



AGENDA
ORDINARY COUNCIL MEETING
TO BE HELD ON
WEDNESDAY
27 JULY 2022
COMMENCING AT 5 PM



**SHIRE OF THREE SPRINGS
ORDINARY COUNCIL MEETING NOTICE PAPER
27 JULY 2022**

President and Councillors,

An ordinary meeting of Council is called for Wednesday, 27 July 2022, in the Council Chambers, Railway Road, Three Springs commencing at 5pm.

Keith Woodward
Chief Executive Officer

21 July 2022

DISCLAIMER

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

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

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

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

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

To: Chief Executive Officer

☐ Ordinary Council Meeting held
on

☐ Special Council Meeting held
on

☐ Committee Meeting held on

☐ Other

Report No

Report Title

Name

☐ Elected
Member

☐ Committee

☐ Employee

☐ Contractor

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

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

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

Name: _____ Signed: _____ Date: _____

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

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

OFFICE USE ONLY

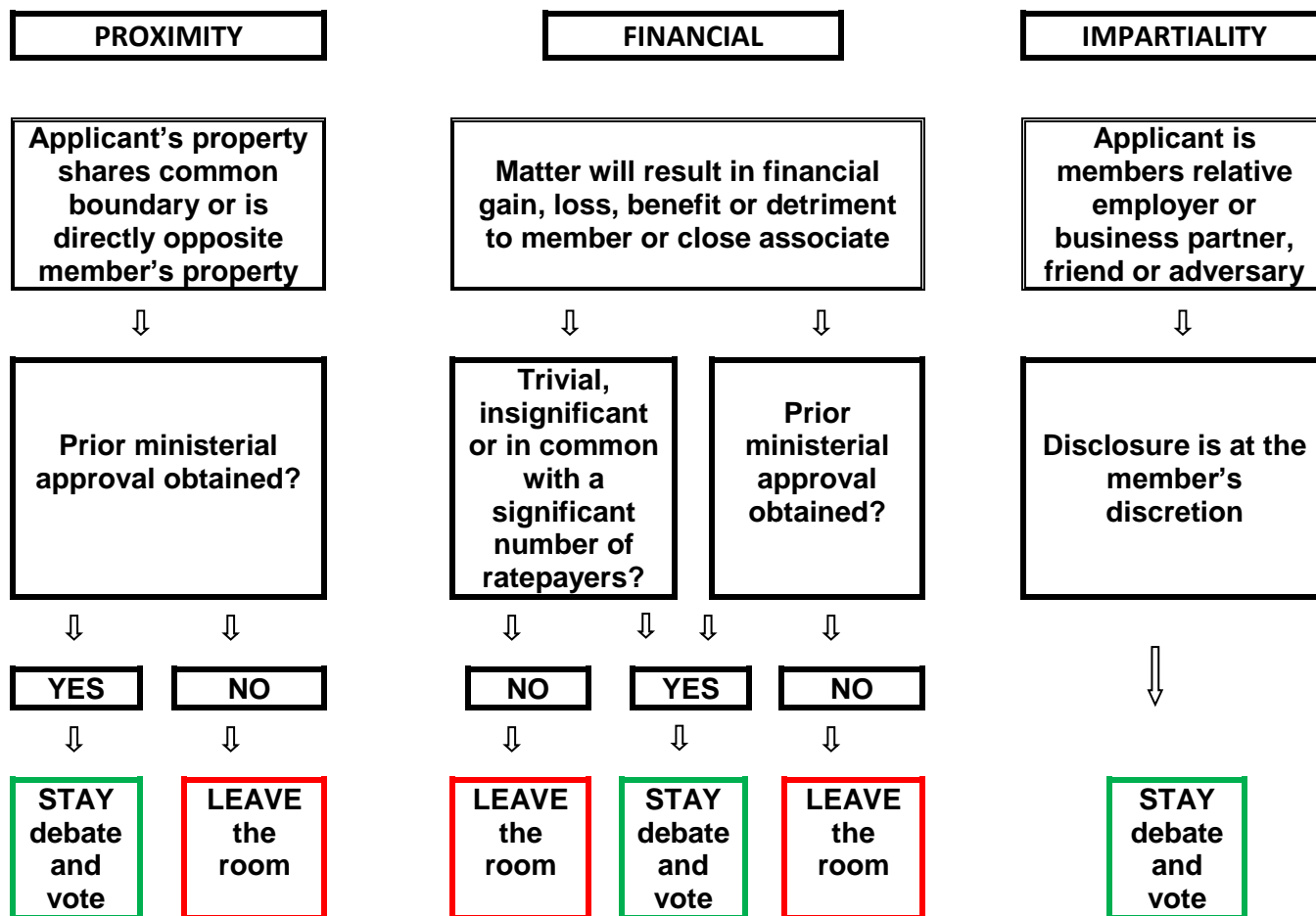
CEO

Signed:

Date:

:

Declaring an Interest



Local Government Act 1995 - Extract

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

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

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

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

5.71 - Employees to disclose interests relating to delegated functions.

If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter. (Penalties apply)

'Local Government (Administration) Regulations 1996 – Extract

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

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

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AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at:

Acknowledgement of Country:-

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

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

	Attendance	Apologies	Approved Leave of Absence
Councillor Lane			
Councillor Connaughton			
Councillor Heal			
Councillor Mutter			
Councillor Mills			
Councillor Ennor			
Councillor Eva			
Chief Executive Officer			
Deputy Chief Executive Officer			
Acting Manager of Works			
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	22/06/2022	Cr.	Cr.	

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activity
Cr. Lane	
Cr. Connaughton	
Cr. Heal	
Cr. Mutter	
Cr. Mills	
Cr. Ennor	
Cr. Eva	

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

10. REPORTS OF OFFICERS

Executive Services	
10.1. Good Governance in Practice	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	27 July 2022
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 June 2022.
2. Actions Performed under Delegated Authority for June 2022.

Background:

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

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

Officer's Comment:

Compliance Table for June 2022

Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
Monthly Financial Report LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg.34	DLGSC WA Local Government Accounting Manual	June 2022 reports were submitted to the May 2022 OCM. Minutes reference.	
Emergency Services Levy - Option A Remittance DUE by: 21st of the month Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures	Clause 5.13.	DFES -ESL Manual of Operating Procedures	N/a	
Emergency Services Levy - Option B Payment Due by: 21 June and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures		DFES -ESL Manual of Operating Procedures	May 2022 Creditors	
Decision Objection and Review Rights - Internal Audit Review the LG's template permits, licences, notices and approval letters issued under the Act and Local Laws to ensure they include advice to the recipient of their objection and review rights.	Local Government Act 1995	s.9.4			The Shire has not received any Objection as prescribed under Part 9, Division 1 s. 9.1 of the LG ACT in 2021-2022.
FOI Annual Statistical Data - Response to Information Commissioner Due by: 30 June	Freedom of Information Act 1992	s.111(3)		FOI survey completed and submitted on 04 July 2022	Associated report to the July 2022 OCM. Submission to the F.O.I. Commissioner following adoption by Council.
Appoint Bush Fire Control Officers - Review appointments and update if necessary	Bush Fires Act 1954	s.38		July 2022 OCM	
Financial Reporting - Material Variances Each Financial Year, a LG is to adopt a percentage or value, calculated in accordance with AAS, to be used in statements of financial	Local Government Act 1995	s.6.4 FM.Reg.34(5)		To be adopted as part of the budget adoption – July 2022	

activity for reporting material variances. (adopt and apply in the following Financial Year)					
Elections - Council Report required determine if Electoral Commission will conduct the Election. Electoral Commission agreement to conduct the election required by: 80th day before Election Day	Local Government Act 1995	s.4.20(2)(3)(4) s.4.61(2)(4)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Next elections 2023	
Revaluation of Assets - Plant and Equipment LG must revalue all assets within the Plant and Equipment Class by the expiry of each 3-yearly interval after 30 June 2016	Local Government Act 1995	FM.Reg.17A(4)	Plant & Equipment Revaluation last carried out in May 2016	The Local Government (Financial Management) Amendment Regulations 2020 have been published in the Government Gazette (6 November 2020).	The requirement to revalue has been removed. Local governments are now required to use the cost model for plant and equipment
Revaluation of Assets - Land, Buildings and Infrastructure LG must revalue all assets within the Land Building and Infrastructure Class by the expiry of each 3-yearly interval after 30 June 2017	Local Government Act 1995	FM.Reg.17A(4)	Revaluation of Assets-Land and Infrastructure carried out in March 2020	Report received from Griffin Valuation Advisory on 13 March 2020.	
Revaluation of Assets - All Other Classes of Assets LG must revalue all other classes of assets (other than, Plant and Equipment and Land Building and Infrastructure classes) by the expiry of each 3-yearly interval after 30 June 2018	Local Government Act 1995	FM.Reg.17A(4)	Road Infrastructure Asset carried out in June 2021.	Report received from Talis Consultants June 2021.	
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		

Execution of Delegation for June 2022

Date	File Ref	Delegation Number	Decision Detail	Applicant	Initiating Officer	1 st Auth.	2 nd Auth.	Comment
2-Jun-22	PMT ID: F206029197186	CS002 - Payments from Municipal Fund and Trust Fund	Creditor Payment	CBA	Finance Officer	Deputy Chief Executive Officer	Chief Executive Officer	Creditor Payments \$23,158.00 EFT PMT ID: F206029197186
7-Jun-22	PMT ID: F206079451787	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Finance Officer	Deputy Chief Executive Officer	Chief Executive Officer	Fortnightly Payroll PPE 07/06/2022 - \$39,248.35 PMT ID: F206079451787
8-Jun-22	PMT ID: F206089475327	CS002 - Payments from Municipal Fund and Trust Fund	Transfer from Muni to Licensing Account - Cheque Deposited to Muni and transferred to Licensing	CBA	Customer Service Officer 2	Customer Service Officer 2	Deputy Chief Executive Officer	Transfer \$716.75 Cheque Deposit from the Muni account to the Licensing Account. Deposit made to Muni to prevent overdraw fee of licensing account on DoT direct Debit prior to Cheque Clearing. PMT ID: F206089475327
9-Jun-22	PMT ID: F206099592785	CS002 - Payments from Municipal Fund and Trust Fund	Creditor Payment	CBA	Customer Service Officer 2	Deputy Chief Executive Officer	Chief Executive Officer	Creditor Payments \$32,101.03 EFT PMT ID: F206099592785
15-Jun-22	PMT ID: F206159865399	CS002 - Payments from Municipal Fund and Trust Fund	Transfer of Funds from the Municipal Account to the Maximiser Account	CBA	Customer Service Officer 2	Customer Service Officer 2	Deputy Chief Executive Officer	Transfer of Funds from the Municipal Account to the Maximiser Account due to excess funds \$724,000.00 PMT ID: F206159865399
15-Jun-22	ADM0156	GO004- Execution of Contract Documents	Signing of Grant Agreement between SoTS and Dept of LG, Sport & Cultural Industries	SoTS	CEO			ICR2217581
17-Jun-22	PMT ID: F206170023013	CS002 - Payments from Municipal Fund and Trust Fund	Transfer from Muni to Licensing Account - Cheque Deposited to Muni and transferred to Licensing	CBA	Customer Service Officer 2	Customer Service Officer 2	Deputy Chief Executive Officer	Transfer \$366.95 Cheque Deposit from the Muni account to the Licensing Account. Deposit made to Muni to prevent overdraw fee of licensing account on DoT direct Debit prior to Cheque Clearing. PMT ID: F206170023013
17-Jun-22	PMT ID: F206170039163	CS002 - Payments from Municipal Fund and	Creditor Payment	CBA	Customer Service Officer 2	Deputy Chief Executive Officer	Chief Executive Officer	Creditor Payments \$101,6356.60 EFT PMT ID: F206170039163

		Trust Fund						
21-Jun-22	PMT ID: F206210209462	CS002 - Payments from Municipal Fund and Trust Fund	Transfer of Funds from the Maximiser Account to the Municipal Account	CBA	Finance Officer	Deputy Chief Executive Officer	Customer Service Officer 2	Transfer of Funds from the Maximiser Account to the Municipal Account for payroll 21/06/2022 PMT ID: F206210209462
21-Jun-22	PMT ID: F206210245090	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Finance Officer	Deputy Chief Executive Officer	Chief Executive Officer	Fortnightly Payroll PPE 21/06/2022 - \$38,620.24 PMT ID: F206210245090
23-Jun-22	INV: 29 - Batch 3976	CS005 - Waiving and Granting of Concession and Write Off of debts other than Rates and Service Charges	Debt Write off - \$295.64	SoTS	CSO	Deputy Chief Executive Officer		Unable to locate/contact Debtor - Ex-tenant - Rent & Water charges. Retained bond of \$400. Write - off is balance of amount outstanding.
23-Jun-22	PMT ID: F206230414546	CS002 - Payments from Municipal Fund and Trust Fund	Transfer of Funds from the Maximiser Account to the Municipal Account	CBA	Customer Service Officer 2	Customer Service Officer 2	Deputy Chief Executive Officer	Transfer of Funds \$28,000.00 from the Maximiser Account to the Municipal Account for Creditors 23/06/2022 PMT ID: F206230414546
23-Jun-22	PMT ID: F206230417425	CS002 - Payments from Municipal Fund and Trust Fund	Creditor Payment	CBA	Customer Service Officer 2	Deputy Chief Executive Officer	Chief Executive Officer	Creditor Payments \$27,767.04 EFT PMT ID: F206230417425
28 June 22	ADM0082		GO004-Execution of Contract Documents		Deputy Chief Executive Officer			ICR2217612
28 June 22	ADM0084		GO004-Execution of Contract Documents		DCEO			ICR2217613
29-Jun-22	PMT ID: F206290711179	CS002 - Payments from Municipal Fund and Trust Fund	Transfer from Muni to Licensing for Licensing Cheque payment deposited to Muni.	CBA	Finance Officer	Customer Service Officer 2	Deputy Chief Executive Officer	Funds Transfer from Muni to Licensing (Cheque payment for Licensing deposited to Muni) PMT ID: F206290711179
30-Jun-22	PMT ID: F206300874963	CS002 - Payments from Municipal Fund and Trust Fund	Transfer of Funds from the Maximiser Account to the Municipal Account	CBA	Customer Service Officer 2	Customer Service Officer 2	Deputy Chief Executive Officer	Transfer of Funds from the Maximiser Account to the Municipal Account for Creditors 30/06/2022 PMT ID: F206300874963
30-Jun-22	PMT ID: F206300928280	CS002 - Payments from	Creditor Payment	CBA	Customer Service Officer 2	Deputy Chief Executive	Chief Executive Officer	Creditor Payments \$50,866.88 EFT PMT ID:

		Municipal Fund and Trust Fund				Officer		F206300928280
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Statutory Environment:

Local Government Act 1995, Administration Part 5, Division 4, S.5.40

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the Council in relation to the functions of a local government under this Act and other written laws; and*
- (b) ensure that advice and information is available to the Council so that informed decisions can be made; and*
- (c) cause council decisions to be implemented; and*
- (d) manage the day to day operations of the local government; and*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) speak on behalf of the local government if the mayor or president agrees; and*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
 - (a) risk management; and*
 - (b) internal control; and*
 - (c) legislative compliance.*
- (2) The review may relate to any or all of the matters referred to in sub-regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) The CEO is to report to the audit committee the results of that review.*

Policy Implications:

Council Policy 1100 Risk Management. The risk management objectives of this policy are:

- 1. Optimise the achievement of our vision, mission, strategies, goals and objectives.*

2. *Provide transparent and formal oversight of the risk and control environment to enable effective decision making.*
3. *Enhance risk versus return within our risk appetite.*
4. *Embed appropriate and effective controls to mitigate risk.*
5. *Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.*
6. *Enhance organisational resilience.*
7. *Identify and provide for the continuity of critical operations*

The Good Governance in Practice Principles 'compliance and reporting' align with Council policy and legislation reducing organisation's risk.

Financial/Resources Implications:

Nil

Strategic Implications:

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

Strategic Community Plan 2018 - 2028	
Council Objectives:	Outcome:
A long term, strategically focused Shire that is efficient, respected and accountable.	4.3.2. Ensure compliance with all relevant legislation.

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.1
<p>That Council Accepts:</p> <ol style="list-style-type: none"> 1. The Governance Compliance Calendar report for June 2022. 2. The Execution of Delegation report for June 2022. 	

10. REPORTS OF OFFICERS

Executive Services	
10.2 Freedom of Information Statement 2022	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	27 July 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Draft Freedom of Information Statement 2022

Council Role:

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

Report Purpose:

That the council endorse Shire of Three Springs Freedom of Information Statement 2022 and forward a copy to the Office of the Information Commissioner.

Background:

The Shire of Three Springs is required to produce its Information Statement in accordance with section 96(2) of the Freedom of Information Act and to either publish a 'stand-alone' information statement or include the prescribed information in its annual report. Council is required to make a copy of its Information Statement available for inspection and/or purchase at its office of administration.

Officer's Comment:

The Freedom of Information Statement 2022 for Shire of Three Springs has been prepared and updated and on endorsement by Council will be forwarded to the Office of the Information Commissioner as required (at intervals of not more than 12 months).

Consultation:

Chief Executive Officer

Statutory Environment:

Freedom of Information Act 1992 Part 5 s.96 and 97

96. Information statement, each agency to publish annually

- (1) An agency (other than a Minister or an exempt agency) has to cause an up-to-date information statement about the agency to be published in a manner approved by the Minister administering this Act-
 - a) Within 12 months after the commencement of this Act; and
 - b) At subsequent intervals of not more than 12 months.
- (2) In giving approval under subsection (1) the Minister has to have regard, amongst other things, to the need to assist members of the public to exercise their rights under this Act effectively.
- (3) In the case of an agency that comes into existence after the commencement of this Act the reference in subsection (1)(a) to the commencement of this Act is to be read as a reference to the time when the agency commences its operations.
- (4) A subcontractor does not have to comply with subsection (1) if the relevant contractor has complied with that subsection on behalf of the subcontractor.

(Section 96 amended by No. 47 of 1999 s. 13)

97. Information statement and internal manual, each agency to make available etc.

- (1) An agency (other than a Minister or an exempt agency) has to cause copies of –
 - a) its most up-to-date information statements; and
 - b) each of its internal manuals,
- (2) An agency has to provide a copy of its information statement to the Commissioner as soon as is practicable after the statement is published under section 96.
- (3) A subcontractor does not have to comply with subsection (1) and (2) if the relevant contractor has complied with those subsections on behalf of the subcontractor.

Policy Implications:

Shire of Three Springs Freedom of Information Statement to be published on Council website.

Financial/Resources Implications:

Fees as determined by the Freedom of Information Act.

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.2
That the council endorse Shire of Three Springs Freedom of Information Statement 2022 and forward a copy to the Office of the Information Commissioner.	

10. REPORTS OF OFFICERS

Executive Services	
10.3. Waste Services Tender	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0187
Disclosure of Interest:	
Date:	27 July 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	1. WALGA Waste and Energy PSP007 Scope of Services. 2. Request for Quotation. 3. Draft contract between WALGA, the Shire of Three Springs and Veolia.

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 awards the WALGA/ City of Geraldton RFQ 2122-10 Midwest Regional Group Waste Collection and Processing (Three Springs) to Veolia, subject to the Chief Executive Officer negotiating minor variations to the scope of the contract.

Background:

On the 19 May 2022 the City of Greater Geraldton, Shire of Chapman Valley, Shire of Three Springs, Shire of Irwin, Shire of Northampton, Shire of Carnamah, Shire of Perenjori, Shire of Yalgoo, Shire of Mingenew, and Shire of Morawa requested waste management quotes (RFQ) through the WALGA supplier panel 'Waste & Energy (PSP007)' Member Contract (Waste Services) to establish a regional collaboration and solution to waste collection and processing in the region.

The Local Governments participating within the RFQ explored seven (7) and ten (10) year contract durations.

Two Waste and Energy companies responded to the RFQ; Cleanaway and Veolia.

Officer's Comment:

Veolia provided a cheaper domestic waste collection rate if the Three Springs waste pickup day was the same as the Shire of Carnamah. These arrangements do not necessitate contracts between the local governments. The contracts would be between Veolia and the separate local governments.

It is recommended to Council that Veolia is awarded the Shire of Three Springs Waste Services contract for seven years, subject to the Chief Executive Officer negotiating minor variations to the scope of the contract, and the Shire of Carnamah partnering in the "combined price" option.

Consultation:

WALGA
Shire of Carnamah

Statutory Environment:

***The Local Government Act 1995 (Functions and General) Regulation 1996
Part 4, Division 2, r11 (2) (b).***

Tenders do not have to be publicly invited according to the requirements of this Division if —

- a. the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or*
- (aa) the supply of the goods or services is associated with a state of emergency; or*
- (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program"*

Waste Avoidance and Resource Recovery Act 2007, Part 6, Division 3, s.64 (j).
"fixing fees and charges in relation to waste services provided by a local government and the issue of approvals under paragraph (i), and prescribing the persons liable and the method of recovery of amounts not duly paid."

***The Local Government Act 1995 (Functions and General) Regulation 1996
Part 4, Division 2, r20.***

"If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer".

Policy Implications:

Shire of Three Springs Council Procurement Policy 1.5.

Financial/Resources Implications:

Fees and charges as per the Shire of Three Springs 2022-23 Budget.

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
Outcome 2.1 A community that is well informed and respects our natural, cultural and built environments.	2.7.3 Work with the Midwest Regional Council and other local authorities on waste disposal.

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

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Outcome 2.7 A regional service provider in recycling and waste.	2.7.3 Work with the Midwest Regional Council and other local authorities on waste disposal 2.7.3.1 Work with the Midwest Regional Council and other local authorities in relation to providing waste disposal services. 2022-2023/2023-2024.

Voting Requirements:

Simple Majority

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.3
That Council awards the WALGA/ City of Geraldton RFQ 2122-10 Midwest Regional Group Waste Collection and Processing (Three Springs) to Veolia, subject to the Chief Executive Officer negotiating minor variations to the scope of the contract.	

10. REPORTS OF OFFICERS

Executive Services	
10.4 Appointment of Bush Fire Control Officers	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0146
Disclosure of Interest:	Nil
Date:	27 July 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	

Council Role:

- | | | |
|-------------------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Advocacy | When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | 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. |
| <input checked="" type="checkbox"/> | Legislative | Includes adopting local laws, local planning schemes and policies. |
| <input type="checkbox"/> | Review | When Council reviews decisions made by Officers. |
| <input type="checkbox"/> | Quasi-judicial | When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT). |

Report Purpose:

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

Background:

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

Officer's Comment:

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

Consultation:

Shire of Three Springs Bush Fire Brigades.

Statutory Environment:

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

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority

Officer's Recommendation:

OFFICERS RECOMMENDATION:	10.4
That Council appoint the following persons to the positions of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Bush Fire Control Officer:	
Shire of Three Springs Volunteer Bush Fire Brigade:	
1. Craig Morgan to the position of Chief Bush Fire Control Officer	
2. Christian Haeusler to the position of Deputy Chief Bush Fire Control Officer	
Town Brigade:	
3. Rod Ennor to the position of Captain	
4. Julia Ennor to the position of Vice-Captain	
East Brigade:	
5. Christian Haeusler to the position of Captain	

6. Robbie Weir to the position of Vice-Captain
7. Mick Verrall to the position of Bush Fire Control Officer

Arrino Brigade:

8. Ash Bone to the position of Captain
9. Liam Mutter to the position of Vice-Captain

West Brigade:

10. Jim Heal to the position of Captain
11. Chad Eva to the position of Vice-Captain
12. Adam Thomas to the position of Bush Fire Control Officer

Bush Fire Control Officers Appointed as Permit Issuing Officers:

Emergency and Ranger Services	Matthew Sharpe
	Stacey Jaskiewicz
	Katrina Curtis

Chief Executive Officer	Keith Woodward
Chief Bush Fire Control Officer	Craig Morgan
Deputy Bush Fire Control Officer	Christian Haeusler

Fire Weather Reader

Fire Weather Reader	Craig Morgan
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10. REPORTS OF OFFICERS

Executive Services	
10.5 Ordinary Council Meetings Dates 2023	
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 July 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	

Council Role:

- | | | |
|-------------------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Advocacy | When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | 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. |
| <input checked="" type="checkbox"/> | Legislative | Includes adopting local laws, local planning schemes and policies. |
| <input type="checkbox"/> | Review | When Council reviews decisions made by Officers. |
| <input type="checkbox"/> | 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 endorses:

1. The Ordinary Council Meeting dates and starting times for 2023.
2. The Ordinary Council Meeting scheduled for 13 December 2022 is changed to 14 December 2022.

Background:

The proposed meeting dates for 2023, being the fourth Wednesday of the month (except December when it will be held on the second Wednesday) commencing at 5.00pm are as follows:

- There will be no Ordinary Council meeting in January 2023
- 22 February
- 22 March

- 26 April
- 24 May
- 28 June
- 26 July
- 23 August
- 27 September
- 25 October
- 22 November
- 13 December

Council are required to give local public notice of the proposed dates as per Regulation 12(1) of the *Local Government (Administration) Regulations 1996*.

Officers Comment:

Nil

Consultation:

Nil

Statutory Environment:

Local Government (Administration) Regulations 1996

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
- (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,
- are to be held in the next 12 months.

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
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.
Working in partnership with all community, government and corporate stakeholders.	4.3.2. Ensure compliance with all relevant legislation.

To be strong advocates representing the community's interest.	
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This item is relevant to the Councils approved 'Corporate Business Plan 2020–2024'.

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Continue to lobby and advocate for key government and infrastructure services, and solve community issues and act on opportunities.	Advocacy on key issues.

Voting Requirements:

Simple Majority

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.5
<p>That Council endorses:</p> <ol style="list-style-type: none"> The following dates for Ordinary Council meetings for 2023 commencing at 5.00pm: <ul style="list-style-type: none"> There will be no Ordinary Council meeting in January 2023 22 February 22 March 26 April 24 May 28 June 26 July 23 August 27 September 25 October 22 November 13 December The Ordinary Council Meeting scheduled for 13 December 2022 is changed to 14 December 2022. 	

10. REPORTS OF OFFICERS

Works and Services	
10.6 Capital Works Progress Update 2021-2022	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	27 July 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Capital Works Report 2021-2022

Council Role:

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

Report Purpose:

That Council accepts the Capital Works Report for June 2022.

Background:

This report provides Council with the 2021-2022 Capital Works progress update.

Officers Comment:

Refer to the attached status report.

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Purchasing Policy 3007.1

Financial/Resources Implications:

Shire of Three Springs Adopted Budget 2021-2022

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 for June 2022.	

10. REPORTS OF OFFICERS

Executive Services	
10.7 Community Development Officer Update	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	
Disclosure of Interest:	Nil
Date:	27 July 2022
Author:	Raman S Virdi, Community Development 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 the Community Development Report for June 2022.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Dominican Park Corflute Panel	<p>The Dominican Park corflute panel will be donated to the Dominican Sister in Perth by the Shire of Three Springs.</p> <p>Cr Chris Connaughton and Community Development Officer will present the Dominican Park Corflute Panel and a certificate to Dominican Sisters on 22 July 2022.</p>
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Silos Projection Project	<p>The Silos Projection Project is funded by the Shire of Three Springs and Lotterywest grants.</p> <p>Creative Technology from Perth has been contracted to participate in a Silos Projection research trial on 23 July 2022.</p>
Silos Projection Ad	<p>Chris Lewis from ABC Radio submitted the first draft of the Silos Projection Ad on 04 July 2022.</p> <p>The Shire staff and council members reviewed the draft video for feedback.</p> <p>Chris Lewis was advised to complete edits according to the received feedback.</p>
Community Gym Activation Classes (CGAC)	<p>Three Springs Community Gym is managed by the Shire.</p> <p>The Shire is organising an ARCI grant-funded 12-week fitness program to promote health and wellbeing for the Three Springs community.</p> <p>The CGA Classes are held every Monday, starting from 04 July 2022 to 19 September 2022, at the Three Springs Community Gym.</p> <p>Fabiana Ruiz from FRF Fitness, Three Springs, is supervising the CGAC.</p> <p>A total of 13 participants signed up for the classes. Three non-gym member participants purchased membership after attending the second class on Monday, 18 July 2022.</p>
Three Springs Netball Courts Resurfacing	<p>The Netball Courts are managed by the Shire of Three Springs.</p> <p>Khoury Engineering Services from Geraldton has been contacted to perform Geotechnical testing of the Netball Court Surfaces.</p> <p>The test results will identify the cause of the cracks in the surface.</p>
Official Communication - Facebook page and the Shire website.	<p>The Second edition of the Shire Newsletter was published on 27 June 2022. The Shire Newsletter initiative has received positive feedback from community members.</p> <p>The Shire has updated its Facebook Page and website about ongoing activities.</p>

Grants:

Keep Australia Beautiful Council Community Litter Grants (KABCCL Grant)	<p>KABCCL grant is managed by the Keeping Australia Beautiful Council.</p> <p>The Shire of Three Springs applied \$1,280.00 to organise the Keeping Three Springs Clean Program.</p>
Silos Projection Grant (SPG) - Lotterywest	<p>The Shire of Three Springs submitted a grant application to fund the Silos Projection project.</p> <p>The Shire has successfully received the 80% of the total fund required for Silos Projection from Lotterywest.</p>
Active Regional Communities Initiative (ARCI) Grant	<p>ARCI Grant is managed by the Department of Local Government, Sports and Cultural Industries.</p> <p>The Shire of Three Springs has been successful at the ARCI grant for \$3,700 to fund 12-week 'Community Gym Activation Classes' at the Shire Community Gym.</p>

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

Strategic Community Plan 2018 - 2028	
Council Objectives:	Outcome:
Develop tourism infrastructure and increase the length of stay.	<p>1.1.2 Participate in the "Wildflower Way" Tourist Drive.</p> <p>1.1.6 Rebrand and promote Three Springs as an attractive place to live and work.</p>
People are motivated, work together and have an increased pride and participation in the community.	3.1.6 Actively facilitate, support and participate in community events.
A well engaged and informed community that actively participates.	4.1.6 Actively facilitate, support and participate in community events.

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.7
That Council accepts the Community Development Report for June 2022.	

10. REPORTS OF OFFICERS

Corporate Services	
10.8 Disposal of Lot 16 Touche Street	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	A291
Disclosure of Interest:	Nil
Date:	27 July 2022
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.
- ☐ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).
-

Report Purpose:

That Council considers the disposal of Lot 16 Touche Street, Three Springs by Public Tender and considers the criteria for assessing tenders.

Background:

According to the Shire's asset system, the original purchase date of the property was March 1976. However, there is also documentation suggesting the date was 1967.

Historically the property has been utilised as a Day Care and a Dental surgery.

Officer's Comment:

No significant works have been undertaken on this property which is in poor condition and very dated.

The house has been vacant for at least three years and is not at a suitable standard for staff housing. Considerable expenditure would be required to bring the property to an acceptable standard. Furthermore, it appears that damage occurred to the roof from Cyclone Seroja in April 2021, which was not covered by insurance. This may be causing internal damage within the roof cavity.

Last year \$3,500 was spent on the property, mainly on water, electricity, insurance and essential maintenance.

The property was revalued on 30 June 2021 by Griffin Valuation Advisory. The Fair Value was \$295,000 for the building and \$16,000 for the land. These figures are not a realistic expectation of the current property market.

Council can choose to spend money on the property to make it more attractive to potential purchasers or sell it “as is”. It is likely that the buyer will renovate it is suggested to sell “as is” as any money spent on it may not necessarily result in a higher sale price.

Local Government Act 1995, section 3.58 (2) allows for the disposal of Council property to the highest bidder at public auction or the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

It is strongly recommended that the property be offered for disposal by public tender.

A suggested criterion for assessing received tenders is-

a)	Offered Price	Weighting 60%
b)	Financial Capacity <ul style="list-style-type: none"> • anticipated Date of Settlement. • Ability to provide a deposit within two weeks from the date of acceptance by the Seller. • preferred method for the payment of any deposit. • how the purchase of the property will be financed. • preferred payment method. 	Weighting 40%

Consultation:

Council
Keith Woodward – Shire of Three Springs CEO

Statutory Environment:

Local Government Act (1995) disposal of property s3.58

Policy Implications:

Policy 4.2 Infrastructure Policy-Asset Management.

Financial/Resources Implications:

The 2022/23 Budget has included the disposal of Lot 16 Touche Street. If Council retains Lot 16 Touche Street, a budget amendment will be required for repairing

the roof damage and renovations.

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
1.6 Attract and maintain a stable workforce.	1.6.2 Develop and maintain attractive and affordable housing.
2.8 Provide a higher level of accommodation for Council to attract staff to positions.	2.8.2 Maintain and develop staff housing to retain and attract quality staff.

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

Corporate Business Plan 2020 – 2024	
Scope Statement:	Project Outputs:
1.6.2 Develop and maintain attractive and affordable housing.	1.6.2.1 Maintain, renew and upgrade infrastructure in line with the Asset Management Plan.

Voting Requirements:

Simple Majority.

OFFICERS RECOMMENDATION and COUNCIL DECISION:	10.8
<p>Officer's Recommendation: That Council authorises the disposal of Lot 16 Touche Street, Three Springs by Public Tender. The property is to be disposed of "as is".</p> <p>The criteria for deciding the tenders are:</p> <ul style="list-style-type: none">Offered Price 60%Financial Capacity 40%	

10. REPORTS OF OFFICERS

Corporate Services	
10.9 Report Title 2022-23 Annual Budget	
Agenda Reference:	201107
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0116
Disclosure of Interest:	Nil
Date:	27 July 2022
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Shire of Three Springs Statutory Budget 2022-23 (to be provided to Council at OCM)

Council Role:

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

Report Purpose:

That Council approves the Shire of Three Springs Annual Budget 2022-23.

Background:

The Annual Budget 2022-23 has been prepared in accordance with the Corporate Business Plan and the Strategic Resources Plan (Long Term Financial Plan) as adopted by Council.

The Budget has been workshopped with Council in June – July 2022.

Officer's Comment:

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

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

There are still several outstanding invoices and the end of year calculation has to be completed. Once this occurs the carried forward surplus may change as a result of 2021-2022 final audit.

The presented budget is based on an expected surplus of nearly \$1.9M carrying forward from the 2021/22 year. This surplus is largely due to the \$1M FAG pre-payment and nearly \$900k in carried over or underspent budgets such as:

- Timing of the Purchase of the Caterpillar loader \$305k carried over to 2022/23;
- Road expenditure \$100k less than anticipated. Some works have been carried over;
- Only half the capital works on housing was completed and the rest have been carried over or the projects have been cancelled.

Consultation:

Council
Bob Waddell
WATC
Executive Staff

Statutory Environment:

Local Government Act 1995, section 6.2 & 6.35 (5)
Local Government Financial Management Regulation 22-33

Policy Implications:

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

Financial/Resources Implications:

The 2022/23 Budget is the main document relating to Council's Income and Expenditure for the coming Financial Year.

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:

Absolute Majority required as shown.
Simple Majority required as shown.

OFFICERS RECOMMENDATION and COUNCIL DECISION:

10.9

MOVED:
SECONDED:

Officer's Recommendation:

PART A – MUNICIPAL FUND BUDGET FOR 2022/23 - ABSOLUTE MAJORITY REQUIRED

Pursuant to the provisions of Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the council adopt the Municipal Fund Budget as attached to this agenda and the minutes, for the Shire of Three Springs for the 2022/23 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a net surplus for 2021-2022 of \$1,872,017;
- Statement of Cash Flows;
- Rates Setting Statement showing an amount required to be raised from rates of \$2,312,844;
- Notes to and Forming Part of the Budget;
- Transfers to and from Reserves ;
- Elected Members Fees as adopted at the Ordinary Council Meeting held 22 June 2022.

CARRIED:
Voted:

MOVED:
SECONDED:

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

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

a) General Rates -

GRV	12.7549 cents in the dollar
UV	1.2917 cents in the dollar

b) Minimum Rates –

GRV	\$500.00
UV	\$500.00

2. Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominates the following due dates for the payment in full by instalment:
- | | | |
|------|---------------------------|-------------------|
| i) | Due date/first instalment | 09 September 2022 |
| ii) | Second instalment | 14 November 2022 |
| iii) | Third instalment | 19 January 2023 |
| iv) | Fourth instalment | 27 March 2023 |
3. Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996, Council adopts an instalment administration charge where the owner has elected to pay rates through an instalment option of \$12.00 for each instalment after the initial instalment is paid.
4. Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996 Council adopts an interest rate of 5.5% where the owner has elected to pay rates through an instalment option.
5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 7% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable (modified from the usual 10% in compliance with clause 14 of the Local Government (COVID-19 Response) Order 2020).

CARRIED:
Voted:

MOVED:
SECONDED:

PART C – MATERIAL VARIANCE – SIMPLE MAJORITY REQUIRED

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality, the level to be used in financial activity in 2022/2023 for reporting material variances shall be 10% and \$10,000, whichever is the greater.

CARRIED:
Voted:

MOVED:
SECONDED:

PART D – GENERAL FEES AND CHARGES – ABSOLUTE MAJORITY REQUIRED

Pursuant to Section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges for 2022/2023 as included as attachment of this agenda and minutes.

CARRIED:
Voted:

10. REPORTS OF OFFICERS

Corporate Services	
10.10 Monthly Financial Report for Period 30 June 2022	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	27 July 2022
Author:	Bob Waddell, Bob Waddell & Associates, Consultant
Attachment (s):	Monthly Financial Report 30 June 2022

Council Role:

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

Report Purpose:

That Council accepts the monthly financial report for the period ending 30 June 2022.

Background:

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

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

Officer's Comment:

Refer to Financial/Resources Implications.

Consultation:

Nil

Statutory Environment:

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

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

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

(1A) *In this regulation —*

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

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

(a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*

(b) *budget estimates to the end of the month to which the statement relates; and*

© *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*

(d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*

© *the net current assets at the end of the month to which the statement relates.*

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

(a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*

(b) *an explanation of each of the material variances referred to in sub regulation (1)(d); and*

© *such other supporting information as is considered relevant by the local government.*

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

(a) *according to nature and type classification; or*

(b) *by program; or*

© *by business unit.*

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

(a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*

(b) recorded in the minutes of the meeting at which it is presented.

- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications:

Nil

Financial/Resources Implications:

Total Cash Available as at 30 June 2022 is \$4,475,969. Cash available is made up of Unrestricted cash \$2,684,530 and Restricted cash of \$1,791,433 being primarily made up of various reserves.

Rates Debtors balance as at 30 June 2022 is \$62,294 Rates Notices for 2021-22 were issued in September 2021. Rates collected as at end of June 2022 was \$2,329,217 – 97.40%.

June 2022:

Operating Revenue – Operating revenue of \$4,632,384 is made up of Rates - 74%, Grants - 13%, Fees and Charges - 9%, Other Revenue - 3% and Interest Earnings – 1%.

Operating Expenses – Operating expenses of \$5,497,366 is made of Depreciation - 45%, Employee Costs – 26%, Materials and Contracts – 18%, Insurance – 4%, Utilities – 5%, Loss on Disposal of Assets – 1% and Other Expenditure – 1%.

Strategic Implications:

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

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 the monthly financial report for the period ending 30 June 2022.	

10. REPORTS OF OFFICERS

Corporate Services	
10.11 Accounts for Payments as at 30 June 2022	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	27 July 2022
Author:	Donna Newton – Finance and Payroll Officer
Attachment (s):	List of creditors paid as at 30 June 2022

Council Role:

- | | | |
|-------------------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Advocacy | When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input checked="" type="checkbox"/> | 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. |
| <input checked="" type="checkbox"/> | Legislative | Includes adopting local laws, local planning schemes and policies. |
| <input type="checkbox"/> | Review | When Council reviews decisions made by Officers. |
| <input type="checkbox"/> | 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 2020-2021.

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:	10.11
<p>That Council accepts:</p> <ol style="list-style-type: none"> The accounts for payment as presented for <i>June</i> 2022 from the CBA Municipal Fund totalling \$288,676.97 represented by Electronic Fund Transfers No's 18069 – 18157 and Direct Debits 13851.1– 13904.1, 13925.1 – 13925.2, 13927.1 – 13928.1, 13930.1, 13950.1 - 13950.6 and 14013.1. Licensing Fund totalling \$6,711.30 represented by Direct Debit No. 13913.1 - 13917.1, 13926.1, 13929.1, 13945.1 - 13946.1 and 13952.1 - 13973.1. <p>Total Payments for June 2022 is \$295,388.27</p>	

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, 24 August 2022 @ 5pm.

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: 24 August 2022