



AGENDA FOR THE  
ORDINARY COUNCIL MEETING  
TO BE HELD ON  
WEDNESDAY  
23 JUNE 2021  
COMMENCING AT 5PM



**SHIRE OF THREE SPRINGS  
ORDINARY COUNCIL MEETING NOTICE PAPER  
23 JUNE 2021**

President and Councillors,

An ordinary meeting of Council is called for Wednesday, 23 June 2021, in the Council Chambers, Railway Road, Three Springs commencing at 5pm.

**Keith Woodward  
Chief Executive Officer**

**17 June 2021**

**DISCLAIMER**

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

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

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

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

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

To: Chief Executive Officer

☐ Ordinary Council Meeting held  
on

☐ Special Council Meeting held  
on

☐ Committee Meeting held on

☐ Other

Report No

Report Title

Name

☐ Elected  
Member

☐ Committee

☐ Employee

☐ Contractor

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

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

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

Name: \_\_\_\_\_ Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

OFFICE USE ONLY

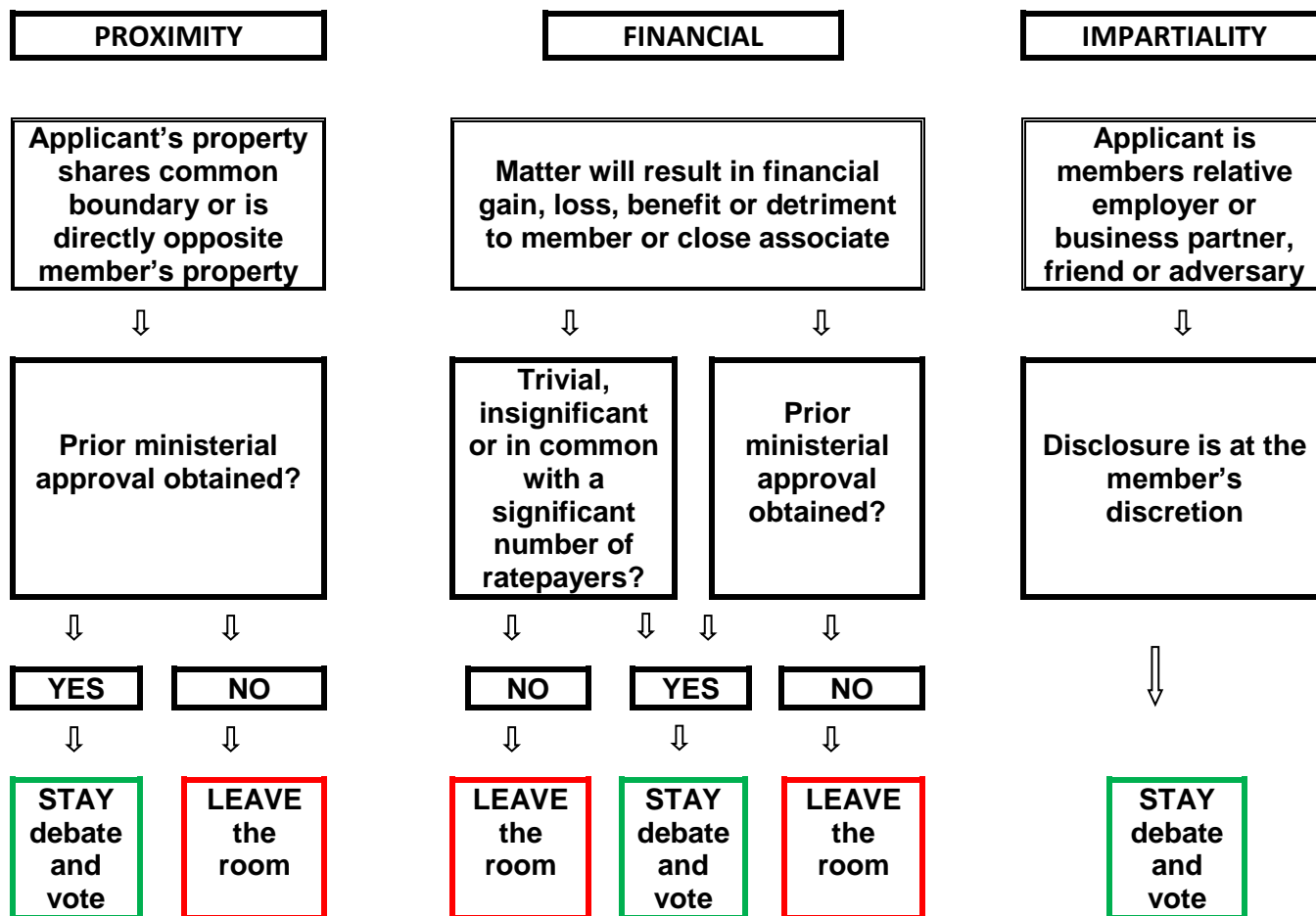
CEO

Signed:

Date:

:

## Declaring an Interest



### Local Government Act 1995 - Extract

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

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

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

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

#### 5.71 - Employees to disclose interests relating to delegated functions.

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

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

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

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

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## AGENDA

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

The Shire President declared the meeting open at:

#### ***Welcome to Country:-***

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

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

	Attendance	Apologies	Approved Leave of Absences
Councillor Lane			
Councillor Connaughton			
Councillor Heal			
Councillor Mutter			
Councillor Mills			
Councillor Ennor			
Councillor Eva			
Chief Executive Officer			
Deputy Chief Executive Officer			
Manager of Works & Services			
Executive Secretary			

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

### 4. PUBLIC QUESTION TIME

### 5. APPLICATIONS FOR LEAVE OF ABSENCE

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

### 6. CONFIRMATION OF PREVIOUS MEETING MINUTES

That the Minutes of the Council meeting are confirmed as true and accurate record of proceedings.

	Date	Moved	Seconded	Vote
6.1 OCM	26 May 2021	Cr.	Cr.	

### 7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

## **8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS**

<b>Councillor</b>	<b>Activity</b>
Cr. Lane	
Cr. Connaughton	
Cr. Heal	
Cr. Mutter	
Cr. Mills	
Cr. Ennor	
Cr. Eva	

## **9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

## 10. REPORTS OF OFFICERS

Executive Services	
<b>10.1. Good Governance in Practice</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	23 June 2021
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Nil

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### 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).

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### Report Purpose:

That Council Accepts:

1. The Governance Compliance Calendar report for May 2021.
2. Actions Performed under Delegated Authority for May 2021.

### 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 May 2021

Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
<b>Monthly Financial Report</b> LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg.34	DLGSC WA Local Government Accounting Manual	May 2021 report submitted to the May 2021 OCM. Reference – Minutes	
<b>Emergency Services Levy - Option A Remittance Due by: 21st of the month</b> Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures	Clause 5.13.	DFES -ESL Manual of Operating Procedures	N/A	
<b>Primary Returns -</b> Request Primary Return from any new employee who is a Designated Employee. Return must be received by CEO within 3 months of the person's start day	Local Government Act 1995	s.5.75	<b>WALGA -</b> Governance Subscription - Guideline - Primary and Annual Returns Management <b>DLGSC</b> Operational Guideline No.21 Disclosure of Financial Interests in Returns	No new Designated Employees.	
<b>Financial Interests Register - Review</b> Review register to remove Primary and Annual Returns (not other interest disclosures) from the Financial Interest Register that relate to persons who are no longer Designated Employees (resigned or changed roles) or for Elected Members who have resigned. Returns that are removed are to be kept by the CEO as LG Record for at least 5 years after the person ceased to be a Designated Employee.	Local Government Act 1995	s.5.88(3)(4)		Financial Interests Register is up to date.	
<b>Elected Members -</b> Review Meeting Attendance Register - check EMs have not been absent for 3 consecutive meetings without Leave of Absence being granted	Local Government Act 1995	s.2.25		No EM has been absent for 3 consecutive meetings.	

<b>Valuer General Information</b> <b>Due 14th day of each month - providing schedules of:</b> <ul style="list-style-type: none"> <li>• building licenses issued</li> <li>• building license works completed</li> <li>• registered plans and amendments under the Strata Titles Act 1985</li> </ul>	Valuation of Land Act 1978	s.37		Completed by City of Geraldton	
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### **Execution of Delegation for May 2021**

Date	File Reference	Delegation Number	Decision Detail	Applicant	Officer	Comment
10-May-21	ADM0458	GO004-Execution of Contract Documents	Execution of Grant Agreement The Department of Planning, Lands and Heritage & The Shire of Three Springs	SoTS	CEO	OCR214263
06-May-21	PMT ID: 181571924	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$234,302.25 from GFH A/C to Muni A/C
06-May-21	PMT ID: 181577115	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 181577115 for \$234,302.25
06-May-21	PMT ID: 181619816	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 181619816 for \$500.00
11-May-21	PMT ID: 181850227	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$65,000.00 from GFH A/C to Muni A/C
12-May-21	PMT ID: 181929259	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Deputy Chief Executive Officer	Transfer Funds to Licensing Account Banking 11/05/2021 - \$265.60
13-May-21	PMT ID: 182043980	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Deputy Chief Executive Officer	Transfer Funds to Licensing Account Banking 12/05/2021 - \$38.30
14-May-21	PMT ID: 182138323	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$20,000.00 from Maxi A/C to Muni A/C
14-May-21	PMT ID: 182147277	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 182147277 for \$23,829.03
18-May-21	PMT ID: 182343299	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni A/C to Maxi A/C	NAB	Deputy Chief Executive Officer	Transfer \$130,000.00 from Muni A/C to Maxi A/C
21-May-21	PMT ID: 182595749	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Deputy Chief Executive Officer	Transfer Funds to Licensing Account Banking 20/05/2021 - \$69.80
25-May-21	PMT ID: 182796295	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$50,000.00 from Maxi A/C to Muni A/C
25-May-21	PMT ID: 182796711	CS002 -	Fortnightly Payroll	NAB	Deputy	Fortnightly Payroll PPE 25

		Payments from Municipal Fund and Trust Fund			Chief Executive Officer	May 2021 - \$43,320.26
28-May-21	PMT ID: 183043702	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Deputy Chief Executive Officer	Transfer Funds to Licensing Account Banking 27/05/2021 - \$139.50
31-May-21	PMT ID: 183202103	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 183202103 for \$69,284.78
6-May-21	PMT ID: 181546574	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 05/05/2021 - \$55.60
06-May-21	PMT ID: 181571924	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH A/C to Muni A/C	NAB	Senior Finance Officer	Transfer \$234,302.25 from GFH A/C to Muni A/C
06-May-21	PMT ID: 181577115	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 181577115 for \$234,302.25
06-May-21	PMT ID: 181619816	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 181619816 for \$500.00
7-May-21	PMT ID: 181645933	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 06/05/2021 - \$23.60
11-May-21	PMT ID: 181850227	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH A/C to Muni A/C	NAB	Senior Finance Officer	Transfer \$65,000.00 from GFH A/C to Muni A/C
11-May-21	PMT ID: 181884034	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Senior Finance Officer	Fortnightly Payroll PPE 11 May 2021 - \$42,089.98
12-May-21	PMT ID: 181929259	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 11/05/2021 - \$265.60
14-May-21	PMT ID: 182112512	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 13/05/2021 - \$320.95
14-May-21	PMT ID: 182138323	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	NAB	Senior Finance Officer	Transfer \$20,000.00 from Maxi A/C to Muni A/C
14-May-21	PMT ID: 182147277	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 182147277 for \$23,829.03
18-May-21	PMT ID: 182343299	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni A/C to Maxi A/C	NAB	Senior Finance Officer	Transfer \$130,000.00 from Muni A/C to Maxi A/C
19-May-21	PMT ID: 182366946	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 18/05/2021 - \$454.15
20-May-21	PMT ID: 182510078	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 19/05/2021 - \$69.60
21-May-21	PMT ID: 182595749	CS002 - Payments from Municipal Fund	Transfer Funds from Muni Account to	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 20/05/2021 - \$69.80

		and Trust Fund	Licensing Account			
25-May-21	PMT ID: 182796295	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	NAB	Senior Finance Officer	Transfer \$50,000.00 from Maxi A/C to Muni A/C
25-May-21	PMT ID: 182796711	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Senior Finance Officer	Fortnightly Payroll PPE 25 May 2021 - \$43,320.26
26-May-21	PMT ID: 182821906	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 25/05/2021 - \$740.05
27-May-21	PMT ID: 182920731	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer Funds to Licensing Account Banking 26/05/2021 - \$82.80
31-May-21	PMT ID: 183202103	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 183202103 for \$69,284.78
6-May-21	PMT ID: 181546574	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer Funds to Licensing Account Banking 05/05/2021 - \$55.60
7-May-21	PMT ID: 181645933	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer Funds to Licensing Account Banking 06/05/2021 - \$23.60
13-May-21	PMT ID: 182043980	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer Funds to Licensing Account Banking 12/05/2021 - \$38.30
14-May-21	PMT ID: 182112512	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer Funds to Licensing Account Banking 13/05/2021 - \$320.95
19-May-21	PMT ID: 182366946	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer Funds to Licensing Account Banking 18/05/2021 - \$454.15
20-May-21	PMT ID: 182510078	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer Funds to Licensing Account Banking 19/05/2021 - \$69.60
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27-May-21	PMT ID: 182920731	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer Funds to Licensing Account Banking 26/05/2021 - \$82.80
28-May-21	PMT ID: 183043702	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Finance Officer	Transfer Funds to Licensing Account Banking 27/05/2021 - \$139.50

### Consultation:

Nil

### Statutory Environment:

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

#### 5.41. Functions of CEO

*The CEO's functions are to —*

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

*Local Government (Audit) Regulations 1996*

17. *CEO to review certain systems and procedures*

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

**Policy Implications:**

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

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

7. *Identify and provide for the continuity of critical operations*

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

**Financial/Resources Implications:**

Nil

**Strategic Implications:**

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

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

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

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

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

<b>OFFICER'S RECOMMENDATION:</b>	<b>10.1</b>
That Council Accepts:  1. The Governance Compliance Calendar report for May 2021.  2. The Execution of Delegation report for May 2021.	

## 10. REPORTS OF OFFICERS

### Executive Services

#### 10.2. Shire of Three Springs Community Fund Assessment Committee

Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	23 June 2021
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	15 June, 2021 Shire of Three Springs Community Fund Assessment Committee Minutes.

#### Council Role:

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

#### Report Purpose:

That Council endorses the recommendations from the 15 June 2021 Shire of Three Springs Community Fund Assessment Committee meeting as per the attached Committee minutes.

#### Background:

1. On 15 June 2021, the Shire of Three Springs Community Fund Assessment Committee elected Cr. Ennor to the position of Presiding Member and Cr. Eva to the position of Deputy Presiding Member.
2. The Committee assessed four grant submissions against the Community Fund Guidelines, and the Committee recommends to Council that submission two, three and four are approved, and submission one is not approved.

1. Three Springs Primary School
2. Three Springs Wildflower Show and Art Exhibition
3. Three Springs Visitors Centre
4. Three Springs Golf Club

**Officer's Comment:**

As per the attached minutes.

**Consultation:**

Committee of Council, Community Fund Assessment Committee.

**Statutory Environment:**

Local Government Act 1995, Part 5, Division 2, Subdivision 2, Section 5.8.

Local Government (Administration) Regulation 1996, Part 2.

**Policy Implications:**

Nil

**Financial/Resources Implications:**

	Request	Approved
Three Springs Primary School	\$3,000.00	\$0
Three Springs Wildflower Show and Art Exhibition	\$1,350.00	\$1,350.00
Three Springs Visitors Centre	\$1,207.92	\$1,207.92
Three Springs Golf Club	\$2,482.00	\$2,482.00
	<b>\$8,039.92</b>	<b>\$5,039.92</b>

**Strategic Implications:**

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
4. 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 Council's Corporate Business Plan 2020-2024.

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

**Voting Requirements:**

Simple Majority

**Officer's Recommendation:**



**OFFICER'S RECOMMENDATION:****10.2**

That Council endorses the Shire of Three Springs Community Fund Assessment Committee recommendations:

Submissions Approved:

- Three Springs Wildflower Show and Art Exhibition      \$1,350.00
- Three Springs Visitors Centre      \$1,207.92
- Three Springs Golf Club      \$2,482.00

Submission not Approved:

- Three Springs Primary School      \$0

## 10. REPORTS OF OFFICERS

Executive Services	
<b>10.3. Rescind Policy and Adopt new Policy</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	23 June 2021
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	<ul style="list-style-type: none"><li>• New Management Policy-2021 Employee Code of Conduct.</li><li>• New Council Policy-Acting and Temporary CEO.</li><li>• New Council Policy-Councillor Development.</li></ul>

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### 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).

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### Report Purpose:

That Council:

1. Rescind Policy 03 *Code of Conduct for Employees and Council*.
2. Adopt new policy *Acting and Temporary CEO*.
3. Adopt new Policy *Councillor Development*.

### Background:

In local government, new and amended regulations may require local government to adopt new Policy. The policies in this report are required to meet the Shire's statutory requirements.

### **1. Rescind Policy, 03 Code of Conduct for Employees and Council.**

The Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021 (Employee Code Regulations) and the Local Government (Administration) Regulations 1996 prescribes the requirements for the CEO to implement a Code of Conduct for Employees. The code of conduct for employees reflects the local government's standards of behaviour and integrity to all employees. Effective codes that are well communicated and effectively implemented contribute to building and sustaining a culture of integrity and create a transparent and accountable framework within which employees can operate. This new Employee Code of Conduct supersedes the June 2020 Shire of Three Springs Policy 03 Code of Conduct for Council Members and Employees.

The new *Employee Code of Conduct* will be managed as management policy and advertised on the Shire website.

The 24 March 2021 *Code of Conduct Council Members, Committee Members and Candidates* Policy remains.

### **2. Adopt new Policy, Acting and Temporary CEO.**

The Local Government Act 1995, 5.39C prescribes the requirements for the Council to adopt a policy for the temporary employment or appointment of a Chief Executive Officer.

The 2021 Shire of Three Springs, Policy for the *Temporary Employment or Appointment of a Chief Executive Officer* is attached.

### **3. Adopt new Policy, Councillor Development.**

The Local Government Act 1995, 5.128 prescribes the requirements for the Council to adopt a policy for the continued professional development of Council members. This Policy supports compliance with sections 5.127 and 5.128 of the *Local Government Act 1995* (the Act), which require Local Governments to prepare and adopt a policy concerning the continuing professional development of Council members and to provide annual reports on training.

The Shire of Three Springs commitment is to facilitate the continued professional development of Council Members, which enhances their knowledge and develops their skills, thus augmenting the Council's capacity for well-informed decision-making and the provision of good government for our community.

#### **Officer's Comment:**

Nil

#### **Consultation:**

The policies in this report are based on the WALGA model.

#### **Statutory Environment:**

Local Government Act 1995, Part 5, Division 4, section 5.39C

Local Government Act 1995, Part 5, Division 10, section 5.128

Local Government Act 1995, Part 2, Division 2, s.2.7:

## 2.7. Role of Council

- (1) The Council —
  - (a) governs the local government's affairs; and
  - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the Council is to —
  - (a) oversee the allocation of the local government's finances and resources; and
  - (b) determine the local government's policies.

### **Policy Implications:**

New Policy

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

The development budget for each Councillor will be \$5,000.00 per year. Table 1 provides a training cost overview.

Table 1:

## Training Delivery Modes

Description	Fees				
Understanding Local Government	Face-to-Face:	\$240			
	eLearning:	\$195			
	Subscription:	SAT Band 4	SAT Band 3	SAT Band 2	SAT Band 1
		\$750	\$1,750	\$2,000	\$2,500
Conflicts of Interest	Face-to-Face:	\$240			
	eLearning:	\$195			
	Subscription:	SAT Band 4	SAT Band 3	SAT Band 2	SAT Band 1
		\$750	\$1,750	\$2,000	\$2,500
Serving on Council	Face-to-Face:	\$900			
	eLearning:	\$195			
	Subscription:	SAT Band 4	SAT Band 3	SAT Band 2	SAT Band 1
		\$750	\$1,750	\$2,000	\$2,500
Understanding Financial Reports and Budgets	Face-to-Face:	\$475			
	eLearning:	\$195			
	Subscription:	SAT Band 4	SAT Band 3	SAT Band 2	SAT Band 1
		\$750	\$1,750	\$2,000	\$2,500
Meeting Procedures	Face-to-Face:	\$475			
	eLearning:	\$195			
	Subscription:	SAT Band 4	SAT Band 3	SAT Band 2	SAT Band 1
		\$750	\$1,750	\$2,000	\$2,500
Combination Training Packages					
3 Face-to-Face courses and 2 eLearning courses		\$2,240 per Elected Member			
All 5 eLearning courses		\$975 per Elected Member			
All 5 Face-to-Face courses		\$2,330 per Elected Member			
Regional Onsite Delivery (Face-to-Face)					
Understanding Local Government		\$2,000 (half day)			
Conflicts of Interest		\$2,000 (half day)			
Serving on Council		\$7,900 (two days)			
Understanding Financial Reports and Budgets		\$4,000 (full day)			
Meeting Procedures		\$4,000 (full day)			

## eLearning Subscriptions

An eLearning Subscription empowers your Local Government to deliver WALGA eLearning courses to an unlimited number of participants within your yearly subscription period. How you deliver this content is up to you.

SAT Band Pricing Structure				
No. of Courses	SAT Band 4	SAT Band 3	SAT Band 2	SAT Band 1
1	\$750	\$1,750	\$2,000	\$2,500
2	\$1,750	\$2,750	\$3,500	\$4,000
3	\$2,500	\$3,500	\$4,500	\$5,250
4	\$3,250	\$4,250	\$5,250	\$6,500
5	\$4,000	\$5,000	\$6,000	\$7,000
5+	Contact WALGA for a customised Quote			

### Strategic Implications:

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

### Strategic Community Plan 2018-2028

Council Objectives:	Outcome:
4. A long term strategically focused Shire that is efficient, respected and	4.3.2 Ensure compliance with all relevant legislation.

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

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

**Voting Requirements:**

Absolute Majority

**Officer's Recommendation:**

OFFICER'S RECOMMENDATION:	10.3
That Council:	
<ol style="list-style-type: none"><li>1. Rescind Policy 03 <i>Code of Conduct for Employees and Council.</i></li><li>2. Adopt new Policy <i>Acting and Temporary Chief Executive Officer.</i></li><li>3. Adopt new Policy <i>Councillor Development.</i></li></ol>	

## 10. REPORTS OF OFFICERS

Executive Services	
<b>10.4. Local Laws</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	23 June 2021
Author:	Keith Woodward
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 resolves that the Health Local Law 1998 remains without modification and no further action is required.

### Background:

At the March 2021 Council Meeting, the following resolution was passed.

<b>013/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.2</b>
<p style="text-align: right;"><b><u>MOVED: Cr. Eva</u></b> <b><u>SECONDED: Cr. Ennor</u></b></p> <p><i>That Council authorises the commencement of the Local Law review and gives public notice.</i></p> <p style="text-align: right;"><b><u>CARRIED:</u></b> <b><u>VOTED: 6/0</u></b></p>

### Officer's Comment:

The Department of Local Government register of all local laws establishes that the Shire has one local law; The Health Local Law 1998.

#### Local laws register

A register of all local laws in Western Australia.

#### Local laws

Found 1 local laws

##### Health Local Laws 1998

Local Government: Three Springs, Shire of

Date: 27-5-1999

Page: 2089/134

#### Search

Local Law

#### Filter

Gazette date between

and

Local government

Three Springs, Shire of

Is repealed

No

### Consultation:

Local Law Advertisement was advertised in the West Australian on Thursday, 1 April 2021. It was also advertised on the Shire website and Notice Board on 1 April 2021, and the close submission date was 13 May 2021 @ 4 pm.



#### PROPOSED 8 YEAR REVIEW OF LOCAL LAWS

Pursuant to section 3:16 of the Local Government Act 1995, the Shire of Three Springs proposes to commence the 8-year review process to consider if the local law should be repealed, left as is, or amended.

The following Local Law is up for review and community comment on prospective changes is requested:

- Health Local Law 1998

The purpose of this local law is:

To provide a statutory means of effectively controlling issues which have the potential to adversely impact on the health and well-being of the community.

A copy of the Local Law can be found on the Shire of Three Springs website or can be inspected or obtained at the Shire of Three Springs Administration Office.

Submissions regarding the Local Law may be made to the Shire prior to 4pm, 13 May 2021.

All submissions should be made in writing to:

**Keith Woodward PSM**  
Chief Executive Officer  
132 Railway Road  
PO Box 11  
THREE SPRINGS 6519  
Ph.: 08 9954 1001  
Email: [general@threesprings.wa.gov.au](mailto:general@threesprings.wa.gov.au)



**Statutory Environment:**

Local Government Act 1995, Part 3, Division 2, s3.16.

**3.16. Periodic review of local laws**

- (1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*
- (2) *The local government is to give local public notice stating that —*
  - (a) the local government proposes to review the local law; and*
  - (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and*
  - (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its Council.*
- (4) *When its Council has considered the report, the local government may determine\* whether or not it considers that the local law should be repealed or amended.*

**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:
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 Council's approved Corporate Business Plan 2020 – 2024.

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Maintain, review and ensure the relevance of Council policies and local laws.	Seek a high level of legislative compliance and effective internal controls.

**Voting Requirements:**

Absolute Majority.

**Officer's Recommendation:**

<b>OFFICER'S RECOMMENDATION:</b>	<b>10.4</b>
That Council resolves that the Health Local Law 1998 remains without modification and no further action is required.	

## 10. REPORTS OF OFFICERS

Executive Services	
<b>10.5. Proposed Outbuilding Extension</b>	
Agenda Reference:	A646
Location/Address:	26 (Lot 15) Touche Street, Three Springs
Name of Applicant:	C & K Dennis
File Reference:	A646
Disclosure of Interest:	Nil
Date:	23 June 2021
Author:	Simon Lancaster, Planning Advisor, & Keith Woodward, Chief Executive Officer
Attachment:	Attachment 10.5

### Council Role:

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

### Report Purpose:

Council is in receipt of an application to extend an existing shed upon 26 (Lot 15) Touche Street, Three Springs with an open sided ('lean-to') extension to the rear. This report recommends that Council approve the application.

### Background:

Lot 15 is a 2,408m<sup>2</sup> property in the Three Springs townsite on the eastern side of Touche Street that contains a residence and outbuilding.

The applicant is seeking to extend the existing 90m<sup>2</sup> enclosed shed upon Lot 15 with a further 90m<sup>2</sup> lean-to at the rear taking the total outbuilding area to 180m<sup>2</sup>. The lean-to would have the same 'Dune' colour roof sheeting as the existing outbuilding and would necessitate the removal of a patio at the rear of the residence to accommodate it.

The proposed lean-to would have a wall height of 3.3m and a total gable height of 4.175m to match the existing shed and the applicant has advised that the *"shed is to be constructed from the exact same materials as the existing structure. As we are 1m from fence line, all stormwater is to be retained onsite"*.

As the application exceeds an area of 80m<sup>2</sup> it is unable to be approved by Shire staff under delegated authority pursuant to the Shire of Three Springs 'Outbuildings' Local Planning Policy and is instead required to be presented to Council for its consideration.

A copy of the received application, inclusive of site, floor and elevation plans has been provided as **Attachment 10.5** for Council's consideration.

**Figure 10.5(a) – Location Plan for 26 (Lot 15) Touche Street, Three Springs**



**Figure 10.5(b) – Aerial Photo of 26 (Lot 15) Touche Street, Three Springs**





**Officer's Comment:**

It is considered that the proposed outbuilding extension, being to the rear of the existing outbuilding would not unduly impact the streetscape, and would improve it by enabling the landowner to store items undercover to rear.

**Figure 10.5(c) – View of 26 (Lot 15) Touche Street looking west from the road**



**Figure 10.5(d) – View of site for lean-to extension to shed (patio to be demolished)**



It is not uncommon for larger outbuildings to be approved in Midwest townsites to cater for residents who may own, and seek to store securely and out of the elements, larger items typically associated with rural/regional living such as 4WD's, trailers, caravans, campervans, boats, craypots, ride-on mowers, motor/quadbikes, horse floats and stock keeping/feeding items.

This can become an issue when the scale of the outbuilding then makes it attractive to a landowner, or subsequent landowner, to operate a business from, or park trucks/machinery in, that leads to noise and other emissions that impact the amenity of an area.

For this reason Council policy establishes an outbuilding size limit under which Shire staff have delegated authority. Applications in excess of the policy requirements, such as this one, are presented to a meeting of Council for consideration on merit.

It is recommended that in the event that Council considers that the application should be approved that following conditions be applied:

*"Any additions to or change of use of any part of the buildings or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition."*

*"The outbuilding is only to be used for general storage purposes associated with the predominant use of the land and must not be used for habitation, industrial or commercial purposes. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise."*

**Consultation:**

Council may, pursuant to its 'Outbuildings' Local Planning Policy, deem that this application should be advertised to surrounding landowners inviting comment, prior to

the application, and any received submissions, being returned to a future meeting of Council for consideration.

### **Statutory Environment:**

26 (Lot 15) Touche Street is zoned 'Residential R10' under the Shire of Three Springs Local Planning Scheme No.2 ('the Scheme').

The objectives listed in Table 2 of the Scheme for the 'Residential' zone are as follows:

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

### **Policy Implications:**

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

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

*"Outbuildings within the Residential zone shall;*

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

*The following maximum standards apply to outbuildings:*

*Table 1 - Site Layout Requirements*

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

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



The application is seeking to extend the existing 90m<sup>2</sup> enclosed shed upon Lot 15 with a further 90m<sup>2</sup> lean-to at the rear taking the total outbuilding area to 180m<sup>2</sup>, this would exceed the 80m<sup>2</sup> policy requirement under which Shire staff have delegated authority, hence the presentation of this application to Council for determination.

The proposed shed extension, proposing a 3.3m post height and 4.175m overall height, meets with the Policy's height requirements that establish a maximum 4m wall height and 5 overall height in the 'Residential' zone.

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

**Financial/Resources Implications:**

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

**Strategic Implications:**

The Three Springs Townsite Strategy (2014) identifies Lot 15 Touche Street as being within 'Precinct 2 – Residential East' and the application would meet with the following:

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

The Strategy also notes in Section 4.1.4 'Architectural Style' the following:

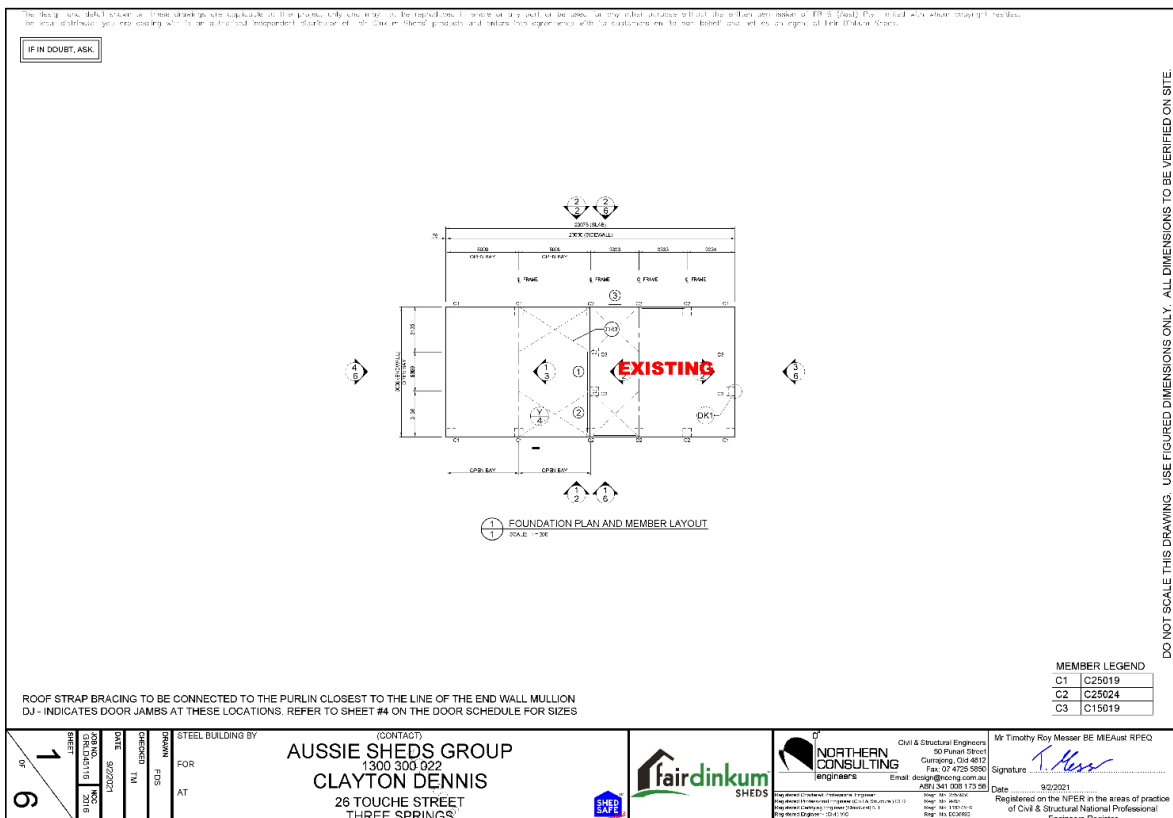
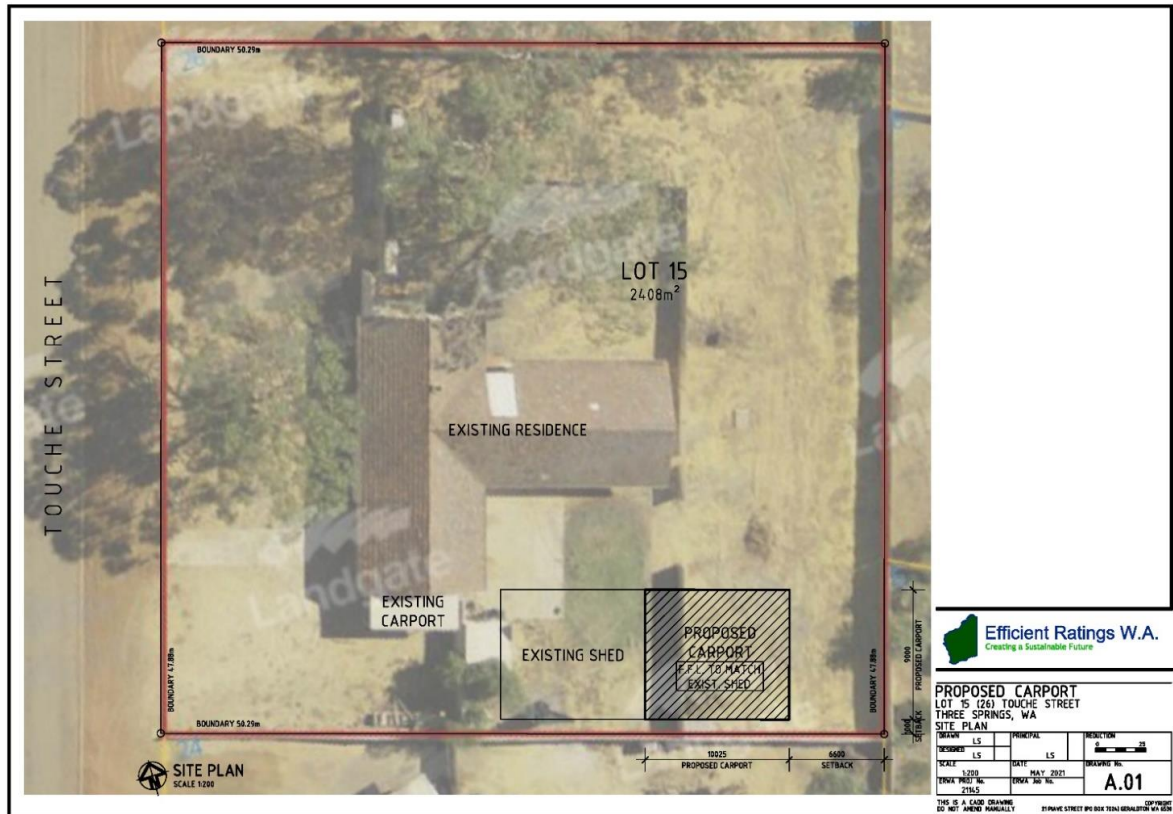
*"Present day residential development is largely characterised by houses that are constructed of weatherboard, corrugated iron and/or colorbond sheeting. Some newer homes have returned to passive climate responses typical of earlier housing and incorporate eaves and verandahs into the design detail. In keeping with the rural nature of the community many homes have larger sheds and outbuildings, rainwater tanks and other modern improvements." (page 21).*



**Voting Requirements:**  
Simple Majority.

<b>OFFICERS RECOMMENDATION:</b>	<b>10.5</b>
<p>That Council grant formal planning approval for the proposed outbuilding extension upon 26 (Lot 15) Touche Street, Three Springs subject to compliance with the following:</p> <p>Conditions:</p> <ol style="list-style-type: none"><li>1 Development shall be in accordance with plans included within Attachment 10.2 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.</li><li>2 Any additions to or change of use of any part of the buildings or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.</li><li>3 The outbuilding extension shall utilise colours and materials that are complementary to the existing outbuilding upon the property to the approval of the local government.</li><li>4 The outbuilding is only to be used for general storage purposes associated with the predominant use of the land and must not be used for habitation, industrial or commercial purposes. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.</li><li>5 All stormwater is to be disposed of on-site to the approval of the local government.</li></ol> <p>Notes:</p> <p>Should the applicant be aggrieved by this determination there is a right (pursuant to the <i>Planning and Development Act 2005</i>) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.</p>	

# ATTACHMENT 10.5



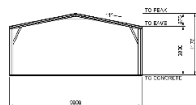
The design is not a full structural design and is not intended to be used as such. It is intended to be used as a guide only and is not intended to be used as a basis for any other design or construction. The design is not intended to be used as a basis for any other design or construction. The design is not intended to be used as a basis for any other design or construction.



1 SIDEWALL EXTERIOR ELEVATION  
SCALE: 1:50



2 SIDEWALL EXTERIOR ELEVATION  
SCALE: 1:50



4 ENDWALL EXTERIOR ELEVATION  
SCALE: 1:50



3 ENDWALL EXTERIOR ELEVATION  
SCALE: 1:50

NO.	DESCRIPTION	QUANTITY	UNIT
1	STEEL BUILDING	1	EA
2	STEEL BUILDING	1	EA
3	STEEL BUILDING	1	EA
4	STEEL BUILDING	1	EA
5	STEEL BUILDING	1	EA
6	STEEL BUILDING	1	EA
7	STEEL BUILDING	1	EA
8	STEEL BUILDING	1	EA
9	STEEL BUILDING	1	EA
10	STEEL BUILDING	1	EA

STEEL BUILDING BY (CONTACT)

**AUSSIE SHEDS GROUP**  
1300 300 022  
**CLAYTON DENNIS**  
26 TOUCHE STREET  
THREE SPRINGS

FOR AT

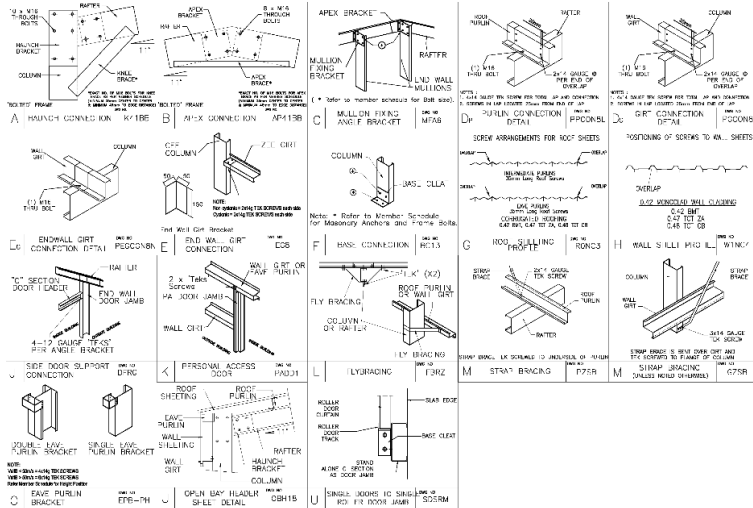
**SHEDSAFE**

CHIL & STRUCTURAL ENGINEERS  
NORTHERN CONSULTING  
Engineers  
30 Punt Road  
Curling, VIC 3087  
Tel: 07 4725 5850  
Fax: 07 4725 5850  
Email: design@northernconsulting.com.au  
ABN: 541 008 173 560

Mr Timothy Roy Messer BE MEAust RPEQ  
Signature: *T. Messer*  
Date: 9/2/2021

Registered on the NPER in the areas of practice of Civil & Structural National Professional Engineers Register

The design is not a full structural design and is not intended to be used as such. It is intended to be used as a guide only and is not intended to be used as a basis for any other design or construction. The design is not intended to be used as a basis for any other design or construction. The design is not intended to be used as a basis for any other design or construction.



MEMBER AND MATERIAL SCHEDULE	
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STEEL BUILDING BY (CONTACT)

**AUSSIE SHEDS GROUP**  
1300 300 022  
**CLAYTON DENNIS**  
26 TOUCHE STREET  
THREE SPRINGS

FOR AT

**SHEDSAFE**

CHIL & STRUCTURAL ENGINEERS  
NORTHERN CONSULTING  
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Date: 9/2/2021

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## 10. REPORTS OF OFFICERS

### Works and Services

#### 10.6. Capital Works Progress Update 2020-2021

Agenda Reference:	MWS
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	23 May 2021
Author:	Marc Bennett, Manager of Works and Services
Attachment (s):	Capital Works Report 2020-21

#### Council Role:

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

#### Report Purpose:

That Council accepts the Capital Works Report for May 2021.

#### Background:

This report provides Council with the 2020-2021 Capital Works progress update.

#### Officers Comment:

Refer to the attached status report.

#### Consultation:

Nil

#### Statutory Environment:

Nil

#### Policy Implications:

Purchasing Policy 3007.1

**Financial/Resources Implications:**

Shire of Three Springs Adopted Budget 2020-2021

**Strategic Implications:**

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

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

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

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

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

<b>OFFICER'S RECOMMENDATION:</b>	<b>10.6</b>
That Council accepts the Capital Works Report for May 2021.	

## 10. REPORTS OF OFFICERS

Corporate Services	
10.7. Report Title Fees and Charges 2021-22	
Agenda Reference:	
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	23 June 2021
Author:	Rajinder Sunner, Deputy Chief Executive Officer
Attachment (s):	10.7 Fees and Charges Schedule 2021-2022

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### 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).

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### Report Purpose:

That Council approves the Schedule of Fees and Charges for the Shire for 2021-2022 financial year.

### Background:

The Fees and Charges Schedule has been reviewed in consultation with staff providing relevant services to the community and ensuring appropriate levels of income are generated to the Shire whilst encouraging community usage of the shire properties and facilities.

Fees and Charges schedule reviewed with comparison to previous years and Some Fees and charges are increased and new fees and charges are proposed for 2021/2022.

### Rates:

Late Payment Penalty Interest	7.00%	LGA 6.13
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Instalment Interest	5.50%	LGA 6.45
Install Admin Fees	\$12.00	LGA 6.45
Enquiry/Orders/Requisition Fee	\$99.00	Council
Special arrangement (Rate Payment)	\$22.00	Council

**Animal Breeding License:**

Approved Cat Breeder – Annual Fees Council	\$100.00	Cat Regs 2012 –
Kennel Registration – Annual Fees Council	\$200.00	Dog Act 1976 –

**Cat Registration Fees (set by Cat Act) – Increase by \$50.00:**

Cat Traps – Refundable Bond	\$100.00	Cat Regs 2012
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**Refuse Charges – Increase by \$50.00:**

240 Litres Bin Collections ACT	\$ 270.00	Council – WARR
1500 Litres Bin Collections ACT	\$1,135.00	Council – WARR
3000 Litres Bin Collections ACT	\$1,985.00	Council – WARR
Asbestos Waste – per cubic meter	\$ 200.00	
Demolition rubble – per cubic meter	\$ 200.00	

**Trading in Public Places {TIPP}:**

Hawkers Fees	\$10.00	per day
TIPP – rate per square meter	\$0.60	per day
TIPP – Power	\$10.00	per day

**Gym Fees – Individual Gym Membership:**

<b>Annual Membership - Includes 20% Discount</b>	<b>\$192.00</b>
Annual Membership {Concessional **}	\$120.00
<b>6 Months Membership - Includes 20% Discount</b>	<b>\$108.00</b>
6 Months Membership {Concessional **}	\$ 60.00
<b>3 Months Membership - Includes 20% Discount</b>	<b>\$48.00</b>
3 Months Membership {Concessional **}	\$30.00
<b>1 Months Membership</b>	<b>\$20.00</b>
1 Months Membership {Concessional **}	\$10.00

Weekly Membership	\$ 5.00
Gym Key Bond (Cash Only)	\$30.00

\*\* Concessional fees is only applicable on sighting of a valid Health Care Card by Shire Staffs.

\*\* Access is restricted to adults 18 years and older.

#### **Officer's Comment:**

Generally pricing for these charges are set below the financial cost of providing the service as there is an expected community service obligation for the provision of community / recreation services. In these instances fees received are expected to make minimal contribution towards the total cost of the service provision, with the balance being met from general rates revenue.

#### **Consultation:**

Chief Executive Officer, Senior Finance Officer.

#### **Statutory Environment:**

Local Government Act 1995, Local Government (Finance) Regulations 1996

### **Section 6.16. Imposition of fees and charges**

*(1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed. \* Absolute majority required.*

*(2) A fee or charge may be imposed for the following —*

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) supplying a service or carrying out work at the request of a person;*
- (c) subject to section 5.94, providing information from local government records;*
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) supplying goods;*
- (f) such other service as may be prescribed.*

*(3) Fees and charges are to be imposed when adopting the annual budget but may be —*

- (a) imposed\* during a financial year; and*
- (b) amended\* from time to time during a financial year.*

*\* Absolute majority required.*

*6.19. Local government to give notice of fees and charges If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —*

- (a) its intention to do so; and*
- (b) the date from which it is proposed the fees or charges will be imposed."*

#### **Policy Implications:**

Nil

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

The proposed interest and instalment fees as well other fees and charges will have a positive impact on the 2021/22 Budget. Revenue from fees and charges are less than 2% of overall revenue.



**Strategic Implications:**

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

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

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

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

**Voting Requirements:**

Absolute Majority

**Officer's Recommendation:**

<b>OFFICERS RECOMMENDATION:</b>	<b>10.7</b>
That Council approves:  <ol style="list-style-type: none"><li>1. The attached Schedule of Fees and Charges for the 2021-2022 financial year, to become effective from 1 July 2021.</li><li>2. Local public notice be given in accordance with Section 6.19 of the Local Government Act 1995.</li></ol>	

## 10. REPORTS OF OFFICERS

Corporate Services	
<b>10.8 Financial Statement for Period 31 May 2021</b>	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	23 June 2021
Author:	Rajinder Sunner, Deputy Chief Executive Officer
Attachment (s):	10.8 Monthly Financial Report 31 May 2021

### 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 May 2021.

### Background:

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

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

**Officer's Comment:**

Refer to Financial/Resources Implications.

**Consultation:**

Nil

**Statutory Environment:**

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

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

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

(1A) *In this regulation —*

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

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

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
- (b) budget estimates to the end of the month to which the statement relates; and*
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) the net current assets at the end of the month to which the statement relates.*

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

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
- (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and*
- (c) such other supporting information as is considered relevant by the local government.*

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

- (a) according to nature and type classification; or*
- (b) by program; or*
- (c) by business unit.*

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

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

#### **Policy Implications:**

Nil

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

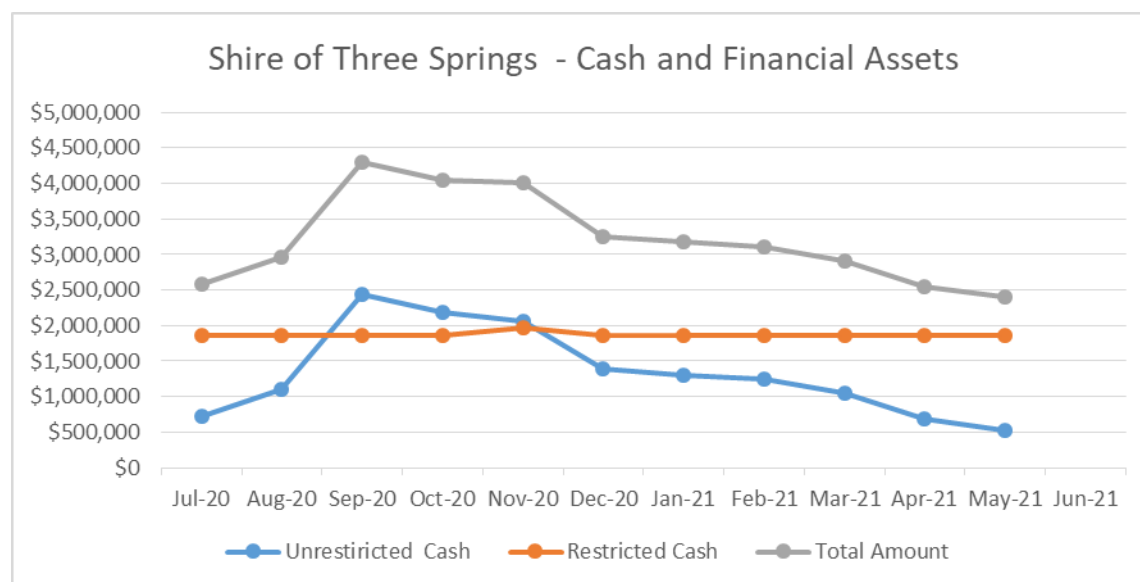
Total Cash Available as at 31 May 2021 is \$2,399,407. Cash available is made up of Unrestricted cash \$531,630 and Restricted cash \$1,867,418 backed by various reserves. Reserve funds are invested in term deposit with NAB expiring on 28 June 2021 attracting interest of 0.22%.

Rates Debtors as at 31 May 2021 \$86,162. We have collected 96.24% of our outstanding Rates as at 31 May 2021.

Operating revenue as at 31 May 2021 is \$3,305,999. The breakdown of the Operating revenue; Rates 64%, Operating grants subsidies and contributions 26%, Fees and Charges 7% and Other revenue 3%.

Operating expenses as at 31 May 2021 is \$4,648,015. The breakdown of the Operating expenses; Employee Costs 30%, Materials and Contracts 24%, Depreciation 36%, Insurance Expense 4%, Utility Charges 4% and Others 2%.

#### **Cash and Financial Assets for 2020-21**



#### **Strategic Implications:**

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

**Strategic Implications:**

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

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

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

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

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

<b>OFFICER'S RECOMMENDATION:</b>	<b>10.8</b>
That Council accepts the monthly financial report for the period ending 31 May 2021.	

## 10. REPORTS OF OFFICERS

Corporate Services	
<b>10.9 Accounts for Payments as at 31 May 2021</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	23 June 2021
Author:	Kate O'Donnell, Relief Finance and Payroll Officer
Attachment (s):	List of creditors paid as at 31 May 2021

### Council Role:

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

### Report Purpose:

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

### Background:

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

### Officer's Comment:

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

**Consultation:**

Nil

**Statutory Environment:**

Local Government Act 1995 Section 6.4.

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

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

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

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

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

**Policy Implications:**

Nil

**Financial/Resources Implications:**

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

**Strategic Implications:**

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

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

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

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

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

<b>OFFICER'S RECOMMENDATION:</b>	<b>10.9</b>
<p>That Council accepts:</p> <ol style="list-style-type: none"><li>1. The accounts for payment as presented for May 2021 from the Municipal Fund totalling \$386,863.53. Represented by Electronic Fund Transfers No's 17058 - 17144, Cheque No. NIL and Direct Debits 12923.1– 12991.1</li><li>2. Licensing Fund totalling \$5,770.65. Represented by Direct Debit No. 12994.1.</li><li>3. Total Payments for May 2021 \$392,634.18.</li></ol>	



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

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

12.1. ELECTED MEMBERS

12.2. STAFF

**13. QUESTIONS BY MEMBERS WITHOUT NOTICE**

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

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

The Next Ordinary Council Meeting will be held on Wednesday 28 July @ 5pm.

**16. CONFIDENTIAL ITEMS**

**17. MEETING CLOSURE**