



MINUTES
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY
28 AUGUST 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

☐ Committee

☐ Employee

☐ Contractor

Member

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

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

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

Name: _____ Signed: _____ Date: _____

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

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

OFFICE USE ONLY

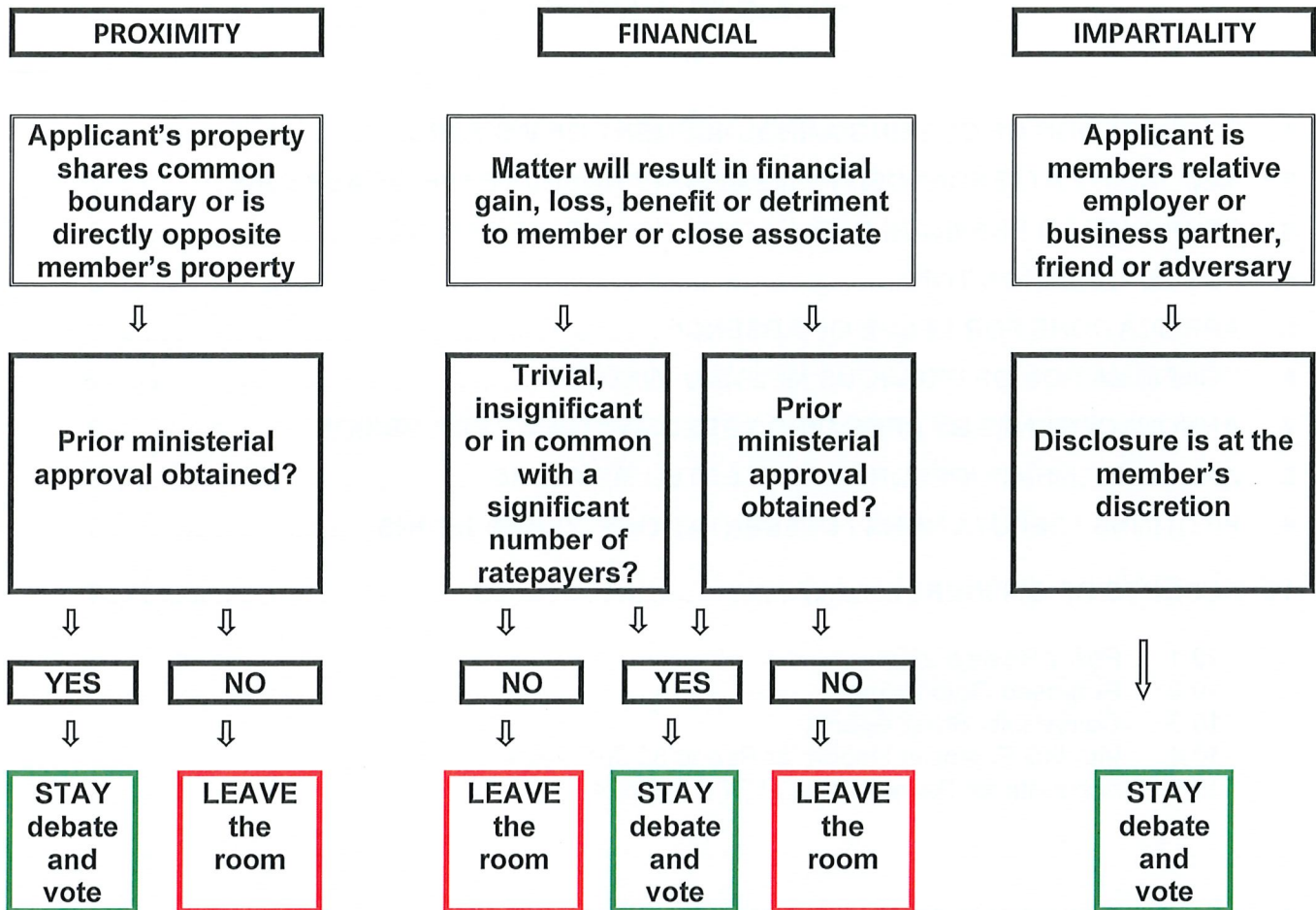
CEO

Signed:

Date:

:

Declaring an Interest



Local Government Act 1995 - Extract

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

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

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

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

5.71 - Employees to disclose interests relating to delegated functions.

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

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

'Local Government (Administration) Regulations 1996 – Extract

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

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

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AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 5.38pm

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	Present		
Councillor Mutter	Present		
Councillor Ennor	Present		
Councillor Connaughton	Present		
Councillor Mills	Present		
Chief Executive Officer	Present		
Deputy Chief Executive Officer	Present		
Manager of Infrastructure	Present		
Community Development Officer	Present		
Executive Secretary	Present		

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

	Councillor	OCM Month	Moved	Seconded	Vote	Date
5.1	Cr. Mills	September	Cr. Ennor	Cr. Eva	7/0	26.09.24
5.2	Cr. Mutter	September	Cr. Connaughton	Cr. Eva	7/0	26.09.24

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	Ordinary Council Meeting	24.07.2024	Cr. Lane	Cr. Mutter	7/0
6.2	Special Council Meeting	15.08.2024	Cr. Mutter	Cr. Heal	7/0

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.

The Shire President acknowledged the recent passing of former long-term resident Mrs. Margery (Marge) Thomas.

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

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activity
Cr. Lane	16 July – SCM 17 July – NAIDOC Day @ Morawa Meeting with Hon Hannah Beazley MLA 24 July – OCM Regular catch ups with the CEO
Cr. Eva	16 July - SCM 24 July - OCM
Cr. Heal	16 July - SCM
Cr. Mutter	
Cr. Ennor	16 July - SCM 24 July - OCM
Cr. Connaughton	16 July - SCM 24 July - OCM
Cr. Mills	16 July - SCM 24 July - OCM

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10. REPORTS OF OFFICERS

Executive Services	
10.1. Council Policy Review 2024	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0200
Disclosure of Interest:	Nil
Date:	28 August 2024
Author:	Chief Executive Officer - Keith Woodward
Attachment (s):	Council Policy Manual 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:

The Council adopts the Council Policy Manual August 2024.

Background:

The Chief Executive Officer initiated a review of the Council Policy Manual in June 2024. The primary goal of this review was to streamline the policy structure and enhance the administrative efficiency of the Shire. The draft manual was circulated among Council members and Shire staff for feedback. Suggestions for improvement were integrated into the final draft, resulting in a document that better aligns with community expectations, statutory requirements, and operational needs.

The Council Policy Manual serves the following key objectives:

1. Provide a formal written record of all Council policy decisions.
2. Offer staff clear and precise guidelines to act in line with the Council's direction.
3. Enable staff to act promptly without needing continual reference to the Council.

4. Assist Councillors in addressing enquiries from electors independently.
5. Ensure policies are continually reviewed to meet evolving community standards and statutory requirements.
6. Offer ratepayers immediate access to Council policies.

Officer's Comment:

Reviewing the Council Policy Manual reflects a commitment to maintaining a structured and transparent approach to policy development and implementation. The updated manual will assist in improving operational efficiency, ensuring compliance with legislative requirements, and providing clear guidelines for staff and Councillors. By adopting the revised manual, the Shire will continue to deliver equitable, transparent, and effective governance aligned with community needs and expectations.

The following table overviews the key changes made during the review of the Council Policy Manual.

Council Policies	Policy Title	Comments
Policy No. 1.1	Council Policy Management	No Changes to the Policy.
Policy No. 1.2	Audit Committee – Terms of Reference	Retitled Audit and Risk Committee
Policy No. 1.3	Code of Conduct	Policy deleted. The Policy was replaced/superseded by Policy 2.19, the Legislative Code of Conduct for Council Members, Committee Members, and Candidates Policy.
Policy No. 1.4	Investment of Surplus Funds	No Changes to the Policy.
Policy No. 1.5	Procurement Policy	Section (2) Purchasing Value Threshold. \$5,000 increase to \$7,500 one quote and two quotes increase from \$5001 to \$7,501. Section 1.4.4 (g) rewritten.
Policy No. 1.6	Regional Price Preference	1.6.5 added the words, Northern Country Zone. Inserted an Example of the RPP calculations.
Policy No. 1.7	Official Communications	No Changes to the Policy.
Policy No. 1.8	Complaints Management Policy	No Changes to the Policy.
Policy No. 1.9	CEO performance review	No Changes to the Policy.
Policy No. 1.10	Covid-19 Financial Hardship	Policy deleted.
Policy No. 1.11	Public Interest Disclosure	Added the word Whistle Blower
Policy No. 1.12	Public Question Time at Council Meetings	No Changes to the Policy.
Policy No. 1.13	Legal Representation and Costs Indemnification	No Changes to the Policy.
Policy No. 1.14	Information Technology and Social Media	No Changes to the Policy.
Policy No. 1.15	Execution of Documents	No Changes to the Policy.
Policy No. 1.16	Corporate Credit Cards	Section 3. removed the review period. The Policy is reviewed every two years.
Policy No. 1.17	Record Keeping	No Changes to the Policy.
Policy No. 1.18	Civic Receptions, Functions and Provision of Food and Refreshments	Added Strategic Briefing/Network Forum. Removed the word Christmas Function and added the word Councillor.
Policy No. 1.19	Council Briefing and Networking Forum	Change the Policy title to Council Strategic Briefing / Network Forum. Section 1. removed the reference to monthly. Section 1.2. removed.
Policy No. 1.20	Related Parties	No Changes to the Policy.
Policy No. 1.21	Tourism	Fixed spelling.
Policy No. 1.22	Stallholders and Traders Permits in	Inserted Note regarding stall holder and trader.

	Thoroughfares	
Policy No. 2.1	Freedom of Information Statement	Removed Policy: this statutory function is reported to the Council annually.
Policy No. 2.2	Corporate Governance Charter	No Changes to the Policy.
Policy No. 2.3	Recognition of Council Member's Service	New replacement policy
Policy No. 2.4	Display of National and other flags	No Changes to the Policy.
Policy No. 2.5	Use of Crest and Logo	No Changes to the Policy.
Policy No. 2.6	Risk Management	No Changes to the Policy.
Policy No. 2.7	Fraud and Corruption Prevention	No Changes to the Policy.
Policy No. 2.8	Community Small Grants Fund	New replacement policy
Policy No. 2.9	Council Member Continuing Professional Development	No Changes to the Policy.
Policy No. 2.10	Deputy CEO Communicating with Shire President	No Changes to the Policy.
Policy No. 2.11	Council member Allowances, Expenses and Entitlements	Section 1 inserted % to allowances and new terminology.
Policy No. 2.12	Voluntary Emergency Services Leave	Section 2 rewrote terminology.
Policy No. 2.13	Equal Employment Opportunity – Commitment	No Changes to the Policy.
Policy No. 2.14	Sexual Harassment	No Changes to the Policy.
Policy No. 2.15	Employees – Medical and Police Clearance Certificates	Removed Policy. Function of the CEO.
Policy No. 2.16	Employees – Superannuation	No Changes to the Policy.
Policy No. 2.17	Occupational Health and Safety	No Changes to the Policy.
Policy No. 2.18	Council members and Chief Executive Officer - Attendance at Events	No Changes to the Policy.
Policy No. 2.19	Code of Conduct – Council Members, Committee Members and Candidates	Note Policy 1.3.
Policy No. 2.20	Chief Executive Officer Recruitment, Performance and Termination Policy	No Changes to the Policy.
Policy No. 2.21	Appointment of Acting or Temporary Chief Executive Officer	Section ' <i>Remuneration and Conditions of Acting or Temporary CEO</i> ' added reference to 10%.
Policy No. 3.1	Public Consultation	No Changes to the Policy.
Policy No. 3.2	Council Members and Employees – Grievance Policy (Internal)	Removed Policy. Council Members – Rules of Conduct Regulation 2007. Code of Conduct. Employees – Function of the CEO, Management Policy.
Policy No. 3.3	Rate Notices and Debt Recovery	Section 2 removed reference to 2 mandatory payments; the SoTS only offers 4.
Policy No. 3.4	Rates Exemption	No Changes to the Policy.
Policy No. 3.5	Australia Day - Citizenship Award	Removed reference to ' <i>Posthumously</i> '.
Policy No. 3.6	Award of the Title "Honorary Freeman of the Shire of Three Springs	No Changes to the Policy.
Policy No. 3.7	Regulation of Cat Pounds	No Changes to the Policy.
Policy No. 3.8	Closed Circuit TV Systems	New replacement policy.
Policy No. 3.9	Three Springs Aquatic Centre	Section 2 references to age changed. Section 6 references to Health Legislation.
Policy No. 3.10	Recognition of Three Springs Births, Graduates and the Passing of Community Members	No Changes to the Policy.
Policy No. 3.11	Community Crop	No Changes to the Policy.
New Policy	Shire of Three Springs ICT Information Management and Security Policy	
New Policy	LED Community Noticeboard	
Policy No. 4.1	Heavy Vehicles Conditions for use on Shire Roads	To ensure safe road use on the RAV network within the Shire of Three Springs. This Policy applies to haulage users on the RAV Network within the Shire of Three Springs.

Policy No. 4.2	Infrastructure Policy – Asset Management	Ensure that the Shire's services and infrastructure are provided in a sustainable manner, taking into consideration the whole of life costs and ensure the appropriate levels of services are provided to customers in line with Shire's Community Strategic Plan and Corporate Plan.
Policy No. 4.3	Crossovers, Crossings, Gates and Pipes Across Roads	No Changes to the Policy.
Policy No. 4.4	Roadside Vegetation	No Changes to the Policy.
Policy No. 4.5	Lighting Management Policy	No Changes to the Policy.
Policy No. 4.6	Standard Drawings	No Changes to the Policy.
Policy No. 4.7	Outbuildings Local Planning Policy	No Changes to the Policy.

Statutory Environment:

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:

Annual review of Policy

Financial/Resources Implications:

Nil

Strategic Implications:

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

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

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:

Absolute Majority.

Officer's Recommendation:

MOVED: Cr. Mills
SECONDED: Cr. Eva

The Council adopts the Council Policy Manual August 2024.

	FOR	AGAINST
Cr Chris Lane (President)	✓	
Cr Nadine Eva (Deputy President)	✓	
Cr Jim Heal	✓	
Cr Jenny Mutter	✓	
Cr Julia Ennor	✓	
Cr Chris Connaughton	✓	
Cr. Zac Mills	✓	

CARRIED:
VOTED: 7/0
BY ABSOLUTE MAJORITY

10. REPORTS OF OFFICERS

Executive Services	
10.2. Proposed Outbuilding	
Agenda Reference:	A585
Location/Address:	75 (Lot 34) Slaughter Street, Three Springs
Name of Applicant:	A. Conway
File Reference:	A585
Disclosure of Interest:	Nil
Date:	28 August 2024
Author:	Planning Advisor & Chief Executive Officer
Attachment (s):	Attachment 10.2 – Submitted 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 for a shed upon 75 (Lot 34) Slaughter Street, Three Springs. This report recommends that Council approve the application.

Background:

Lot 34 is a 1,012m² property at the southern end of Slaughter Street in the Three Springs townsite.

The property contains a single storey residence with an existing shed in the rear (north-east) corner. The application seeks to demolish the existing shed and construct a new, larger shed in its place

The proposed shed would be 107.35m² in area with a wall height of 3.6m and a total gable height of 4.35m. The shed would be sited 1.5m from the northern side boundary and 4m from the rear boundary and clad in Deep Ocean colorbond wall cladding and Shale Grey roof sheeting.

The application complies with the Shire's requirements pertaining to height, materials and boundary setback, however, as the proposed shed exceeds an area of 80m² 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 **separate Attachment 10.2** for Council's consideration.

Figure 10.2.1 – Location Plan for 75 (Lot 34) Slaughter Street, Three Springs



Figure 10.2.2 – Aerial Photo of 75 (Lot 34) Slaughter Street, Three Springs



Officer's Comment:

It is considered that the proposed outbuilding, being to the rear of the existing residence as viewed from Slaughter Street, and behind an existing 1.8m high colorbond fence as viewed from the rear lane would not unduly impact the streetscape. The larger shed would assist the landowner by providing greater capacity to store items undercover including their caravan.

Figure 10.2.3 – Proposed Shed upon 75 (Lot 34) Slaughter Street, Three Springs

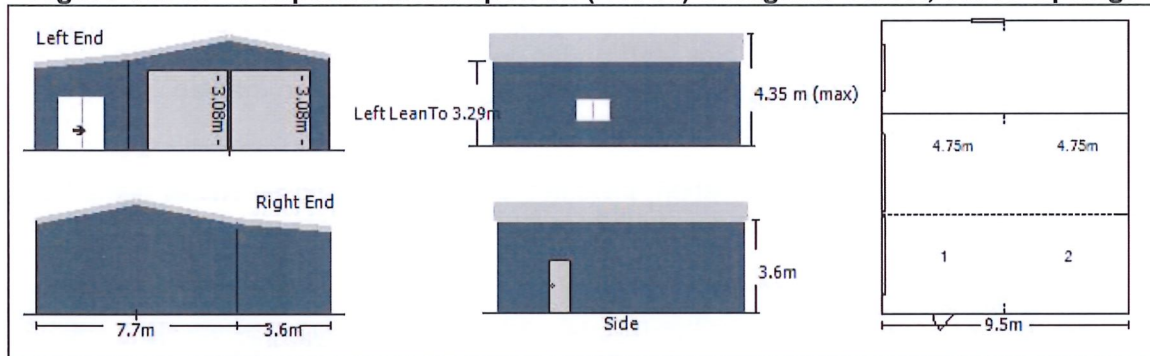


Figure 10.2.4 – View of Lot 34 looking east from Slaughter Street



Figure 10.2.5 – View of Lot 34 looking north-west from rear lane



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, crapyots, 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 established 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, in the event Council considers that the application should be approved, that the 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:

The Shire wrote to the 7 surrounding landowners on 23 July 2024 providing details of the application and inviting comment upon the proposal prior to 9 August 2024. At the conclusion of the advertising period no objections had been received.

Statutory Environment:

75 (Lot 34) Slaughter 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			
Zone	Maximum area	Maximum wall height*	Maximum roof height*
Rural	Exempt from the area and height requirements of this policy		
Rural Residential	240m ²	4.5m	5.5m
Residential & Rural Townsite	80m ²	4m	5m

(* Heights to be measured at natural ground level)”

The application is seeking to construct 107.35m² shed, this would exceed the 80m² 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 wall height of 3.6m and gable height of 4.35m, meets with the policy's height requirements that establish a maximum 4m wall height and 5m 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:

Nil

Strategic Implications:

The Three Springs Townsite Strategy identifies Lot 34 Slaughter 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.	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. P2.11 The development of second-hand transportable dwellings is discouraged. 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. 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. P2.14 Ancillary buildings or outbuildings should generally be located to the rear of allotments.

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

Officer's Recommendation:

MOVED: Cr. Connaughton

SECONDED: Cr. Mutter

That Council grant formal planning approval for the proposed outbuilding upon 75 (Lot 34) Slaughter Street, Three Springs subject to compliance with the following:

Conditions:

- 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.
- 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.
- 3 The walls and roof of the outbuilding must be of materials, finish and colours that are complementary to the existing development upon the property to the satisfaction of the local government.
- 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.
- 5 All stormwater must be contained and disposed of on-site to the satisfaction of the local government.
- 6 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) 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 Chris Lane (President)	✓	
Cr Nadine Eva (Deputy President)	✓	
Cr Jim Heal	✓	
Cr Jenny Mutter	✓	
Cr Julia Ennor	✓	
Cr Chris Connaughton	✓	
Cr Zac Mills	✓	

CARRIED:
VOTED: 7/0

10. REPORTS OF OFFICERS

Executive Services	
10.3. Shire of Three Springs Community Small Grant Program	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Three Springs Football Club
File Reference:	
Disclosure of Interest:	Nil
Date:	28 August 2024
Author:	Raman S Virdi, Community Development Officer
Attachment (s):	Community Small Grant Application – Three Springs Football Club

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 Shire of Three Springs Community Fund Assessment Committee recommendation and approves the Three Springs Football Club request for \$3,000.00 + GST.

Background:

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

Officer's Comment:

The Committee assessed the grant submission against the Community Fund Guidelines, and the Committee recommends to the Council that the Three Springs Football Club submission be approved.

Consultation:

Committee of Council, Community Fund Assessment Committee.

Statutory Environment:

Nil

Policy Implications:

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

Financial/Resources Implications:

Members Donations to Community Groups Balance	\$39,000.00
Three Springs Football Club	-\$3,000.00
Balance	\$36,000.00

Strategic Implications:

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

Strategic Community Plan 2024-2034	
Council Objectives:	Outcome:
4.1 Inclusive and diverse community activities and events.	c. 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:**062/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.3**

MOVED: Cr. Mutter
SECONDED: Cr. Connaughton

That Council endorses the Shire of Three Springs Community Fund Assessment Committee recommendation and approves the Three Springs Football Club request for \$3,000.00 + GST.

	FOR	AGAINST
Cr Chris Lane (President)	✓	
Cr Nadine Eva (Deputy President)	✓	
Cr Jim Heal	✓	
Cr Jenny Mutter	✓	
Cr Julia Ennor	✓	
Cr Chris Connaughton	✓	
Cr Zac Mills	✓	

**CARRIED:
VOTED: 7/0**

10. REPORTS OF OFFICERS

Corporate Services	
10.4. Monthly Financial Report for Periods 31 July 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:	28 August 2024
Author:	Krys East, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 31 July 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 31 July 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:

At the time of writing this report, there were still several outstanding invoices etc. and end of year calculation have yet to be done, so the closing surplus is an estimate only and is subject to change until 2023-2024 year has been audited.

The 2024-2025 Budget was adopted at the Special Council Meeting held on 15 August 2024.

Shire Staff have identified an error in the attached report. Specifically, there is a discrepancy of \$10,580 between the Creditors GL report and the Creditors Aged Trial Balance. This issue appears to be related to a background problem with the accounting software. Our staff are actively working with Ready Tech (formerly IT Vision) to resolve this matter. These matters were reported in July 2024 OCM report and have still not been rectified. The July 2024 report is presented as prepared, to ensure Council remain informed in a timely manner.

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

Consultation:

Nil

Statutory Environment:

The preparation of monthly financial reports is 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 31 July 2024 is \$6,042,303. Cash available comprises Unrestricted cash of \$3,906,000 and Restricted cash of \$2,136,303, primarily made up of various reserves.

Rates Debtors balance as at 31 July 2024 is \$96,144. Rates Notices for 2024-25 will be issued in August 2024.

July 2024:

Operating Revenue – Operating revenue of \$97,845 comprises Rates – 0%, Grants - 100%, Fees and Charges - 0%, Other Revenue - 0% and Interest Earnings – 0%.

Operating Expenses – Operating expenses of \$413,907 are made of Depreciation - 0%, Employee Costs – 47%, Materials and Contracts – 21%, Insurance – 31%, Utilities – 1%, Loss on Disposal of Assets – 0% and Other Expenditure – 0%.

Strategic Implications:

This item is relevant to the Council's approved 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 2024-2034	
Scope Statement:	Project Outputs:
Nil	Nil

Voting Requirements:

Simple Majority.

Officer's Recommendation:

063/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION		10.4																								
<u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Heal That Council accepts the monthly financial report for the period ending 31 July 2024. <table><tr><th></th><th>FOR</th><th>AGAINST</th></tr><tr><td>Cr Chris Lane (President)</td><td>✓</td><td></td></tr><tr><td>Cr Nadine Eva (Deputy President)</td><td>✓</td><td></td></tr><tr><td>Cr Jim Heal</td><td>✓</td><td></td></tr><tr><td>Cr Jenny Mutter</td><td>✓</td><td></td></tr><tr><td>Cr Julia Ennor</td><td>✓</td><td></td></tr><tr><td>Cr Chris Connaughton</td><td>✓</td><td></td></tr><tr><td>Cr Zac Mills</td><td>✓</td><td></td></tr></table> CARRIED: VOTED: 7/0				FOR	AGAINST	Cr Chris Lane (President)	✓		Cr Nadine Eva (Deputy President)	✓		Cr Jim Heal	✓		Cr Jenny Mutter	✓		Cr Julia Ennor	✓		Cr Chris Connaughton	✓		Cr Zac Mills	✓	
	FOR	AGAINST																								
Cr Chris Lane (President)	✓																									
Cr Nadine Eva (Deputy President)	✓																									
Cr Jim Heal	✓																									
Cr Jenny Mutter	✓																									
Cr Julia Ennor	✓																									
Cr Chris Connaughton	✓																									
Cr Zac Mills	✓																									

10. REPORTS OF OFFICERS

Corporate Services

10.5 Accounts for Payments 31 July 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:	28 August 2024
Author:	Jelena Brown, Assistant Finance Officer
Attachment (s):	List of creditors paid as at 31 July 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 the Shire of Three Springs adopted budget 2023-2024.

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:

Simple Majority.

Officer's Recommendation:**064/2024 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.5**

MOVED: Cr. Connaughton

SECONDED: Cr. Mills

That Council accepts:

1. The accounts for payment as presented for *July* 2024 from the CBA Municipal Fund totalling \$532,421.56.
2. Represented by Electronic Fund Transfers No's 19994 - 20102 and Direct Debits 16057.1 – 16067.1, 16084.1 – 16089.1, 16097.1 – 16097.8, 16113.1 – 16115.1, 16125.1 – 16126.1, 16134.1 – 16134.8 and 16145.1 – 16155.1.
3. Licensing Fund totalling \$15,707.85 represented by Direct Debit No. 16068.1 – 16082.1, 16093.1 – 16094.1, 16103.1, 16116.1 – 16118.1, 16129.1 and 16136.1 – 16137.1.

Total Payments for July 2024 \$548,129.41.

	FOR	AGAINST
Cr Chris Lane (President)	✓	
Cr Nadine Eva (Deputy President)	✓	
Cr Jim Heal	✓	
Cr Jenny Mutter	✓	
Cr Julia Ennor	✓	
Cr Chris Connaughton	✓	
Cr Zac Mills	✓	

**CARRIED:
VOTED: 7/0**

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, 25 September 2024 @ 5.30pm.

16. CONFIDENTIAL ITEMS

Nil

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 5.45pm

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

Signed: _____

Presiding Officer

Date: 23 October 2024