



MINUTES  
ORDINARY COUNCIL MEETING  
HELD ON  
WEDNESDAY  
23 FEBRUARY 2022  
AT 5PM



**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.**

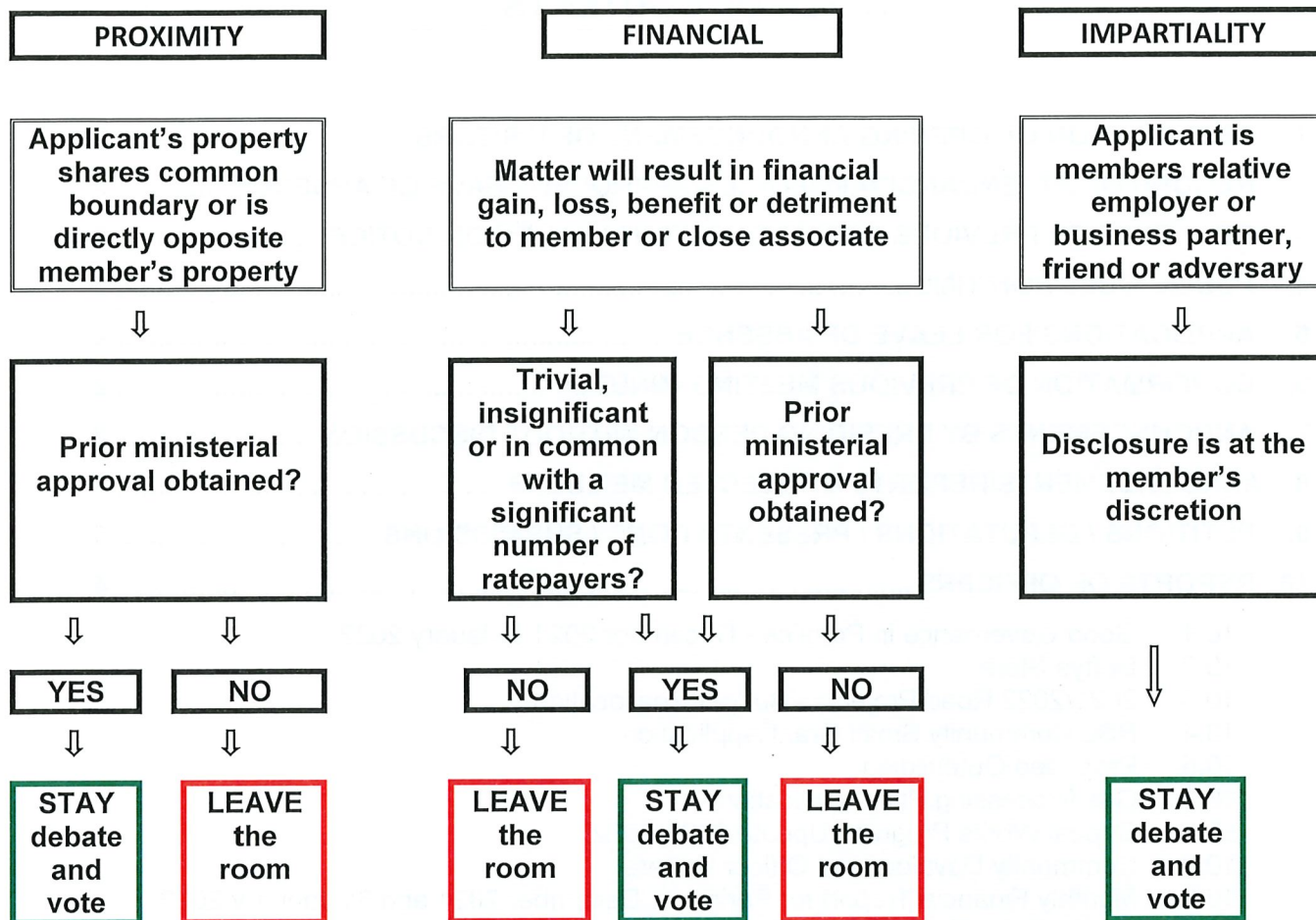
OFFICE USE ONLY

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.*

## TABLE OF CONTENTS

<b>1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....</b>	<b>2</b>
<b>2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE.....</b>	<b>2</b>
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....</b>	<b>2</b>
<b>4. PUBLIC QUESTION TIME.....</b>	<b>2</b>
<b>5. APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>2</b>
<b>6. CONFIRMATION OF PREVIOUS MEETING MINUTES .....</b>	<b>2</b>
<b>7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....</b>	<b>2</b>
<b>8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS.....</b>	<b>3</b>
<b>9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS .....</b>	<b>3</b>
<b>10. REPORTS OF OFFICERS .....</b>	<b>4</b>
10.1 Good Governance in Practice - December 2021 & January 2022	
10.2 Duffys Store	
10.3 2021/2022 Road Projects - Budget Reallocation	
10.4 RSL Community Small Grant Application	
10.5 Proposed Outbuilding	
10.6 Gas Processing Plant application	
10.7 Capital Works Progress Update 2021-2022	
10.8 Community Development Officer Update	
10.9 Monthly Financial Report for Period 31 December 2021 and 31 January 2022	
10.10 Accounts for Payments as at 31 December 2021 and 31 January 2022	
<b>11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....</b>	<b>64</b>
<b>12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.....</b>	<b>64</b>
<b>12.1. ELECTED MEMBERS .....</b>	<b>64</b>
<b>12.2. STAFF .....</b>	<b>64</b>
<b>13. QUESTIONS BY MEMBERS WITHOUT NOTICE.....</b>	<b>64</b>
<b>14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN .....</b>	<b>64</b>
<b>15. TIME AND DATE OF NEXT MEETING.....</b>	<b>64</b>
<b>16. CONFIDENTIAL ITEMS.....</b>	<b>65</b>
16.1.1 Matter to be Considered Behind Closed Doors - Chief Executive Officer KRA	
<b>17. MEETING CLOSURE.....</b>	<b>69</b>



## AGENDA

### 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 5.05pm

#### ***Acknowledgement of Country:-***

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

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

	Attendance	Apologies	Approved Leave of Absences
Councillor Lane	Present		
Councillor Connaughton	Present		
Councillor Heal	Present		
Councillor Mutter	Present		
Councillor Mills	Present		
Councillor Ennor	Present		
Councillor Eva	Present		
Chief Executive Officer	Present		
Acting Supervisor of Works	Present		
Executive Secretary	Present		

#### **Public Gallery**

Mr. A Al-Shammari

### 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

### 4. PUBLIC QUESTION TIME

Nil

### 5. APPLICATIONS FOR LEAVE OF ABSENCE

		OCM Month	Moved	Seconded	Vote	Date
5.1	Cr.		Cr.	Cr.		
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 15/12/2021	Cr. Lane	Cr. Mutter	7/0
6.2	SCM 04/01/2022	Cr. Lane	Cr. Ennor	7/0

### 7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

President Chris Lane acknowledged the recent passing of Mr. Ray Morgan. "Ray was an active member of the Three Springs community for many years. He was a Shire Councillor from 1972 to 1982 and was Deputy President during that time. He also held the position as Chairman on the North Midlands Hospital Board, President of the Three Springs Primary School P&C, and Secretary of the Three Springs Sporting Club and also President of the Three Springs-Arrino RSL. Ray also assisted the community as a volunteer St John Ambulance driver.

Ray was the driving force and the 'face' of the Three Springs-Arrino RSL in their efforts to continually connect with school students and community regarding the importance of remembering and honouring our service personnel. His energy and reverence for ANZAC Day and Remembrance Day always made for a memorable service.

President Chris Lane also acknowledged the recent tragic passing of an employee of the Shire of the Mingenew.

## 8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activity
Cr. Lane	10/12/2021 – TSPS Presentation Night 04/01/2022 - SCM 26/01/2022 – Australia Day Event Weekly meetings with CEO
Cr. Connaughton	10/12/2021 – TSPS Presentation Night 11/12/2021 - Catch up with A Thomas and Bishop Michael Morrissey 15/12/2021 – Ordinary Council Meeting 15/12/2021 - Carnamah School presentation night 17/12/2021 – Shire of Three Springs Christmas Party 04/01/2022 - SCM 26/01/2022 – Australia Day Event Regular catch ups with CEO
Cr. Heal	15/12/2021 – Ordinary Council Meeting 15/12/2021 - Carnamah School presentation night 17/12/2021 – Shire of Three Springs Christmas Party 04/01/2022 - SCM 26/01/2022 – Australia Day Event
Cr. Mutter	15/12/2021 – Ordinary Council Meeting 17/12/2021 – Shire of Three Springs Christmas Party 04/01/2022 - SCM
Cr. Mills	15/12/2021 – Ordinary Council Meeting 04/01/2022 - SCM
Cr. Ennor	15/12/2021 – Ordinary Council Meeting 17/12/2021 – Shire of Three Springs Christmas Party 04/01/2022 - SCM 26/01/2022 – Australia Day Event
Cr. Eva	15/12/2021 – Ordinary Council Meeting 17/12/2021 – Shire of Three Springs Christmas Party 26/01/2022 – Australia Day Event

## 9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

## 10. REPORTS OF OFFICERS

<b>Executive Services</b>	
<b>10.1 Good Governance in Practice</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Nil

---

### Council Role:

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

---

### Report Purpose:

That Council Accepts:

1. The Governance Compliance Calendar report for December 2021 and January 2022.
2. Actions Performed under Delegated Authority for December 2021 and January 2022.

### Background:

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

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

**Officer's Comment:**

**Compliance Table for December 2021**

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
<b>Monthly Financial Report</b> 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 website - WA Local Government Accounting Manual	November 2021 report submitted to the December 2021 OCM. Reference Minutes	
<b>Emergency Services Levy - Remittance</b> 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 website - Manual of Operating Procedures	N/a	
<b>Emergency Services Levy - Option B Payment Due Due by: 21 December and ESL Assessment Profile Return Form A</b>	DFES - ESL Manual of Operating Procedures		DFES -ESL website - Manual of Operating Procedures	N/a	
<b>Council / Committee Meeting Schedule</b> - At least once per year, determine meeting schedule for next 12 months (see January - and give Local Public Notice)	Local Government Act 1995	s.5.25(1)(g) Admin.Reg.12		August 2021 OCM	
<b>Annual Report - Accepted, by Absolute Majority, by no later than 31st December</b>	Local Government Act 1995	s.5.53 s.5.54	DLGSCI website - WA Local Government Accounting Manual		Annual report will not be ready – Email from Auditors 08.12.21 & 04.01.22 confirming – ICR2216616
<b>Elections - Declarations of Office</b> for new Elected Members, Shire President / Mayor and Deputy Shire President / Mayor sworn in following Election Day (2 months from declaration of result - s.2.32(c))	Local Government Act 1995	s.2.29	DLGSC website - Elections Timetable DLGSC website - Returning Officer Manual	Declaration of Office at SCM 18/10/2021	
<b>Master Compliance Calendar - Review</b> Review the Master Compliance Calendar content and consult with the LGs CEO, Executive and key employees to identify any additional Compliance Actions for inclusion in the next year's Master Compliance Calendar.	n/a	n/a		ES and DCEO reviewed in December 2021	



<b>Valuer General Information</b> <b>Due 14th day of each month -</b> providing schedules of: • building licenses issued • building license works completed • registered plans and amendments under the Strata Titles Act 1985	7Valuation of Land Act 1978	s.37		Completed by City of Geraldton	
---	-----------------------------	------	--	--------------------------------	--

### **Compliance Table for January 2022**

Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
<b>Monthly Financial Report</b> 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	December 2021 report submitted to the February 2022 OCM. Reference Minutes	
<b>Emergency Services Levy - Option A Remittance Due by: 21st of the month</b> 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	
<b>Primary Returns - Request</b> Primary Return from any new employee who is a Designated Employee. Return must be received by CEO within 3 months of the person's start day	Local Government Act 1995	s.5.75	DLGSC Operational Guideline No.21 Disclosure of Financial Interests in Returns	Completed Primary Return received back from new MWS	
<b>Financial Interests Register - Review</b> Review register to remove Primary and Annual Returns (not other interest disclosures) from the Financial Interest Register that relate to persons who are no longer Designated Employees (resigned or changed roles) or for Elected Members who have resigned. Returns that are removed are to be kept by the CEO as LG Record for at least 5 years after the person ceased to be a Designated Employee.	Local Government Act 1995	s.5.88(3)(4)		Complete December 2021	

<b>Valuer General Information</b> <b>Due 14th day of each month -</b> 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		Completed. City of Geraldton	
<b>Review Council Member Continuing Professional Development Policy</b> LG must review the policy after each ordinary election.	Local Government Act 1995	s.5.128		Reviewed September 2021	
<b>Compliance Audit Return - Commence Audit</b> Commence the Compliance Audit Return as an internal audit. <b>Due: 31 March</b>	Local Government Act 1995	s.7.13(1)(i) Audit.Regs. 13, 14 and 15			To be submitted prior to March 30, 2022.
<b>Council / Committee Meeting Schedule -</b> At least once per year, give Local Public Notice of the meeting schedule for next 12 months	Local Government Act 1995	s.5.25(1)(g) Admin.Reg. 12		August 2021 OCM	
<b>Primary Returns -</b> New Elected Members - required to be lodged with CEO within 3 months of making Declarations of Office	Local Government Act 1995	s.5.75(1)	<b>WALGA -</b> Governance Subscription - Guideline - Primary and Annual Returns Management <b>DLGSC</b> Operational Guideline No.21 Disclosure of Financial Interests in Returns	New EM's were returning EM's so had already completed Annual Returns for 2020/2021 – not required to complete Primary Returns	
<b>Revaluation of Assets - Plant and Equipment - Commence Work</b> LG must revalue all assets within the Plant and Equipment Class by the expiry of each 3-yearly interval after 30 June 2016	Local Government Act 1995	FM.Reg.17A (4)		June 2026	
<b>Revaluation of Assets - Land, Buildings and Infrastructure - Commence Work</b> LG must revalue all assets within the Land Building and Infrastructure Class by the expiry of each 3-yearly interval after 30 June 2017	Local Government Act 1995	FM.Reg.17A (4)		June 2026	
<b>Revaluation of Assets - All Other Classes of Assets - Commence Work</b> LG must revalue all other classes of assets (other than, Plant and Equipment and Land Building and Infrastructure classes) by the expiry of each 3-yearly interval after 30 June 2018	Local Government Act 1995	FM.Reg.17A (4)		June 2026	

## Execution of Delegation for December 2021

Date	File Reference	Delegation Number	Decision Detail	Applicant	Officer	Comment
7-Dec-21	ADM0364	GO004-Execution of Contract Documents	MOU between Shire of Three Springs and City of Greater Geraldton - Supply of Building Services	SoTS & City of Greater Geraldton	Chief Executive Officer	OCR214609
09-Dec-21	PMT ID: F112099564224	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Chief Executive Officer	Creditor Payment - EFT PMT ID: F112099564224 for \$131,301.30
21-Dec-21	PMT ID: F112210316118	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Maxi A/C to Muni A/C	CBA	Chief Executive Officer	Transfer from CBA Maxi A/C to CBA Muni A/C for Payroll \$150,000.00 PMT ID: F112210316118
22-Dec-21	PMT ID: F112220348646	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Chief Executive Officer	Creditor Payment - EFT PMT ID: F112220348646 for \$129,097.58
22-Dec-21	Chq 11659	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - DOT Licensing Annual Shire Plant and Vehicle Licensing	CBA	Chief Executive Officer	Creditors Payment - Annual DoT Fleet Licencing # 11659 - \$7,825.05
06-Dec-21	PMT ID: F112069280850	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Licensing A/C	CBA	Deputy Chief Executive Officer	Transfer \$590.39 from CBA Muni A/C to CBA Licen A/C to Due to Wrong Eftpos Used in October PMT ID: F112069280850
7-Dec-21	PMT ID: F112079394857	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Deputy Chief Executive Officer	Fortnightly Payroll PPE 07/12/2021 - \$43,271.36 PMT ID: F112079394857
09-Dec-21	PMT ID: F112099564224	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID: F112099564224 for \$131,301.30
21-Dec-21	PMT ID: F112210151279	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Deputy Chief Executive Officer	Fortnightly Payroll PPE 21/12/2021 - \$42,304.47 PMT ID: F112210151279
21-Dec-21	PMT ID: F112210316118	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Maxi A/C to Muni A/C	CBA	Deputy Chief Executive Officer	Transfer from CBA Maxi A/C to CBA Muni A/C for Payroll \$150,000.00 PMT ID: F112210316118
22-Dec-21	PMT ID: F112220348646	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID: F112220348646 for \$129,097.58
7-Dec-21	PMT ID: F112079394857	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Finance Officer	Fortnightly Payroll PPE 07/12/2021 - \$43,271.36 PMT ID: F112079394857
09-Dec-21	PMT ID: F112099564224	CS002 - Payments from Municipal Fund and	Weekly Payment - Creditors	CBA	Finance Officer	Creditor Payment - EFT PMT ID: F112099564224 for \$131,301.30

21-Dec-21	PMT ID: F112210316118	Trust Fund CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Maxi A/C to Muni A/C	CBA	Finance Officer	Transfer from CBA Maxi A/C to CBA Muni A/C for Payroll \$150,000.00 PMT ID: F112210316118
22-Dec-21	PMT ID: F112220348646	Trust Fund CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Finance Officer	Creditor Payment - EFT PMT ID: F112220348646 for \$129,097.58
06-Dec-21	PMT ID: F112069280850	Trust Fund CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Licensing A/C	CBA	Customer Service Officer 2	Transfer \$590.39 from CBA Muni A/C to CBA Licen A/C to Due to Wrong Eftpos Used in October PMT ID: F112069280850
21-Dec-21	PMT ID: F112210151279	Trust Fund CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Customer Service Officer 2	Fortnightly Payroll PPE 21/12/2021 - \$42,304.47 PMT ID: F112210151279

### **Execution of Delegation for January 2022**

Date	File Reference	Delegation Number	Decision Detail	Applicant	Officer	Comment
04-Jan-22	PMT ID: F201040799559	CS002 - Payments from Municipal Fund and Trust Fund	Transfer of Funds from the Maximiser to Municipal Account	CBA	Chief Executive Officer	Transfer from CBA Maxi A/C to CBA Muni A/C for Payroll \$80,000.00 PMT ID: F201040799559
13-Jan-22	PMT ID: F201131224995	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Licensing A/C to CBA Muni A/C	CBA	Chief Executive Officer	Transfer \$52.00 from CBA Licensing A/C to CBA Muni A/C due to no Muni Deposit Book for 11/01/2022 PMT ID: F201131224995
14-Jan-22	PMT ID: F201141354033	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Chief Executive Officer	Creditor Payments - EFT PMT ID: F201141354033 for \$42,328.21
17-Jan-22	PMT ID: F201171388486	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Licensing A/C to CBA Muni A/C	CBA	Chief Executive Officer	Transfer \$12,412.44 from CBA Licensing A/C to CBA Muni A/C due to no Muni Deposit Book for 07/01/2022 PMT ID: F201171388486
20-Jan-22	PMT ID: F201201664531	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Chief Executive Officer	Creditor Payments - EFT PMT ID: F201201664531 for \$13,898.37
20-Jan-22	PMT ID: F201201663839	CS002 - Payments from Municipal Fund and Trust Fund	Transfer of Funds from the Maximiser to Municipal Account	CBA	Chief Executive Officer	Transfer from Maximiser Account to Muni Account for the amount of \$40,000.00 PMT ID: F201201663839
31-Jan-22	PMT ID: F201312185658	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Chief Executive Officer	Creditor Payments - EFT PMT ID: F201312185658 for \$15,305.46
04-Jan-22	PMT ID: F201040799559	CS002 - Payments from Municipal Fund and Trust Fund	Transfer of Funds from the Maximiser to Municipal Account	CBA	Finance Officer	Transfer from CBA Maxi A/C to CBA Muni A/C for Payroll \$80,000.00 PMT ID: F201040799559
13-Jan-22	PMT ID: F201131224995	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA	CBA	Finance Officer	Transfer \$52.00 from CBA Licensing A/C to



		from Municipal Fund and Trust Fund	Licensing A/C to CBA Muni A/C			CBA Muni A/C due to no Muni Deposit Book for 11/01/2022 PMT ID: F201131224995
14-Jan-22	PMT ID: F201141354033	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Finance Officer	Creditor Payments - EFT PMT ID: F201141354033 for \$42,328.21
17-Jan-22	PMT ID: F201171388486	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Licensing A/C to CBA Muni A/C	CBA	Finance Officer	Transfer \$12,412.44 from CBA Licensing A/C to CBA Muni A/C due to no Muni Deposit Book for 07/01/2022 PMT ID: F201171388486
20-Jan-22	PMT ID: F201201664531	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Finance Officer	Creditor Payments - EFT PMT ID: F201201664531 for \$13,898.37
20-Jan-22	PMT ID: F201201663839	CS002 - Payments from Municipal Fund and Trust Fund	Transfer of Funds from the Maximiser to Municipal Account	CBA	Finance Officer	Transfer from Maximiser Account to Muni Account for the amount of \$40,000.00 PMT ID: F201201663839
31-Jan-22	PMT ID: F201312185658	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Finance Officer	Creditor Payments - EFT PMT ID: F201312185658 for \$15,305.46
4-Jan-22	PMT ID: F201040803864	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Customer Service Officer 2	Fortnightly Payroll PPE 04/01/22 - \$59,296.46 PMT ID: F201040803864
13-Jan-22	PMT ID: F201131224995	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Licensing A/C to CBA Muni A/C	CBA	Customer Service Officer 2	Transfer \$52.00 from CBA Licensing A/C to CBA Muni A/C due to no Muni Deposit Book for 11/01/2022 PMT ID: F201131224995
17-Jan-22	PMT ID: F201171388486	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Licensing A/C to CBA Muni A/C	CBA	Customer Service Officer 2	Transfer \$12,412.44 from CBA Licensing A/C to CBA Muni A/C due to no Muni Deposit Book for 07/01/2022 PMT ID: F201171388486
18-Jan-22	PMT ID: F201181506673	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	CBA	Customer Service Officer 2	Fortnightly Payroll PPE 18/01/22 - \$39,137.20 PMT ID: F201181506673

### **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.

<b>Strategic Community Plan 2018 - 2028</b>	
<b>Council Objectives:</b>	<b>Outcome:</b>
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.

<b>Corporate Business Plan 2020 - 2024</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Nil	Nil

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

<b>004/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.1</b>
<p style="text-align: right;"><b><u>MOVED:</u> Cr. Mutter</b> <b><u>SECONDED:</u> Cr. Eva</b></p> <p>That Council Accepts:</p> <ol style="list-style-type: none"> <li>1. The Governance Compliance Calendar report for December 2021 and January 2022.</li> <li>2. The Execution of Delegation report for December 2021 and January 2022.</li> </ol> <p style="text-align: right;"><b>CARRIED:</b> <b>VOTED: 7/0</b></p>

## 10. REPORTS OF OFFICERS

<b>Executive Services</b>	
<b>10.2. Duffy's Store</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0385
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	<b>Attachments: Confidential</b>

### Council Role:

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

### Report Purpose:

That Council authorises the insertion of the Duffy Store Business Case on the Shire website document directory.

That Council receives the Three Springs Tourism Business Case – February 2022, Business Case Executive Summary February 2022 and the revised Cost-Benefit Analysis January 2022.

### Background:

1. September 2019, the Chief Executive Officer was advised that Council required a plan and 'purpose' for Duffy's Store.
2. November 2019, Council authorised the Chief Executive Officer Key Performance Indicators, including Duffy's Store and the Strategic Review of the Long Term Financial Plan, the Workforce Plan and the Corporate Business Plan.

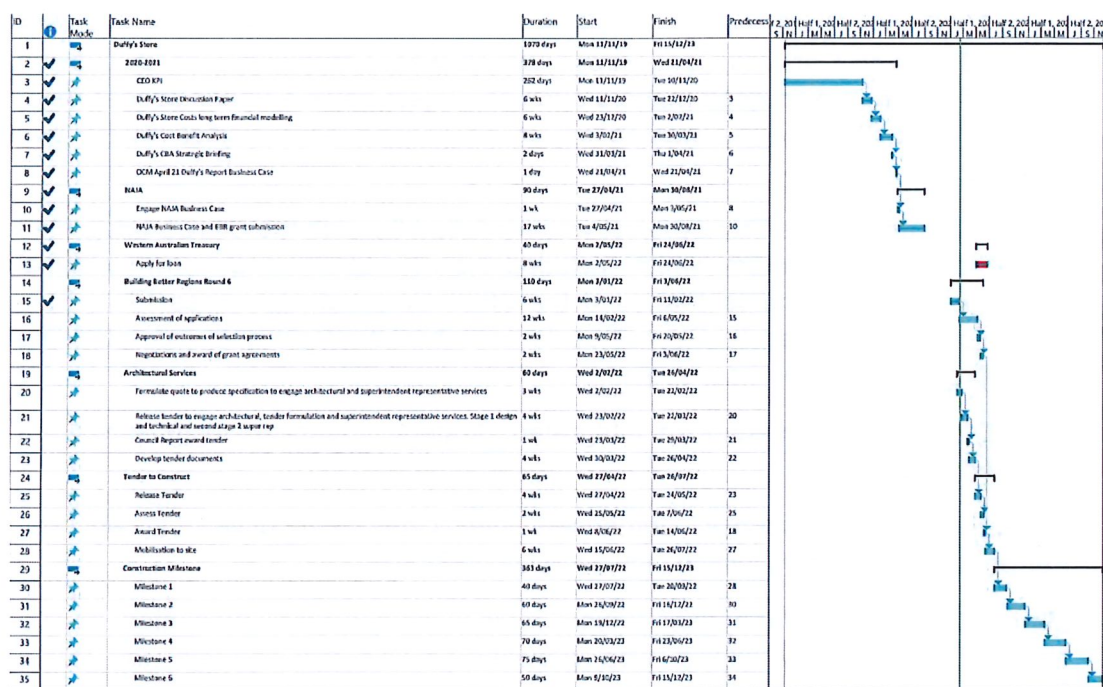


3. June 2020, the Chief Executive Officer presented the Three Springs Duffy's Store, Silos and Caravan Park Report, which was a feasibility and discussion paper. The report discusses matters such as project goals and risk assessment. One of the risk strategies was to obtain an *'independent project review and analysis'*.
4. June 2020, the Duffy's Store project was modelled through the Shire's Integrated Strategic Planning system, which included the new 2020 Long Term Financial Plan, the 2020 Workforce Plan and the 2020 Corporate Business Plan. This strategic work occurred so Council could have broad insight and understanding of the project's long-term consequences.
5. July 2020, the aforementioned Integrated Strategic Planning documents were reported to Council.
6. November 2020, Council authorised the Chief Executive Officer Key Performance Indicators, which included Duffy's Store.
7. March 2021, the *'independent project review and analysis'* presented as the NAJA Cost-Benefit Analysis was provided to Council through the Shire President.
8. March 2021, Council discussed the Cost-Benefit Analysis at a strategic briefing meeting.
9. April 2021, Council discussed the Cost-Benefit Analysis and the broader concepts of the project.
10. April 2021, Council authorised the production of Duffy's Store Business Case and, if required, the Building Better Regions grant submission.
11. February 2022, the Building Better Regions grant submission was formulated and submitted.

**Officer's Comment:**

Gantt Chart 1 provides Council with an estimated project timeline.

Gantt Chart 1:



## Consultation:

Nil

## Statutory Environment:

Nil

## Policy Implications:

Nil

## Financial/Resources Implications:

Nil

## Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
Three Springs becomes a healthy and unified community with a bright future.	1.1 Provide and maintain good quality tourism infrastructure and facilities.
Three Springs a prosperous, thriving and innovative local economy.	1.1.4 Continue to support and develop the Three Springs Visitors Centre.
Develop tourism infrastructure and increase the length of stay.	1.1.5 Investigate and implement options for heritage opportunities.
People are motivated, work together and have an increased pride and participation in the community.	1.3.1 Promote existing and new industry opportunities to increase employment.
	1.3.6 Investigate and develop the long-term use of the Three Springs Mining Camp.

<p>Manage population growth across a range of demographics, particularly aged and families.</p> <p>A long term, strategically focused Shire that is efficient, respected and accountable.</p> <p>Improved long term planning and strategic management.</p>	<p>2.1.3 Develop promotional material to better inform visitors and locals about our natural, cultural and built environment.</p> <p>2.3.2 Lead by example and improve and maintain community infrastructure.</p> <p>2.4.1 Develop and restore Duffy's Store.</p> <p>2.4.2 Work closely with CBH to identify future opportunities for alternative uses of the silos.</p> <p>2.4.3 Include heritage interpretation in promotional materials.</p>
--	---

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

<b>Corporate Business Plan 2020 – 2024</b>			
<b>Scope Statement:</b>		<b>Project Outputs:</b>	
Outcome 1.3	Increase the diversity of the existing business base.	1.3.6.1	Develop the long-term use of the Three Springs Mining Camp report.
Outcome 2.4	Preservation of local heritage and the unique character of our built environs.	2.4.1.1	Develop and restore Duffy's Store
		2.4.2.1	Approach CBH in relation to Silo alternative use opportunities.

**Voting Requirements:**  
Simple Majority.

**Officer's Recommendation:**

**005/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.2**

**MOVED: Cr. Heal**  
**SECONDED: Cr. Ennor**

That Council authorises the insertion of the Duffy Store Business Case on the Shire website document directory.

That Council receives the Three Springs Tourism Business Case – February 2022, Business Case Executive Summary February 2022 and the revised Cost-Benefit Analysis January 2022.

**CARRIED:**  
**VOTED: 7/0**

## 10. REPORTS OF OFFICERS

### Executive Services

#### 10.3 2021/2022 Road Projects - Budget Reallocation

Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	

#### Council Role:

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

#### Report Purpose:

That Council approves budget reallocation associated with Three Springs Morawa Road, Arrino South, and Dudawa Road works. There is no additional cost to Council.

#### Background:

The approved Shire of Three Springs 2021/2022 Road Projects is stated in Table 1:

**Table 1:**

Road Name	Work Description/Submission	Budget
Three Springs Morawa Rd	SLK24.50 to SLK29.86 14 mm bitumen reseal. Shoulders will be reshaped, and vegetation on shoulders and batters will be removed.	\$200,000 \$100,000
Arrino South Road	SLK9.75 to SLK13.96 14mm bitumen reseal. Road sections are to be cement stabilised due to structural failure. These	\$200,000 \$100,000



	sections are between SLK10.17 to SLK10.26 and SLK9.75 to SLK10.07.	
Dudawa Road	SLK3.53 to SLK8.39 14 mm bitumen reseal. New drainage 450 mm culvert at SLK8.29.	\$200,000 \$100,000

**Officer's Comment:**

A detailed inspection of the 2021/2022 Main Roads submissions, the geometric road design and structural properties of the road base and subgrade have triggered a modification to the associated scope of works on Three Springs Morawa Road, Arrino South, and Dudawa Road. The modification is rational and provides significant road safety and structural improvements.

- Three Springs Morawa Road works are almost complete except for the bitumen seal.
- Road works on Arrino South Road, and Dudawa Road will commence in February 2022.
- The modifications do not increase the overall budget.
- The revised scope of works is stated in Table 2:

**Table 2:**

Road Name	Work Description/Submission	Budget
Three Springs Morawa Rd	The shoulders reconstruction and widening.  SLK24.50 to SLK29.38. 14 mm bitumen reseal.	\$402,495.00
Arrino South Road	Road sections are to be cement stabilised due to structural failure. These sections are between SLK10.17 to SLK10.26 and SLK9.75 to SLK10.07.  SLK9.75 to SLK14.13. 14mm bitumen reseal.	\$295,999.50
Dudawa Road	Road sections are to be cement stabilised due to structural failure. This section is between SLK8.25 to SLK8.40.  New drainage culvert/450mm pipe at SLK8.29.  SLK7.8 to SLK8.39. 14 mm bitumen reseal.	\$201,510.00

The explanation for the revised scope of works is stated in Table 3.

**Table 3:**

Road Name	Explanation
Three Springs Morawa Rd	The shoulders were not reshaped; the shoulders were reconstructed and widened—additional funds are required for the bitumen sealing.
Arrino South Road	Reduced bitumen sealing and the associated funds transferred to Three Springs Morawa Rd.

Dudawa Road	<p>Three months ago, the road foundation failed from SLK 8.25 to SLK8.40. This section will be cement stabilised.</p> <p>The bend (SLK7 to SLK8) needs to have a cross fall corrected to improve its ride and safety. A super-elevated cross fall of 4% provides for a maximum design speed of 90 km/hr. It would be suggested to sign post the section to an advisory speed of 75km/hr (to be confirmed), given that traffic is also entering and leaving from the adjacent slip lanes. The installation of arrow markers around the bend from both directions would improve driver awareness that the road conditions require a speed change. The associated section may qualify for a future Blackspot submission or will form part of next year's Main Roads/Shire TS program.</p> <p>Reduced 14mm bitumen sealing and the associated funds transferred to Three Springs Morawa Rd.</p> <p>The plan was to bitumen seal the corner mentioned above, which would waste resources due to future reconstruction.</p>
-------------	---

**Consultation:**

Main Roads Western Australia

**Statutory Environment:**

Local Government Act 1995

Financial Management Part 6

General Financial Provisions Division 4 s 6.6

**6.8. Expenditure from municipal fund not included in annual budget**

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

*\* Absolute majority required.*

**Policy Implications:**

Nil

**Financial/Resources Implications:**

No additional funds are required for the revised road construction program.

	Main Roads	Shire of TS	Total
Three Springs Morawa Rd	\$ 200,000.00	\$ 100,000.00	\$ 300,000.00
Arrino South Road	\$ 200,000.00	\$ 100,000.00	\$ 300,000.00
Dudawa Road	\$ 200,000.00	\$ 100,000.00	\$ 300,000.00

	\$ 600,000.00	\$ 300,000.00	\$ 900,000.00
	<b>Main Roads</b>	<b>Shire of TS</b>	<b>Total</b>
Three Springs Morawa Rd	\$ 268,330.00	\$ 134,165.00	\$ 402,495.00
Arrino South Road	\$ 197,333.00	\$ 98,666.50	\$ 295,999.50
Dudawa Road	\$ 134,340.00	\$ 67,170.00	\$ 201,510.00
	<b>\$ 600,003.00</b>	<b>\$ 300,001.50</b>	<b>\$ 900,000.00</b>

**Strategic Implications:**

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

<b>Strategic Community Plan 2018-2028</b>	
<b>Council Objectives:</b>	<b>Outcome:</b>
Nil	Nil

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

<b>Corporate Business Plan 2020-2024</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Nil	Nil

**Voting Requirements:**

Absolute Majority

**Officer's Recommendation:**

<b>006/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION</b>			<b>10.3</b>																				
<p style="text-align: right;"><b><u>MOVED:</u> Cr. Connaughton</b> <b><u>SECONDED:</u> Cr. Mutter</b></p> <p>That Council approves budget reallocation associated with Three Springs Morawa Road, Arrino South, and Dudawa Road.</p> <table> <tr> <th></th><th><b>Main Roads</b></th><th><b>Shire of TS</b></th><th><b>Total</b></th></tr> <tr> <td>Three Springs Morawa Rd</td><td>\$ 268,330.00</td><td>\$ 134,165.00</td><td>\$ 402,495.00</td></tr> <tr> <td>Arrino South Road</td><td>\$ 197,333.00</td><td>\$ 98,666.50</td><td>\$ 295,999.50</td></tr> <tr> <td>Dudawa Road</td><td>\$ 134,340.00</td><td>\$ 67,170.00</td><td>\$ 201,510.00</td></tr> <tr> <td></td><td><b>\$ 600,003.00</b></td><td><b>\$ 300,001.50</b></td><td><b>\$ 900,000.00</b></td></tr> </table> <p style="text-align: right;"><b>CARRIED:</b> <b>VOTED: 7/0</b></p>					<b>Main Roads</b>	<b>Shire of TS</b>	<b>Total</b>	Three Springs Morawa Rd	\$ 268,330.00	\$ 134,165.00	\$ 402,495.00	Arrino South Road	\$ 197,333.00	\$ 98,666.50	\$ 295,999.50	Dudawa Road	\$ 134,340.00	\$ 67,170.00	\$ 201,510.00		<b>\$ 600,003.00</b>	<b>\$ 300,001.50</b>	<b>\$ 900,000.00</b>
	<b>Main Roads</b>	<b>Shire of TS</b>	<b>Total</b>																				
Three Springs Morawa Rd	\$ 268,330.00	\$ 134,165.00	\$ 402,495.00																				
Arrino South Road	\$ 197,333.00	\$ 98,666.50	\$ 295,999.50																				
Dudawa Road	\$ 134,340.00	\$ 67,170.00	\$ 201,510.00																				
	<b>\$ 600,003.00</b>	<b>\$ 300,001.50</b>	<b>\$ 900,000.00</b>																				

## 10. REPORTS OF OFFICERS

<b>Executive Services</b>	
<b>10.4. Shire of Three Springs Community Fund Assessment Committee</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	RSL Community Small Grant Application

### 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 endorses the recommendation from the Shire of Three Springs Community Fund Assessment Committee and approve the Three Springs-Arrino RSL (WA) Sub Branch request for \$3,000.00.

### Background:

On 15 June 2021, the Shire of Three Springs Community Fund Assessment Committee elected Cr. Ennor to the position of Presiding Member and Cr. Eva to the position of Deputy Presiding Member.

### Officer's Comment:

The Committee assessed one grant submission against the Community Fund Guidelines, and the Committee recommends to Council that RSL submission be approved.

### Consultation:

Committee of Council, Community Fund Assessment Committee.

**Statutory Environment:**

Nil

**Policy Implications:**

Nil

**Financial/Resources Implications:**

Members Donations to Community Groups Balance	\$39,860.00
Three Springs-Arrino RSL (WA) Sub Branch	-\$ 3,000.00
Balance	\$36,860.00

**Strategic Implications:**

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

<b>Strategic Community Plan 2018-2028</b>	
<b>Council Objectives:</b>	<b>Outcome:</b>
Nil	Nil

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

<b>Corporate Business Plan 2020-2024</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Nil	Nil

**Voting Requirements:**

Simple Majority

**Officer's Recommendation:**

**007/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.4**

**MOVED: Cr. Eva**  
**SECONDED: Cr. Mutter**

That Council endorses the recommendation from the Shire of Three Springs Community Fund Assessment Committee and approve the Three Springs-Arrino RSL (WA) Sub Branch request for \$3,000.00.

**CARRIED:**  
**VOTED: 7/0**

## 10. REPORTS OF OFFICERS

Executive Services	
<b>10.5. Proposed Outbuilding</b>	
Agenda Reference:	
Location/Address:	17 (Lot 11) Williamson Street, Three Springs
Name of Applicant:	A Al-Shammari
File Reference:	A445
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Planning Advisor & Chief Executive Officer
Attachment:	Attachment 10.5 – Received Application

### Council Role:

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

### Report Purpose:

Council is in receipt of an application from the landowner of 17 (Lot 11) Williamson Street seeking approval for an outbuilding to be constructed using 2 second-hand sea containers and a linking gable roof.

A copy of the received application has been provided as **Attachment 10.5**. This report recommends that Council grant approval subject to conditions.

### Background:

Lot 11 is a 928m<sup>2</sup> property on the north-east corner of the Williamson Street and Touche Street intersection the Three Springs townsite. There is an existing single storey residence on the property which faces the truncation on the corner of the lot. There is access to the rear of the property from Williamson Street and the applicant is seeking to site/construct the outbuilding in the area to the east of the residence.



The applicant is seeking to place two 2 second-hand sea containers 5m apart in the rear yard of Lot 11 and construct a gable roof structure spanning between them to create a 9.8m x 6.1m outbuilding structure with a total area of 59.78m<sup>2</sup>. The sea containers would remain enclosed with the roof structure providing a carport type structure in-between.

Each second-hand sea container is 2.4m wide, 6.1m long and 2.6m high. There has been no specific details received in relation to proposed colours, roof structure details or footings to date.

**Figure 10.5(a) – Location plan for Lot 17 Williams Street, Three Springs**



**Figure 10.5(b) – Aerial photo of 17 (Lot 11) Williamson Street, Three Springs**





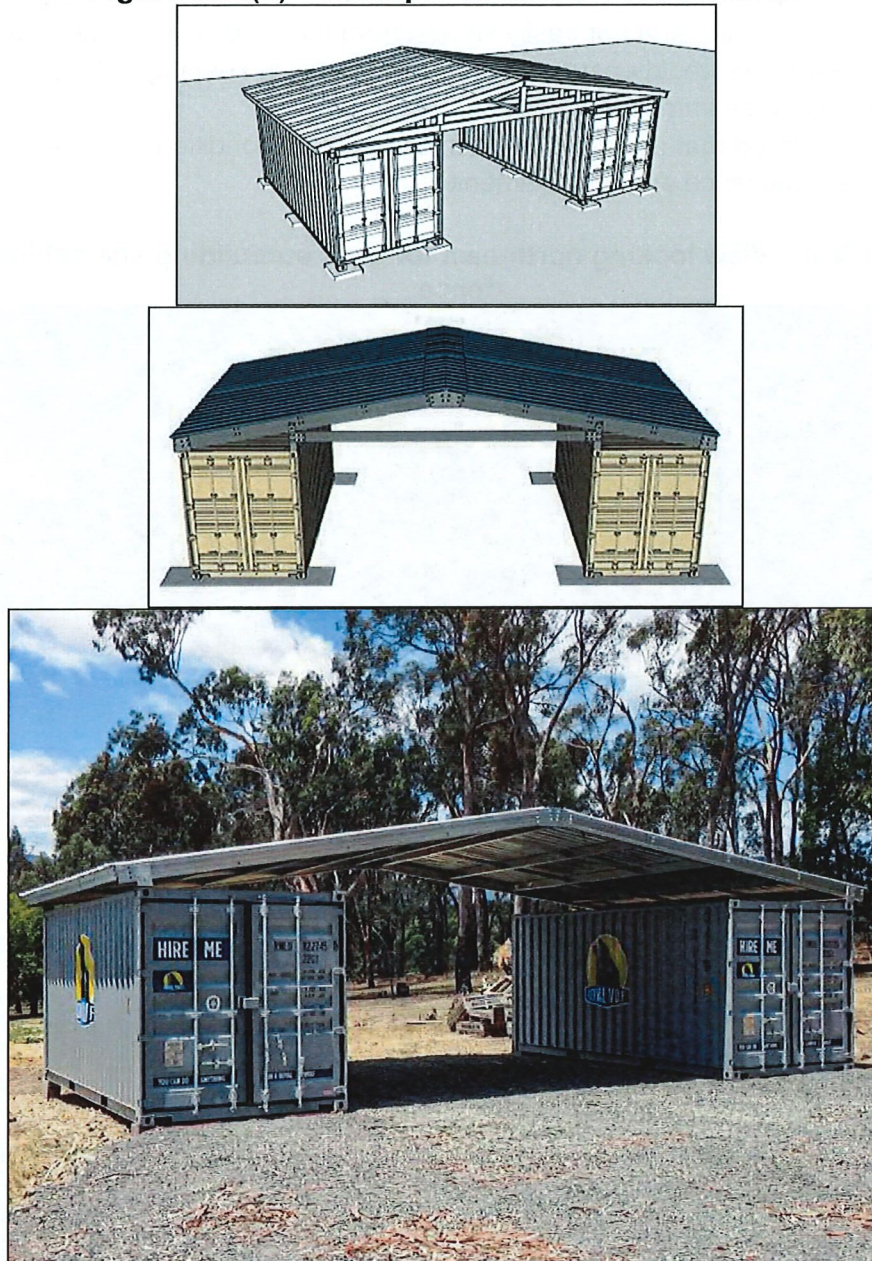
In the absence of detailed plans being received from the applicant as part of their submission to Council the following images are provided in order to provide an example of the visual appearance of this type of structure upon completion.

**Figure 10.5(c) – Example of similar constructions**





**Figure 10.5(c) – Example of similar constructions**



**Officer's Comment:**

It is considered that the outbuilding can be supported on the following basis:

- second-hand sea containers can be repainted or clad to improve their visual appearance and to ensure that the containers and roof of the structure are matching in colour;
- if the outbuilding is obscured from view by the existing front fence along Williamson Street and setback as far as practicable within the rear yard, it is considered that this will ensure that the outbuilding is not dominant within the streetscape;
- the existing residence and mature vegetation provide additional screening to the proposed location of the outbuilding;



- the relatively low 2.6m wall height and requirement for the structure to be constructed at natural ground level would ensure that the height of the structure is limited and not easily viewed from the road or adjoining properties;
- a gable roofline would ensure that the structure is in keeping with other roofline styles within the immediate area;
- it is considered that appropriate planning approval conditions can be applied to ensure compliance and visual amenity.

**Figure 10.5(d) – View looking north-east towards outbuilding site behind front fence**



**Figure 10.5(e) – Existing residence upon 17 (Lot 11) Williamson Street**



The sea containers are currently located at 39 (Lot 9) Slaughter Street, Three Springs where the applicant had originally intended to develop them into a residence. The applicant has now revised their plans and seeks instead to relocate them to 17 (Lot 11) Williamson Street and develop them into an outbuilding.



The Shire holds a \$5,000 bond that the applicant was required to lodge as part of their 16/10/19 Council meeting approval for the residence proposal at 39 (Lot 9) Slaughter Street. It is recommended that the Shire set as a condition of approval that the existing bond be retained by the Shire and returned only once 39 (Lot 9) Slaughter Street has been restored to its previous condition (i.e. it does not have the appearance of a building site) and the outbuilding structure is completed at 17 (Lot 11) Williamson Street to the Shire's satisfaction.

**Figure 10.5(f) – sea containers current location at 39 (Lot 9) Slaughter Street**



The staff recommendation is for approval subject to conditions; however, should Council determine that the outbuilding should not be supported the following wording might instead be considered:

*"That Council refuse the application for an outbuilding comprising 2 second-hand sea containers upon 17 (Lot 11) Williamson Street, Three Springs for the following reasons:*

- 1 The application does not meet the objectives of the Residential zone;*
- 2 The application does not comply with Schedule 2 Clause 9 matters (m), (n) and (x) of the Planning and Development (Local Planning Schemes) Regulations 2015;*
- 3 Sea containers are not considered an appropriate form of development as a permanent structure within a residential area;*
- 4 The use of second-hand materials is not supported*
- 5 The application does not meet Objective 2.3 of the Three Springs Townsite Local Planning Strategy."*

**Consultation:**

No consultation has been undertaken in relation to this application. However should Council wish to advertise the application for comment this can occur under 34(4) of the Shire of Three Springs Local Planning Scheme No.2 with correspondence sent to surrounding landowners for a period of not less than 14 days seeking their comment. Council may also wish to display a sign onsite advising of the opportunity

to make comment. At the conclusion of the advertising period any received submissions would be presented to a future meeting of Council for determination.

**Statutory Environment:**

17 (Lot 11) Williamson Street is zoned 'Residential R10' under the Shire of Three Springs Local Planning Scheme No.2 ('the Scheme'). The objectives listed in Schedule 1 Part 3 Clause 16 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the 'Residential' zone are as follows:

- “• To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.”

Schedule 2 Part 9 Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters to be considered by local government in considering a development application:

- “(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;...
- ...(fa) any local planning strategy for this Scheme endorsed by the Commission;
- (g) any local planning policy for the Scheme area...
- ...(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following —
  - (i) environmental impacts of the development;
  - (ii) the character of the locality;
  - (iii) social impacts of the development;...
- ...(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;...
- ...(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;...
- ...(zb) any other planning consideration the local government considers appropriate.

Section 32 Table 7 of the Scheme states:

- “(1) No outbuilding shall be erected on any land zoned Residential where there is no dwelling located on the lot.

- (2) *Outbuildings appurtenant to any dwelling shall be of single storey construction and shall be located behind the setback to the street or streets of any existing or proposed dwelling on a lot."*

The application is compliant with these Scheme requirements.

### **Policy Implications:**

#### Local Planning Policy – Outbuildings

The Shire of Three Springs Outbuildings Local Planning Policy contains the following objectives:

- "(1) To provide development standards for outbuildings specific to the Shire of Three Springs, as appropriate.*
- (2) To provide a clear definition of what constitutes an "outbuilding".*
- (3) To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.*
- (4) To limit the visual impact of outbuildings.*
- (5) To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.*
- (6) To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property."*

Furthermore, the Policy states:

- "Outbuildings within the Residential zone shall;*
- (a) be single storey;*
  - (b) be located behind any dwelling on site;*
  - (c) meet all setback requirements set out in the Local Planning Scheme and this policy;*
  - (d) not be approved by the local government on a lot not containing a dwelling;"*

*Table 1 - Site Layout Requirements*

<b>Zone</b>	<b>Maximum area</b>	<b>Maximum wall height*</b>	<b>Maximum roof height*</b>
<i>Rural</i>	<i>Exempt from the area and height requirements of this policy</i>		
<i>Rural Residential</i>	<i>240m<sup>2</sup></i>	<i>4.5m</i>	<i>5.5m</i>
<i>Residential &amp; Rural Townsite</i>	<i>80m<sup>2</sup></i>	<i>4m</i>	<i>5m</i>

*(\* Heights to be measured at natural ground level)"*

The Outbuilding Policy allows for outbuildings in the Residential zone to have an overall area of 80m<sup>2</sup>, a wall height of 4m, and an overall height of 5m.

The proposed application seeks approval for a 59.78m<sup>2</sup> outbuilding noting that the 2 small outbuildings that are already onsite are not included in this floor area as they are under 9m<sup>2</sup> in area and therefore excluded from the need to gain approval from the local government.

The wall height of the structure will be approximately 2.7m and the overall height with a 5-degree pitch gable roof would be approximately 3.2m. The proposed outbuilding is within the permitted size and height limits of the Policy.

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. 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.

#### Residential Design Codes (R-Codes)

The R-Codes establish criteria by which Shire staff may approve applications under delegated authority, and this application has been brought before Council for its determination as it was considered to exceed this delegated authority.

Part 5 of the R-Codes contains the objective of ensuring that residential development meets community expectations in regards to appearance, use and amenity. The issues of amenity, design, streetscape and appearance are often matters that are subject to debate and subjectivity, the Part 4 of the Explanatory Guidelines to the R-Codes makes some comment on this as follows:

*"Physical and natural attributes combine to define the character of an area. It is important that development maintains and enhances local or neighbourhood character. In situations where areas are undergoing transition, good design will reflect the future desired character of the area as outlined in the local planning framework. However, if no future desired character has been set out, development should respond to the existing character of the area, in terms of its scale, function and visual appearance."*

Williamson Street has a residential streetscape that is generally comprised of single storey older houses constructed in designs, colours and materials typical of residential development.

The structure that is being proposed does not fit into a type of development that is expected within a Residential zone and therefore requires Council discretion to be considered.

#### **Financial/Resources Implications:**

This matter contains no implications to the Shire of Three Springs Adopted Budget 2020-2021.

#### **Strategic Implications:**

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

<b>Strategic Community Plan 2018 - 2028</b>	
<b>Council Objectives:</b>	<b>Outcome:</b>
1.6.2 Develop and maintain attractive and affordable housing	It is considered that with appropriate conditions that the proposed structure could be modified and improved to meet with this objective.



This item is not considered relevant to the Council's Corporate Business Plan 2020-2024.

The Three Springs Townsite Local Planning Strategy identifies 17 (Lot 11) Williamson Street as being within 'Precinct 2 – Residential East' and list the following objectives and provisions:

Objectives	Planning Provisions
02.3 Encourage a consistent pattern in the orientation, scale, and siting of residential development.	<p>P2.10 In the case of residential redevelopment new buildings and development proposals shall respect the predominant orientation, scale and size of buildings and regular street pattern. New development is not to be sited in a way that would create an undesirable pattern of development for the area.</p> <p>P2.11 The development of second-hand transportable dwellings is discouraged.</p> <p>P2.12 Where there is an existing pattern of uniform setbacks, any new buildings, residential or commercial, shall be sympathetic to this continuity. Where adjoining buildings abut the street frontage, new development should preferably also abut the street frontage.</p> <p>P2.13 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.</p> <p>P2.14 Ancillary buildings or outbuildings should generally be located to the rear of allotments.</p>

The Strategy also notes in Section 4.1.5 'Architectural Style' the following:

*"Architectural style can refer to a combination of factors that influence building construction, such as built form, construction materials and local character. Architectural styles evolve over time and reflect the historic context and growth of an area. The local architecture of Three Springs spans many eras from the 1900s to the present, nevertheless there are still common elements from different periods that can, when possible, be incorporated into new development.*

*Early residences incorporate hipped iron roofs with verandahs (see plate 5). There is also a mixture of residences from the 1960's to 1980's of brick and tile style that retain the simple architectural form of these early residences including low front fences (see Plate 6).*

*Present day residential development is largely characterised by houses that are constructed of weatherboard, corrugated iron and/or Colorbond sheeting (see Plate 7). Some newer homes have returned to passive climate responses typical of earlier housing and incorporate eaves and verandahs into the design detail. In keeping with the rural nature of the community many homes have larger sheds and outbuildings, rainwater tanks and other modern improvements (see Plate 8).*

*In order to promote flexibility and encourage new residential development, it is not recommended that any design controls be implemented for residential dwellings, however developers are encouraged to draw from the architectural palette of traditional homes in the townsite when planning new development."*

**Figure 10.5(g) – extract from Three Springs Townsite Strategy**



The Three Springs Townsite Strategy also noted the following as a Consultation Outcome in its summary of workshop outcomes (page 35):

*"The community didn't want specific building constraints in terms of urban design as the Town Planning Scheme is considered to cover most broad specifications. It was noted that poor second hand transportables are not desirable within the townsite."*

#### **Voting Requirements:**

Simple majority.

#### **Officer's Recommendation:**

#### **008/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.5**

**MOVED: Cr. Eva**  
**SECONDED: Cr. Connaughton**

That Council:

1. Require the applicant to submit the following details in relation to their proposal:
  - a) Site plan and elevation plans for the proposed structure drawn to scale and detailing the materials for the structure, and colours that are complementary to the existing residence upon the property (including details of any painting and/or cladding to ensure that the structure does not exhibit any discolouration or rust).
  - b) Details that demonstrate that the sea containers are to be placed at the



existing ground level of the property, and not raised (to assist in minimising the structure's visual impact).

- c) A gable roof structure design that spans the entire structure that demonstrates a minimum 5 degree roof pitch.
  - d) Site plan illustrating that the outbuilding position within the lot is behind the existing front boundary fence to Williamson Street and as far back into the property as practicable (to assist in minimising the structure's visual impact).
2. Delegate authority to the Shire CEO that should the above information from item 1 be sufficiently received that approval be granted for the second-hand outbuilding to be constructed upon 17 (Lot 11) Williamson Street, Three Springs subject to the following conditions:
- a) Development shall be in accordance with the approved plans and subject to any modifications required as a consequence of any conditions of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
  - b) Any additions to or change of use of any part of the buildings or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
  - c) The works must be completed within 12 months to the approval of the local government.
  - d) All stormwater is to be disposed of on-site to the approval of the local government.
  - e) The outbuilding is only to be used for general storage purposes associated with the predominant use of the land and must not be used for habitation, industrial or commercial purposes.
  - f) The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
  - g) The outbuilding shall be clad and/or painted in colours and materials that are complementary to the existing residence upon the property to the approval of the local government.
  - h) The outbuilding must be constructed at natural ground level for the site, and is not permitted to be raised.
  - i) The applicant is to maintain all existing vegetation and the front fence along Williamson Street for the purpose of providing visual screening for the outbuilding.
  - j) The bond of \$5,000 previously lodged by the applicant with the Shire shall be returned upon completion of the requirements pertaining to the abovementioned conditions within a period of 12 months (in addition to the restoration of the applicant's other property of 39 (Lot 9) Slaughter Street, Three Springs to the satisfaction of the local government where

the 2 sea containers are currently sited). In the event that the works described in the application are not carried out within the 12 month timeframe the bond shall be forfeited to the local government.

Notes:

- (i) In regards to condition 2(j) should the bond be forfeited then Shire staff will present a report to Council for its consideration outlining how the forfeited bond monies should be expended to address the outstanding conditions.
- (ii) Should the applicant be aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

**CARRIED:**

**VOTED: 0/7**

*Note: Pursuant to Schedule 2 Part 9 clause 75(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 the application is deemed to have been REFUSED.*

ATTACHMENT 10.5

Shire Of Three Springs  
Railway Rd, Three Springs  
WA 6519

Fax: 92541123  
Email: admin@three-springs  
wa.gov.au

04/01/2022

Ahmed Zaki Faisal Al-Shammar,  
31 Moncrieff Road  
Langford WA 6147

Dear Keith


I would like to make a shed of two sea  
containers and cover over with concrete  
floor.

on the house yard 17 Williamson St Three Springs  
WA 6519.

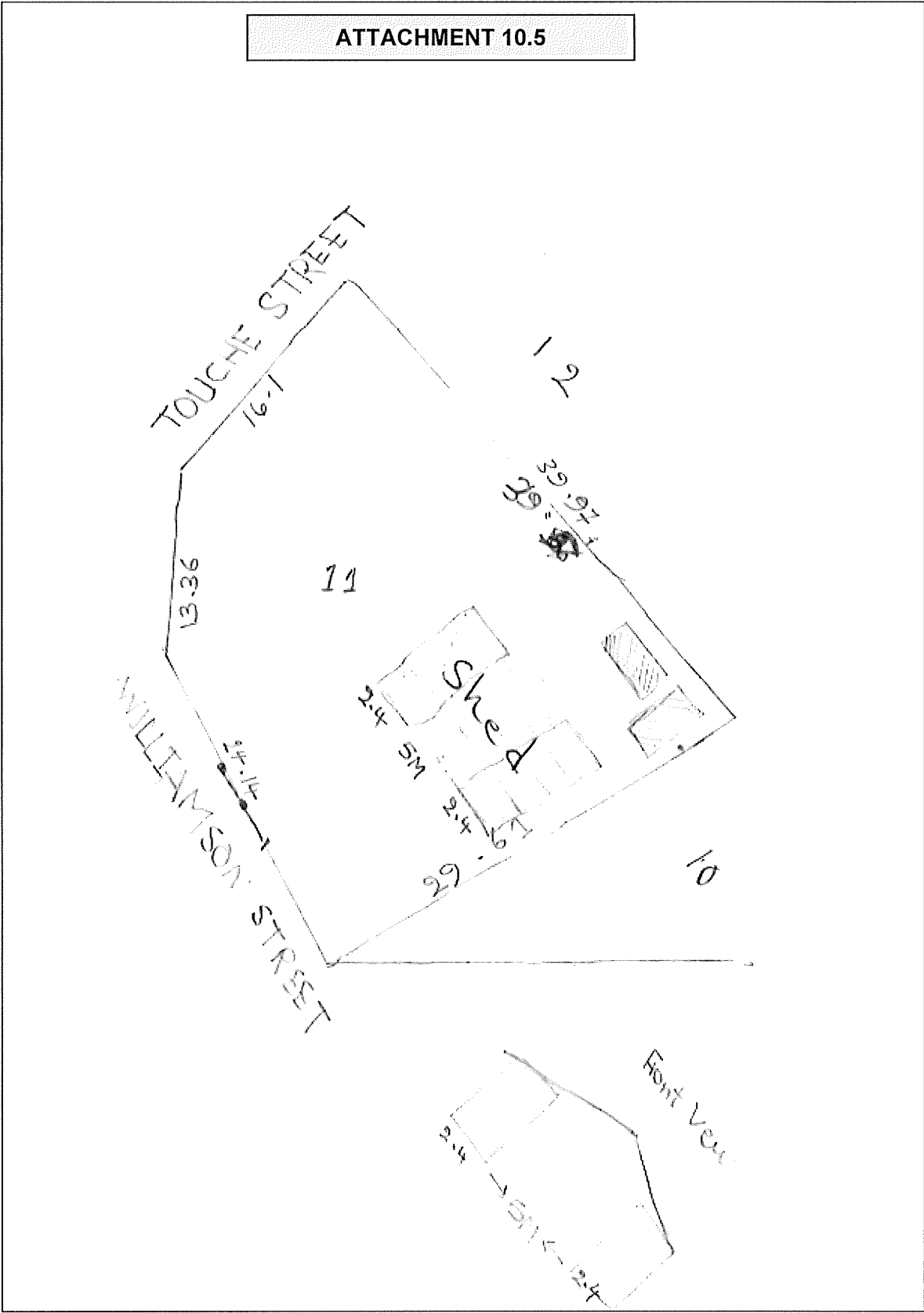
I put attachment paper as schematic  
draw, explain the position of this  
shed on the land's house.

Thank you for your time hope fully  
hear happy news for this project.

Yours faithfully

  
Ahmed Al-Shammar;  
04/01/2022

**ATTACHMENT 10.5**



## 10. REPORTS OF OFFICERS

Executive Services	
<b>10.6. Proposed Gas Processing Facility</b>	
Agenda Reference:	A766
Location/Address:	Lot 10938 Natta Road Arrowsmith East
Name of Applicant:	Warrego Energy & Strike Energy
File Reference:	A766
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Simon Lancaster, Planning Advisor & Keith Woodward, Chief Executive Officer
Attachments: (provided separately to Agenda)	Attachment 10.1(a) - Development Application Report & Plans Attachment 10.6(b) - Aboriginal Heritage Report Attachment 10.6(c) - Bushfire Management Plan Attachment 10.6(d) - Bushfire Risk Management Plan Attachment 10.6(e) - Flora and Fauna Survey Attachment 10.6(f) - Stormwater Management 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:

Council is in receipt of correspondence from the Western Australian Planning Commission (WAPC) seeking its comment upon an application for a gas processing facility upon Lot 10938 Natta Road, Arrowsmith.

A copy of the received Development Application Report & Plans has been provided as **separate Attachment 10.6(a)**.

This report recommends that Council advise the WAPC that it supports the application subject to conditions.

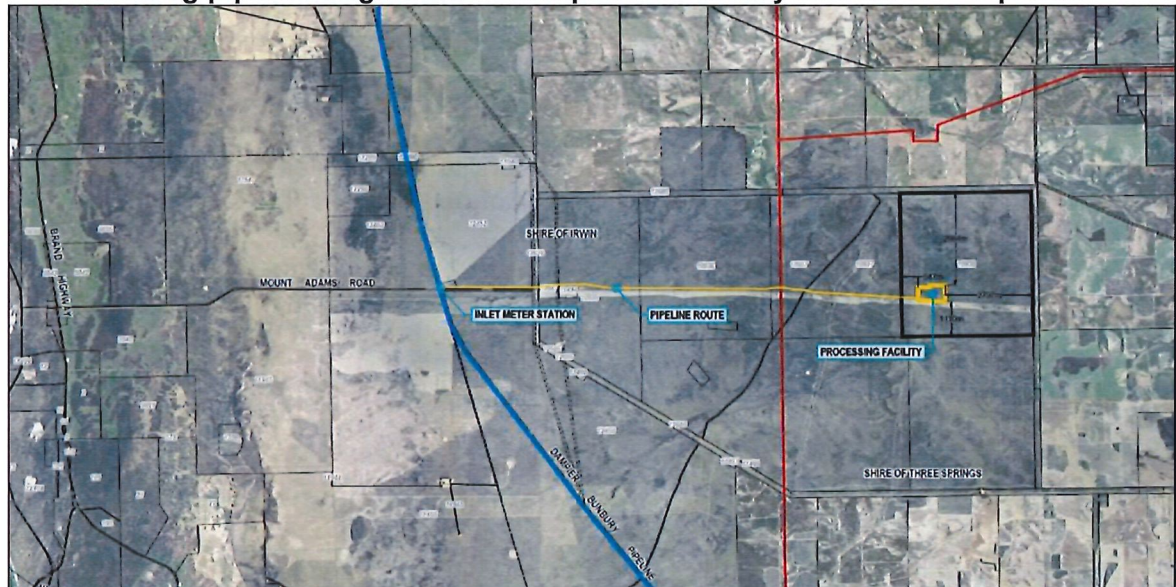
**Background:**

The applicant has previously been issued with a petroleum exploration permit by the Department of Mines, Industry Regulation & Safety under the *Petroleum and Geothermal Energy Resources Act 1967* to conduct exploratory drilling of the West Erregulla gas field.

Council previously approved at its 20/3/19 the applicant's siting of temporary (exploration phase) workforce accommodation camps upon Lots 10107 & 10938 Natta Road, Arrowsmith East and a follow-up application for a temporary exploration camp upon Lot 10107 at its 7/4/20 meeting.

The exploration phase has demonstrated to the applicant that the project is viable and they are now seeking approval to develop a gas processing facility on Lot 10938 to extract raw gas from the West Erregulla onshore gas field, process it, and pipe it westwards for approximately 15km into the Dampier to Bunbury Natural Gas Pipeline to supply the domestic market.

**Figure 10.6(a) – Location map illustrating proposed gas processing facility and connecting pipeline alignment to Dampier to Bunbury Natural Gas Pipeline**



**Figure 10.6(b) – Aerial Photo of Lot 10938 Natta Road, Arrowsmith East**





If approved, the project would commence construction in October 2022 with a temporary workforce of approximately 100 persons and 2 buses per day delivering the construction crew to site from Dongara, and approximately 2 construction/delivery truck movements per day. It is anticipated that the gas processing facility would become operational in December 2023 with a permanent workforce of 4 maintenance/repair persons with 2 on-site at any given time (working 10 day shifts) and the facility operated remotely from Perth.

Lot 10938 is a relatively flat 1,954ha vegetated parcel of Unallocated Crown Land located on the south-western side of the Natta Road and Carey Road intersection. The site is located 45km north-west of the Three Springs townsite, 25km south-west of the Mingenew townsite and 40km south-east of the Dongara townsite.

The applicant proposes to enter into a 12 year lease (with 2 further options of 5 years each) with the state government over a 40ha area of Lot 10938.

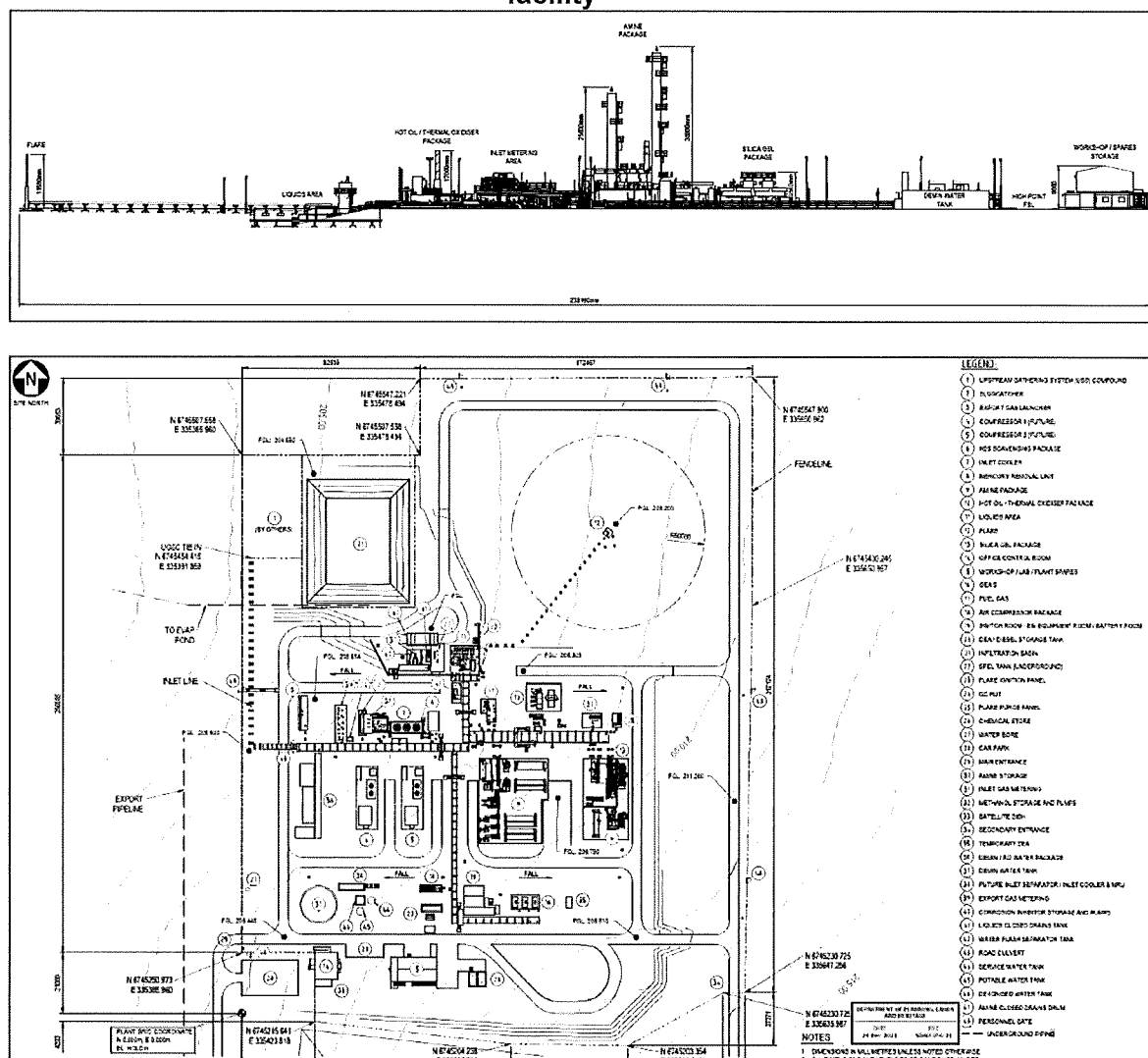
**Figure 10.6(c) – View looking south-west across Lot 10938 from Natta Road**



The gas processing facility would comprise the following main components:

- processing facility consisting of pipes, tanks, filters with the most significant built form feature being the contactor/still 'towers' at a height of 25.6m and 35.8m;
- accommodation compound including 4 bedroom accommodation building along with kitchen, laundry, showers, toilets;
- office, control and equipment rooms;
- storage and maintenance workshop;
- water storage tanks;
- evaporation pond and infiltration basin;
- internal vehicle network;
- 24 bay car park adjacent to main entrance;
- approximately 2.8km access track linking the facility with Natta Road;
- vehicle access point onto Natta Road.

**Figure 10.6(d) – eastern (Natta Road facing) elevation plan for gas processing facility**





#### Figure 10.6(e) – Site plan for proposed gas processing facility

The facility would be 'off-grid' in the sense that power would be provided from gas engine alternators powered by the drilled gas, potable water would be sourced from on-site bores and treated via a reverse osmosis plant (producing approximately 1.5m<sup>3</sup> per day) and stored in tanks and waste water would be disposed off on-site through a septic tank/leach drain system.

#### Officer's Comment:

The proposed gas processing facility would be located in an area generally comprised of either cleared land utilised for broadacre farming operations on the east side of Natta Road or Crown Land containing remnant native vegetation on the west side of Natta Road.

The submitted Aboriginal Heritage Report, provided as **separate Attachment 10.6(b)**, outlines the finding of the ethnographic and archaeological work area clearance survey conducted in December 2020 in which no sites were found. The survey recommends that Southern Yamatji representatives be present on-site during trench-digging activities associated with burying the proposed gas pipeline, and during vegetation clearing to monitor for the presence of subsurface Aboriginal cultural materials.

Lot 10938 is identified as bushfire prone upon the Department of Fire & Emergency Service's State Map of Bushfire Prone Areas and the proposed gas processing facility would be considered high risk. The submitted Bushfire Management Plan and Bushfire Risk Management Plan, provided as **separate Attachments 10.6(c) & 10.6(d)**, outlines the proposed fire management measures including a 22m wide asset protection zone, easterly and westerly vehicle 'escape' access, 10,000L water tank, emergency management and evacuation plan to be reviewed annually, and employee induction training.

The submitted Flora and Fauna Survey, provided as **separate Attachment 10.6(e)**, outlines the findings of the site survey conducted in September 2020, concluding that no threatened flora species listed under the State *Biodiversity Conservation Act 2016* or Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* were recorded within the survey area.

The Survey did record 8 flora species listed as Priority by the Department of Biodiversity, Conservation & Attractions within the survey area; *Micromyrtus rogeri* (Priority 1), *Lasiopetalum ogilvieanum* (Priority 1), *Guichenotia alba* (Priority 3), *Mesomelaena stygia* subsp. *deflexa* (Priority 3), *Stylidium drummondianum* (Priority 3), *Banksia scabrella* (Priority 4), *Eucalyptus macrocarpa* subsp. *elachantha* (Priority 4) and *Stawellia dimorphantha* (Priority 4).

No Threatened or Priority fauna species listed under the State *Biodiversity Conservation Act 2016* or Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* were recorded in the survey area and no individuals of Carnaby's Cockatoo were recorded and no potential breeding or roosting trees were identified within the survey area.

11. The Flora and Fauna Survey concludes that:

12. "For the purposes of the current flora, vegetation and fauna survey, adequate data has been collected to define and assess the presence,

*extent and significance of species and communities within the survey area. Based on the values identified, it is unlikely that proposed works would appreciably reduce the representativeness of individual taxa or vegetation associations within the local area or indeed across the broader landscape. It is recognised that the survey area far exceeds what would be impacted by any site works."*

The applicant is proposing as part of their environmental response to offset 100% of the clearing actions through purchasing approximately 90ha of nearby remnant vegetation on privately owned land for conservation purposes and 60% of greenhouse gas emissions increasing over the life of the facility through carbon offsets.

The submitted Stormwater Management Plan, provided as **separate Attachment 10.6(f)**, notes that groundwater monitoring bores were installed in 2018 as part of the West Erregulla Gas Field site exploratory investigation phase and these bores will continue to be monitored as part of the environmental strategy to manage the broader project. The Plan notes that groundwater is greater than 130m below ground level and will therefore not constrain development, and provides strategies to manage groundwater quality and potential for contamination. The Plan also notes that any spills or potentially contaminated surface water as a result of a leak or maintenance processes would be contained via bunds. The bunds would be routed to open drains with buried oily water separators installed to capture hydrocarbons and other potential contaminants. Captured hydrocarbons would be pumped from the oily water separator using a vacuum truck to be transported and disposed offsite. The separated water would be pumped directly to the evaporation pond to allow water to evaporate whilst capturing any potential contaminants.

**Consultation:**

The WAPC have referred this application inviting comment to the following parties:

- Shire of Three Springs;
- Shire of Irwin;
- Shire of Mingenew;
- Department of Water and Environmental Regulation;
- Department of Biodiversity, Conservation and Attractions;
- Department of Primary Industries and Regional Development;
- Department of Jobs, Tourism, Science and Innovation;
- Department of Fire and Emergency Services;
- Department of Mines, Industry Regulation and Safety;
- Main Roads WA;
- Yamatji Marlpa Aboriginal Corporation; &
- Bundi Yamatji Aboriginal Corporation.

**Statutory Environment:**

The project cost is \$145 million and ordinarily (being a project with a cost greater than \$10 million) this would trigger the requirement for the application to be lodged with the local government and then forwarded to the WAPC's Joint Development Assessment Panel (i.e. the local government would be a commenting party rather than decision making authority in this circumstance) pursuant to the *Planning and Development (Development Assessment Panel) Regulations 2011*.

The JDAP process was followed for previous large projects in the Shire of Three Springs such as the Wilson Road Solar Farm (that was received at the 18/10/17 Council meeting and determined at the 14/12/17 JDAP meeting) and the Bruce Road

Solar Farm (that was received at the 18/10/17 Council meeting and determined at the 30/11/17 JDAP meeting).

However, in this instance the applicant has lodged the application as a '*significant development*' directly with the WAPC pursuant to the *Planning and Development Amendment Act 2020* that enabled standard application processes to be circumvented within a recovery period window that concluded on 7/1/22 "*to support the State's economic recovery from COVID-19*".

Lot 10938 Natta Road, Arrowsmith East is zoned 'Rural' under Shire of Three Springs Local Planning Scheme No.2. The objectives listed in Schedule 1 Part 3 Clause 16 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the 'Rural' zone are as follows:

- *To provide for the maintenance or enhancement of specific local rural character.*
- *To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*
- *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.*
- *To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.*
- *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses."*

The development would not involve the removal of land from agricultural production and can be considered to therefore complement the surrounding rural economic activity. The development would, however, involve clearing of remnant native vegetation for both the gas processing facility and the pipeline. Council may view that these environmental factors would be more appropriately addressed by the relevant State and Federal environmental agencies under their legislation than at a local government level.

In addition to the application and approval requirements under the *Planning and Development Act 2005* the application has also been referred to the State Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986* and the Commonwealth under the *Environment Protection and Biodiversity Conservation Act 1999*.

Applications for clearing are assessed by the Department of Water & Environmental Regulation under the *Environmental Protection Act 1986* and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

'Gas Processing Facility' is not listed as a specific land use in the Shire of Three Springs Local Planning Scheme No.2 and the application is therefore required to be considered pursuant to Schedule 1 Part 3 clause 18(4) of the *Planning & Development (Local Planning Schemes) Regulations 2015* which states:

- "(4) The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –*
- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or*
  - (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or*
  - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone."*

Schedule 2 Part 9 Clause 67(2) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters in considering this development application:

- "(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) any policy of the Commission;*
- (f) any policy of the State;*
- (fa) any local planning strategy for this Scheme endorsed by the Commission;...*
- ...(m) the compatibility of the development with its setting including:*
  - (i) the compatibility of the development with the desired future character of its setting; and*
  - (ii) relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
  - (i) environmental impacts of the development;*
  - (ii) the character of the locality;*
  - (iii) social impacts of the development;*
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*

- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) *the adequacy of —*
  - (i) *the proposed means of access to and egress from the site; and*
  - (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;...*
- ...(w) *the history of the site where the development is to be located;*
- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;*
- (z) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate."*

**Policy Implications:**

Nil

**Financial/Resources Implications:**

Nil

**Strategic Implications:**

The Vision for the Shire of Three Springs Local Planning Strategy notes that:

*"The Shire recognises the growth of the mining and resources industry within the Mid West region and considers this to be an opportunity to create new businesses and jobs. Three Springs will play a key role in providing infrastructure for industry, particularly in respect to power generation. It is noted, however, that the Shire will not encourage the extraction, storage or use of nuclear materials including power generation."*

Section 3.3.1 of the Local Planning Strategy lists the objective for the 'Rural Hinterland' objective as being *"to support the sustainable continuation of primary industry and agriculture activity as key economic drivers for the Shire"* and notes the following of relevance to this application:

Objective	Strategies	Actions
3.1.3 Industrial Development Objective	To determine suitable nominal buffers around existing and proposed industrial uses prior to further detailed investigations in order to	Encourage the proponents of the proposed gas fired power plant to prepare a site-specific buffer definition study and once completed formalise the

	protect the amenity of sensitive land uses.	recommended buffer as a Special Control Area under the Local Planning Scheme.
3.3.5 Raw Materials Objective	To ensure that mining transport routes are appropriately maintained to a safe and responsible standard.	

It is noted that one of the received submissions during the advertising period for the applicant's temporary workforce accommodation camp previously sited upon Lot 10938 made argument that "every effort should be made to utilise the camp being unused in Three Springs" on the basis that "Flow on benefits in an economic sense will flow to local business operators".

The applicant's response to this issue was sought with the following response being received:

*"During planning for the West Erregulla 2 well, Strike considered a variety of options for workforce accommodation, including being based in local communities such as Three Springs. Accommodation in Three Springs was considered unsuitable due to its distance from the well site (approximately 55km each way by road). As the drilling operations will be conducted on a 24/7 basis, Strike must, for safety reasons, minimise travel time between accommodation and the well site. In addition, shift changes at odd hours would likely introduce a noise and light impact on residents of Three Springs if the camp were to be located there. Strike recognises the opportunity to have a positive economic impact on Three Springs and will endeavour to source services and supplies from local communities wherever possible. If the West Erregulla 2 well is a success, there will be further opportunity to work with the local communities."*

This previous community submission is relevant to the not unreasonable debate in regions as to how large projects of this nature might actually be of benefit to the region in which the project operates and takes its resource.

If a project employs people during the construction phase that are not from the local community, has no permanent workforce drawn from the local community (this proposal envisions 2 persons on-site working 10 day shifts), provides lower price gas to the Perth market drawn from an area with no reticulated gas service, and provides profit to a company based outside of that region (or often nation) how does that project actually benefit the region in which it is based and from which it is taking its resource and requiring to bear its impacts?

The Shire of Three Springs Strategic Community Plan 2018-2028 identifies the community's visions and is the Shire's principal strategic guide for future planning and activities, and lists the following outcomes:

Reference	Strategy	Still Relevant	Priority	Timeframe
1.3.1	Promote existing and new industry opportunities to increase employment	Yes	High	Ongoing
1.3.4	Support the provision of power, water and gas services to the	Yes	Medium	Ongoing



	region			
4.2.4	Encourage business to employ local where possible.	Yes	High	Ongoing

**Voting Requirements:**

Simple majority required

**Officer's Recommendation:**

**009/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.6**

**MOVED: Cr. Heal**

**SECONDED: Cr. Connaughton**

That Council advise the Western Australian Planning Commission that it has no objection to the proposed gas processing facility and pipeline upon Lot 10938 Natta Road, Arrowsmith East subject to the following:

**Conditions**

- 1 This decision constitutes planning approval only and is valid for a period of 5 years from the date of approval. If the subject development is not substantially commenced within the 5 year period, the approval shall lapse and be of no further effect.
- 2 The development shall be undertaken in accordance with the approved plans and supporting documents (including Bushfire Management Plan, Stormwater Management Plan, Aboriginal Heritage Report) including any amendments and additional plans, information and reports arising from the approval conditions.
- 3 A Traffic Management Plan shall be submitted by the applicant to Main Roads WA and the local government for approval and approved prior to commencement of the construction works. The Traffic Management Plan should address vehicle movements, parking and manoeuvring, road upgrades/repairs and timing of works associated with the construction of the development or any other matters considered relevant by Main Roads WA or the local government.
- 4 A Post-Closure Rehabilitation Plan shall be submitted by the applicant to the Western Australian Planning Commission that commits the applicant to its post-closure obligations to ensure that the rehabilitation of the site improves the visual and conservation values of the landscape.
- 5 A Light Reflection and Emissions Management Plan shall be submitted by the applicant to the Western Australian Planning Commission that demonstrates how the proposed lighting will not cause adverse off-site visual impacts to the surrounding properties.
- 6 The vehicle access onto Natta Road shall be appropriately located, designed, constructed and maintained to meet traffic-engineering standards and, if required, appropriate advance warning signs shall be erected at the applicant's expense.
- 7 Repairing of any damage to the road network is required by reason of use of

the road(s) in connection with the development and associated operations to the requirements of Main Roads WA and the local government (dependant upon the managing party for the damaged road) with all costs met by the applicant.

- 8 The development must comply with the *Environmental Protection (Noise) Regulations 1997* and the *Environmental Protection Act 1986* in respect to noise, dust, wastewater, chemical and other emissions and should monitoring be required in relation to operations as they take place upon Lot 10938, all costs shall be met by the applicant.
- 9 The applicant is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the Western Australian Planning Commission. Such response(s) will be treated as conditions of approval/required modifications to the relevant Management Plan.
- 10 The applicant entering into a Memorandum of Understanding with the Shire of Three Springs that establishes the calculation method for an annual 'social licence to operate' payment to be made by the applicant to the Shire for the life of the project. The MoU shall also establish the process by which the Shire and the applicant shall annually meet to determine how the annual payment shall be distributed to local community, sporting and other local groups/ventures deemed appropriate by the 2 parties.

#### Advice Notes

- (a) In regards to condition 4 the Post-Closure Rehabilitation Plan shall have regard for the Department of Planning, Lands & Heritage's 'Visual Landscape Planning in Western Australia' and the Department of Mines, Industry Regulation and Safety/Environmental Protection Authority 'Guidelines for Preparing Mine Closure Plans'.
- (b) The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits may be required to be submitted to the local government and be approved before any work requiring a building permit can commence onsite.
- (c) The applicant is advised that approval from the Department of Health may be required for any on-site waste water treatment systems and processes.
- (d) The applicant is advised that this approval does not remove the requirement to obtain the requisite approvals from the relevant authorising agencies under the *Environmental Protection Act 1986*, *Petroleum Pipeline Act 1969*, *Rights in Water and Irrigation Act 1914*, *Aboriginal Heritage Act 2004*, *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*, *Dangerous Goods Safety Act 2004*, *Mines Safety and Inspection Act 1994* amongst others.
- (e) If an applicant is aggrieved by this determination there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

**CARRIED:**  
**VOTED: 7/0**

## 10. REPORTS OF OFFICERS

Works and Services	
<b>10.7. Capital Works Progress Update 2021-2022</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Capital Works Report 2021-2022

### Council Role:

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

### Report Purpose:

That Council accepts the Capital Works Report for December 2021 and January 2022.

### Background:

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

### Officers Comment:

Refer to the attached status report.

### Consultation:

Nil

### Statutory Environment:

Nil

**Policy Implications:**  
Purchasing Policy 3007.1

**Financial/Resources Implications:**  
Shire of Three Springs Adopted Budget 2021-2022

**Strategic Implications:**  
This item is relevant to the Council's approved Strategic Community Plan 2018–2028.

<b>Strategic Community Plan 2018 - 2028</b>	
<b>Council Objectives</b>	<b>Outcome</b>
Nil	Nil

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

<b>Corporate Business Plan 2020 - 2024</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Provide and maintain good quality tourism infrastructure and facilities.	Maintain and enhance attractions in line with the asset plan.
Continue to implement the main street revitalisation plan.	Reactivate the development strategy.
Investigate options for water harvesting	Support and encourage best practice water utilisation management.

**Voting Requirements:**  
Simple Majority.

**Officer's Recommendation:**

<b>010/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.7</b>
<p style="text-align: right;"><b><u>MOVED:</u> Cr. Mills</b> <b><u>SECONDED:</u> Cr. Ennor</b></p> <p>That Council accepts the Capital Works Report for December 2021 and January 2022.</p> <p style="text-align: right;"><b>CARRIED:</b> <b>VOTED: 7/0</b></p>

## 10. REPORTS OF OFFICERS

Executive Services	
<b>10.8 Community Development Officer Update</b>	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Raman S Virdi, Community Development Officer
Attachment (s):	1. Dominican Park Panel 2. Australia Day Survey

### 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 December 2021, January and February 2022

### Background:

This report provides Council with the Community Development update.

### Officer's Comment:

Australia Day Citizenship Award (ADCA).	<p>The ADCA is managed by Council Policy 3.6 and Australia Day Council of WA guidelines.</p> <ul style="list-style-type: none"><li>The Shire received three nominations for ADCA.<ol style="list-style-type: none"><li>Three Springs Wildflower Show and Art Exhibition</li><li>RSL Arrino (Three Springs Sub-branch)</li><li>Ray Morgan</li></ol></li></ul>
---	--

	<ul style="list-style-type: none"> <li>• The Three Springs Wildflower Show and Art Exhibition received ADCA for the Active Citizenship Award for group or event.</li> <li>• Ray Morgan and RSL Arrino (Three Springs Sub-branch) received ADCA in previous years.</li> <li>• The Shire presented Certificate of Appreciation to Ray Morgan and RSL Arrino (Three Springs Sub-branch)</li> </ul>
Dominican Park Information Panel	<p>- The CDO and Cr Connaughton in conjunction with the Dominican Sister, have agreed on the content of the Dominican Park Information Panel; please refer to the attachment.</p> <p>Kulbardi Hill Consulting, Jesse Brampton has been engaged to fabricate the 900 x 600 mm size information panel.</p>
CCTV Map Coverage	<p>CCTV Cameras were installed by IP Cameras Australia Pty Ltd.</p> <p>Peter Harrington from IP Cameras Australia Pty Ltd. visited the Shire of Three Springs on 10 December 2021 to check the CCTV camera network. The 10 December 2021 report recommended three solutions to avoid interruption of CCTV camera network.</p> <ol style="list-style-type: none"> <li>1. Place recording devices at CCTV camera locations.</li> <li>2. Placing 400gb SD cards with each camera.</li> <li>3. Placing the transmitters and receivers at high altitudes.</li> </ol> <p>This project is ongoing, and other solutions are being investigated.</p>
North Midlands Regional Club Development Plan (NMRCDP)	<p>Every Club Grant Scheme is managed by the Department of Local Government, Sport and Cultural Industries, Government of Western Australia. This grant is focused on sporting clubs.</p> <p>The Shire of Morawa applied for Every Club Grant Scheme worth \$10,000 in collaboration with the Shire of Three Springs, Shire of Carnamah, Shire of Perenjori, Shire of Mingenew and Shire of Coorow to invest into the creation and implementation of local government club development plans.</p> <p>The focus of this grant is to develop the NMRCDP.</p> <p>According to the grant requirements, the Shire of Morawa has hired a consultant in consultation with the Shire's. The Consultant will conduct a survey and workshops with the clubs from each Shire to collect information regarding their needs.</p> <p>The NMRCDP will be formulated from consultation information and presented to each council by their</p>



	<p>CDOs.</p> <ul style="list-style-type: none"> <li>• Future State Government sporting club funding will be aligned to the NMRCDP.</li> <li>• The Council will have a better understanding of the local sporting club needs.</li> </ul>
Tourist Radio	<p>Chris Lewis from ABC radio has been contacted. A quote was received by CDO for 4-hour loop audio on 28 January 2022.</p> <p>Shire will use money from the CTAP grant for Tourist Radio.</p>
Fitness Classes at Community Gym	<p>The Shire of Three Springs conducted a community survey to introduce fitness classes at the Shire of Three Springs community gym.</p> <p>The Shire received 23 responses. The result of the community survey was:</p> <ul style="list-style-type: none"> <li>• Seventeen people want to join the classes</li> <li>• Four people showed interest</li> <li>• Only two people said no.</li> </ul> <p>The Shire of Three Springs is in contact with Kristy Gardner to lead the Fitness Classes.</p> <p>The Shire of Three Springs is not employing Kristy Gardner as a trainer. She will be provided with the facility and space to conduct Fitness Classes.</p>
Covid-19 Update	<p>The Shire of Three Springs is complying with regulations placed by the State Government of WA and Australia's Federal Government.</p> <p>The Shire immediately adopts the ongoing change in Covid-19 regulations.</p> <p>The Shire has implemented mandatory vaccine requirements for Admin staff and gym members.</p>
Official Communication - Facebook page and the Shire website.	<p>Official communication is managed by Council Policy 1.7.</p> <p>The Shire has updated its Facebook Page and website about ongoing activities accordingly.</p>

#### Events:

Australia Day 2022 Community Event	<p>Australia Day 2022 Community Event was held at the Three Springs Aquatic centre. A total of 117 individuals attended the event.</p> <p>The event had the following activities:</p> <ul style="list-style-type: none"> <li>• The event started at 8 am.</li> <li>• Traditional Australian breakfast was served to attendees.</li> </ul>
------------------------------------	---

	<ul style="list-style-type: none"> <li>• The Lions Club helped the Shire with extra BBQ and volunteers.</li> <li>• Welcome to Country was given by local Elder Elaine Walley.</li> <li>• The Shire President received the pledge from Mandy Hawkins as a citizen of the Commonwealth of Australia.</li> <li>• Warwick Trant was hired to perform at the event.</li> </ul> <p>The Shire received 25 responses to Australia Day Survey. The event received an overall rating of 4.6 out of 5.'</p>
International Women's Day	<p>International Women's Day will be celebrated worldwide on 8 March 2022 and in the Shire Hall Red Room on the same day from 10.00 am to 11.00 am</p> <p>The Shire of Three Springs will be contributing \$200 towards the event.</p> <p>The Shire would like to thank Cr. Chris Lane and Cr. Jenny Mutter for their time and financial donation towards this event.</p> <p>The Shire Admin office will be closed during the event between 10 am to 11 am.</p>
Dominican Park Opening	<p>The opening ceremony of Dominican Park at the Shire of Three Springs will be held on 2 April 2022.</p> <ul style="list-style-type: none"> <li>• The Bishop from Geraldton and Dominican Sister from Perth will be present at the opening ceremony.</li> <li>• The Shire of Three Springs will have the Freemanship Ceremony of Anthony Thomas on that day.</li> <li>• Local Elder Elaine Walley will sign permission for the Shire of Three Springs to add an Acknowledgement to Country on the Shire Website</li> </ul>

#### Grants:

Australia Day 2022 Community Grant.	<p>Australia Day 2022 Community Grant is managed by the National Australia Day Council.</p> <p>The Shire of Three Springs received \$15,000 to celebrate Australia Day on 26 January 2022.</p>
Local Road and Community Infrastructure Program - 3 (LRCI-3)	<p>LRCI-3 is managed by the Department of Infrastructure, Transport, Regional Development and Communications.</p> <p>The Shire has been allocated \$658,208 under the LRCI-3 grant.</p> <p>The grant Works Plan (WP) has been submitted for</p>

	<p>approval. The WP includes:</p> <ol style="list-style-type: none"> <li>1. Shire Hall kitchen and ablution renovation.</li> <li>2. Hall air-conditioning.</li> <li>3. Red Room surface and window treatments.</li> <li>4. New netball playing surface and sports lighting.</li> </ol>
Cultural Tourism Accelerator Program (CTAP)	<p>CTAP is managed by Regional Art Australia.</p> <p>The Shire of Three Springs applied for an Experience Initiative grant worth \$10,000.</p> <p>CTAP - Experience Initiative Grant will be used to produce Tourist Radio.</p>
Silos Projection Grant (SPG) - Regional Economic Development Grant (RED Grant)	<p>RED grant is managed by Mid-West Development Commission WA.</p> <p>The Shire applied for the RED grant to fund 50% of the Silos Projection project.</p> <p>The Shire of Three Springs was unsuccessful at obtaining the money.</p>
Silos Projection Grant (SPG) - Lottery West	<p>The Shire of Three Springs submitted a grant application to fund the Silos Projection project.</p> <p>The Shire has requested 80% of the total fund required for Silos Projection from Lottery West.</p>
Shire of Three Springs Community Small Grant (TSCSG).	<p>The TSCSG is managed by Council Policy 2.8.</p> <p>The Opening date of Community Small Grants was 1 December 2021.</p> <p>The Shire advertised the TSCSG Round 3 on the Shire website, Facebook and Yakabout.</p> <p>The final date of application submission was 10 January 2022. The Shire received one application from Three Springs - Arrino RSL (WA) sub-branch.</p>

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Policy Implications:**

Nil

**Financial/Resources Implications:**

Nil

**Strategic Implications:**

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
Develop tourism infrastructure and	1.1.2 Participate in the "Wildflower Way"

increase the length of stay	Tourist Drive  1.1.6 Rebrand and promote Three Springs as an attractive place to live and work
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

<b>Corporate Business Plan 2020-2024</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
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:**

011/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.8
<p style="text-align: right;"><b><u>MOVED:</u> Cr. Mutter</b> <b><u>SECONDED:</u> Cr. Eva</b></p> <p>That Council accepts the Community Development Report for December 2021 and January 2022.</p> <p style="text-align: right;"><b>CARRIED:</b> <b>VOTED: 7/0</b></p>	

## 10. REPORTS OF OFFICERS

Corporate Services	
<b>10.9 Monthly Financial Report for Period 31 December 2021 &amp; 31 January 2022</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Bob Waddell, Bob Waddell & Associates, Consultant
Attachment (s):	Monthly Financial Report 31 December 2021 & 31 January 2022

### Council Role:

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

### Report Purpose:

That Council accepts the monthly financial report for the period ending December 2021 and January 2022.

### Background:

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

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

### Officer's Comment:

Refer to Financial/Resources Implications.

**Consultation:**

Nil

**Statutory Environment:**

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

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

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

(1A) *In this regulation —*

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) *by program; or*

© *by business unit.*

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



- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

**Policy Implications:**

Nil

**Financial/Resources Implications:**

Total Cash Available as at 31 January 2022 is \$3,371,475. Cash available is made up of Unrestricted cash \$1,252,864 and Restricted cash \$2,118,611 backed by various reserves.

Rates Debtors balance as at 31 January 2022 is \$220,439 Rates Notices for 2021-22 were issued in September 2021. Rates collected as at end of January 2022 was \$2,167,988 – 90.77%.

**Jan 2022:**

Operating Revenue – Operating revenue of \$3,069,926 is made up of Rates - 77%, Grants - 14%, Fees and Charges - 7% and other Revenue -2%.

Operating Expenses – Operating expenses of \$3,434,841 is made of Depreciation - 42%, Employee Costs – 28%, Materials and Contracts – 19%, Insurance – 6% and Utility – 4% and Other Charges – 1%.

**Strategic Implications:**

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

**Strategic Implications:**

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

<b>Strategic Community Plan 2018-2028</b>	
<b>Council Objectives:</b>	<b>Outcome:</b>
Nil	Nil

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

<b>Corporate Business Plan 2020-2024</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Nil	Nil

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

<b>012/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.9</b>
--

**MOVED: Cr. Connaughton**

**SECONDED: Cr. Ennor**

That Council accepts the monthly financial report for the period ending 31 December 2021 and 31 January 2022.

**CARRIED:**

**VOTED: 7/0**

## 10. REPORTS OF OFFICERS

Corporate Services	
<b>10.10 Accounts for Payments as at 31 December 2021 and 31 January 2022</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	23 February 2022
Author:	Donna Newton, Finance and Payroll Officer
Attachment (s):	List of creditors paid as at 31 December 2021 List of Creditors paid as at 31 January 2022

### Council Role:

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

### Report Purpose:

That Council accepts the payment of creditors in accordance with Local Government (Financial Management) Regulations 1996 section 13 (1).

### Background:

Financial regulations require a schedule of payments made through the Council's bank accounts, be presented to Council for their inspection. The list includes details for each account paid, incorporating the payee's name, amount of the payment, date of payment and sufficient information to identify the transaction.

### Officer's Comment:

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment.

**Consultation:**

Nil

**Statutory Environment:**

Local Government Act 1995 Section 6.4.

Local Government (Financial Management) Regulations 1996 Section 12 and 13.

**12. Payments from municipal fund or trust fund, restrictions on making**

- (1) *A payment may only be made from the municipal fund or the trust fund —*
  - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
  - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

**13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
  - (a) *the payee's name; and*
  - (b) *the amount of the payment; and*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
  - (a) *for each account which requires council authorisation in that month —*
    - (i) *the payee's name; and*
    - (ii) *the amount of the payment; and*
    - (iii) *sufficient information to identify the transaction;*
  - and*
  - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
  - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

**Policy Implications:**

Nil

**Financial/Resources Implications:**

Funds available to meet expenditure in accordance with Shire of Three Springs adopted budget 2020-2021.

**Strategic Implications:**

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

<b>Strategic Community Plan 2018-2028</b>	
<b>Council Objectives:</b>	<b>Outcome:</b>
Nil	Nil

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

<b>Corporate Business Plan 2020-2024</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Nil	Nil

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

<b>1013/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.10</b>
<p style="text-align: right;"><b><u>MOVED:</u> Cr. Eva</b> <b><u>SECONDED:</u> Cr. Heal</b></p> <p>That Council accepts:</p> <ol style="list-style-type: none"> <li>1. The accounts for payment as presented for <i>December</i> 2022 from the CBA Municipal Fund totalling \$329,028.18</li> <li>2. Represented by Cheque No. 11659, Electronic Fund Transfers No's 17654 – 17729 and Direct Debits 13391.1 – 13391.6, 13405.1 - 13434.1, 13447.1 - 13455.1 and 13478.1 - 13486.1.</li> <li>3. Licensing Fund totalling \$18,911.80, represented by Direct Debit No. 13400.1, 13438.1 - 13440.1, 13466.1 - 13466.3 and 13504.1 - 13504.2.</li> </ol> <p><b>Total Payments for December 2021 \$347,939.98</b></p> <ol style="list-style-type: none"> <li>1. The accounts for payment as presented for <i>January</i> 2022 from the CBA Municipal Fund totalling \$109,612.87</li> <li>2. Represented by Cheque No. 11660 and 11661, Electronic Fund Transfers No's 17730 – 17775, 17779 - 17789 and Direct Debits 13454.1 – 13526.1, 13549.1 and 13559.1.</li> <li>3. Licensing Fund totalling \$21,775.15, represented by Electronic Funds Transfer No's 17776 – 17778, Direct Debit No. 13532.1 - 13545.3 and 13553.1 - 13554.2.</li> </ol> <p><b>Total Payments for January 2022 \$131,388.02</b></p> <p style="text-align: right;"><b>CARRIED:</b> <b>VOTED: 7/0</b></p>



**11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

12.1. ELECTED MEMBERS – Nil

12.2 STAFF- Nil

**13. QUESTIONS BY MEMBERS WITHOUT NOTICE**

Nil

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

Nil

**15. TIME AND DATE OF NEXT MEETING**

The Next Ordinary Council Meeting will be held on Wednesday 23 March 2022 @ 5pm.

**16. CONFIDENTIAL ITEMS**

**16.1. RECOMMENDATION TO CLOSE COUNCIL MEETING**

**014/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 16.1**

**MOVED: Cr. Mutter**

**SECONDED: Cr. Eva**

In accordance with the *Local Government Act 1995* - Reason for Confidentiality Section 5.23(2) (c), "a contract entered into, or which may be entered into by the local government".

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.

**CARRIED:  
VOTED: 7/0**

*Note: The Chief Executive Officer left the meeting at 5.33pm  
(The Chief Executive Officer had declared a Financial Interested and completed a Disclosure of Interest Form which was signed by the Shire President)*

*The Acting Supervisor of Works also left the meeting.*

## 16. REPORTS OF OFFICERS

Executive Services	
16.1.1. Matter to be Considered Behind Closed Doors - Employee Matters	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	CEO Financial
Date:	23 February 2022
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Confidential Attachments

### 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).

### 015/2022 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 16.1.1

**MOVED: Cr. Ennor**  
**SECONDED: Cr. Mutter**

**CARRIED:**  
**VOTED: 7/0**

**MOVED: Cr. Mutter**  
**SECONDED: Cr. Ennor**

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

**CARRIED:**  
**VOTED: 7/0**

*Note: The Chief Executive Officer returned to the meeting at 5.39pm*

**17. MEETING CLOSURE**

There being no further business the Presiding Officer closed the meeting at 5.40pm.

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

Signed: \_\_\_\_\_

Presiding Officer

Date: 23 March 2022