Heart of North Midlands

AGENDA
SPECIAL COUNCIL MEETING
TO BE HELD ON
THURSDAY
12 JUNE 2025
COMMENCING AT 5.30 PM

WILDFLOWER COUNTRY

President and Councillors,

A special meeting of Council is called for Thursday, 12 June 2025, in the Council Chambers, Railway Road, Three Springs commencing at 5.30pm.

Keith Woodward PSM
Chief Executive Officer

10 June 2025

Shire of Three Springs
PO Box 117, Three Springs
WA 6519

Disclosure of Interest Form

(Elected Members/Committee Members/Employees/Contractors)

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

To: Chief Executive Officer

- ☐ **Ordinary Council Meeting held on** ______________________________
- ☐ **Special Council Meeting held on** ______________________________
- ☐ **Committee Meeting held on** ______________________________
- ☐ **Other** ______________________________

Report No ______________________________

Report Title ______________________________

Name ______________________________

☐ **Elected Member** ☐ **Committee** ☐ **Employee** ☐ **Contractor**

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

☐ **Proximity** ☐ **Financial** ☐ **Impartiality**

Nature of Interest

____

____

____

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

____

____

Name:________________________ **Signed:**________________________**Date:** ________________

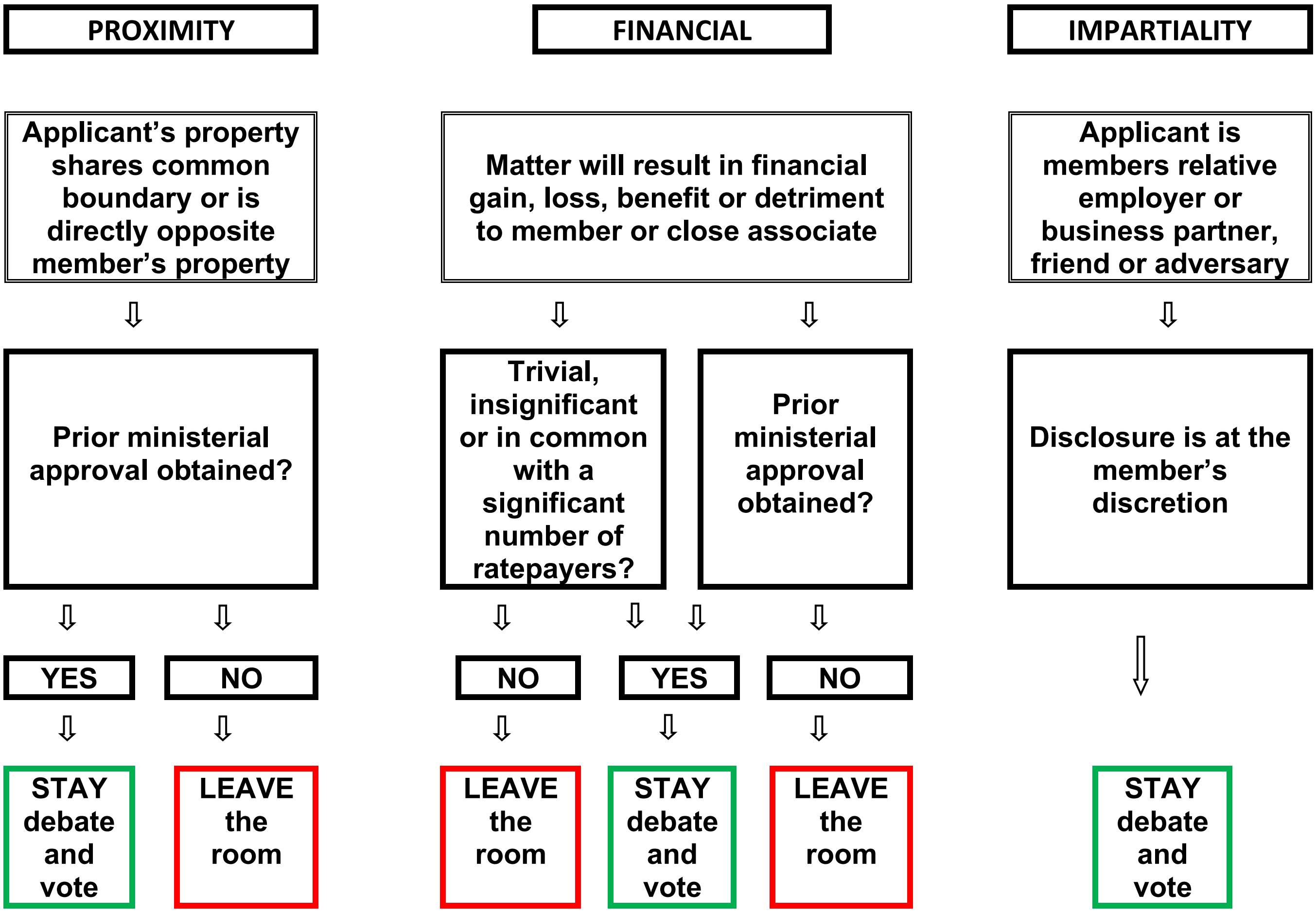
Note 1: For Ordinary meetings of Council, elected members and employees are requested to submit this completed form to the Chief Executive Officer prior to the meeting. Where this is not practicable, disclosure(s) must be given to the Chief Executive Officer prior to the matter being discussed.

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

OFFICE USE ONLY

CEO: ________________________ **Signed:** ________________________ **Date:** ________________

Declaring an Interest



Local Government Act 1995 **- Extract**

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

(1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest:

(a) in a written notice given to the CEO before the meeting; or (b) at the meeting immediately before the matter is discussed. (Penalties apply).

(2) It is a defence to a prosecution under this section if the member proves that he or she did not know:

(a) that he or she had an interest in the matter; or (b) that the matter in which he or she had an interest would be discussed at the meeting.

(3)This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

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

(1) In this section: 'employee' includes a person who, under a contract for services with the local government, provides advice or a report on a matter.

(2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the Council or a committee must disclose the nature of the interest when giving the advice or report.

(3) An employee who discloses an interest under this section must, if required to do so by the Council or committee, as the case may be, disclose the extent of the interest. (Penalties apply).

5.71 - Employees to disclose interests relating to delegated functions.

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

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

'Local Government (Administration) Regulations 1996 **– Extract**

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

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

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AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at:

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

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

	Attendance	**Approved Leave of Absence**	**Absent**
Councillor Lane			
Councillor Eva			
Councillor Heal			
Councillor Mutter			
Councillor Ennor			
Councillor Connaughton			
Councillor Mills			
Chief Executive Officer			
Deputy Chief Executive Officer			
Manager of Infrastructure			
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 is confirmed as true and accurate record of proceedings.					
		Date	**Moved**	**Seconded**	**Vote**
6.1			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.

Members of the public are cautioned against taking any action on Council decisions, on items in which they may have an interest, until such time as they have seen a copy of the Minutes of the meeting or have been advised in writing by Shire of Three Springs staff.

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

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

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

10. REPORTS OF OFFICERS

Executive Services	
10.1 Shire of Three Springs Audit and Risk Committee	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0210
Disclosure of Interest:	Nil
Date:	12 June 2025
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	

Council Role:

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

Report Purpose:
To give effect to recent legislative amendments to the *Local Government Act 1995* by formally appointing a Presiding Member and Deputy Presiding Member to the Shire of Three Springs Audit and Risk Committee, by absolute majority of Council, by Section 5.12 (as amended by the *Local Government Amendment Act 2024*). This action ensures statutory compliance and aligns with the State Government's governance reform objectives.

Background:
This change is required to ensure the Shire complies with the Local Government Amendment Act 2024, which introduced governance reforms to strengthen accountability and transparency in local government. Under the amended Section 5.12 of the *Local Government Act 1995*, councils must appoint Presiding Members for all statutory committees established under Section 5.8 by absolute majority, replacing the previous practice of committees electing their chairs. The appointment of Deputy Presiding Members is also permitted but must likewise be made by an absolute majority. These changes aim to standardise committee governance and reinforce the Council's oversight role.

Statutory committees are those required by law under the *Local Government Act 1995* or regulations.

The key statutory committee is the **Audit Committee**:

- **Legislative Reference**: *Local Government Act 1995*, Section 7.1A
- **Requirement**: All local governments must establish one
- **Purpose**: Oversight of financial reporting, risk, internal controls, and audit
- **Membership**: At least three members, majority being elected members; external members may be included
- **Future Requirement**: From mid-2025, Audit Committees are expected to have an independent Presiding Member, with further details to follow in future legislation.

At its Ordinary Council Meeting held on 25 October 2023, Council passed the following resolution:

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

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

This resolution established committee membership, but did not appoint a Presiding Member or Deputy Presiding Member by an absolute majority.

Officer's Comment:
The Chief Executive Officer will recommend that the Audit Committee continue with its existing members; however, Cr Lane will be appointed as the Presiding Member of the Shire of Three Springs Audit Committee, and Cr Eva will be appointed as the Deputy Presiding Member.

The Shire of Three Springs' internal Audit and Risk Committee will consist of:

- Presiding Member, Cr. Lane
- Deputy Presiding Member Cr. Eva
- Cr. Heal
- Cr. Mutter
- Cr. Ennor
- Cr. Connaughton
- Cr. Mills

These appointments provide continuity and leadership stability in the lead-up to anticipated reforms in mid-2025, which will require an independent chair.

Consultation:
SoTS Chief Executive Officer

Statutory Environment:
Local Government Act 1995

- Section 5.8 – *Establishment of committees*
- Section 5.9 – *Types of committees*
- Section 5.10 – *Appointment of committee members*
- Section 5.12 – *Presiding members and deputies* (as amended by the *Local Government Amendment Act 2024*)

Policy Implications:
Nil

Financial/Resources Implications:
Nil

Strategic Implications:
This item is relevant to the SoTS Strategic Community Plan 2024-2034.

Strategic Community Plan 2024-2034	
Council Objectives:	**Outcome:**
Nil	Nil

This item is relevant to the SoTS 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: 10.1

That Council:

1. Appoints Cr Chris Lane as the Presiding Member of the Shire of Three Springs Audit and Risk Committee, by Section 5.12(1) of the *Local Government Act 1995*, as amended by the *Local Government Amendment Act 2024*.

2. Appoints Cr Nadine Eva as the Deputy Presiding Member of the Shire of Three Springs Audit and Risk Committee, by Section 5.12(2) of the *Local Government Act 1995*, as amended by the *Local Government Amendment Act 2024*.

3. **Notes** that the membership of the Audit and Risk Committee remains unchanged and includes the following Councillors:

    - Cr Chris Lane (Presiding Member)
    - Cr Nadine Eva (Deputy Presiding Member)
    - Cr Jim Heal
    - Cr Jenny Mutter
    - Cr Julia Ennor
    - Cr Chris Connaughton
    - Cr Zac Mills

10. REPORTS OF OFFICERS

Executive Services	
10.2 Outbuildings Local Planning Policy	
Agenda Reference:	
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	A42
Disclosure of Interest:	Nil
Date:	12 June 2025
Author:	Planning Advisor & Chief Executive Officer
Attachment:	**Attachment 10.2** – draft Shire of Three Springs Outbuildings Local Planning Policy

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 Shire of Three Springs Outbuildings Local Planning Policy requires updating to have regard for recent planning legislation changes. A copy of the policy, with the modifications considered necessary to give regard for the updated Regulations, is provided as **Attachment 10.2**.

Background:
As part of its ongoing planning reforms the State Government has implemented changes to local government decision making roles relating to development applications for single houses and associated development.

This reform has introduced Part 4 of the *Planning and Development Amendment Act 2023* supported by amendments to *Schedule 2* of the *Planning and Development (Local Planning Schemes) Regulations* that:

- introduce a new section 257C into the Act which provides the Regulations ability to specify that certain types of development applications must be determined by the officers of the local government; &

- amend Schedule 2 of the Regulations to specify that a single house development or any development associated with a single house, where not otherwise exempt, are to be determined by the local government CEO (or other local government officers authorised by the CEO).

In summary this means that the *Planning and Development (Local Planning Schemes) Regulations 2015* have been amended so that development applications for single houses or any development associated with a single house, and this includes outbuildings/sheds and ancillary dwellings/granny flats (excluding development associated with a heritage place), can now only be determined by the local government CEO or authorised employees of the local government i.e. they explicitly cannot be determined by Council.

The new Clause 84 of the Regulations is provided below:

"Division 2A — Performance of development approval functions in relation to single houses

84A Terms used
In this Division –
authorised employee means an employee of the local government authorised by the local government CEO under clause 84D;
prescribed development approval function means any of the following -
(a) a function of the local government under clause 61A(2) or (4) or Part 8 or 9;
(b) a function of approving further details of any works or use under a condition of a kind referred to in clause 74(1) imposed on a development approval;
(c) a function of the local government under this Scheme that is ancillary or incidental to a function referred to in paragraph (a) or (b);
prescribed single house development has the meaning given in clause 84B.

84B. Prescribed single house development
(1) In this Division, prescribed single house development means development that consists of -
(a) the erection of, or alterations or additions to, a single house; or
(b) the erection or installation of, or alterations or additions to, any of the following that is ancillary or incidental to a single house
(i) an ancillary dwelling;
(ii) an outbuilding;
(iii) an external fixture;
(iv) a boundary wall or fence;
(v) a patio;
(vi) a pergola;
(vii) a verandah;
(viii) a deck;
(ix) a garage;
(x) a carport.
(2) Despite subclause (1), development in a heritage-protected place is not prescribed single house development.

84C. Performance of prescribed development approval functions in relation to prescribed single house development

(1) When a prescribed development approval function is performed in relation to prescribed single house development, the function must be performed for and on behalf of the local government by –

(a) the local government CEO; or

(b) an authorised employee.

(2) A prescribed development approval function cannot be performed by the local government in relation to prescribed single house development otherwise than in accordance with subclause (1) (for example, the function cannot be performed by the council of the local government or a committee of that council).

(3) In performing a prescribed development approval function for and on behalf of the local government in relation to prescribed single house development, the local government CEO or an authorised employee –

(a) is not subject to the direction of the council of the local government or a committee of that council; and

(b) may, if the performance of the function is dependent on the opinion, belief or state of mind of the local government, perform the function on the opinion, belief or state of mind of the CEO or authorised employee (as the case requires).

84D. Authorisation of employees

(1) The local government CEO may authorise any employee of the local government to perform prescribed development approval functions for and on behalf of the local government in relation to prescribed single house development.

(2) An authorisation under this clause must be in writing and may be general or limited to prescribed development approval functions of a specified class."

Further information on this (and other previous) planning reforms can be viewed at the following link: Planning and Development Amendment Act 2023 and Associated Regulations.

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, projects, budgeting, strategic planning and community leadership, with the organisation focusing on the day-to-day operations of the Shire. The use of delegated authority means the large volume of routine work can be effectively managed and acted on promptly, to provide efficient service delivery to the community.

However, in the past Shire staff have referred shed applications that were considered to have potential for impact on the amenity of an area to Council for determination and the Shire's Outbuildings Local Planning Policy provide guidance on what type of developments should be referred to Council. Shire staff have also not refused shed applications in the past considering instead that is reasonable for applicants to be given the opportunity to make a presentation to Council on the merits of their application in the interest of fairness. Also this practice has ensured Councillors are aware of applications that may have a higher level of interest and are fully aware of them and involved in their determination and not 'blindsided' by a community member who wishes to discuss such an application.

With the recent Regulations amendments, however, Shire staff are now unable to present applications involving single houses and associated development, such as sheds and granny flats, to Council and must determine them at a staff level.

This might be viewed as an improvement in efficiency particularly with larger metropolitan Councils but also could be viewed as removing a democratic process whereby elected parties with a public mandate are making decisions, and less appropriate in a rural and regional context.

Shire staff intend to take the view that as ‘Repurposed Dwelling’ and ‘Second Hand Dwelling’ are listed as specific land use definitions in the Shire of Three Springs Local Planning Scheme No.3 (and upcoming Scheme No.4) that they are separate to ‘Single House’ and these types of applications will continue to be presented to Council for determination as necessary.

Officer’s Comment:
The updating of the Regulations requires the Shire to amend its Outbuildings Local Planning Policy to remove reference to applications being placed before Council.

It is also suggested that the Outbuilding Local Planning Policy be expanded to include further text outlining that applications seeking to vary requirements of the policy must be accompanied by supporting reasoning, and must be advertised for comment prior to determination, and that they are unlikely to be supported, and the basis for this approach. The insertion of this additional text may provide some further assistance to Shire staff in the event they are required to refuse an application and defend this at the State Administrative Tribunal.

A copy of the Shire of Three Springs Local Planning Policy, with the modifications considered necessary to give regard for the updated Regulations included as tracked changes, is provided as **Attachment 10.2**.

It is always good practice for Council to review its policies be they procedural, financial or planning on a regular basis to ensure they are current, address changing circumstances and meet Council’s expectations.

Council last gave specific consideration to its Outbuildings Local Planning Policy at its 25 May 2022 meeting with preceding discussion given to the size and area requirements of the policy and exempting rural sheds from any limitations.

The following maximum standards apply to outbuildings under the current policy:

Table 1 – Current Outbuilding Policy Requirements

Zone	Maximum area	Maximum wall height*	Maximum roof height*
Rural	Exempt from the area and height requirements of this policy		
Rural Residential	240m²	4.5m	5.5m
Residential & Rural Townsite	80m²	4m	5m

**all height measurements taken from natural ground level*

As a basis for comparison the below Table 2 provides the outbuilding sizes permitted in the neighbouring local governments. In previous discussions a conservative stance was adopted over concern that permitting larger outbuildings may encourage landowners to operate businesses or park large vehicles and haulage trailers that can give rise to complaint.

Table 2 – Neighbouring Local Government Outbuilding Policy Requirements

Maximum standards	Shire of Three Springs	Shire of Mingenew	Shire of Irwin	Shire of Perenjori	Shire of Carnamah	Shire of Coorow
Residential & Townsite (R10 and higher density) (i.e. lots generally > 1,500m²)						
Area (total aggregate)	80m²	120m² (90m² enclosed/ 30m² open)	120m² (90m² enclosed/ 30m² open)	120m²	60	150m²
Wall Height	4m	4m	3.6m	4m	2.4	4m
Overall Height	5m	5m	4.5m	5m	4.2	4.5m
Residential (R5 and lower density) (i.e. lots generally < 1,500m²)						
Area (total aggregate)	80m²	240m² (180m² enclosed/ 60m² open)	240m² (180m² enclosed/ 60m² open)	120m²	60	180m²
Wall Height	4m	4m	4.2	4m	2.4	4.5m
Overall Height	5m	5m	5m	5m	4.2	5m
Rural Residential (Lots > 4 ha)						
Area (total aggregate)	240m²	-	330m² (240m² enclosed/ 90m² open)	240m²	-	200m²
Wall Height	4.5m	-	4.8m	4.5m	-	5m
Overall Height	5.5m	-	6.5	5.5m	-	6.5m

**all height measurements taken from natural ground level*

Since the policy was last reviewed Council has approved the following applications in excess of the policy requirements:

- 180m² outbuilding upon 2,408m² property at 26 (Lot 15) Touche Street, Three Springs at 23/6/21 Council meeting.
- 107.35m² outbuilding upon 1,012m² property at 75 (Lot 34) Slaughter Street, Three Springs at 28/4/24 Council meeting.

It is suggested that Council may wish to discuss increasing its shed policy floor area requirements to give regard for what it has found acceptable in the past few years and to match neighbouring local governments to provide cross-boundary consistency, with the suggested ceiling figures being those of the Shire of Irwin, Shire of Mingenew and Shire of Perenjori policy requirements i.e. increased from 80m² to 120m².

These suggested changes as outlined in the below Table 3 would mean that a 'line in the sand' is drawn more clearly, in that an application that complies with the policy requirements would be approved without advertising. It would also make clear that any application seeking to undertake development of greater, or higher, dimensions, or closer to neighbouring or street boundaries must be accompanied by supporting information outlining the reasons for seeking variation, and any application that proposes variation to the policy would be advertised for comment with a likelihood that it may be refused.

Table 3 – Proposed Outbuilding Policy Requirements

Zone	Maximum area	Maximum wall height*	Maximum roof height*
Rural	Exempt from the area and height requirements of this policy		
Rural Residential	240m²	4.5m	5.5m
Residential & Rural Townsite	120m²	4m	5m

**all height measurements taken from natural ground level*

In practice, it is considered the policy could still provide some flexibility, where an application is considered to offer very minor variation, for example where a block may be sloping and the use of cut and fill earthworks may necessitate the outbuilding is slightly higher than the policy requirement, and when it is advertised for comment it is supported by neighbours. However, where applications propose more significant variation the updated policy makes clear that the requirements have been established through good planning practice and regard for amenity and provide a solid basis for refusing applications.

Consultation:
Schedule 2 Part 2 Division 2 Clauses 4 & 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires that Council generally advertise the amendment of a Local Planning Policy for a minimum period of 21 days with a notice being placed on the Shire website. At the conclusion of the advertising period Council can review any submission received and proceed with the policy with/without modification, or not proceed with the policy.

Council may therefore wish to advertise the proposed modification to its Outbuildings Policy and consider this matter again at a future meeting.

However, the Officer Recommendation does not suggest that consultation be undertaken in this instance, as the proposed modifications are considered minor. This because they reference the determination changes already introduced by overriding legislation, and only propose to increase the maximum shed floor area on residential lots to match neighbouring Shires to achieve regional consistency.

Statutory Environment:
Schedule 2 Part 2 Division 2 Clauses 4 & 5 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* establishes the procedure for amending Local Planning Policies.

"3 Local planning policies

(1) The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

(2) A local planning policy —

(a) may apply generally or in respect of a particular class or classes of matters specified in the policy; and

(b) may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.

(3) A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.

(4) The local government may amend or repeal a local planning policy.

(5) In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

4 Procedure for making local planning policy

(1) If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —

(a) publish in accordance with clause 87 the proposed policy and a notice giving details of —

(i) the subject and nature of the proposed policy; and

(ii) the objectives of the proposed policy; and

(iii) how the proposed policy is made available to the public in accordance with clause 87; and

(iv) the manner and form in which submissions may be made;

(v) the period for making submissions and the last day of that period.

(b) if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;

(c) give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.

(2) The period for making submissions specified in a notice under subclause (1)(a)(v) must not be less than a period of 21 days after the day on which the notice is first published under subclause (1)(a).

(3) After the expiry of the period within which submissions may be made, the local government must —

(a) review the proposed policy in the light of any submissions made; and

(b) resolve to —

(i) proceed with the policy without modification; or

(ii) proceed with the policy with modification; or

(iii) not to proceed with the policy.

(3A) The local government must not resolve under subclause (3) to proceed with the policy if —

(a) the proposed policy amends or replaces a deemed-to-comply provision of the R-Codes; and

(b) under the R-Codes, the Commission's approval is required for the policy; and

(c) the Commission has not approved the policy.

(4) If the local government resolves to proceed with the policy, the local government must publish notice of the policy in accordance with clause 87.

(5) A policy has effect on publication of a notice under subclause (4).

(6) The local government must ensure that an up-to-date copy of each local planning policy made under this Scheme that is in effect is published in accordance with clause 87.

(7) Subclause (6) is an ongoing publication requirement for the purposes of clause 87(5)(a).

5 Procedure for amending local planning policy

(1) Clause 4, with any necessary changes, applies to the amendment to a local planning policy.

(2) Despite subclause (1), the local government may make an amendment to a local planning policy without advertising the

amendment if, in the opinion of the local government, the amendment is a minor amendment.

11

12 6 Revocation of local planning policy

13 A local planning policy may be revoked —

(a) by a subsequent local planning policy that —

(i) is prepared in accordance with this Part; and

(ii) expressly revokes the local planning policy;

or

(b) by a notice of revocation —

(i) prepared by the local government; and

(ii) published by the local government in accordance with clause 87."

Given that the determination aspects of the policy amendments are required by overriding legislative changes it is considered they should be made under Schedule 2 Part 2 Clause 5(2) (i.e. without further advertising). Similarly it is suggested that the proposed adjustments in policy delegation relevant to maximum shed floor area are minor in nature. However, Council can advertise the draft amended Outbuildings Policy for comment if it wishes to do so.

Policy Implications:
The Shire of Three Springs 'Outbuildings' Local Planning Policy was adopted by Council at its 18 September 2019 meeting and reviewed and updated at its 25 May 2022 meeting.

Where Council wishes to establish its own development guidelines and assessment criteria a Local Planning Policy can be more suited than Local Planning Scheme provisions and allow for more local planning considerations than the state-wide Residential Design Codes. A Policy is still considered as reasonable basis for a local government to make determinations, and is an instrument that must be given due regard in instances where a development decision is appealed to the State Administrative Tribunal. Policies also have an improved, more responsive ability to be modified by Council where it considers that a Policy is no longer in-line with its planning.

For the most part Local Planning Policies are formulated and aligned with a strategic planning direction as set by Council. The establishment of Local Planning Policies aid in guiding the type and standard of development the Council views as appropriate within particular areas of the Shire and provide a consistent approach to approving land use and development.

In most circumstances the local government will adhere to the standards prescribed in a Local Planning Policy, however, the local government is not bound by the policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Financial/Resources Implications:
Nil

Strategic Implications:
The Three Springs Townsite Strategy (2014) notes the following in relation to the issue of outbuildings:

> *"In keeping with the rural nature of the community many homes have larger sheds and outbuildings, rainwater tanks and other modern improvements."* (page 21)

The Strategy also recommends for both the residential and rural-residential precincts that:

> *"Roof materials for residential areas should include corrugated galvanised iron, zincalume coated steel and other material that are in keeping with the surrounding pattern of residential development.*
> *Ancillary buildings or outbuildings should generally be located to the rear of allotments."* (pages 43 & 46)

The Outbuildings Policy is intended to balance the expectations of the community on what is an appropriate standard of amenity, and the requirements for general domestic storage in a regional and rural-residential setting. This can often include larger items that the landowner seeks to have stored securely, and out of the elements, and it may also be preferable from an amenity viewpoint to have them stored within a shed rather than scattered about the yard.

It is always good practice for Council to review its policies be they procedural, financial or planning on a regular basis to ensure they are current, address changing circumstances, current and evolving development trends, community demands and meet Council's expectations.

Voting Requirements:
Simple Majority.

OFFICER'S RECOMMENDATION:	**10.2**
That Council resolve, pursuant to Schedule 2 Part 2 Division 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* to amend its 'Outbuildings Local Planning Policy' subject to the modifications as contained in Attachment 10.2.	

10. REPORTS OF OFFICERS

Corporate Services	
10.3 2025/2026 - Setting Of The Annual Rate In The Dollar	
Agenda Reference:	
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0087
Disclosure of Interest:	Nil
Date:	12 June 2025
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Statement of Objects and Reasons

Council Role:

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

Report Purpose:
Council to determine the Rates in the Dollar (RID)and minimum rates for the 2025-26 financial year.

Attachment:
Proposed Objects and Reasons for 2025/26 Differential Rates.

Background:
Rate raising is the primary source of revenue for all Councils throughout Australia. The purpose of levying rates is to meet the Council's proposed budget requirements each year in a manner that is fair and equitable to the community's ratepayers. Based on the draft budget, the Shire of Three Springs budget deficiency in 2025/26 has been determined to be $3,056,465.

In Western Australia land is valued by Landgate Valuation Services (Valuer General's Office which is a State Government agency) and those values are forwarded to each Local Government.

There are two types of values calculated:

- Gross Rental Value (GRV) for urban areas; and
- Unimproved Value (UV) for rural area

To calculate the rate payable, councils multiply a RID by the supplied value. The RID is determined by the level of revenue the council wishes to raise and is dependent on their proposed budget.

Apart from ensuring sufficient revenue to meet its expenditure needs, the Council must be mindful of the impact and affordability of rates on the community.

The council must consider many factors when setting the RID. These factors include:

- Consideration of the proposed budget deficiency;
- Substantial increases in rates need to be justified. It cannot just be Consumer Price Index (CPI) without valid reasoning substantiating this.

Land in the Shire of Three Springs is rated according to its unimproved value or gross rental value and Council had previously adopted the rating practice of differentiating between land zoned rural and mining for UV and land zoned Residential/Commercial or Mining for GRV.

The process is quite complicated if the Council intends to continue to impose Differential Rating:

- Objects and Reasons are required to be prepared which explain the logic behind each different rate and minimum payment;
- Advertising the proposed differential rates and minimum payments for the required minimum of twenty-one days (the first day being the day after the publication date);
- Consulting with individual ratepayers if only a small number are affected by a significant change to their rates;
- Considering whether the minimum payment applies to more than fifty per cent of the properties in any rating category other than vacant land; and
- Ensuring compliance with Section 6.33(3) if the Council intend to impose a differential general rate that is more than twice the lowest differential general rate by ensuring Ministerial approval is granted before the imposition of the rates.

When setting rates each year, the Shire of Three Springs considers the key values of objectivity, fairness, consistency, transparency, and administrative efficiency.
The council is satisfied that the services and facilities it provides are managed efficiently and effectively and that it is appropriate to rate differentially to meet the budget deficiency.

The Statement of Objects and Reasons clearly explains why one category is subject to a higher rate than another, irrespective of the ratepayers' supposed capacity to pay. This requirement is under s 6.36(3)(c) of the Act and applies to all differential rates and minimum rates.

Two factors greatly influence the proposed RID this year.

The first is that the Shire of Three Springs Long Term Financial Plan specifies that the Rate of revenue is forecast to increase by 5% throughout the plan's term. These increases are to assist in the long-term financial sustainability of the Shire and maintain the level of service to the community in the face of forecast reductions in external grants and contributions.

The second major consideration for the RID this year is the impact revaluations on UV Rural will have on the Rate Revenue and Ratepayers. UV Rural Valuations increased by 22.12% this year. This category also experienced a 34.41% increase in 2024/25 and a 30.08% increase in 2023/24. UV Mining valuations increased by 10.21%. Table 1 shows valuations over the years.

Table 1:

	UV		GRV	
	Rural and Arrino Town	Mining	Residential	Mining
2018 - 2019	111,055,650	523,760	2,054,491	252,500
2019 - 2020	120,601,350	397,771	2,034,575	252,500
2020 - 2021	128,308,252	410,212	2,034,575	252,500
2021 - 2022	138,417,950	464,487	2,034,575	252,500
2022 - 2023	153,832,150	529,030	2,034,833	252,500
2023 - 2024	200,053,050	1,016,944	2,002,207	252,500
2024 - 2025	268,877,750	846,201	2,286,391	247,000
2025 - 2026	328,359,050	947,746	2,296,906	247,000

As per Table 2, in 2024/25, the Council resolved to adopt a lower RID than the previous year to reduce the impact on Ratepayers while ensuring that the rate revenue raised met the budget deficiency. The council may wish to do the same again.

The valuation for UV Mining has increased by 10.21%, but it is still significantly less than the value in 2023-24. Therefore, it is suggested that the RID for this category be left unchanged.

Table 2 shows the RID as adopted over the preceding 7 years:

Table 2:

	UV		GRV	
	Rural and Arrino Town	Mining	Residential	Mining
2018 - 2019	1.5334	3.0667	11.9606	23.9212
2019 - 2020	1.5334	1.5334	11.9606	11.9606
2020 - 2021	1.4416	1.4416	11.9607	11.9607
2021 - 2022	1.3861	1.3861	12.3195	12.3195
2022 - 2023	1.2917	1.2917	12.7549	12.7549
2023 - 2024	1.1500	6.0800	12.7549	23.9212
2024 - 2025	0.9214	6.0800	12.7549	23.9212

Table 3 shows the total rate revenues raised for the preceding six years and the proposed increase/decrease in rate revenue both in terms of dollar and percentage value.

Table 3:

	Overall Effects							
	Rateable Value $	Increase / Decrease	$ Change	% Change	Total Revenue $	Increase / Decrease	$ Change	% Change
19-20	123,295,452	↑	9,283,098	8.14%	2,148,221	↑	107,795	5.28%
20-21	131,005,537	↑	7,710,085	6.25%	2,148,202	↓	-19	0.00%
21-22	141,169,512	↑	10,163,975	7.76%	2,228,195	↑	79,993	3.72%
22-23	156,704,873	↑	15,535,361	11.00%	2,313,086	↑	84,891	3.81%
23-24	203,373,997	↑	46,669,124	29.78%	2,697,481	↑	384,395	16.62%
24-25	272,257,343	↑	68,883,346	33.87%	2,899,838	↑	202,357	7.50%
25-26	331,850,702	↑	59,593,359	21.89%	3,056,465	↑	156,627	5.40%

Note: The rate revenue shown for 2025-26 is the revenue required to make up the deficiency in the 2025-26 draft budget.

Table 4 is a comparison of RID and minimum payments in 2024/25 between the Shire of Three Springs and surrounding shires.

Table 4 :

		GRV - Residential	GRV - Mining	UV - Rural & Arrino Town	UV - Mining	Total Rates Revenue
Carnamah	Rate in $	16.1000	32.2000	1.0250	1.0250	
	Minimum	$ 965	$ 1,930	$ 965	$ 965	2,471,637
Mingenew	Rate in $	16.6315	-	0.8203	0.8203	
	Minimum	$ 924	-	$ 1,389	$ 1,389	2,682,353
Coorow	Rate in $	11.2789	-	0.8427	17.3785	
	Minimum	$ 960	-	$ 960	$ 960	4,059,827
Morowa	Rate in $	8.8342	-	1.8932	30.1974	
	Minimum	$ 355	-	$ 355	$ 683	3,093,700
Perenjori	Rate in $	7.6182	10.7240	1.2152	29.5015	
	Minimum	$ 408	$ 408	$ 408	$ 408	3,718,080
Three Springs	Rate in $	12.7549	23.9212	0.9214	6.0800	
	Minimum	$ 500	$ 500	$ 500	$ 500	2,909,850

Average	Rate in $	12.2030	22.2817	1.1196	14.1671	3,155,908
	Minimum	$ 685	$ 946	$ 763	$ 818	

Officer's Comment:
During the monthly Strategic briefings, various discussions have taken place regarding the 2025/26 Budget, including capital and operating requirements. The proposed rates were specifically reviewed at the Strategic briefing on 26 May 2025.

The development of the draft budget considers the Council's adopted Corporate Business Plan and Strategic Resources Plan which includes the Long Term Financial Plan, and Asset Management Plans.

In the course of the budget discussions, which addressed both operating and capital needs, it was determined that $3.056 million in rate revenue is necessary to achieve a balanced budget for 2025/26.

Efficiency Measures
The Council has reviewed its expenditures and considered efficiency measures as part of its budget deliberations. Specifically, the following actions have been undertaken:

- reviewed position descriptions and remuneration as vacancies arise to ensure that the shire remains adaptive, efficient, and competitive while fostering a fair and productive work environment;
- considered the benefits of works being undertaken in-house or out-sourced;
- installation of solar panels at the Aquatic Centre;
- continued use of local suppliers whenever possible and appropriate;
- continued to engage a Risk Coordinator to reduce exposure to occupational health and safety risks;
- consider best use of shire facilities to optimise shire efficiency, reduce costs and support strategic goals;
- increase staff training to improve efficiency, reduce errors and lower turnover rates;
- continue to share medical services with other local shires to retain doctors' services in the region and reduce the shire's cost;
- prioritise programs and events to attract people to the region to ensure sustainability, attract visitors and generate local economic activity;
- maintain an alternative water source from underground sources (Lovelock Soak);
- ensure sufficient funds are allocated towards the maintenance of assets;
- utilise local contractors to assist shire employees in completing the works program;
- undertake a review of the library service has been undertaken in response to declining usage, to assess its ongoing viability;
- develop a plan for the Aquatic Centre, including strategies to boost attendance through promotional campaigns and flexible opening hours;
- explore and strengthen regional partnerships, including sharing specialist staff (e.g., planning and town planning) with other Shires to reduce employment costs and improve service delivery; and
- continue to actively pursue grant funding opportunities to reduce the financial burden on ratepayers and deliver capital projects and community programs at reduced cost.

Minimums
Council should be aware that per Local Government Act 1995 Section 6.35, no more than half the properties can be subject to the minimum within each category. The minimum amounts would need to be increased substantially for this to be an issue for the Shire of Three Springs for most of the Shire's categories. The exception is UV Mining. Increasing the minimum in excess of $550 whilst retaining the same RID results in non-compliance due to more than half the assessments being on the minimum.

If the Council accepts the officers' proposed RID and increases the minimum amounts to $750 for all categories except UV Mining which is suggest to increase to $550, Table 5 shows the number of properties that would be on the Minimum.

Table 5:

	Minimum Amount	Total No. of Properties	No. of properties on Minimum
UV Rural & Arrino Town	**750**	**208**	**26**
GRV Town	**750**	**225**	**23**
GRV Mining	**750**	**1**	**0**
UV Mining	**550**	**37**	**17**

Table 6 shows the minimums imposed over the preceding five years and the recommended minimum for 2025-26.

Table 6:

	Minimums			
	UV		GRV	
	Rural Arrino Town	Mining	Residential	Mining
2020 - 2021	455	455	455	455
2021 - 2022	470	470	470	470
2022 - 2023	500	500	500	500
2023 - 2024	500	500	500	500
2024 - 2025	500	500	500	500
2025 - 2026	750	550	750	750

Proposed rates

Table 7 summarises the officers recommended rates and minimums for 2025-26 compared to 2024-25.

Table 7:

	2024-25			**Proposed 2025-26**		
	Rate in $	Minimum $	Revenue raised	Rate in $	Minimum $	Revenue raised
GRV - Residential	12.7549	500	$300,084	12.7549	750	$306,466
GRV - Mining	23.9212	500	$59,085	23.9212	750	$59,085
UV - Rural & Arrino Town	0.9214	500	$2,484,356	0.7964	750	$2,628,044
UV - Mining	6.0800	500	$56,313	6.0800	550	$62,869
$ Total			$2,899,838			$3,056,464
$ Increase			$202,357			$156,626
% Increase			7.50%			5.40%

The proposed rates and minimums will:

- reduce the impact of the valuation increase on the UV Rural Ratepayers who have experienced significant increases in their valuations over this and the preceding two years; and
- Increasing the minimum applicable charge for rate setting provides several benefits for the Shire. It ensures a more equitable distribution of the rate burden by requiring all ratepayers to contribute a fair share toward essential services, even if their property value is low. This adjustment helps cover the fixed costs of service delivery, such as road maintenance and administrative functions, which are incurred regardless of property size or value. Raising the minimum charge can also reduce the reliance on higher-value properties to subsidise core services, enhance revenue stability, and support the long-term financial sustainability of the Shire; and
- provide sufficient revenue to meet the budget deficiency.

Consultation:
Council
Staff

Statutory Environment:
Local Government Act 1995 – Section 6.32 Rates and service charges.

"6.32. Rates and service charges

(1) When adopting the annual budget, a local government —

(a) in order to make up the budget deficiency, is to impose a general rate on rateable land within its district, which rate may be imposed either —*

(i) uniformly; or

(ii) differentially;

and

(b) may impose on rateable land within its district —*

(i) a specified area rate; or

(ii) a minimum payment;

and

(c) may impose a service charge on land within its district.*

** Absolute majority required.*

(2) Where a local government resolves to impose a rate it is required to —

(a) set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and

(b) set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.

(3) A local government —

(a) may, at any time after the imposition of rates in a financial year, in an emergency, impose a supplementary general rate or specified area rate for the unexpired portion of the current financial year; and*

(b) is to, after a court or the State Administrative Tribunal has quashed a general valuation, rate or service charge, impose a new general rate, specified area rate or service charge.*

** Absolute majority required.*

(4) Where a court or the State Administrative Tribunal has quashed a general valuation the quashing does not render invalid a rate imposed on the basis of the quashed valuation in respect of any financial year prior to the financial year in which the proceedings which resulted in that quashing were commenced.

[Section 6.32 amended by No. 55 of 2004 s. 690.]"

Local Government Act 1995 – Section 6.33 Differential general rates

"6.33. Differential general rates

(1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —

(a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the Planning and Development Act 2005; or

(b) a purpose for which the land is held or used as determined by the local government; or

(c) whether or not the land is vacant land; or

(d) any other characteristic or combination of characteristics prescribed.

(2) Regulations may —

(a) specify the characteristics under subsection (1) which a local government is to use; or

(b) limit the characteristics under subsection (1) which a local government is permitted to use.

(3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

(4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.

(5) A differential general rate that a local government purported to impose under this Act before the Local Government Amendment Act 2009 section 39(1)(a) came into operation [1] is to be taken to have been as valid as if the amendment made by that paragraph had been made before the purported imposition of that rate.

[Section 6.33 amended by No. 38 of 2005 s. 15; No. 17 of 2009 s. 39; No. 28 of 2010 s. 34.]"

Local Government Act 1995 – Section 6.35 Minimum payment

"6.35. Minimum payment

(1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.

(2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.

(3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —

(a) 50% of the total number of separately rated properties in the district; or

(b) 50% of the number of properties in each category referred to in subsection (6),

on which a minimum payment is imposed.

(4) A minimum payment is not to be imposed on more than the prescribed percentage of —

(a) the number of separately rated properties in the district; or

(b) the number of properties in each category referred to in subsection (6),

unless the general minimum does not exceed the prescribed amount.

(5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.

(6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —

(a) to land rated on gross rental value; and

(b) to land rated on unimproved value; and

(c) to each differential rating category where a differential general rate is imposed."

Local Government Act 1995 – Section 6.36 Notice of certain rates.

“6.36. Local government to give notice of certain rates

(1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.

(2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).

(3) A notice referred to in subsection (1) —

(a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government’s estimate of the budget deficiency; and

(b) is to contain —

(i) details of each rate or minimum payment the local government intends to impose; and

(ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and

(iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;

and

(c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.

(4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

(5) Where a local government —

(a) in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or

(b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),

it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.”

Policy Implications:
Nil

Financial/Resources Implications:
Precursor to 2025/26 Budget adoption

Strategic Implications:
This item is relevant to the Council's approved 'Strategic Community Plan 2024-2034:

Strategic Community Plan 2024-2034	
Council Objectives:	**Outcome:**

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

Corporate Business Plan 2020 – 2024	
Scope Statement:	**Project Outputs:**

Voting Requirements:
Simple Majority required as shown.

Officer's Recommendation:

OFFICERS RECOMMENDATION and COUNCIL DECISION: 10.3

Officer's Recommendation:

That Council:

- in arriving at the proposed rates in the dollar have attempted to balance the need for revenue to fund essential services and facilities with the desire to limit any increase on the ratepayer to affordable levels.

- acknowledge that it reviews its expenditure and considers efficiency measures as part of budget deliberations.

- authorise that the following proposed rates in the dollar for differential rates be advertised for 21 days (as per Local Government Act 1995 Section 6.36).

Gross Rental Value - TS Town	**12.7549 cents** **(0% change)**	**Minimum $750**
Gross Rental Value - Mining	**23.9212 cents** **(0% change)**	**Minimum $750**
Unimproved Value - Rural & Arrino Town	**0.7964 cents** **(-13.57 % change)**	**Minimum $750**
Unimproved Value - Mining	**6.0800 cents** **(0 % change)**	**Minimum $550**

- consult individually with GRV Mining ratepayers as the category has fewer than 30 ratepayers.

- furthermore, subject to no submissions being received at the close of the submission period, staff are to proceed with seeking Ministerial approval to allow for these rates to be adopted as part of the 2025/26 Budget adoption.

- adopts the Objects and Reasons for the 2025/26 differential rates as presented.

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 June 2025 @ 5.30pm.

16. CONFIDENTIAL ITEMS

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.

OFFICER'S RECOMMENDATION: TO CLOSE COUNCIL MEETING	16.1
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.	

16.1. REPORTS OF OFFICERS

Executive Services	
16.1.1 Appointment of Acting or Temporary Chief Executive Officer	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	P79
Disclosure of Interest:	Nil
Date:	12 June 2025
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	

Council Role:

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

OFFICER'S RECOMMENDATION:	**10.1**
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 June 2025