



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



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

President and Councillors,

An ordinary meeting of Council is called for Wednesday, 4 October 2023, in the Council Chambers, Railway Road, Three Springs commencing at 5.30pm.

**Keith Woodward PSM
Chief Executive Officer**

28 September 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

☐ Committee

☐ Employee

☐ Contractor

Member

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

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

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

Name: _____ Signed: _____ Date: _____

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

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

OFFICE USE ONLY

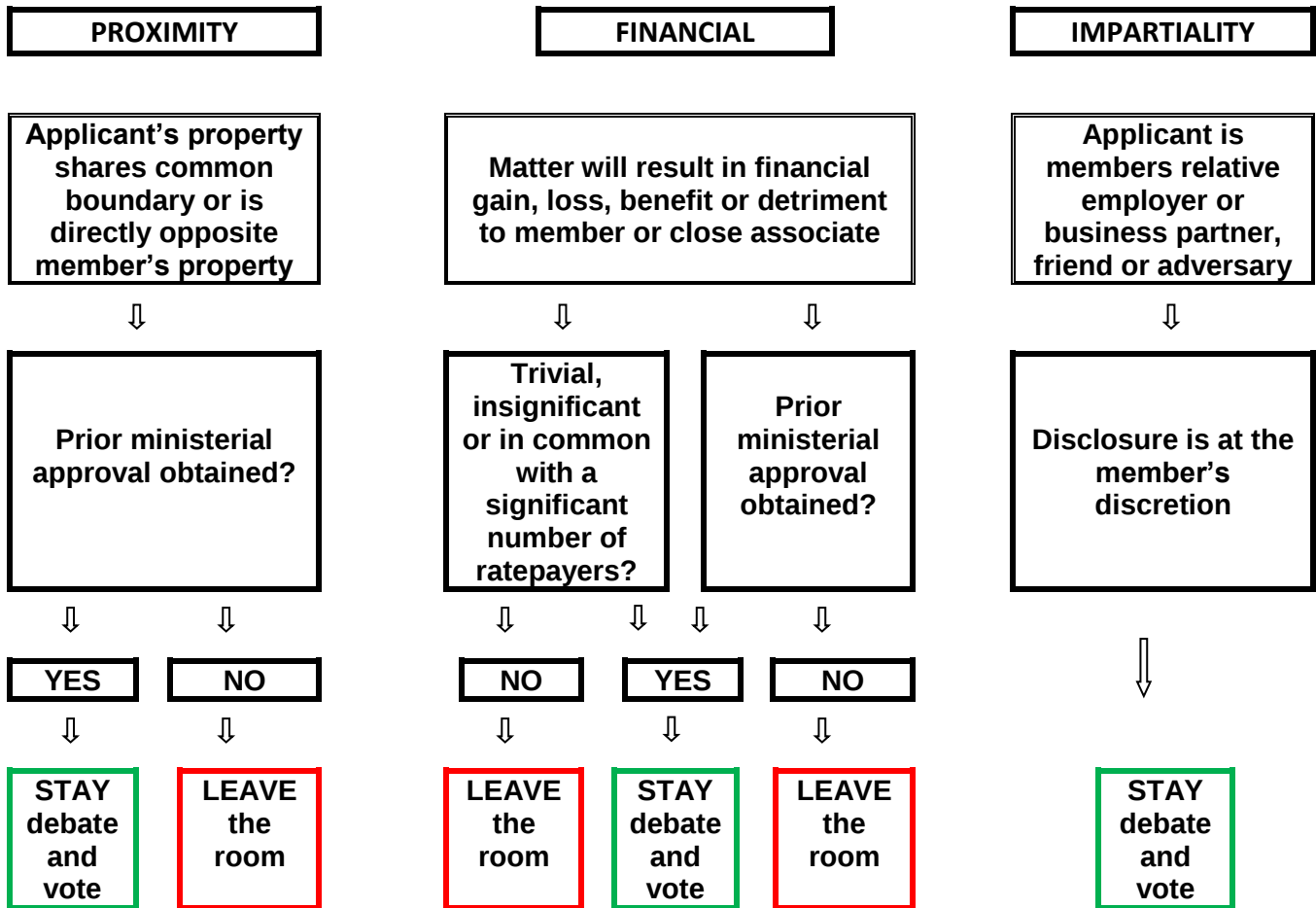
CEO

Signed:

Date:

: _____

Declaring an Interest



Local Government Act 1995 - Extract

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

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

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

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

5.71 - Employees to disclose interests relating to delegated functions.

- If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:
- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter. (Penalties apply)

'Local Government (Administration) Regulations 1996 – Extract

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

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

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AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at:

Acknowledgement of Country: -

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

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

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

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

		OCM Month	Moved	Seconded	Vote	Date
5.1	Cr.		Cr.	Cr.		
5.2	Cr.		Cr.	Cr.		
5.3	Cr.		Cr.	Cr.		

6. CONFIRMATION OF PREVIOUS MEETING MINUTES

That the Minutes of the Council meeting are confirmed as true and accurate record of proceedings.					
		Date	Moved	Seconded	Vote
6.1	OCM	23.08.2023	Cr.	Cr.	

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The Shire President reminds Council Members and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting prior to the matter being discussed.

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

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

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

10. REPORTS OF OFFICERS

Executive Services	
10.1. Good Governance in Practice	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	4 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 August 2023.
2. Actions Performed under Delegated Authority for August 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 August 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	August 2023 Report submitted to the 4 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
Elected Members - Review Meeting Attendance Register - check EMs have not been absent for 3 consecutive meetings without Leave of Absence being granted - refer concerns to the CEO	Local Government Act 1995	s.2.25		No EM has been absent for 3 consecutive meetings	
Elections - State-wide Public Notice Enrolment Eligibility Claims - CEO to give notice of the closing date and time for elector enrolments. (to be given 70th to 56th days)	Local Government Act 1995	s.4.39(2)	DLGSC Elections Timetable DLGSC Returning Officer Manual	State-wide Public Notice given as follows: Electoral Commission website	
Elections - DUE NOW for CEO to advise Electoral Commissioner of the need to prepare an updated residents roll Due by 56th day before Election Day	Local Government Act 1995	s.4.40(1)	DLGSC Elections Timetable DLGSC Returning Officer Manual	CEO advised Electoral Commission of need to prepare updated residents roll on 7 August 2023.	
Elections - State-wide Public Notice Call for Nominations - from 56 days and no later than 45th day before Election Day.	Local Government Act 1995	s.4.47(1)	DLGSC Elections Timetable DLGSC Returning Officer Manual	State-wide Public Notice given as follows: Electoral Commission website	

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Elections - Close of Rolls at 5pm on 50th day before Election Day. Enrolment eligibility claims received by 5pm can continue to be processed with a decision on eligibility required for inclusion in the Owners and Occupiers Roll, as appropriate before it is certified by the CEO on the 36th day before Election Day [refer s.4.4(1)]	Local Government Act 1995	s.4.39(1)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Certified Owner Occupier Roll to WAEC on 7 September 2023.	
Annual Returns - Elected Members and Designated Employees to provide an Annual Return by no later than 31 August CEO's Annual Return must be lodged with the President / Mayor.	Local Government Act 1995	s.5.76(1)	DLGSC Operational Guideline No.21 Disclosure of Financial Interests in Returns	Received all Elected Members & CEO's Annual Returns before 31 August.	
Annual Budget - During period 1 June to 31 August , Local Government is to prepare and adopt, by absolute majority, an Annual Budget for the next financial year.	Local Government Act 1995	s.6.2(1)	DLGSC WA Local Government Accounting Manual	The Annual Budget was adopted by Council on 24 August 2023	
Food Act and Public Health Act reporting - Enforcement agencies must report to the Dep't CEO on performance of functions under Acts. Reporting has been combined and must be submitted online by 31 August .	Food Act 2008 Public Health Act 2016	s.121(1) s.22(1)	Department of Health website - Reporting requirements pages	Report submitted to Dept of Health by EHO on 28.08.2023	
Valuer General Information Due 14th day of each month - providing schedules of: • building licenses issued • building license works completed • registered plans and amendments under the Strata Titles Act 1985	Valuation of Land Act 1978	s.37		Carried out by the City of Geraldton	

Execution of Delegation for August 2023

Date	File Ref	Delegation Number	Decision Detail	Applicant	Initiating Officer	1 st Auth.	2 nd Auth.	Comment
1-Aug-23	PMT ID: F308014341169	CS002 - Payments from Municipal Fund and Trust Fund	Internal Transfer for Payroll PPE 01/08/2023	CBA-Muni	FO - Erin	DCEO	CEO	Funds Transfer from the Maxi Account to the Muni Account totalling \$80,000.00 for Payroll 01/08/2023. PMT ID: F308014341169
2-Aug-23	PMT ID: F3080144	CS002 - Payments	Fortnightly Payroll	CBA-Muni	FO - Erin	DCEO	CEO	Fortnightly Payroll through

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	06216	from Municipal Fund and Trust Fund	Through CBA Muni					the CBA Muni Bank \$56440.92 PMT ID: F308014406216
03-Aug-23	PMT ID: F3083457 6838	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payments	CBA-Muni	AFO	DCEO	CEO	Funds Transfer from the Maximiser Account to the muni Account for Creditor Payments totalling \$120,000 PMT ID: F30834576838
8-Aug-23	PMT ID: F3080847 93189	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$137,563.94 PMT ID: F307274111643
9-Aug-23	PMT ID: F3080948 98024	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Muni and Maxi	CBA-Muni	FO - Erin	DCEO	CEO	Funds Transfer from the Muni Account to the Maximiser Account totalling \$247495.87 PMT ID: F308094898024
11-Aug-23	PMT ID: F3081150 47611	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$16,017.30 PMT ID: F308115047611
15-Aug-23	PMT ID: F3081552 71872	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO - Erin	DCEO	CEO	Fortnightly Payroll through the CBA Muni Bank \$46880.32 PMT ID: F308155271872
21-Aug-23	PMT ID: F3082156 16709	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payments	CBA-Muni	AFO	DCEO	FO	Funds Transfer from the Maximiser Account to the muni Account for Creditor Payments totalling \$20,000.00 PMT ID: F308215616709
21-Aug-23	PMT ID: F3082156 15729	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$31,256.83 PMT ID: F308215615729
22-Aug-23	PMT ID: F3082256 87649	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Licensing and Muni for Due to wrong bank book being used	CBA-Muni	FO - Erin	FO - Erin	DCEO	Funds Transfer from the Licensing Account to the Muni Account for amounts totalling \$46.10 due to incorrect bank book used at post office for deposit PMT ID: F308225687649
22-Aug-23	PMT ID: F3082256 89511	CS002 - Payments from Municipal	Funds Transfer between Licensing	CBA-Muni	FO - Erin	FO - Erin	DCEO	Funds Transfer from the Licensing Account to the

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		Fund and Trust Fund	and Muni for Due to wrong bank book being used					Muni Account for amounts totalling \$46.10 due to incorrect bank book used at post office for deposit PMT ID: F308225689511
28-Aug-23	PMT ID: F3082859 97618	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Muni and Maxi	CBA-Muni	FO - Erin	FO - Erin	DCEO	Funds Transfer from the Maxi Account to the Muni Account totalling \$80,000.00 for Payroll & Creditors PMT ID: F308285997618
29-Aug-23	PMT ID: F3082961 14607	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO - Erin	FO - Erin	CEO	Fortnightly Payroll through the CBA Muni Bank \$42,776.58 PMT ID: F308296114607
31-Aug-23	PMT ID: F3083162 62313	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	Weekly Creditor Payments totalling \$71,658.49 PMT ID: F308316262313

Statutory Environment:

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

5.41. Functions of CEO

The CEO's functions are to —

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

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

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

Policy Implications:

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

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

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

Financial/Resources Implications:

Nil

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.1
That Council Accepts: 1. The Governance Compliance Calendar report for August 2023. 2. The Execution of Delegation report for August 2023.	

10. REPORTS OF OFFICERS

Executive Services	
10.2. Three Springs Sporting Club Kitchen Renovation	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	
Date:	4 October 2023
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Kitchen Design Plan

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:

The Council will be requested to approve the following:

1. The formation of an agreement with Three Springs Sporting Club for the replacement of the facility kitchen, wherein both parties will cover 50% of the expenses. The Shire of Three Springs will contribute \$44,248.29.
2. The Shire's additional expenditure of \$14,248.29, which is unbudgeted, will be adjusted during the mid-year budget review.
3. The Council Procurement Policy 1.5 will not be adhered to for this acquisition as only one quote was obtained.

Background:

The Shire of Three Springs is proposing to partner with the Three Springs Sporting Club to replace the facility kitchen. This collaboration comes after discussions that began in 2022/23 and reflects the shared goal of both entities to improve community spaces and engagement.

The project faced initial difficulties, primarily due to the sporting club's challenges in securing renovation quotes. To address this, the Shire involved an architect to finalise the project scope and design based on the club's needs and professional guidance. Coral Coast Homes and Construction, currently contracted by the Shire for other projects, provided a construction quote and was chosen for the kitchen replacement task.

This project represents a united effort between the Shire and the Sporting Club, with an agreement to share the incurred costs equally. It is in sync with the objectives of both parties to enhance community infrastructure and interaction, as detailed in the Strategic Community Plan 2018-2028. The completion of this project is expected to improve local facilities and promote community participation, aligning with the Shire's ongoing commitment to supporting quality social infrastructure and services.

Officer's Comment:

This project demonstrates a collaborative effort between the Shire of Three Springs and the Three Springs Sporting Club, with each party agreeing to share the costs equally.

1. Financial Overview:

The Shire had initially allocated a specific budget for this project; however, the actual costs surpassed the initial allocation, requiring budget adjustments. The unbudgeted expenditure of \$14,248.29 will be reconciled at the mid-year budget review.

2. Strategic Alignment:

The project aligns with the objectives of both the Shire and the Sporting Club, aimed at improving community engagement and infrastructure quality, as outlined in the Strategic Community Plan 2018-2028.

3. Procurement Policy:

A waiver for the Council Procurement Policy 1.5 is recommended due to the challenges faced in obtaining multiple quotes. The sole quote received is considered adequate, given Coral Coast Homes and Construction's ongoing engagement with the Shire of Three Springs on other Shire projects.

4. Community Impact:

The project is expected to benefit the community and sporting club substantially by improving local facilities and promoting community interaction and involvement.

Consultation:

Three Springs Sporting Club
Poletti Eastman Architect
Coral Coast Homes and Construction

Statutory Environment:

Should the Council agree to provide the requested level of financial support, it would be classified as Unbudgeted Expenditure, and therefore, an Absolute Majority is required in accordance with Section 6.8(1)(b) of the Local Government Act 1995.

Policy Implications:

Procurement Policy 1.5

Financial/Resources Implications:

1. In 2022/23, the Shire allocated \$20,000 for the Sporting Club kitchen renovation, requiring the Sporting Club to match this with 50% funding.

2. For 2023/24, the Shire increased its contribution to \$30,000.
3. The total cost for the kitchen rebuild is \$88,496.58, with the Shire of Three Springs contributing \$44,248.29.
4. This leaves an unbudgeted expenditure of \$14,248.29 to be reconciled at the mid-year budget review.

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
Outcome 2.8 To retain and improve high-quality infrastructure.	Maintain and develop community and sporting facilities in line with the Sport and Recreation Plan. Engage local businesses, community groups and residents in various ways to contribute to the Shire's future. Assist other agencies and organisations, including State Government and community groups, to make well-informed decisions. The excellent social infrastructure and services will continue to be supported by the Shire, including maintaining and improving sporting and community infrastructure.

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:

Absolute Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.2
That Council approve: 1. The formation of an agreement with Three Springs Sporting Club for the	

replacement of the facility kitchen, wherein both parties will cover 50% of the expenses. The Shire of Three Springs will contribute \$44,248.29.

2. The Shire's additional expenditure of \$14,248.29, which is unbudgeted, will be adjusted during the mid-year budget review.
3. The Council Procurement Policy 1.5 will not be adhered to for this acquisition as only one quote was obtained.

10. REPORTS OF OFFICERS

Works and Services

10.3 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:	4 October 2023
Author:	Malcolm Elliot, Supervisor of Works
Attachment (s):	Capital Works Report 2023-2024 Grade Map

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 Capital Works Report for August and September 2023.

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 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:	10.3
That Council accepts the Capital Works Report for August and September 2023.	

10. REPORTS OF OFFICERS

Executive Services	
10.4 Shire of Three Springs Community Fund Assessment Committee	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0467
Disclosure of Interest:	Nil
Date:	4 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.
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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 endorses the recommendation from the Shire of Three Springs Community Fund Assessment Committee and approves the 3 Springs Farm Innovation Network Inc. (3FIN) request to fund the Youth Comedy Workshop for \$2,500.00.

Background:

The Shire received a community small grants fund application from 3FIN on the 1 September 2023.

Officer's Comment:

The 3FIN application is associated with a Comedy workshop designed to build resilience and develop confidence in youth. One of the objectives is that the community benefits with kids increasing their self-belief and confidence and learning public speaking skills and building resilience. The overall project cost is \$5,100 and of this 3FIN is contributing \$2,600. More details are available in the attached 3FIN submission.

Consultation:

Community Fund Assessment Committee.

Statutory Environment:

Nil

Policy Implications:

Shire of Three Springs Council Policy 2.8 Community Small Grants Fund.

Financial/Resources Implications:

Members Donations to Community Groups Balance	\$40,000.00
Three FIN Funding Request- Youth Comedy Workshop	-\$ 2,680.45
Balance	\$37,319.55

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
3.1 People are motivated, work together and have an increased pride and participation in the community.	3.3.3 Support youth activities.
2.1 A community that is well informed and respects our natural, cultural and built environments.	2.1.1 Continue to support the Yarra Yarra Catchment Management Group (3FIN).

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:

10.4 OFFICER'S RECOMMENDATION:
That Council endorses the recommendation from the Shire of Three Springs Community Fund Assessment Committee and approves the 3FIN request to fund the Youth Comedy Workshop for \$2,500.00.

10. REPORTS OF OFFICERS

Executive Services	
10.5 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:	4 October 2023
Author:	Raman S Viridi, 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 August 2023.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Disability Access and inclusion Plan (DAIP) 2022-2023 Progress Report	The Disability Services Act 1993 requires all local governments to develop a DAIP and submit a report about the implementation of the plan to the Commission within 2 months after the end of that year. The Shire submitted DAIP 2022-2023 Progress Report on Monday, 31 July 2023.
West Coast Eagles vs. Freemantle Dockers (WCE vs FD) Livestream	WCE vs FD Livestream was organised by the Shire of Three Springs. The event was held at the Jack Thorpe Garden,

Ordinary Council Meeting Agenda – 4 October 2023

	Three Springs, on Saturday, 12 August 2023. A total of 60 community members attended the event.
Tidy Towns Sustainable Communities Awards (TTSCA) 2023	TTSCA is managed by the Keep Australia Beautiful Council. The Shire submitted the following projects for the TTSCA entry on Friday, 25 August 2023 - Keeping Three Springs Clean Program - Classroom Recycling Challenge The entry submission was made under the following award categories. - General Appearance - Community Action and Wellbeing - Litter Prevention - Waste Management - Community Containers for Change - Environmental Education - Young Legends The judges visited the Shire and Three Springs Primary School on Tuesday, 5 September 2023. The award recipients will be announced by the Keep Australia Beautiful Council in October 2023.
Daffodil Day Fundraise 2023	The Daffodil Day Fundraise is organised by the Shire of Three Springs staff annually in August to raise funds for cancer awareness. This year, the Shire purchased 30 bunches of daffodil flowers as part of our efforts to raise awareness and funds for the Cancer Council WA.
Official Communication - Facebook page and the Shire website.	The Shire has updated its Facebook Page and website about ongoing activities.

Grants:

Get Online Week Grant 2023	Get Online Week Grant is managed by the Good Things Foundation of Australia. Get Online Week Event grants help community organisations host a digital skills event during Get Online Week. The Shire received a successful outcome to fund the Digital Empowerment Workshops in Three Springs on
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	Tuesday, 22 August 2023. The Shire will host the workshops during the Get Online Week (16-22 October 2023).
RAWA Project Grant 2023	RAWA Project Grant 2023 is managed by Regional Arts Australia. Shire submitted an application requesting \$30,000.00 to fund the Astro Light Show event on 16/8/2023.
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, 9 December 2023.

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.5
That Council accepts the Community Development report for August 2023.	

10. REPORTS OF OFFICERS

Corporate Services	
10.6 Monthly Financial Report for Period 31 August 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:	4 October 2023
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 31 August 2023

Council Role:

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

Report Purpose:

That Council accepts the monthly financial report for the period ending 31 August 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 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*
- (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 31 August 2023 is \$5,692,384. Cash available is made up of Unrestricted cash \$3,540,004 and Restricted cash of \$2,152,380 being primarily made up of various reserves.

Rates Debtors balance as at 31 August 2023 is \$2,841,505. Rates Notices for 2023-24 were issued on the 28th August 2023. The rates collected as at end of August 2023 was \$33,943 -1.18%

August 2023:

Operating Revenue – Operating revenue of \$3,000,794 is made up of Rates – 45%, Grants - 53%, Fees and Charges - 2%, Other Revenue - 0% and Interest Earnings – 0%.

Operating Expenses – Operating expenses of \$608,325 is made of Depreciation - 0% (depreciation will be run after completion of Annual Financial Report audit), Employee Costs – 43%, Materials and Contracts – 30%, Insurance – 20%, 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:	10.6
That Council accepts the monthly financial report for the period ending 31 August 2023.	

10. REPORTS OF OFFICERS

Corporate Services	
10.7 Accounts for Payments 31 August 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:	4 October 2023
Author:	Jelena Brown, Assistant Finance Officer
Attachment (s):	List of creditors paid as at 31 August 2023

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 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 the Shire of Three Springs adopted budget 2023-2024.

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

OFFICER'S RECOMMENDATION:	10.7
That Council accepts: 1. The accounts for payment as presented for <i>August</i> 2023 from the CBA Municipal Fund totalling \$306,909.50. 2. Represented by Electronic Fund Transfers No's 19064 – 19144 and Direct Debits 15094.1 – 15115.1, 15131.1 – 15131.6, 15050.1 – 15157.6, 15166.1 – 15176.1, and 15185.1 – 15186.1. 3. Licensing Fund totalling \$9,932.05 represented by Direct Debit No. 15119.1 – 15126.1, 15132.1 – 15149.1, 15158.1, and 15179.1 – 15181.1. Total Payments for August 2023 \$316,841.55	

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, 25 October 2023 @ 5.30pm.
--

16. CONFIDENTIAL ITEMS

16.1. RECOMMENDATION TO CLOSE COUNCIL MEETING

Reason for Confidentiality. Local Government Act 1995: Section 5.23 (2) (c) “ the personal affairs of any person” and “A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.”.

It is a requirement of the *Freedom of Information Act 1992* that all this information is returned to the Chief Executive Officer at the completion of these items for appropriate filing to maintain confidentiality.

Once all negotiations have been completed for Agenda Item 16.1.1, this will be considered an “exempt document” in accordance with Schedule 1 of the *Freedom of Information Act 1992* denying public access.

16. CONFIDENTIAL ITEMS

Executive Services	
16.1.1 Matter to be Considered Behind Closed Doors.	
Chief Executive Officer's Annual Performance Review, 2022-2023	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Cr. Chris Lane
File Reference:	P72
Disclosure of Interest:	Keith Woodward, Chief Executive Officer.
Date:	4 October 2023
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Chief Executive Officer's <i>Reviewers Report</i> , 21 September 2023, and the <i>Annual Performance Review Council Report</i> , 4 October 2023.

Council Role:

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Report Purpose:

That Council:

OFFICER'S RECOMMENDATION

16.2

That Council re-open the meeting to members of the public after discussion of 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: 25 October 2023