



AGENDA
ORDINARY COUNCIL MEETING
TO BE HELD ON
WEDNESDAY
25 OCTOBER 2023
COMMENCING AT 5.30 PM



**SHIRE OF THREE SPRINGS
ORDINARY COUNCIL MEETING NOTICE PAPER
25 OCTOBER 2023**

Councillors,

An ordinary meeting of Council is called for Wednesday, 25 October 2023, in the Council Chambers, Railway Road, Three Springs commencing at 5.30pm.

**Keith Woodward PSM
Chief Executive Officer**

19 October 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

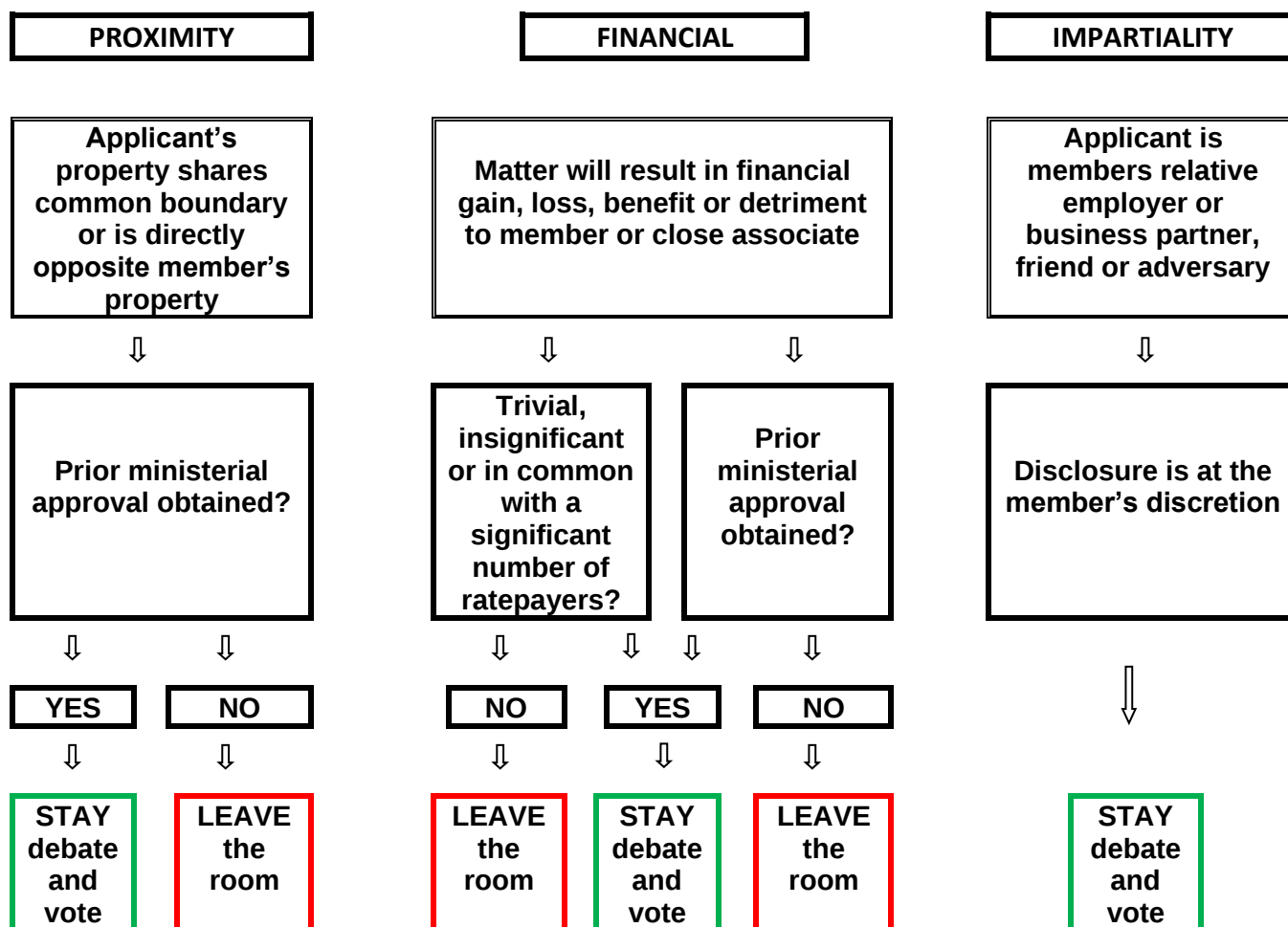
CEO

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 Chief Executive Officer 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 Ennor			
Councillor Eva			
Councillor – Vacant			
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	04.10.2023	Cr.	Cr.	

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The Chief Executive Officer 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. Election of Shire President and Deputy Shire President	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0166
Disclosure of Interest:	Nil
Date:	25 October 2023
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).

Report Purpose:

Council is required to appoint a President at its first meeting following an election day.

Background:

Pursuant to clause 4 of Division 1 of Schedule 2.3 of the Local Government Act 1995, the Council is required to appoint a President at its first meeting following an election day. The Chief Executive Officer is to preside at the meeting until the office is filled and the election is to be conducted by the CEO in accordance with the procedure prescribed in the Act. Accordingly, the CEO will call for Councillors to nominate candidates at the meeting. All Councillors including newly elected Councillors, are eligible to nominate.

Officer's Comment:

Nil

Consultation:

Nil

Statutory Environment:

Local Government Act 1995:

2.8. Role of mayor or president

(1) The mayor or president —

- (a) presides at meetings in accordance with this Act; and*
- (b) provides leadership and guidance to the community in the district; and*
- (c) carries out civic and ceremonial duties on behalf of the local government; and*
- (d) speaks on behalf of the local government; and*
- (e) performs such other functions as are given to the mayor or president by this Act or any other written law; and*
- (f) liaises with the CEO on the local government's affairs and the performance of its functions.*

(2) Section 2.10 applies to a councillor who is also the mayor or president and extends to a mayor or president who is not a councillor.

2.9. Role of deputy mayor or deputy president

The deputy mayor or deputy president performs the functions of the mayor or president when authorised to do so under section 5.34.

2.10. Role of councillors

A councillor —

- (a) represents the interests of electors, ratepayers and residents of the district; and*
- (b) provides leadership and guidance to the community in the district; and*
- (c) facilitates communication between the community and the council; and*
- (d) participates in the local government's decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a councillor by this Act or any other written law.*

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

[Sections 2.11(1)(b) and 2.15]

Division 1 — Mayors and presidents

1. Terms used

In this Division —

extraordinary vacancy means a vacancy that occurs under section 2.34(1);

office means the office of councillor mayor or president.

2. When council elects mayor or president

(1) The office is to be filled as the first matter dealt with —

- (a) *at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and*
 - (b) *at the first meeting of the council after an extraordinary vacancy occurs in the office.*
- (2) *If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.*

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected

- (1) *The council is to elect a councillor to fill the office.*
- (2) *The election is to be conducted by the CEO in accordance with the procedure prescribed.*
- (3) *Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.*
- (3a) *Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.*
- (4) *If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.*
- (5) *The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.*
- (6) *Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.*
- (7) *As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.*

[Clause 4 amended: No. 49 of 2004 s. 69(2)-(5); No. 66 of 2006 s. 14.]

5. Votes may be cast a second time

- (1) *If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.*
- (2) *Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.*
- (3) *When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.*
- (4) *The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.*

Division 2 — Deputy mayors and deputy presidents

6. Terms used

In this Division —

extraordinary vacancy means a vacancy that occurs under section 2.34(1);

office means the office of deputy mayor or deputy president.

7. When council elects deputy mayor or deputy president

- (1) *If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —*
 - (a) *at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and*
 - (b) *at the first meeting of the council after an extraordinary vacancy occurs in the office.*
- (2) *If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —*
 - (a) *as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and*
 - (b) *subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.*
- (3) *If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.*

8. How deputy mayor or deputy president is elected

- (1) *The council is to elect a councillor (other than the mayor or president) to fill the office.*
- (2) *The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.*
- (3) *Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.*
- (3a) *Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.*
- (4) *If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.*
- (5) *The council members are to vote on the matter by secret ballot as if they were electors voting at an election.*

- (6) *Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.*
- (7) *As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.*

[Clause 8 amended: No. 64 of 1998 s. 54(2)-(4); No. 49 of 2004 s. 69(6)-(9).]

9. Votes may be cast a second time

- (1) *If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.*
- (2) *Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.*
- (3) *When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.*
- (4) *The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.*

Schedule 4.1 — How to count votes and ascertain the result of an election

[s. 4.74]

[Heading inserted: No. 15 of 2009 s. 5.]

1. *The number of votes given for each candidate is to be ascertained.*
2. *If the election is to fill the office of mayor or president, the candidate who receives the greater or greatest number of votes is elected.*
3. *If the election is to fill one office of councillor, the candidate who receives the greater or greatest number of votes is elected.*
4. *If the election is to fill 2 or more offices of councillor, the candidates elected are —*
 - (a) the candidate who receives the greatest number of votes; and*
 - (b) the candidate who receives the next highest number of votes; and*
 - (c) the candidate who receives the next highest number of votes,**and so on up to the number of offices to be filled.*
5. *If 2 or more candidates receive the same number of votes so that clause 2, 3 or 4 cannot be applied, the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.*

ELECTION OF SHIRE PRESIDENT

The CEO calls for nominations for the position of Shire President.

IF only one nomination is received the CEO will declare that nominee elected

IF more than one nomination is received the CEO will conduct a secret ballot then declare the nominee with the highest number of votes elected.

NOMINATION FROM Cr _____

NOMINATION FROM Cr _____
NOMINATION FROM Cr _____

There being only one nomination for the position of Shire President the CEO declared Cr _____ elected.

OR

The CEO conducted a secret ballot for the position of Shire President. The result of the ballot was:

Cr _____	Votes _____
Cr _____	Votes _____
Cr _____	Votes _____

Following a secret ballot the CEO declared Cr _____ elected to the position of Shire President

Newly elected Shire President to make declaration of office.

Shire President assumes the chair and calls for nominations for the position of Deputy Shire President

ELECTION OF DEPUTY SHIRE PRESIDENT

The President Cr to call for nominations for the position of Deputy Shire President.

IF only one nomination is received the Shire President will declare that nominee elected
IF more than one nomination is received the CEO will conduct a secret ballot then declare the nominee with the highest number of votes elected.

NOMINATION FROM Cr _____
NOMINATION FROM Cr _____
NOMINATION FROM Cr _____

There being only one nomination for the position of Deputy Shire President the Shire President declared Cr _____ elected.

OR

The CEO conducted a secret ballot for the position of Deputy Shire President. The result of the ballot was:

Cr _____	Votes _____
Cr _____	Votes _____
Cr _____	Votes _____

Following a secret ballot the Shire President declared Cr _____ elected to the position of Deputy Shire President

Newly elected Deputy Shire President to make declaration of office.

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:
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:

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.1
That Cr is elected to the role of Shire President.	
That Cr is elected to the role of Deputy Shire President.	

10. REPORTS OF OFFICERS

Executive Services	
10.2. Appointment of 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:	25 October 2023
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).

Report Purpose:

That Council:

1. Revoke the Council decision 18 October 2021, report 10.2. “*External Committees*”.
2. Authorise the appointment of Councillors as representatives to external committees.

Background:

The Local Government Act 1995 Section 5.8, 5.9 and 5.10 empowers Council to establish committees and elect persons to serve on those committees.

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:

OFFICER'S RECOMMENDATION:	10.2
That Council:	
1. Revoke the Council decision 18 October 2021, report 10.2. "<i>external Committees</i>". 2. Authorise the appointment of Councillors as representatives to the Shire of Three Springs external committees.	
A. WALGA Conference Delegates	
• President Cr • Deputy (Proxy) Cr	
B. Northern Country Zone of WALGA	
• President Cr • Deputy (Proxy) Cr	
C. MRWA Regional Road Group	
• President Cr • Deputy (Proxy) Cr	
D. Three Springs LEMC	
• President Cr • Deputy (Proxy) Cr	
E. Development Assessment Panel	
• President Cr • Deputy (Proxy) Cr • Cr • Cr	

10. REPORTS OF OFFICERS

Executive Services	
10.3. Appoint Representative to Internal Committee's	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	25 October 2023
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 Council:

1. Revoke the Council decision 18 October 2021, report 10.3. *"Appoint Representative to Internal Committees"*.
2. Authorise the appointment of Councillors as representatives to Internal Committees.

Background:

The Local Government Act 1995 Section 5.8, 5.9 and 5.10 empowers Council to establish committee's and elect persons to serve on those committees.

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:

OFFICERS RECOMMENDATION:	10.3
That Council: 1. Revoke the Council decision 18 October 2021, report 10.3. <i>“Appoint Representative to Internal Committees”</i>. 2. Appoint councillors to the following Shire of Three Springs internal Audit and Risk Committee. President / Cr. Deputy President / Cr. Cr. Cr. Cr. Cr. 3. Appoint Councillors to the following Shire of Three Springs Community Fund Assessment Committee. President / Cr. Deputy President Cr. CEO 4. Appoint councillors to the Shire of Three Springs Chief Executive Officer - Performance and Salary Review Committee. President / Cr. Deputy President Cr. Cr. Cr. Cr. Cr.	

10. REPORTS OF OFFICERS

Executive Services	
10.4. 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:	25 October 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 September 2023.
2. Actions Performed under Delegated Authority for September 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 September 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	September 2023 Report submitted to the 25 October OCM. Reference Minutes	
Emergency Services Levy - Option A Remittance DUE by: 21st of the month Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures	Clause 5.13.	DFES - ESL Manual of Operating Procedures		N/A
Primary Returns - Request Primary Return from any new employee who is a Designated Employee. Return must be received by CEO within 3 months of the person's start day	Local Government Act 1995	s.5.75	WALGA - Governance Subscription Guideline - Primary and Annual Returns Management DLGSC Operational Guideline No.21 Disclosure of Financial Interests in Returns	No new designated employees.	
Financial Interests Register - Review Review register to remove Primary and Annual Returns (not other interest disclosures) from the Financial Interest Register that relate to persons who are no longer Designated Employees (resigned or changed roles) or for Elected Members who have resigned. Returns that are removed are to be kept by the CEO as LG Record for at least 5 years after the person ceased to be a Designated Employee.	Local Government Act 1995	s.5.88(3)(4)		Register has been reviewed and is up to date.	
Emergency Services Levy - Option B Payment Due Due by: 21 of the month and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures		DFES - ESL Manual of Operating Procedures	Paid August 23 by way of EFT19131.	
Elections - Candidate Information Session Coordinate and promote a candidate information session - consider participation in WALGA Webinars.	n/a	n/a	WALGA Prospective Elected Members Webinar	The Walga Information session was advertised on our social media for prospective candidates to register.	

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Elections - Statewide Public Notice Call for Nominations - no later than 45th day before Election Day	Local Government Act 1995	s.4.47(1)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Statewide Public Notice was given for "Call for Nominations"	
Elections - Nominations Open -(44th day before Election Day) First day for candidates to lodge completed nomination papers with the returning officer. Nominations are open for eight days	Local Government Act 1995	s.4.49(a)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Completed	
Elections - Nominations Close at 4pm on (37th day before Election Day)	Local Government Act 1995	s.4.49(a)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Completed	
Elections - Declarations of Office for new Elected Members <u>elected unopposed</u> (due 2 months from declaration of result - close of nominations 37th day before Election Day)	Local Government Act 1995	s.2.29 (s.2.32(c))	DLGSC Elections Timetable DLGSC Returning Officer Manual	Will be made at Ordinary Council Meeting on 25 October 23	
Elections - Candidate / Donor Gift Disclosures - CEO written advice to Candidates of Elections Gift Disclosure obligations.	Local Government Act 1995	s.4.59 Elections Regs Part 5A Form 9A			
Elections - Residents Roll to be prepared by Electoral Commissioner and forwarded to CEO - Due by 36th day before Election Day	Local Government Act 1995	s.4.40(2)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Residents Roll was received by the CEO on 6 September 2023.	
Elections - Owners and Occupiers Roll to be prepared and certified by CEO Due by 36th day before Election Day	Local Government Act 1995	s.4.41(1)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Prepared and Certified Owner and Occupier on 6 September 2023.	
Elections - Statewide Public Notice of Election Day by Returning Officer - between 36th and 19th day before Election Day	Local Government Act 1995	s.4.64(1)	DLGSC Elections Timetable DLGSC Returning Officer Manual	N/a as no Election Day as 3 Councillors elected unopposed.	
Elections - Consolidated Roll (Resident / Owners and Occupiers) at Returning Officer's discretion, to be completed by (22nd day before Election Day)	Local Government Act 1995	s.4.38(1) Elections Reg.18	DLGSC Elections Timetable DLGSC Returning Officer Manual	Completed	
Elections - Supply of Rolls - CEO to provide Returning Officer with sufficient rolls and copies to be provided free of charge to candidates and Elected Members who ask	Local Government Act 1995	s.4.42		Rolls were available if requested.	
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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Report on Waste Plan - Perth, Peel and major regional centre LGs must submit report on the implementation of their waste plan, including any or all of matters in s.44(2) required by the CEO. First due: 1 October 2021, then annually by 1 October	Waste Avoidance and Resource Recovery Act 2007	s.44	Report completed and accepted by the Dept of Water & Env Reg on 12.09.2023. – ICR2319769
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Execution of Delegation for September 2023

Date	File Ref	Delegation Number	Decision Detail	Applicant	Initiating Officer	1 st Auth.	2 nd Auth.	Comment
1-Sep-23	PMT ID: F309016372703	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Muni and Maxi	CBA-Muni	FO	FO	DCEO	Funds Transfer from the Muni Account to the Maximiser Account totalling \$80,000.00 PMT ID: F309016372703
7-Sep-23	PMT ID: F309076760756	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$75,892.69 PMT ID: F309076760756
12-Sep-23	PMT ID: F : F309126999803	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO	DCEO	CEO	Fortnightly Payroll through the CBA Muni Bank \$45,521.65 PMT ID: F309126999803
15-Sep-23	PMT ID: F309157244279	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$209,005.39 PMT ID: F309157244279
21-Sep-23	PMT ID: F309217600542	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Muni and Maxi	CBA-Muni	FO	FO -	CEO	Funds Transfer from the Muni Account to the Maximiser Account totalling \$500,000.00 PMT ID: F309217600542
26-Sep-23	PMT ID: F F309267838259	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO	DCEO	CEO	Fortnightly Payroll through the CBA Muni Bank \$42,776.58 PMT ID: F309267838259
28-Sep-23	PMT ID: F309287983328	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Muni and Maxi	CBA-Muni	AFO	FO	CEO	Funds Transfer from the Muni Account to the Maximiser Account totalling \$500,000.00 PMT ID: F309287983328
28-Sep-23	PMT ID: F309288027508	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	FO	CEO	Weekly Creditor Payments totalling \$22,985.84 PMT ID: F309288027508

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:	10.4
That Council Accepts: 1. The Governance Compliance Calendar report for September 2023. 2. The Execution of Delegation report for September 2023.	

10. REPORTS OF OFFICERS

Executive Services	
10.5. Christmas Shutdown	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	25 October 2023
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.
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Report Purpose:

That Council approve the shutdown period:

Department

Shire Administration Office
Depot
Library
Swimming Pool
Tip

Closed

2pm Thursday 21/12/23
2pm Thursday 21/12/23
2pm Thursday 21/12/23
Sunday 24/12/23
Open

Open

Tuesday 02/01/24
Wednesday 03/01/24
Tuesday 02/01/24
Saturday 27/12/23

Background:

1. In previous years Council has resolved to close the Shire Office and depot over the Christmas New Year period. Shire staff will take annual or accumulated leave for the days on which the administration office/depot is closed.
2. Generally, the town is very quiet at that time of the year and previously it does not seem to have been inconvenient to the general public to have the administration office and depot closed.

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3. Therefore, the office and depot will be closed from 2.00pm Thursday 21/12/23 with the administration office reopening again on Tuesday, 02/01/24 and the depot re-opening on Wednesday 03/01/24.

Officer's Comment:

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

Department	Closed	Open
Shire Administration Office	2pm Thursday 21/12/23	Tuesday 02/01/24
Depot	2pm Thursday 21/12/23	Wednesday 03/01/24
Library	2pm Thursday 21/12/23	Tuesday 02/01/24
Swimming Pool	Sunday 24/12/23	Saturday 27/12/23
Tip	Open	

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICERS RECOMMENDATION:			10.5
That Council approve the shutdown period:			
Department	Closed	Open	
Shire Administration Office	2pm Thursday 21/12/23	Tuesday 02/01/24	
Depot	2pm Thursday 21/12/23	Wednesday 03/01/24	
Library	2pm Thursday 21/12/23	Tuesday 02/01/24	
Swimming Pool	Sunday 24/12/23	Saturday 27/12/23	
Tip	Open		

10. REPORTS OF OFFICERS

Works and Services	
10.6 Capital 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:	25 October 2023
Author:	Malcolm Elliot, Supervisor of Works
Attachment (s):	Capital Works Report 2023-2024 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.
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Report Purpose:

That Council accepts the Capital Works Report.

Background:

This report provides Council with the 2023-2024 Capital Works progress update.

Officers Comment:

Construction:

- Complete re-sheeting Bunney Road including verge/shoulder and drain re-instatement.
- Repair flooding damage to shoulders on Morawa/Three springs Rd.
- Complete works at Glyde Street camp for overflow caravan park.

- Install culvert Telegraph Rd and repair existing floodway's.
- Works as required by Desert races to track etc.
- Set-up/pack-down projector event.
- Slashing on rural Rd verges commenced.
- Pothole repairs were done around townsite and Three Springs/Perenjori Rd, Three Springs Morawa Rd, Arrino West Rd and Arrino South Rd.
- More material on way to complete further pothole repairs.
- Storm damage clean-up.

Maintenance Grader:

- Maintenance grading carried out on following roads:

Beekeeper Rd, Skipper Rd, Ding Rd, First North Rd and Second North Rd, Robb Rd, Tomkin Rd, Bunney Rd and Natta Rd with shoulders, verges and drains re-instated.
- Maintenance grading also carried out on Arrino West Kangaroo Rd, Nebru Rd, Strutton Rd and Yarra West Rd as well as the Sporting Oval.

Contractor Works:

Nil

General Parks and Gardens:

- We have entered the Tidy Town's competition and implemented works to improve the appearance of the town, with extra attention to the parks and Main Street. The Tidy Town judges were impressed with what the Shire has been doing within Three Springs and that we were working closely with the school.
- We have also just finished a major weekend with 360 racing and opening our Glyde Street Caravan Park for the event.

Plant Vehicles and machinery:

- Replace flails on slasher.
- Repair hydraulic oil leaks tractor /adjust brakes.
- CEO vehicle windscreen replaced.

Waste Landfill site:

General maintenance works.

Staff Recruitment and Training:

Supervisors Training.

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:	10.6
That Council accepts the Capital Works Report.	

10. REPORTS OF OFFICERS

Executive Services	
10.7 Letter of Support - Dark Sky Friendlier LED Street Light	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	Chief Executive Officer
File Reference:	
Disclosure of Interest:	Nil
Date:	25 October 2023
Author:	Raman S Viridi, Community Development Officer
Attachment (s):	1. Letter of Support - Dark Sky-Wildlife LED Streetlight Luminaire 2. Project Flyer - Dark Sky-Wildlife Friendlier LED Streetlight Luminaire

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 endorse the letter of support for the development of a dark sky and wildlife friendly LED streetlighting.; and for Local Governments to be able to choose as an installation option from Western Australian power companies where appropriate.

Background:

The Shire of Three Springs has been working with Astrotourism WA since 2018 on the development of Dark Sky Tourism for the region. Places of interest for Dark Sky Tourism visitors have been mapped out and dark sky measurements have been recorded. The Shire has also hosted numerous stargazing events that have engaged the local community on astronomy, light pollution and the development of Dark Sky Tourism for the local economy.

Carol Redford, CEO Astrotourism WA, has been progressing an initiative to secure a dark sky and wildlife friendly LED streetlight luminaire for Local Governments. Meetings have been held with the WA Local Government Association (WALGA), Western Power, Horizon Power and recently the Department of Biodiversity, Conservation and Attractions (DBCA).

Tristan Simpson, Senior Environmental Officer DBCA, has also engaged WALGA, Local Government, WA's power companies and lighting manufacturers in pursuit of the same initiative.

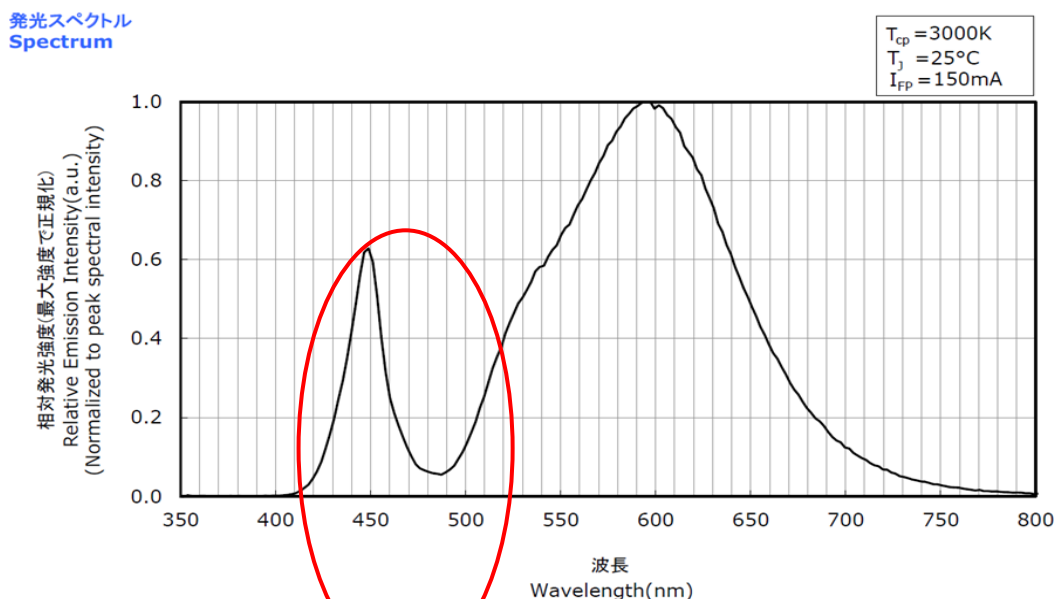
Western Power is responsible for the procurement and purchasing of streetlights for the State, including those for Horizon Power.

In some Western Australian communities, Western Power and Horizon Power are installing 3000K or 4000K LED streetlights. These LED streetlights have environmental benefits, including a reduced carbon footprint from lower energy usage and lower maintenance needs.

However, improvements can be made to the lighting design to reduce the impacts to the nighttime environment and nocturnal wildlife species. As outlined in the Australian National Light Pollution Guidelines for Wildlife, *"Animals perceive light differently from humans, and artificial light can disrupt critical behaviour and cause physiological changes in wildlife. For example, hatchling marine turtles may not be able to find the ocean when beaches are lit, and fledgling seabirds may not take their first flight if their nesting habitat never becomes dark."*

Improvements in streetlighting to reduce glare and correlated colour temperature will also lessen the impacts on human health. Current American Medical Association Policy supports efforts to reduce light pollution and states that *"pervasive use of nighttime lighting disrupts various biological processes, creating potentially harmful health effects related to disability glare and sleep disturbance."*

Below is the spectral power distribution curve based on a current 3000K streetlight model showing a blue light spike that is detrimental to many native and threatened species of wildlife and the dark night sky.



Officer's Comment:

DBCA and Astrotourism WA will propose to Western Power that an additional dark sky and wildlife friendly LED streetlight luminaire option be added to the existing catalogue for selection to install by Local Governments.

DBCA has completed preliminary discussions with lighting designers and has identified that this initiative is feasible with negligible additional cost and tariffs, and will be compatible with existing fittings and infrastructure. Additionally, it will be compliant with relevant Australian Standards, AS1158.1.2:2010 - Lighting for roads and public spaces.

Western Power has confirmed its provisional support for this initiative pending demonstrated and formal confirmation from a representative proportion of Western Australia's Local Governments.

Upon enough support being obtained, DBCA and Astrotourism WA will collaborate with Western Power to procure a qualified lighting designer to progress. Once developed, the final luminaire product design(s), specifications and costs will be provided to Local Governments who have registered their formal support for feedback prior to progressing any further with Western Power.

Western Power will then include the additional choice of LED streetlight luminaire in their product catalogue as an option for Local Governments.

At this preliminary stage, DBCA and Astrotourism WA seek Shire of Three Springs support to demonstrate demand from Local Governments for a dark sky and wildlife friendlier LED streetlight luminaire

Consultation:

The cost of the design of a new dark sky and wildlife friendly streetlight will be covered by DBCA. DBCA's preliminary discussions with lighting designers has identified that this initiative is feasible with negligible additional cost and tariffs to Local Government.

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:
A prosperous, thriving and innovative local economy	1.1.1 Provide and maintain good quality tourism infrastructure and facilities

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.

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.7
That Council endorse the following recommendation made by the officer: 1. That Council endorse the letter of support for the development of a dark sky and wildlife friendly LED streetlight luminaire for Local Governments to be able to choose as an installation option from Western Australian power companies where appropriate.	

10. REPORTS OF OFFICERS

Executive Services	
10.8 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:	25 October 2023
Author:	Raman S Virdi, Community Development Officer
Attachment (s):	Nil

Council Role:

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

Report Purpose:

That Council accepts the Community Development Report for September 2023.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Community Citizen of the Year Awards (CCYA)	CCYA are managed under Council Policy 3.5 Australia Day – Citizenship Award and Australia Day Council WA. The Awards recognise individuals and organisations making a notable contribution during the current year and/or to those who have given outstanding service over a number of years. The CCYA nominations will be open from Wednesday, 18 October 2023.
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Official Communication - Facebook page and the Shire website.	The Shire has updated its Facebook Page and website about ongoing activities.
Silo Movie Night and Three Springs 360 Event	Silo Movie Night and Three Springs 360 event was organised by the Shire of Three Springs and Western Australia Off-Road Racing Association (WAORRA). The Silo Movie Night event was held at Jack Thorpe Garden on Saturday, 23 September 2023. A total of 250 people attended the event.
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 July/August edition of the Western Councillor publication.

Grants:

Australia Day Community Grants (ADCG)	ADCG is managed by the National Australia Day Council (NADC), with the support of the Australian Federal Government. Shire of Three Springs submitted an application worth \$10,000.00 to fund the celebration of the Three Springs Australia Day 2024.
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 (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."
RAF Project Grants	RAF Project Grants are managed by the Regional Arts WA. The Shire submitted an application worth 30,000.00 to host an artist in Three Springs. The Grant funding will be used to host workshops to produce Silo Projection Project artwork.
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.

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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.
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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. 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:

Ordinary Council Meeting Agenda – 25 October 2023

OFFICER'S RECOMMENDATION:	10.8
That Council accepts the Community Development report for September 2023.	

10. REPORTS OF OFFICERS

Corporate Services	
10.9 Monthly Financial Report for Period 30 September 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:	25 October 2023
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 30 September 2023

Council Role:

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

Report Purpose:

That Council accepts the monthly financial report for the period ending 30 September 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 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 30 September 2023 is \$7,257,907. Cash available is made up of Unrestricted cash \$5,107,793 and Restricted cash of \$2,150,114 being primarily made up of various reserves.

Rates Debtors balance as at 30 September 2023 is \$1,676,648. Rates Notices for 2023-24 were issued on the 28th August 2023. The rates collected as at end of August 2023 was \$1,198,800 - 41.69%

September 2023:

Operating Revenue – Operating revenue of \$3,045,315 is made up of Rates – 45%, Grants - 53%, Fees and Charges - 2%, Other Revenue - 0% and Interest Earnings – 0%.

Operating Expenses – Operating expenses of \$785,305 is made of Depreciation - 0% (depreciation will be run after completion of Annual Financial Report audit), Employee Costs – 50%, Materials and Contracts – 28%, Insurance – 16%, Utilities – 6%, Loss on Disposal of Assets – 0% and Other Expenditure – 1%.

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:
That Council accepts the monthly financial report for the period ending 30 September 2023.

10.9

10. REPORTS OF OFFICERS

Corporate Services	
10.10 Accounts for Payments 30 September 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:	25 October 2023
Author:	Jelena Brown, Assistant Finance Officer
Attachment (s):	List of creditors paid as at 30 September 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:	10.10
That Council accepts: 1. The accounts for payment as presented for <i>August</i> 2023 from the CBA Municipal Fund totalling \$358,484.85. 2. Represented by Electronic Fund Transfers No's 19145 - 19216 and Direct Debits 15192.1, 15207.1 – 15221.1, 15227.1 – 15229.6, 15234.1 – 15251.1, 15258.1 – 15259.7, 15268.1, 15274.1 and 15276.1. 3. Licensing Fund totalling \$22,310.55 represented by Direct Debit No. 15199.1 – 15200.1, 15223.1 – 15224.1, 15233.1, 15252.1 – 15256.1, 15262.1 – 15263.1, 15272.1 and 15275.1. Total Payments for September 2023 \$380,795.40	

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

- 12.1. Elected Members
- 12.2. Staff

13. QUESTIONS BY MEMBERS WITHOUT NOTICE

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

15. TIME AND DATE OF NEXT MEETING

The Next Ordinary Council Meeting will be held on Wednesday, 22 November 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: 22 November 2023