and maturity. As per current rates, if we require the short-term loan for three months, the interest rate would be 4.27%.

Upon reaching the maturity date, we would repay the principal along with the accrued interest. However, in the event of any delays, there is an option to extend the term for an additional period.

We retain the flexibility to manage multiple short-term loans simultaneously, provided the total does not exceed the approved loan amount of \$1M.

Any interest paid can be recouped through the grant framework.

As per Local Government Act 1995 Section 6.20 if the proposed loan is included in the 2024/25 Adopted Budget no public notice is required. It is not expected to be required until after budget adoption.

Consultation:

Keith Woodward – Shire of Three Springs CEO
James Cho and Tanya Morris – Commonwealth Bank
Miroslav Nemec – Westpac Bank
Tamara Marsh - WATC

Statutory Environment:

Local Government Act 1995 Section 6.20

"6.20. Power to borrow

(1) Subject to this Act, a local government may —

(a) borrow or re-borrow money;

(b) obtain credit; or

(c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit, to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

(2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) ("power to borrow") and details of that proposal have not been included in the annual budget for that financial year —

(a) unless the proposal is of a prescribed kind, the local

*government must give one month's local public notice of the proposal; and
(b) the resolution to exercise that power is to be by absolute majority."*

Policy Implications:

2.6 Risk Management – by implementing a loan to ensure sufficient funds are available to cover the Shire's financial obligations, we reduce the risk of the potential disruption of essential services provided by the council, such as waste management, infrastructure maintenance, and community programs. This can negatively affect the quality of life for residents and erode public trust in the council's ability to govern effectively.

News of financial difficulties and inability to meet operating expenses can damage the council's reputation and erode public confidence in its leadership and governance. This can result in political pressure, public scrutiny, and increased stakeholder discontent.

Financial/Resources Implications:

A loan will assist with better cash flow management, allowing the shire to cover short-term expenses.

Strategic Implications:

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

Corporate Business Plan 2020 – 2024	
Scope Statement:	Project Outputs:
4.4.6 Review Corporate Business Plan	4.4.6.1 Demonstrate sound financial planning and management

Voting Requirements:

Absolute Majority.

Officer's Recommendation:

018/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.5																				
<u>MOVED:</u> Cr. Connaughton <u>SECONDED:</u> Cr. Eva That Council authorise staff to include in the 2024/25 Budget a \$1,000,000 (one million dollar) short term loan for a period of two years from Western Australia Treasury Corporation to meet any operational shortfall that may occur due to pre-funding the Main Roads Mid West Secondary Grain Freight Routes. <table border="1"> <thead> <tr> <th></th><th>FOR</th><th>AGAINST</th></tr> </thead> <tbody> <tr> <td>Cr. Lane (President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Eva (Deputy President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Heal</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Mutter</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Ennor</td><td style="text-align: center;">✓</td><td></td></tr> </tbody> </table>				FOR	AGAINST	Cr. Lane (President)	✓		Cr. Eva (Deputy President)	✓		Cr. Heal	✓		Cr. Mutter	✓		Cr. Ennor	✓	
	FOR	AGAINST																		
Cr. Lane (President)	✓																			
Cr. Eva (Deputy President)	✓																			
Cr. Heal	✓																			
Cr. Mutter	✓																			
Cr. Ennor	✓																			

Cr Connaughton	✓	
Cr. Mills	✓	
CARRIED: VOTED: 7/0		

10. REPORTS OF OFFICERS

Corporate Services	
10.6 Monthly Financial Report for Periods 29 February 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:	27 March 2024
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 29 February 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 29 February 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 complied 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 29 February 2024 is \$6,321,791. Cash available is made up of Unrestricted cash \$4,164,221 and Restricted cash of \$2,157,570 being primarily made up of various reserves.

Rates Debtors balance as at 29 February is \$298,148. Rates Notices for 2023-24 were issued on the 28th August 2023. The rates collected as at end of February 2024 was \$2,562,188 – 89.58%

February 2024:

Operating Revenue – Operating revenue of \$3,386,617 is made up of Rates – 43%, Grants - 51%, Fees and Charges - 4%, Other Revenue - 1% and Interest Earnings – 1%.

Operating Expenses – Operating expenses of \$3,915,520 is made of Depreciation - 43%, Employee Costs – 30%, Materials and Contracts – 17%, Insurance – 5%, Utilities – 4%, 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:

019/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION		10.6																								
MOVED: Cr. Mills SECONDED: Cr. Ennor That Council accepts the monthly financial reports for the periods ending 29 February 2024. <table><tr><th></th><th>FOR</th><th>AGAINST</th></tr><tr><td>Cr. Lane (President)</td><td>✓</td><td></td></tr><tr><td>Cr. Eva (Deputy President)</td><td>✓</td><td></td></tr><tr><td>Cr. Heal</td><td>✓</td><td></td></tr><tr><td>Cr. Mutter</td><td>✓</td><td></td></tr><tr><td>Cr. Ennor</td><td>✓</td><td></td></tr><tr><td>Cr Connaughton</td><td>✓</td><td></td></tr><tr><td>Cr. Mills</td><td>✓</td><td></td></tr></table> CARRIED: VOTED: 7/0				FOR	AGAINST	Cr. Lane (President)	✓		Cr. Eva (Deputy President)	✓		Cr. Heal	✓		Cr. Mutter	✓		Cr. Ennor	✓		Cr Connaughton	✓		Cr. Mills	✓	
	FOR	AGAINST																								
Cr. Lane (President)	✓																									
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Cr. Mutter	✓																									
Cr. Ennor	✓																									
Cr Connaughton	✓																									
Cr. Mills	✓																									

10. REPORTS OF OFFICERS

Corporate Services	
10.7 Accounts for Payments 29 February 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:	27 March 2024
Author:	Jelena Brown, Assistant Finance Officer
Attachment (s):	List of creditors paid as at 29 February 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:

020/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.7																										
<u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Heal That Council accepts: - The accounts for payment as presented for <i>February</i> 2024 from the CBA Municipal Fund totalling \$454,994.66. - Represented by Electronic Fund Transfers No's 19551 - 19637 and Direct Debits 15628.1 – 15635.1, 15445.1 – 15660.1, 15666.1, 15679.1 – 15680.1, 15690.1 – 15699.1, 15701.1 – 15703.1 and 15712.1. Licensing Fund totalling \$10,702.40 represented by Direct Debit No. 15636.1 – 15643.1, 15661.1 – 15663.1, 15671.9 – 15673.1, 15681.1, 15700.1 and 15711.1 – 15711.2. Total Payments for February 2024 \$465,697.06. <table border="1"> <thead> <tr> <th></th><th>FOR</th><th>AGAINST</th></tr> </thead> <tbody> <tr> <td>Cr. Lane (President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Eva (Deputy President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Heal</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Mutter</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Ennor</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr Connaughton</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Mills</td><td style="text-align: center;">✓</td><td></td></tr> </tbody> </table> CARRIED: VOTED: 7/0				FOR	AGAINST	Cr. Lane (President)	✓		Cr. Eva (Deputy President)	✓		Cr. Heal	✓		Cr. Mutter	✓		Cr. Ennor	✓		Cr Connaughton	✓		Cr. Mills	✓	
	FOR	AGAINST																								
Cr. Lane (President)	✓																									
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Cr. Heal	✓																									
Cr. Mutter	✓																									
Cr. Ennor	✓																									
Cr Connaughton	✓																									
Cr. Mills	✓																									

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, 24 April 2024
tbc @ 3.30pm.

16. CONFIDENTIAL ITEMS

16.1. RECOMMENDATION TO CLOSE COUNCIL MEETING

021/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION		16.1
<u>MOVED:</u> Cr. Ennor <u>SECONDED:</u> Cr.Mills Reason for Confidentiality. Local Government Act 1995: Section 5.23 (2) (c) "the personal affairs of any person" and "A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting." It is a requirement of the <i>Freedom of Information Act 1992</i> that all this information is returned to the Chief Executive Officer at the completion of these items for appropriate filing to maintain confidentiality. Once all negotiations have been completed for Agenda Item 16.1.1, this will be considered an "exempt document" in accordance with Schedule 1 of the <i>Freedom of Information Act 1992</i> denying public access.		
	FOR	AGAINST
Cr Lane (President)	✓	
Cr. Eva (Deputy President)	✓	
Cr. Heal	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills	✓	
CARRIED: VOTED: 7/0		

16. REPORTS OF OFFICERS

Executive Services	
16.1.1 General Practice Agreement. Shire of Three Springs – Lotsu Holdings Pty Ltd	
Agenda Reference:	ADM0373
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	27 March 2024
Author:	Keith Woodward, 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).

022/2024 OFFICER'S RECOMMENDATION:		16.1.1
That Council authorises:		MOVED: Cr. Eva SECONDED: Cr. Ennor
		CARRIED: VOTED: 7/0

MOVED: Cr. Mutter
SECONDED: Cr. Heal

That Council re-open the meeting to members of the public after discussion of confidential items.

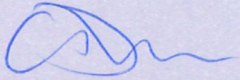
	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr. Heal	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills	✓	

CARRIED:
VOTED: 7/0

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 6.08 pm.

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

Signed: 
 Presiding Officer

Date: 24 April 2024

