



MINUTES
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY
22 MAY 2024
COMMENCING AT 5.30 PM



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

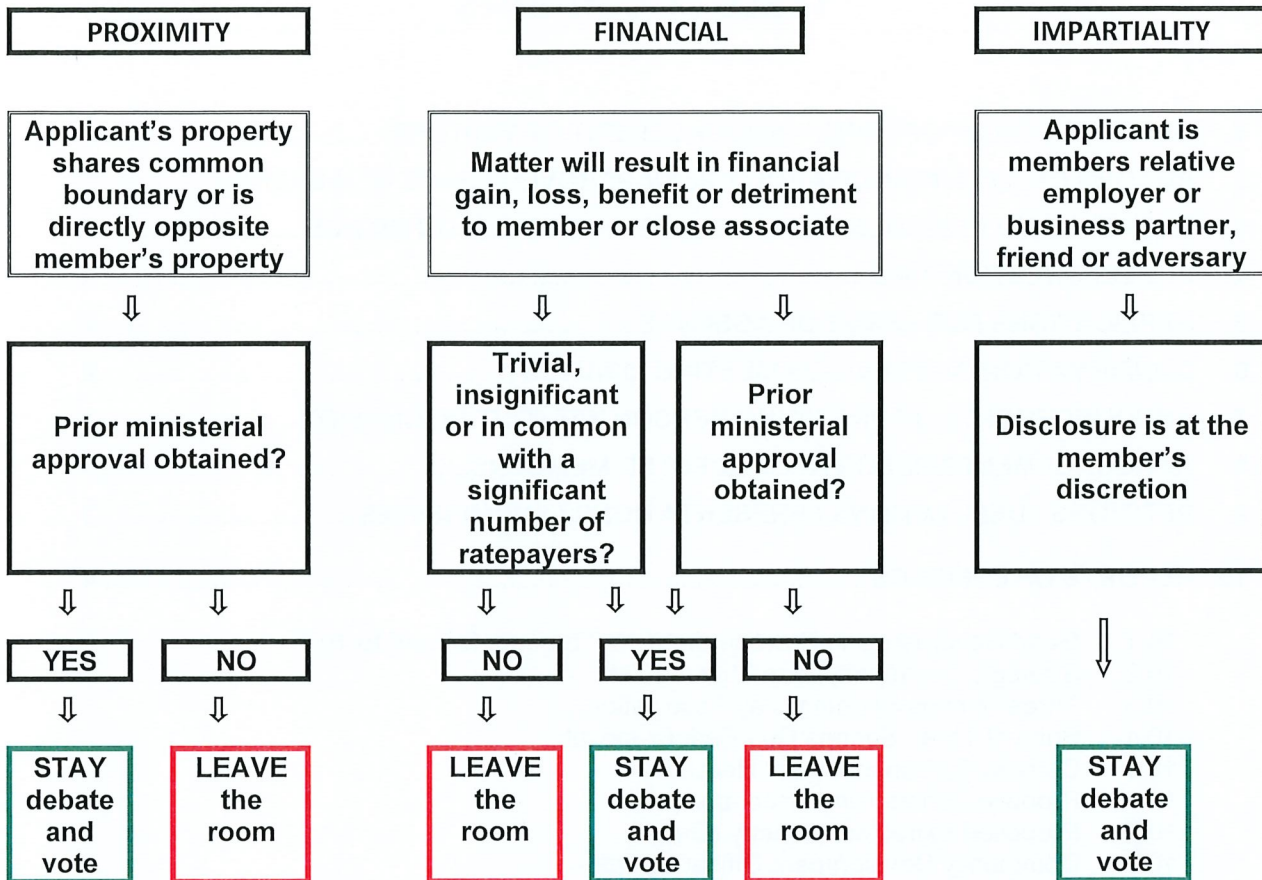
CEO

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

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	2
2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE	2
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	2
4. PUBLIC QUESTION TIME	2
5. APPLICATIONS FOR LEAVE OF ABSENCE	2
6. CONFIRMATION OF PREVIOUS MEETING MINUTES	2
7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....	2
8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS.....	3
9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	3
10. REPORTS OF OFFICERS	4
10.1 Good Governance in Practice (Item 10.7 brought forward to 10.1)	
10.2 Strategic Community Plan 2024 - 2034	
10.3 Three Springs Sporting Clay Association	
10.4 Shire of Three Springs Dog Park Proposal	
10.5 Community Enhancement Requests	
10.6 Proposed Short-Term Accommodation	
10.7 Proposed Extractive Industry (Gravel)	
10.8 Community Development Officer Update	
10.9 Monthly Financial Report for Period 30 April 2024	
10.10 Accounts for Payments as at 30 April 2024	
11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	56
12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF	
MEETING.....	56
12.1. ELECTED MEMBERS	56
12.2. STAFF	56
13. QUESTIONS BY MEMBERS WITHOUT NOTICE.....	56
14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	56
15. TIME AND DATE OF NEXT MEETING.....	56
16. CONFIDENTIAL ITEMS.....	56
17. MEETING CLOSURE.....	56

MINUTES

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 5.32pm

Acknowledgement of Country: -

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

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

	Attendance	Approved Leave of Absence	Absent
Councillor Lane	Present		
Councillor Eva	Present		
Councillor Heal		Approved	
Councillor Mutter	Present		
Councillor Ennor	Present		
Councillor Connaughton	Present		
Councillor Mills	Present		
Chief Executive Officer	Present		
Deputy Chief Executive Officer	Present		
Executive Secretary	Present		

Public Gallery	Ms. Susan Sinfield
	Mr. Robert Mitchell - Mitchell Land Holdings Pty Ltd
	Mr. Brad Taylor – on behalf of Mitchell Land Holdings Pty Ltd

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. Lane	June	Cr. Ennor	Cr. Eva	6/0	26.06.24

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	24.04.2024	Cr. Lane	Cr. Connaughton	6/0

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The Shire President reminds Council Members and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the

meeting prior to the matter being discussed.

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

The Shire President acknowledged the recent passing of long-term resident of Three Springs, Mrs. Liz Egan and also former resident Mrs. Dorothy (Dot) Addison nee McNeill.

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activity
Cr. Lane	Wed 17 April – CHDS meeting re Wheatbelt & Beyond Youth Mentoring program Wed 24 April – Councillor training Wed 24 April – Audit Entry meeting Wed 24 April – OCM Thurs 25 April – ANZAC Day service Tues 30 April – NMP Community lunch Weekly catch up with CEO
Cr. Eva	Wed 24 April – Councillor training Wed 24 April – Audit Entry meeting Wed 24 April – OCM
Cr. Heal	Wed 24 April – Councillor training Wed 24 April – Audit Entry meeting Wed 24 April – OCM
Cr. Mutter	Wed 24 April – Councillor training Wed 24 April – Audit Entry meeting Wed 24 April – OCM
Cr. Ennor	Wed 24 April – Councillor training Wed 24 April – Audit Entry meeting Wed 24 April – OCM
Cr. Connaughton	Wed 24 April – Councillor training Wed 24 April – Audit Entry meeting Wed 24 April – OCM
Cr. Mills	Wed 24 April – Councillor training Wed 24 April – Audit Entry meeting Wed 24 April – OCM

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Deputation by Mr. Ross Mitchell of Mitchell Land Holdings Pty Ltd – Item 10.7
Proposed Extractive Industry (Gravel) at Lots 3285, 3984 & 6753 Arrino South Road, Kadathinni.

Following Mr. Mitchell's deputation, Shire President Chris Lane proposed moving item 10.7 to item 10.1 on the agenda, allowing Mr. Mitchell to receive the outcome of his application earlier in the meeting.

10. REPORTS OF OFFICERS

Executive Services	
10.1. Good Governance in Practice	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	22 May 2024
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 April 2024.
2. The Execution of Delegation report for April 2024.

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 April 2024

Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
Monthly Financial Report LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg.34	DLGSC WA Local Government Accounting Manual	April 2024 Report submitted to the April 2024 OCM. Reference Minutes.	
Emergency Services Levy - Option A Remittance Due by: 21st of the month Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures	Clause 5.13.	DFES -ESL Manual of Operating Procedures	N/a	
Elections - Enrolment Eligibility Claims (Owners and Occupiers) Register - Prepare for Elections - Review register and take action re expired Eligibility Claims (no longer property owner / claim based on occupation or nominee expired)	Local Government Act 1995	s.4.35 Elections Regs.14 and 15 Form 6 and 7	WALGA Template Enrolment Eligibility Claims Register	Reviewed during Election process 2023.	
Audit - Compliance Audit Return Action Plan Prepare a Compliance Audit Return Action Plan that assigns responsibility and timeframes for implementing outcomes / actions arising from the Compliance Audit Return. Provide Compliance Audit Return Action Plan to Council via Audit Committee for endorsement.	n/a	n/a	Operational Practice	No action required.	

Audit - Compliance Audit Return Action Plan Prepare an Compliance Audit Return Action Plan progress report that details progress to completing outcomes / actions arising from the Audit Report. Provide Compliance Audit Return Action Plan Progress Report to Council via Audit Committee for endorsement.	n/a	n/a	Operational Practice	No action required.	
Public Access to Information - Audit Check LG website, Library and LG office to ensure all information listed in s.5.94, s.5.96A and Admin. Reg.29 is publicly accessible (see s.5.96 too) and that customer service staff are trained to provide access accordingly. Audit to note limitations: s.5.95 and Admin. Regs. 29A and 29B	Local Government Act 1995	s.5.94 Admin. Reg.29 s.5.95 s.5.96 s.5.96A Admin. Regs 29A and 29B	WALGA - Governance Subscription Good Governance in Practice Resource - Public Information Access & LG Website Information Guide	Under review in April / May 2024.	
Valuer General Information Due 14th day of each month - providing schedules of: • building licenses issued • building license works completed • registered plans and amendments under the Strata Titles Act 1985	Valuation of Land Act 1978	s.37		Carried out by the City of Greater Geraldton.	

Execution of Delegation April 2024

Date	File Ref	Delegation Number	Decision Detail	Applicant	Initiating Officer	1 st Auth.	2 nd Auth.	Comment
4-Apr-24	PMT ID: F4040494 83332	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payroll	CBA-Muni	AFO	DCEO	CEO	Funds Transfer from the Maximiser Account to the muni Account for Payroll Payments totalling \$55,000.00 PMT ID: F404049483332
4-Apr-24	PMT ID: F4040495 05649	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payroll	CBA-Muni	AFO	FO	DCEO	Funds Transfer from the Maximiser Account to the muni Account for Payroll Payments totalling \$45,000.00 PMT ID:

4-Apr-24	PMT ID: F4040495 06811	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Creditor Payments	CBA-Muni	AFO	DCEO	FO	F404049505649 Weekly Creditor Payments totalling \$91413.87 PMT ID: F404049506811
9-Apr-24	PMT ID: F4040997 35508	CS002 - Payments from Municipal Fund and Trust Fund	Funds Transfer between Maxi and Muni for payroll	CBA-Muni	FO	DCEO	CEO	Funds Transfer from the Maximiser Account to the muni Account for Payroll Payments totalling \$50,000.00 PMT ID: F404099735508
23-Apr-24	PMT ID: F4042306 32188	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll Through CBA Muni	CBA-Muni	FO	DCEO	CEO	Fortnightly Payroll through the CBA Muni Bank \$46,480.87 PMT ID: F404230632188
30-Apr-24	PMT ID: F4043010 52381	CS002 - Payments from Municipal Fund and Trust Fund	One Off Creditor Payments	CBA-Muni	FO	DCEO	FO	One Off Creditor Payments totalling \$280.00 PMT ID: F404301052381

Statutory Environment:

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

5.41. Functions of CEO

The CEO's functions are to —

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

Local Government (Audit) Regulations 1996

17. *CEO to review certain systems and procedures*

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

Policy Implications:

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

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

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

Financial/Resources Implications:

Nil

Strategic Implications:

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

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

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

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

Voting Requirements:
Simple Majority.

Officer's Recommendation:

032/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.1

MOVED: Cr. Mills
SECONDED: Cr. Ennor

That Council Accepts:

1. The Governance Compliance Calendar report for April 2024.
2. The Execution of Delegation report for April 2024.

	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills	✓	

CARRIED:
VOTED: 6/0

10. REPORTS OF OFFICERS

Executive Services	
10.2. Strategic Community Plan 2024 - 2034	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0165
Disclosure of Interest:	Nil
Date:	22 May 2024
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Shire of Three Springs - Strategic Community Plan 2024-2034

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 adopts the Shire of Three Springs (SoTS) Strategic Community Plan 2024-2034 (SCP).

Background:

The new SCP presents a forward-looking and strategic framework designed to guide the SoTS through the next decade of growth and development. It is built upon a comprehensive consultation process with the community, reflecting a broad consensus on the strategic directions we aim to pursue. This plan has been developed to align with our SoTS vision of creating a *"healthy and unified community with a bright future"*.

Officer's Comment:

The SCP lays out a clear and actionable roadmap through its four foundational pillars—Economy, Community, Governance, and Environment—each equipped with specific objectives and priority projects that address current and future needs. The SCP continues successful past initiatives and introduces new strategic priorities. These

include developing infrastructure, enhancing community health services, and strengthening governance through transparent financial management and collaborative leadership.

Consultation:

Extensive community engagement was conducted to ensure SCP reflects a wide range of community views and priorities. The consultation methods included Council sessions, community surveys, club surveys, business surveys, and community workshops.

Statutory Environment:

Under S5.56 (1) of the Local Government Act 1995, Western Australian local governments must produce a plan for the future. The [Local Government \(Administration\) Regulations 1996](#) (19c) provide the minimum requirements to meet this requirement, including developing a strategic Community plan and a corporate business plan.

Policy Implications:

Adopting the new SCP is the catalyst for reviewing the SoTS Corporate Business Plan, Long Term Financial Plan, Asset Plan, and Work Force Plan.

Financial/Resources Implications:

The SCP objectives are phased to spread costs over time, aiding financial planning and balancing immediate needs with long-term commitments. Significant funding is expected from grants and government contributions, essential for projects requiring substantial capital outlay or specialised expertise.

Strategic Implications:

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

Strategic Community Plan 2024-2034	
Council Objectives:	Outcome:
Three Springs is a healthy and unified community with a bright future.	

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

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

Voting Requirements:

Absolute Majority.

Officer's Recommendation:

033/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.2

MOVED: Cr. Eva
SECONDED: Cr. Mutter

That Council adopts the Shire of Three Springs Strategic Community Plan 2024-2034.

	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills	✓	

CARRIED:
VOTED: 6/0

10. REPORTS OF OFFICERS

Executive Services	
10.3 Three Springs Sporting Clay Association – Letter of Support	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	A775
Disclosure of Interest:	Nil
Date:	22 May 2024
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Letter from Three Springs Sporting Clays Club 22/4/2024

Council Role:

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

Report Purpose:

To seek Council's written support for the continued operation of the Three Springs Sporting Clays Club (TSSCC) at 2545 (Lot 24) Perenjori-Three Springs Road, Womarden.

Background:

Mr. Gary Turley, President of the TSSCC, has requested a letter of support from the Shire of Three Springs. The Western Australian Police require a shire/government authority approval letter as part of their range approval process.

Officer's Comment:

In Western Australia, firearm range oversight is conducted by the WA Police Force. Firearm ranges receive 'approval' to operate, supported by the Firearms Act of 1973, specifically sections 8(1)(m) and 21(1), which mandate specific conditions to ensure public safety.

Approval focuses on several critical aspects:

- Locations and operational procedures must not endanger public safety or disrupt peace.
- Ranges must meet minimum safety standards for specific firearms and ammunition.
- Proximity to public infrastructure is examined to ensure the Range Danger Area (RDA) poses no risk.
- Approval includes an endorsement from the local government.

Letter of Support:

22 May 2024

*Three Springs Sporting Clays Association Inc.
2545 (Lot 24) Perenjori-Three Springs Road
Womarden, WA*

Subject: Letter of Support for the Continuing Operation of the Three Springs Sporting Clays Club

Dear Mr. Gary Turley,

On behalf of the Shire of Three Springs, I am writing to express our support for the ongoing operations of the Three Springs Sporting Clays Club (TSSCC) located at 2545 (Lot 24) Perenjori-Three Springs Road, Womarden.

The TSSCC has been a valued part of our community since 1989, providing a space for recreation and sport consistent with the area's rural character and the private recreation purposes outlined in the Shire of Three Springs Local Planning Scheme No. 2.

This use has been longstanding and well-integrated within the local context, with no significant changes or negative impacts arising from its operation. Therefore, we recognise the importance of your club in fostering community engagement and supporting local sports activities.

The Western Australia Police Force requires a local shire or government authority's approval letter as part of the range approval process. In this capacity, the Shire of Three Springs supports the TSSCC application for the necessary approvals to continue its operations and host state or national events.

We look forward to continuing our support for the Three Springs Sporting Clays Club and appreciate your commitment to upholding the highest operation and community engagement standards.

Consultation:

Shire of Three Springs Town Planner.

Statutory Environment:

The TSSCC is housed on 2545 (Lot 24) Perenjori-Three Springs Road, Womarden, which is a 59.6356ha freehold title owned by the Three Springs Sporting Clays Shire of Three Springs Minutes for Council Meeting held 22 May 2024

Association Inc (purchased from Turana Farms Pty Ltd on 30/9/10). Lot 24 is zoned 'Rural' under the Shire of Three Springs Local Planning Scheme No.2. The existing land use on Lot 24 meets the definition of 'Recreation-Private', which is listed as a use that can be approved in the 'Rural' zone subject to Council determination after advertising, and is defined under the Scheme as being:

"recreation — private means premises that are —
(a) used for indoor or outdoor leisure, recreation or sport; and
(b) not usually open to the public without charge"

The TSSCC has used the site since 1989. The use of the property is local government-approved, well-established, and recognised by the Shire of Three Springs community.

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

This item is relevant to the Council's Strategic Community Plan 2024- 2034.

Strategic Community Plan 2024- 2034	
Council Objectives:	Outcome:
Foundation 2: Community	Support community sporting clubs, groups, local clubs, and associations to deliver their activities, competitions, and services.

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

034/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.3
<u>MOVED:</u> Cr. Mills <u>SECONDED:</u> Cr. Ennor That Council supports the continuing operation of the TSSCC 2545 (Lot 24) Perenjori-Three Springs Road, Womarden, to enable the holding of local, state or national events subject to the following conditions: 1. The landowner shall maintain public liability insurance.

2. The access point onto Perenjori-Three Springs Road shall be to the satisfaction of the Shire.
3. All parking of vehicles associated with the club shall be provided for within the property boundary and not the road reserve.
4. The use shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of noise, waste product, vehicle parking or otherwise.

Advice Notes:

- (a) Regarding condition 4, the landowner is to implement and maintain reporting mechanisms for complaints concerning the development operation. In the event of a substantiated complaint being received by the Shire, the landowner is required to demonstrate mitigation response(s) to the approval of the Shire.
- (b) The landowner is advised that this Council support does not negate any additional approvals or compliance requirements, which may be required under separate legislation. The landowners are responsible for obtaining any additional approvals required or adhering to compliance with any separately administered legislation.

	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills	✓	

CARRIED:
VOTED: 6/0

10. REPORTS OF OFFICERS

Executive Services	
10.4. Shire of Three Springs Dog Park Proposal	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0194
Disclosure of Interest:	Nil
Date:	22 May 2024
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 designates Bryne Park as a dog park and allocates \$5,500 from the Shire of Three Springs Capital Works 2024/2025 budget to install dog park infrastructure.

Background:

The Shire of Three Springs has received a proposal to establish a designated dog park.

A group of dog owners regularly gathers at the football oval, which poses several challenges. The oval is primarily intended for sports activities and is not ideally suited for dogs to be off-leash. This situation raises safety concerns, as the presence of both sports enthusiasts and unleashed dogs can lead to distractions and potential accidents. Additionally, the proximity to traffic poses a risk, as vehicles frequently pass by the area, increasing the danger to dogs. A solution would be the provision of a dedicated and enclosed space where dogs can roam freely and socialise without interfering with ongoing sports activities or risking their safety near vehicular traffic.

- **Dog parks present challenges and drawbacks to communities, dog owners, and dogs. Primary concerns associated with having a dog park include:**
 1. Not all dogs are well-socialised; some may behave aggressively towards other dogs or people.
 2. Dog parks require regular maintenance, including waste management, lawn care, and repairs to fencing and equipment.
 3. Dog parks pose liability issues, mainly if a dog injures another dog or a person. Determining responsibility for injuries and managing the aftermath can be complicated.
 4. Not all dog owners are vigilant about supervising their pets. Lack of supervision can lead to dogs misbehaving or getting into dangerous situations.
- **Dog parks offer a variety of values and benefits to communities, dog owners, and the dogs themselves. Primary values associated with having a dog park:**
 1. Dog parks provide a safe and controlled environment for dogs to interact and socialise with other dogs.
 2. Dog parks allow dogs to run, play, and explore in a way that is often more engaging and freeing than walks on a leash.
 3. Dog parks often serve as a gathering place for pet owners and help foster community and camaraderie among residents.
 4. By providing a designated area for dogs to play off-leash, dog parks reduce the occurrences of dogs running loose in other public spaces like parks, streets, and schools, which can be safer for both the dogs and the general public.
 5. Dog parks allow owners to exercise their pets without needing a large yard or extensive time for walks.
 6. Spending time at dog parks can be relaxing and enjoyable for dogs and their owners.
 7. Dog parks allow owners to practice training commands with their dogs in a more distracting environment, which can improve a dog's obedience and the owner's training skills.
 8. For elderly or disabled dog owners, dog parks offer a practical solution for exercising their pets in a way that might not require extensive physical effort from the owner.
 9. Dog parks often have rules and guidelines that encourage responsible pet behaviours.

Consultation:

Shire of Three Springs Shire President
Sandra Allen

Statutory Environment:

Local Government Act 1995:

- Section 3.1: General Function - Provides for the good government of persons in the district.
- Section 3.18: Performing Executive Functions - Ensures efficient and effective local government operations.

Policy Implications:

Nil

Financial/Resources Implications:

Costs:

Category	Details	Cost
Fencing	Install secure fencing around the perimeter using recycled fencing from old netball courts.	\$ 2,000.00
Entrance and Exit Gates	Secure gated entry points to prevent dogs from escaping.	\$ 500.00
Waste Management Facilities	Installation of waste stations with bag dispensers and disposal bins.	\$ 500.00
Water Stations	Drinking fountains or faucets are available for dogs and owners. Note that there is a drinking fountain on site.	\$ 1,500.00
Seating and Shade Structures	Installing benches, tables, and shade structures for comfort. Recycled from depot stock.	\$ 500.00
Signage	Rules and educational signage about dog behaviour.	\$ 500.00
		\$ 5,500.00

Strategic Implications:

This item is relevant to the Council's Strategic Community Plan 2024- 2034.

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

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

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

Voting Requirements:

Absolute Majority.

Officer's Recommendation:**035/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.4**

MOVED: Cr. Mutter

SECONDED: Cr. Connaughton

That Council approves the designation of Bryne Park as a dog park and allocates \$5,500 in the Shire of Three Springs Capital Works Budget (24/25) to install dog park infrastructure.

	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills	✓	

CARRIED:

VOTED: 6/0

10. REPORTS OF OFFICERS

Executive Services	
10.5. Community Enhancement Requests	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0328
Disclosure of Interest:	Nil
Date:	22 May 2024
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:

This report aims to formalise the proposal for a 'Community Enhancement Request' program to empower community members to directly contribute to enhancing the town's aesthetics and functionality.

Background:

The Shire of Three Springs (SoTS) engages with community members who are invested in the beautification and functionality of our town. Recognising the importance of these collaborative efforts, we propose establishing a formal avenue for such initiatives called "Community Enhancement Requests."

Officer's Comment:

Establishing the Community Enhancement Requests program represents a proactive approach to local governance, enabling residents to play an active role in developing their environment. If the "Community Enhancement Requests" project submission is

successful, the applicant will be responsible for fulfilling the project's requirements. The following system will be implemented to manage the submissions.

1. Community Enhancement Requests Application Form

Community Enhancement Requests Application Form

Applicant Information:

- Name:
- Contact Information: (Phone number, Email address)
- Address:
- Relationship to the Community: (Resident, Community Group, etc.)

Project Information:

- Project Title:
- Project Location:
- Description of the Proposed Project:
- Project Justification:

Project Details:

- Estimated Project Duration (4-week project timeline): (Include start and end dates.)
- Detailed budget: (Provide an itemised list of expected costs.)
- Resources Needed: (List materials.)
- Visuals or Supporting Documents: (Attach any sketches, maps, or documents that support the proposal.)

2. Assessment Process:

Criteria	Description	Rating (Low, Medium, High)
Relevance to Shire of Three Springs Goals	How well does the project align with Shire of Three Springs goals and priorities?	
Project Impact	Potential benefits to the community (e.g., aesthetic improvement, functionality).	
Feasibility	Technical viability, realistic budget, and achievable timeline.	
Sustainability	Maintenance plan and environmental considerations.	

To maintain the integrity of the Community Enhancement Requests program, all project submissions must adhere to project criteria and receive final approval from the SoTS President and Chief Executive Officer.

Consultation:

Shire of Three Springs Council

Statutory Environment:

Local Government Act 1995:

- Section 3.1: General Function - Provides for the good government of persons in the district.
- Section 3.18: Performing Executive Functions - Ensures efficient and effective local government operations.

Policy Implications:

Nil

Financial/Resources Implications:

To facilitate the effective implementation of the Community Enhancement Requests program, the SoTS will provide the materials or a SoTS purchase order for the approved project materials.

Each contribution to a project will be capped at a maximum of \$250. This cap ensures equitable resource distribution and enables broader participation by funding multiple projects.

The program will have an allocated annual budget of \$3,000. This amount is designed to fund up to 12 projects annually, assuming each project utilises the maximum contribution allowed. This budget will be reviewed annually, allowing adjustments based on the program's success and evolving community needs.

Financial Management:

- Approved projects will receive materials or a SoTS purchase order before project commencement. This upfront funding model is intended to eliminate financial barriers for participants and expedite the project initiation process.
- Project leaders are required to provide receipts for all expenses incurred as part of their project.

The requirement for receipts ensures financial transparency and accountability. The capped funding model encourages efficient resource use and supports various small-scale projects, enhancing the program's reach and impact within the community.

This financial plan ensures that the Community Enhancement Requests program operates with high levels of transparency and accountability, supporting quick and effective project implementation while maintaining the program's sustainability.

Strategic Implications:

This item is relevant to the Council's Strategic Community Plan 2024- 2034.

Strategic Community Plan 2024- 2034	
Council Objectives:	Outcome:
Foundation 2: Community	Objective 4.1: Inclusive and diverse community activities and events.
Foundation 3: Governance	Objective 6.1: Lead and work collaboratively.

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

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

Voting Requirements:

Absolute Majority.

Officer's Recommendation:

036/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.5

MOVED: Cr. Eva

SECONDED: Cr. Connaughton

The Council approves:

1. The Community Enhancement Requests program.

2. Allocates the associated \$3,000 in the 2024/25 Shire of Three Springs Budget.

	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills	✓	

CARRIED:

VOTED: 6/0

* Note: Cr. Mills declared a Financial Interest in the following Item 10.6 and left the meeting at 5.52pm.

10. REPORTS OF OFFICERS

Executive Services	
10.6 Proposed Short Term Accommodation	
Agenda Reference:	A792
Location/Address:	Lots 245 Christie Street & Lot 246 Williamson Street, Three Springs
Name of Applicant:	R. Thorpe
File Reference:	A792
Disclosure of Interest:	Nil
Date:	22 May 2024
Author:	Simon Lancaster, Planning Advisor Keith Woodward, Chief Executive Officer
Attachment (s):	Attachment 10.6.1 – 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 to redevelop the Three Springs Motel with a further 6 short term accommodation units and connecting roof structure upon Lot 245 Christie Street and an outdoor dining area extension to the existing building upon Lot 246 Williamson Street, Three Springs.

This report recommends Council approve the application subject to conditions.

Background:

The Three Springs Motel business is located upon the 1,986m² Lot 246 Williamson Street and the 2,675m² Lot 245 Christie Street.

Lot 245 was owned by the Shire and previously operated as a caravan park until being sold to the current owner in 2005. Council has previously approved the siting of

transportable accommodation buildings upon Lot 245 at its 17 May 2017 and 20 September 2017 meetings.

Figure 10.6(a) – Location map for Three Springs Motel



Figure 10.6(b) – Aerial photo of Lots 245 and 246



The applicant is seeking approval for 6 single storey transportable buildings to be sited upon Lot 245 with a connecting 61m x 6.9m (420.9m²) metal roof structure constructed over the top of them. The transportable buildings would each have 2 bedrooms, 1 bathroom and a kitchenette.

The applicant also seeks to construct a 7.92m x 7.45m (59.004m²) patio structure onto the existing building on Lot 246 to serve as an outdoor dining area. The applicant is also proposing to install 26 car parking bays along the southern boundary to service the existing and proposed accommodation units.

A copy of the application including site, elevation and floor plans, along with photographs is provided as **separate Attachment 10.6.1**.

Officer's Comment:

The Three Springs Motel is an existing short term accommodation operation and the landowner's desire to invest in, and expand, their business by a further 6 buildings indicates a level of confidence in the Three Springs economy.

Figure 10.6(c) – Site plan for proposed accommodation units and outdoor dining area

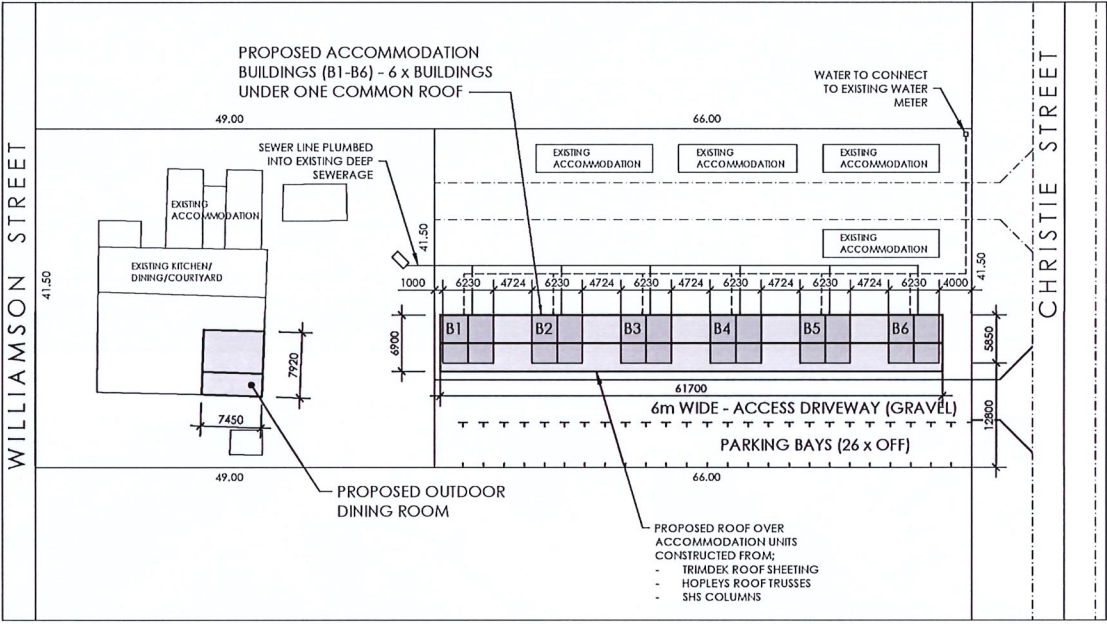


Figure 10.6(d) – Proposed short term accommodation unit development

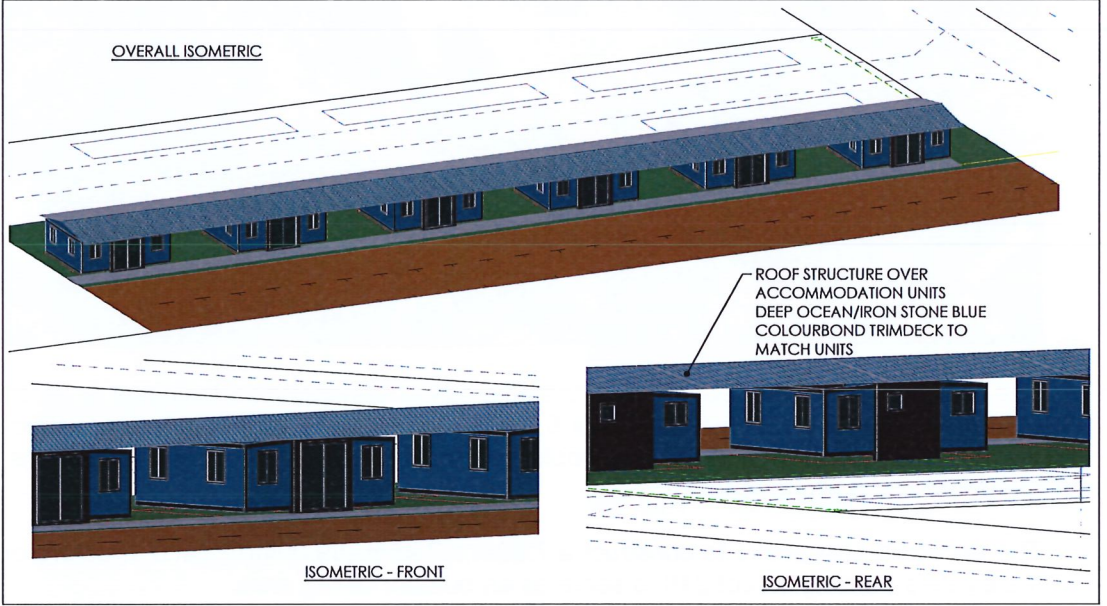


Figure 10.6(e) – View of Lot 245 looking west from Christie Street



Consultation:

Council can, if it wishes, advertise the application for comment, prior to returning this matter to a future meeting of Council for determination.

Statutory Environment:

Lot 246 Williamson Street and Lot 245 Christie Street are zoned 'Special Use 2' under the Shire of Three Springs Local Planning Scheme No.2 ('the Scheme').

The Scheme lists the objectives for the 'Special Use zone as being:

- “• To facilitate special categories of land uses which do not sit comfortably within any other zone.
- To enable the Council to impose specific conditions associated with the special use.”

Section 21 of the Scheme notes the following for the 'Special Use' zone:

“Special use zones

(1) Schedule 4 sets out –

- (a) special use zones for specified land that are in addition to the zones in the zoning table; and*
- (b) the classes of special use that are permissible in that zone; and*
- (c) the conditions that apply in respect of the special uses.*

(2) A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.

Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.”

Schedule 4 of the Scheme lists 'Short Term Accommodation' for the 'Special Use 2' zone and as per Section 21(1)(b) this land use is deemed permissible upon Lots 245 and 246.

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;...*
- ...(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) 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;...*
- ...(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;*
- (u) the availability and adequacy for the development of the following –*
 - (i) public transport services;*
 - (ii) public utility services;*
 - (iii) storage, management and collection of waste;*
 - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
 - (v) access by older people and people with disability;...*
- ...(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;...*
- ...(zb) any other planning consideration the local government considers appropriate.”*

Policy Implications:

The Western Australian Planning Commission's 'Planning Bulletin 83 - Planning for Tourism' sets out the policy position to guide decision making by the WAPC and local government for rezoning, subdivision and development proposals for tourism purposes. The Bulletin sets out general location criteria to determine the tourism value of a site as follows:

“Accessibility

The site has adequate existing or proposed transport links (such as major road or airport access).

Uniqueness

The site contains, or is in the vicinity of, an attraction or prominent and/or unique landmark of local, regional or State significance.

Setting

The setting of the site has an aspect and outlook that supports recreational tourism activities and/or the creation of a tourism character and ambience (e.g. immediately adjacent to a beach).

Tourism activities and amenities

The site provides, has easy access to, or is capable of development of supporting activities and amenities such as tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops and the like.

Supply of land

The site has an element of scarcity in that it may be the only opportunity, or one of a limited number of opportunities, to achieve a significant tourism development in an area.

Site specific criteria to determine the tourism value of the site includes:

Suitability in a land use context

The site is located in a land use context that will not limit the extent of activities available to guests due to amenity impacts on adjoining residents or where the adjoining uses potentially detract from the tourism character of the site (e.g. located within a residential area).

Capability

The site has the capacity to be developed for tourism purposes and accommodate the associated services in a manner that does not detract from the natural attributes of the site or result in environmental degradation. Examples include: clearing for bushfire protection, sewerage capacity, water supply and rubbish disposal.

Size

The size of the site should be adequate to accommodate a sustainable tourism facility with respect to its design, operation and function, and its site specific and wider impacts and consideration of future growth/expansion. This will require a site to be able to be developed without compromising the sustainable use of natural and cultural resources or existing social structures. Development of the site should also contribute to the delivery of diversified and balanced tourism opportunities.

Function

The use of the site meets a particular accommodation, market need and/or ensures a range of tourism accommodation within the locality. Examples are: beachfront caravan parks, school holiday camps and Crown tourism leases.

These criteria are to guide local government in the assessment of the strategic value of tourism sites and determination of the value will be based on the outcome of the assessment of the site against all criteria."

Financial/Resources Implications:

Nil.

Strategic Implications:

Section 3.1.6 of the Shire of Three Springs Local Planning Strategy has following objective *"to encourage the development of tourism enterprises and accommodation to cater to a wide range of visitors and generate local employment"* and notes the following of relevance to this application:

Strategies	Actions
To support a range of short-stay accommodation in the Three Springs townsite, including motel rooms, chalets, caravan and camping facilities, and bed and breakfasts.	Ensure that existing short-stay accommodation is appropriately zoned in the Local Planning Scheme.

The redevelopment of the Three Springs Motel is considered aligned with the following item in the Shire of Three Springs Strategic Community Plan 2018-2028.

Strategic Community Plan 2018-2028				
Ref	Strategy	Still Relevant	Priority	Time frame
1.4.1	Encourage, support and assist local businesses to improve the appearance and presentation of their buildings	Yes	Medium	Ongoing

Voting Requirements:

Simple majority

037/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.6
<u>MOVED: Cr. Connaughton</u> <u>SECONDED: Cr. Eva</u> That Council grant planning approval for the redevelopment of the Three Springs Motel with a further 6 short term accommodation units (with connecting roof structure) upon Lot 245 Christie Street and an outdoor dining area extension to the existing building upon Lot 246 Williamson Street, Three Springs subject to the following: Conditions 1 Development shall be in accordance with the plans included within Attachment 10.6.1 to the Council Agenda report and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government. 2 Any additions to or change of use of any part of the buildings or land (not the subject of this consent/approval) considered by the Shire Chief Executive Officer to represent significant variation from the approved development plan may require further	

- application and planning approval for that use/addition.
- 3 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of noise, dust, waste product, vehicle parking and manoeuvring or otherwise.
 - 4 The proponent 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 local government.
 - 5 The buildings, and additions to, shall utilise colours and materials and be to a finish to the approval of the local government.
 - 6 All stormwater is to be disposed of on-site to the approval of the local government.
 - 7 All parking of vehicles (and trailers) associated with the guests shall be provided for within the property boundary.
 - 8 The internal road network and vehicle manoeuvring and parking areas shall be constructed and maintained to the approval of the local government.
 - 9 The vehicle access onto Christie Street shall be appropriately located, designed, constructed and maintained to the approval of the local government.
 - 10 Upgrading of, or repairing of any damage to Christie Street or Williamson Street that is required by reason of their use in connection with the development and associated operations shall be the requirements of the local government with all costs met by the applicant.
 - 11 The installation and subsequent maintenance of any signage shall be to the approval of the local government.
 - 12 The maintenance of landscaping about the development site for the purposes of providing shade and screening shall be to the approval of the local government.
 - 13 The buildings shall not be occupied until compliant with the requirements of the Building Code of Australia, the *Health Act 1911* and the *Health (Treatment Of Sewage And Disposal Of Effluent And Liquid Waste) Regulations 1974*.
 - 14 The installation and subsequent maintenance of a fire blanket and/or a fire extinguisher in immediate vicinity to all areas where guests are able to cook in the development.
 - 15 The installation and subsequent maintenance of a hardwired smoke detector in each accommodation building.
 - 16 The installation and subsequent maintenance of an evacuation plan in each accommodation building.
 - 17 The installation and subsequent maintenance of muster point signage to the satisfaction of the local government.
 - 15 If the development/land use, the subject of this approval, is not substantially

commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.

Notes

- (a) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- (b) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the following where required, Building Code of Australia, *Building Regulations 2012*, *Food Act 2008* and *Health Act 1911*. It is the applicant's/landowner's responsibility to obtain any additional approvals required before the development/use lawfully commences.
1. (c) 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.

	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills		

CARRIED:
VOTED: 5/0

*** Note: Cr. Mills returned to the meeting at 5.54pm.**

*** Note: Cr. Connaughton declared a Proximity Interest in the following Item 10.7 and left the meeting at 5.44pm.**

10. REPORTS OF OFFICERS

Executive Services	
10.7. Proposed Extractive Industry (Gravel)	
Agenda Reference:	A841
Location/Address:	Lots 3285, 3984 & 6753 Arrino South Road, Kadathinni
Name of Applicant:	Mitchell Land Holdings Pty Ltd
File Reference:	A841
Disclosure of Interest:	Nil
Date:	22 May 2023
Author:	Simon Lancaster, Planning Advisor Keith Woodward, Chief Executive Officer
Attachment (s):	Attachment 10.7.1 – Received Application Attachment 10.7.2 – Received Submissions Attachment 10.7.3 – Schedule of Submissions

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 to develop 2 gravel pits upon Lot 6753 Arrino South Road, Kadathinni. This report recommends that Council grant conditional approval to the application for a period of 5 years.

Background:

The applicant seeks to develop an initial gravel pit upon the 709ha Lot 6753 Arrino South Road, Kadathinni and develop a second pit upon the lot if required.

Access from the gravel pit(s) would be westwards back onto Arrino South Road via an internal farm track across the landowner's 121ha Lot 3984 and 40ha Lot 3285.

The access point onto Arrino South Road would be 2½km north of the intersection with Eneabba-Three Springs Road.

Figure 10.7(a) – Location Plan for Lot 6753 Arrino South Road, Kadathinni

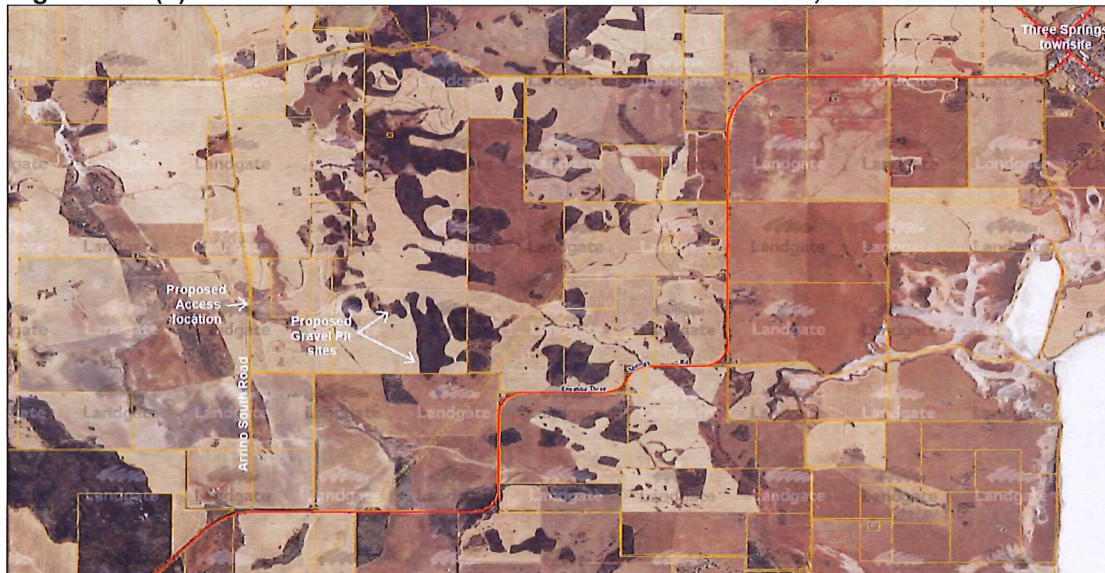


Figure 10.7(b) – Site plan for proposed Extractive Industry operation upon Lot 6753



Officer's Comment:

Lot 6753 is a predominantly cleared farming property used for cropping purposes with remnant vegetation located on outcrops.

The Environmental Protection Authority's 'Guidance for the assessment of environmental factors – separation distances between industrial and sensitive land uses' notes that dust and noise are the impacts most commonly associated with Extractive Industries (that do not involve blasting).

The EPA Guidelines do not prescribe a buffer distance for Gravel Extractive Industries, instead deeming that buffer distances should be set on a case by case basis. However,

as some form of indication it is noted that the EPA Guidelines prescribe a buffer distance of 300-500m for Sand Extractive Industries (dependant upon the size of the operation).

The nearest residence to the proposed gravel pit sites is located 1.5km to the west and is owned by the applicant. The nearest third-party residence to the proposed gravel pit sites is located 2.6km to the east on the opposite side of Eneabba-Three Springs Road.

The impacts often associated with extractive industries, other than noise and dust impacts from the quarrying activities themselves, can relate to associated truck movements. It is considered that the truck movements associated with the extractive industry, when in operation, would not be dissimilar in terms of size vehicles and trip numbers to harvest truck movements common in rural areas. It is further noted that the gravel pit would likely operate on an intermittent, as required, basis rather than continually.

Council also has ability to impose conditions on the development relating to its operation and management of potential impacts.

Access to the gravel pit(s) would be required to pass by the existing farm residence ensuring a level of security and self-policing on who would be entering the site.

Consultation:

The application was advertised for comment from 23 April 2024 until 13 May 2024 with the Shire writing to the 5 surrounding landowners within 2km of the proposed gravel pit site inviting comment, placing a copy of the application on its website and making it available for viewing at the Shire office, and also writing to the following government agencies and service authorities:

- ATCO Gas;
- Australian Gas Infrastructure Group;
- Department of Biodiversity, Conservation & Attractions;
- Department of Fire & Emergency Services;
- Department of Health
- Department of Mines, Industry Regulation & Safety;
- Department of Planning, Lands & Heritage;
- Department of Primary Industries & Regional Development;
- Department of Water & Environment Regulation;
- Main Roads WA;
- Telstra;
- Water Corporation;
- Western Power.

The Shire received 9 submissions, with all of these being from government agencies offering technical comment, no objections were received. A copy of the received submissions has been provided as **Attachment 10.7.2** and a Schedule of Submissions that summarises the nature of the received submissions, and provides individual comment upon the raised issues, has been provided as **separate Attachment 10.7.3**.

Statutory Environment:

Lots 3285, 3984 & 6753 Arrino South Road, Kadathinni are zoned 'Rural' under the Shire of Three Springs Local Planning Scheme No.2 ('the Scheme').

The Scheme lists the objective for the 'Rural' zone as being:

"To provide for the sustainable use of land for the agricultural industry and other uses complementary to sustainable agricultural practices, which are compatible with the capability of the land and retain the rural character and amenity of the locality."

The proposed gravel quarrying operation would meet with the land use definition of 'Extractive Industry' which is defined by the Scheme as follows:

"means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes —

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;*
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration."*

'Extractive Industry' is listed as an 'A' land use (i.e. a use that must be advertised prior to determination) in the 'Rural' zone.

Section 9 of the Scheme sets out the following:

"The aims of this Scheme are —

- (a) To assist the effective implementation of regional plans and policies including the State Planning Strategy;*
- (b) To protect areas of agricultural significance for sustainable food production;*
- (c) To encourage economic growth in rural areas by identifying appropriate areas for more intensive and diversified use of rural land for high value products compatible with surrounding farm practices;*
- (d) To encourage processing and value adding industries to be located within the Shire, and promoting tourism;*
- (e) To provide opportunities for planned, contained and sustainable settlements in locations with access to services and infrastructure;*
- (f) To ensure development in rural areas is planned so as not to prejudice productive rural land uses, to protect and enhance rural landscapes and environmental values, and to ensure accessibility to services and facilities;*
- (g) To protect the natural environment and biodiversity while ensuring appropriate development opportunities within the local government are realised;*
- (h) To promote and safeguard public health, safety and general welfare of the community;*
- (i) To promote the sustainable management of natural resources including energy, water, land, minerals and basic raw materials by preventing land degradation and integrating land and catchment management with land use planning; and*
- (j) To protect the character of significant landscapes as part of the environmental heritage and sense of place and as a resource for tourism."*

Policy Implications:

Council adopted its Extractive Industry Local Planning Policy at its 18 May 2011 meeting. The Policy Statement for which is as follows:

- "1 The extraction of basic raw materials to a depth of 1m or less to be used for improvements the same farming property or for municipal purposes, including the building of roads, is exempt from obtaining planning consent.*
- 2 Extractive industry will only be approved where Council is satisfied that the proposal will not result in unacceptable environmental impacts as a result of noise, dust, lightspill, odour, visual intrusion or contamination.*
- 3 No extractive industry will be approved until such time as Council has received advice from the Indigenous Affairs Department and Department of Environment and Conservation in relation to heritage and flora and fauna issues respectively. An extractive industry will not be approved if there are substantiated objections from either of these agencies.*
- 4 An application for an extractive industry will not be favourably considered by Council unless the following information has been submitted with the application for planning consent form:*
 - A surveyed plan of the site showing the proposed area of extraction in relation to topographical features, area of remnant vegetation, existing and proposed access and internal roads, existing buildings, proposed stockpile area and setback distances from property boundaries;*
 - A cross section of the proposed extraction area showing the depth of extraction, height and battering of the pit walls and face, and access ramp/area;*
 - A rehabilitation plan for the area of extraction prepared in accordance with DEC guidelines showing the re-contouring of the land and areas of re-planting.*
 - Written submission detailing the type and quantity of material to be mined, stages of extraction (if applicable), depth of extraction, life expectancy of the resource, specific hours of operation; number of vehicular movements per week and machinery to be used.*
- 5 Depending on the nature of the proposed extractive industry, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks Council shall consider existing and potential land-uses on adjoining and nearby properties.*
- 6 Council may require the preservation and/or planting of a vegetated buffer strip ensuring that the extraction activities are adequately screened from the road and adjoining properties.*
- 7 Where an extractive industry has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by Council), the Council may*

require crossover and vehicle access areas within 50m of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled.

- 8 *Where an extractive industry is being developed with or without direct access to a sealed road, the Council may require assistance to upgrade and maintain the road/s that will be affected by heavy vehicle movements associated with the extractive industry. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.*
- 9 *The Council will not support the operation of extractive industry outside of the following hours, unless it can be demonstrated the proposed extraction area/activity is at least 1km from the closest neighbouring residence upon which the Council may entertain extended operating times:*
 - *Monday to Saturday - 7:00am to 6:00pm;*
 - *Sundays and Public Holidays - no operations.*
- 10 *The Extractive industry will generally be approved for a 1 year period from the date of issue. Operations that continue beyond one year's duration will be subject to a renewed application for planning consent on an annual basis. For large scale mining operations an extended period of approval may be entertained by Council, based on individual merit.*
- 11 *Should there be any conflict between this Policy and the Shire of Three Springs Town Planning Scheme, the Town Planning Scheme shall prevail."*

Financial/Resources Implications:

Nil

Strategic Implications:

Section 3.3.5 of the Shire of Three Springs Local Planning Strategy notes the following strategies of relevance to this application:

"To support the extraction of basic raw materials in areas that are suitable in terms of existing land use and environmental considerations.

To ensure appropriate buffer distances between inappropriate and incompatible development and existing or future basic raw materials sites.

To ensure that mining transport routes are appropriately maintained to a safe and responsible standard."

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
Maintain and improve road conditions to create safer roads	2.6 - Efficient Use of Resources 2.6.3 - Effectively manage the acquisition of gravel and rehabilitation of gravel pits.

State Planning Policy 2.4 – Planning for Basic Raw Materials seeks to ensure that the regional importance of basic raw materials is recognised, protected and extracted in a manner that minimises adverse impacts on the community or environment. The accompanying Guidelines and Explanatory Notes provides further guidance to proponents and decision makers.

Voting Requirements:

Simple Majority

Officer's Recommendation:

038/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.7
<u>MOVED: Cr. Mutter</u> <u>SECONDED: Cr. Eva</u> That Council grant planning approval for the proposed Extractive Industry upon Lot 6753 Arrino South Road, Kadathinni (and access back to Arrino South Road across Lots 3285 & 3984) subject to the following: Conditions: 1 Development shall be in accordance with the plans included within Attachment 10.7.1 to the Council Agenda report and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government. 2 Any additions to or change of use of any part of the buildings or land (not the subject of this consent/approval) considered by the Shire Chief Executive Officer to represent significant variation from the approved development plan may require further application and planning approval for that use/addition. 3 The approval is valid for a period of 5 years (until 22 May 2029) after which time the application shall be returned to Council for its consideration as to any impacts arising from the operation of the development in its determination on whether to grant any extension to the approval period. 4 The vehicle access point(s) from the road network into the development shall be located, installed and maintained to the satisfaction of the local government. 5 The installation of any directional/traffic/warning/safety signage in the vicinity of the development's access point(s) onto the road network and relating to the development shall be to the requirements of the local government. 6 Repairing of any damage to Arrino South Road including the surface is required by reason of use of the road in connection with the development to the approval of the local government with all costs met by the landowner. 7 The landowner is responsible to ensure that no parking of vehicles associated with the development occurs within a public carriageway, including the road verge. 8 The activities upon Lot 6753 shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of dust, noise, vibration, waste	

	product, water or otherwise.
9	No remnant vegetation shall be removed as part of this extractive industry operation.
10	The landowner is responsible to ensure that biosecurity protocols are maintained for the site.
11	No blasting of material is permitted as part of extraction operations.
12	The permitted hours of operation for the development, inclusive of the on-site operation of the extractive industry and all associated vehicle movements are: • Monday to Saturday - 7:00am to 6:00pm; • Sundays and Public Holidays - no operations.
13	Extractive industry operations and associated vehicle movements must not occur when Vehicle Movement Bans are in effect.
14	The development must comply with the <i>Environmental Protection (Noise) Regulations 1997</i> and the <i>Environmental Protection Act 1986</i> in respect to noise emissions and should noise or dust monitoring be required in relation to the extractive operations as they take place upon Lot 6753, all costs shall be met by the landowner.
15	The landowner must undertake post-closure rehabilitation of the development to the satisfaction of the local government.
16	Post closure requirements shall become applicable upon the earlier of the following events: • acknowledgement by the landowner that extractive activities are completed; - or • the approval period for the development having expired.
Advice Notes:	
(a)	In regards to condition 2 if the applicant is considering a mechanical plant to screen, wash, crush, grind, mill, size or separate extracted material this will require a separate application to be made. The applicant is further advised that such additional development may be categorised as Prescribed Premises as per Schedule 1 of the <i>Environmental Protection Regulations 1987</i> and the landowner will need to contact the Department of Water & Environment Regulation's in this regard.
(b)	In relation to conditions 4 & 5 the local government may, in the event of safety concern, require the landowner to undertake works including (but not necessarily limited to) the following, with all costs met by the landowner: • installation of Advanced Warning and Trucks Entering signage along Arrino South Road; • upgrading works to, or relocation of, the access point.
(c)	In regards to condition 10 biosecurity protocols are to be maintained for the site to minimise biosecurity risks for the landowner, adjoining farms and along the transport route and should further information be required on appropriate

practices the applicant should contact the Department of Primary Industries & Regional Development in this regard.

- (d) In regards to condition 12 post-closure obligations shall have regard for the following documents to ensure that the rehabilitation of the Extractive Industry site improves the visual and conservation values of the landscape:
- Department of Planning Lands & Heritage's 'Planning for Basic Raw Materials Guidelines';
 - Department of Planning Lands & Heritage's 'Visual Landscape Planning in Western Australia';
 - Department of Mines, Industry Regulations & Safety's 'Guidelines for Preparing Mine Closure Plans';
 - Department of Mines, Industry Regulations & Safety's 'Mining Proposal and Mine Closure Plan for Small Mining Operations'; &
 - Department of Water & Environment Regulation's 'Water Quality Protection Note WQPN 15: Basic raw material extraction'.
- (e) The development is located within the Arrowsmith groundwater area, and if groundwater is required for the Extractive Industry operation the landowner will need to contact the Department of Water & Environment Regulation's licensing section.
- (f) The applicant will need to consult with the Main Roads WA Heavy Vehicle Services branch to ascertain any approval requirements that may be required for their proposed heavy vehicle combinations, transport routes and operations.
- (g) The applicant is advised that this planning approval does not negate the requirement for any additional approvals, or compliance, that may be required under separate legislation including but not limited to the following where required, *Environmental Protection Act 1986* and the *Mines Safety and Inspection Act 1994*. It is the landowner's responsibility to obtain any additional approvals required before the development lawfully commences.
2. (h) 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.

	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton		
Cr. Mills	✓	

CARRIED:
VOTED: 5/0

Note: Cr. Connaughton returned to the meeting at 5.48pm

10.8 REPORTS OF OFFICERS

Executive Services	
10.8 Community Development Officer Update	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	Chief Executive Officer
File Reference:	
Disclosure of Interest:	Nil
Date:	22 May 2024
Author:	Raman S Viridi, Community Development Officer
Attachment (s):	Grants Since 2019

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 April 2024.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Silo Projection Project - Trailer	The Shire of Three Springs is manufacturing the Silo Projection Project – Trailer. The purpose of the Silo Projection Project – Trailer is to house the projector equipment. The projector equipment will be mounted on an elevated platform to enable projections from the trailer.
-----------------------------------	--

New Signage	The Shire of Three Springs is adding two new signs to the following buildings: 1. Three Springs Community Hall 2. Three Springs Sporting Club Facility.
Shire Grants	The Shire of Three Springs applied for various grant programs since 2019. Please see the attachment <i>Grants Since 2019</i> for detailed information regarding funds raised through grants.
Three Springs Community LED Noticeboard (TSCLN)	The Shire of Three Springs displayed the following community notices on the TSCLN. 1. ANZAC Day 2024 Service 2. The WA Student Assistance Payment 3. Three Springs Police - Charity Golf Day & Auction 4. Mother's Day Fundraiser 5. Three Springs Tourist Radio 6. Breast Screen WA Visit 7. Free Showerhead Swap Program 8. Expression of Interest: Free Archiving Service 9. Three Springs Hockey Club – Pink Round Raffle
Official Communication - Facebook page and the Shire website.	The Shire has updated its Facebook Page and website about ongoing activities.

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

Strategic Community Plan 2018 - 2028	
Council Objectives:	Outcome:
People are motivated, work together and have an increased pride and participation in the community.	3.1.6 Actively facilitate, support and participate in community events.
A well engaged and informed community that actively participates.	4.1.6 Actively facilitate, support and participate in community events. 4.1.5 Support and acknowledge volunteers

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

039/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION		10.8																					
<u>MOVED:</u> Cr. Ennor <u>SECONDED:</u> Cr. Eva That Council accepts the Community Development report for April 2024. <table border="1" data-bbox="399 1532 1149 1839"> <thead> <tr> <th></th><th>FOR</th><th>AGAINST</th></tr> </thead> <tbody> <tr> <td>Cr Lane (President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr Eva (Deputy President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr Mutter</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr Ennor</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr Connaughton</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Mills</td><td style="text-align: center;">✓</td><td></td></tr> </tbody> </table> CARRIED: VOTED: 6/0				FOR	AGAINST	Cr Lane (President)	✓		Cr Eva (Deputy President)	✓		Cr Mutter	✓		Cr Ennor	✓		Cr Connaughton	✓		Cr. Mills	✓	
	FOR	AGAINST																					
Cr Lane (President)	✓																						
Cr Eva (Deputy President)	✓																						
Cr Mutter	✓																						
Cr Ennor	✓																						
Cr Connaughton	✓																						
Cr. Mills	✓																						

10. REPORTS OF OFFICERS

Corporate Services	
10.9 Monthly Financial Report for Periods 30 April 2024	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	22 May 2024
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 30 April 2024

Council Role:

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

Report Purpose:

That Council accepts the monthly financial report for the period ending 30 April 2024.

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:

The 2023-2024 Budget was adopted in August 2023.

Further information can be found by referring to Financial/Resources Implications.

Consultation:

Nil

Statutory Environment:

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

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

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

(1A) *In this regulation —*

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

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for the previous month (the **relevant 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 relevant month; and*
- (c) *actual amounts of expenditure, revenue and income to the end of the relevant month; and*
- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) *the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.*

(1B) *The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).*

(1C) *Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.*

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

- [(a) deleted]*
- (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
- (c) *such other supporting information as is considered relevant by the local government.*

(3) *The information in a statement of financial activity must be shown according to nature classification.*

- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the relevant month; 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.*

[Regulation 34 inserted: Gazette 31 Mar 2005 p. 1049-50; amended: Gazette 20 Jun 2008 p. 2724; SL 2022/88 r. 8; SL 2023/106 r. 19.]

Policy Implications:

Nil

Financial/Resources Implications:

The total Cash Available as of 30 April 2024 is \$6,014,049. Cash available comprises Unrestricted cash of \$3,863,872 and Restricted cash of \$2,150,178, primarily made up of various reserves.

Rates Debtors balance as of 30 April 2024 is \$162,955. Rates Notices for 2023-24 were issued on the 28 August 2023. The rates collected as of the end of March 2024 were \$2,697,907 – 94.3%

April 2024:

Operating Revenue – Operating revenue of 3,500,236 comprises Rates – 43%, Grants – 51%, Fees and Charges – 4%, Other Revenue – 1% and Interest Earnings – 1%.

Operating Expenses – Operating expenses of \$4,903,550 are made of Depreciation – 43%, Employee Costs – 30%, Materials and Contracts – 17%, Insurance – 4%, Utilities – 5%, Loss on Disposal of Assets – 0% and Other Expenditure – 1%.

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

MOVED: Cr. Eva
SECONDED: Cr. Connaughton

That Council accepts the monthly financial reports for the periods ending 30 April 2024.

	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills	✓	

CARRIED:
VOTED: 6/0

10. REPORTS OF OFFICERS

Corporate Services	
10.10 Accounts for Payments 30 April 2024	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	22 May 2024
Author:	Jelena Brown, Assistant Finance Officer
Attachment (s):	List of creditors paid as at 30 April 2024

Council Role:

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

Report Purpose:

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

Background:

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

Officer's Comment:

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

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 Section 6.4.

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

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

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

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

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

Policy Implications:

Nil

Financial/Resources Implications:

Funds available to meet expenditure in accordance with Shire of Three Springs adopted budget 2022-2023.

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:**041/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.10**

MOVED: Cr. Connaughton

SECONDED: Cr. Lane

That Council accepts:

3. The accounts for payment as presented for *April* 2024 from the CBA Municipal Fund totalling \$280,589.77.
4. Represented by Electronic Fund Transfers No's 19704 - 19782 and Direct Debits 15790.1, 15798.1 – 15804.1, 15813.1 – 15815.2, 15822.1 – 15832.6, 15857.1, 15859.1 – 15863.1, 15873.1 – 15874.1.
5. Licensing Fund totalling \$34,560.70 represented by Direct Debit No. 15791.1 – 15795.1, 15805.1 – 15808.1, 15817.1 – 15821.1, 15833.1 – 15846.1, 15858.1 and 15871.1 – 15872.1.

3. Total Payments for April 2024 \$315,150.47.

	FOR	AGAINST
Cr Lane (President)	✓	
Cr Eva (Deputy President)	✓	
Cr Mutter	✓	
Cr Ennor	✓	
Cr Connaughton	✓	
Cr. Mills	✓	

**CARRIED:
VOTED: 6/0**

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, 26 June 2024 @ 5.30pm.

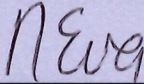
16. CONFIDENTIAL ITEMS

Nil

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 5.58pm.

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

Signed: 
Presiding Officer

Date: 26 June 2024