



MINUTES FOR
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY
26 MAY 2021
COMMENCING AT 5PM



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

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

To: Chief Executive Officer

☐ Ordinary Council Meeting held
on _____

☐ Special Council Meeting held
on _____

☐ Committee Meeting held on _____

☐ Other _____

Report No _____

Report Title _____

Name _____

☐ Elected
Member

☐ Committee

☐ Employee

☐ Contractor

Type of Interest (*see overleaf for further information)

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

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

Name: _____ Signed: _____ Date: _____

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

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

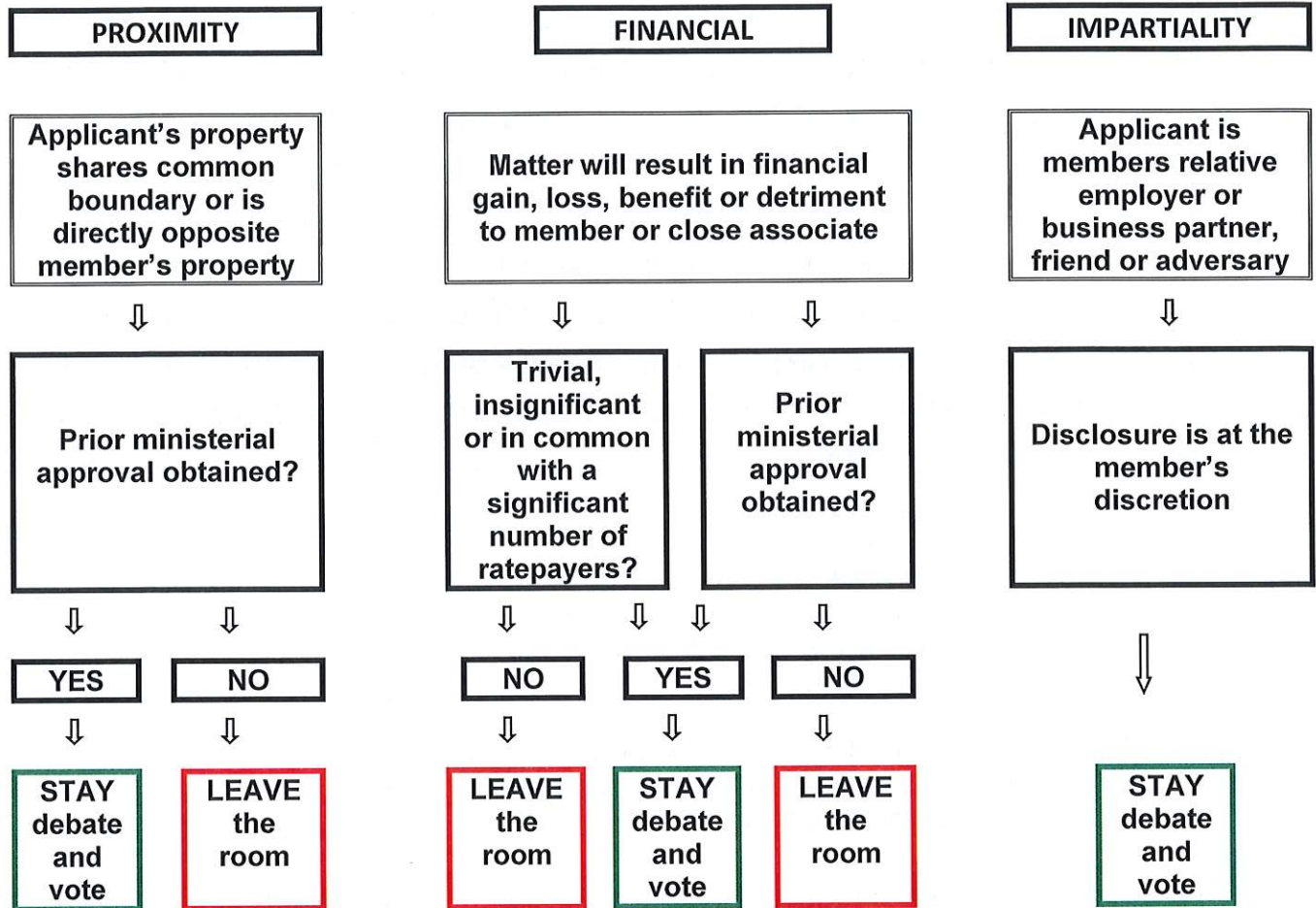
OFFICE USE ONLY

CEO
:

Signed: _____

Date: _____

Declaring an Interest



Local Government Act 1995 - Extract

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

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

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

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

5.71 - Employees to disclose interests relating to delegated functions.

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

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

Local Government (Administration) Regulations 1996 - Extract

In this clause and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996: "Interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

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AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 5.05pm

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	Present		
Councillor Connaughton			28 April 2021
Councillor Heal		Apology	
Councillor Mutter	Present		
Councillor Mills	Present		
Councillor Ennor	Present		
Councillor Eva	Present		
Chief Executive Officer	Present		
Deputy Chief Executive Officer	Present		
Manager of Works & Services	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

		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	28/04/2021	Cr. Lane	Cr. Mutter	5/0

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

President Chris Lane acknowledged the recent passing of Marguerite Dean of Howard Place who had moved back to Three Springs a few years ago. Daughter of the late Marge and Patty Costick and sister of Nereida Costick.

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activity
Cr. Lane	15 April – TC Seroja Community meeting 20 April – TC Seroja Community meeting 28 April – Strategic Briefing & OCM CEO weekly catch-ups
Cr. Connaughton	28 May Strategic Briefing and OCM
Cr. Heal	28 May Strategic Briefing and OCM
Cr. Mutter	28 May Strategic Briefing and OCM 29 May WFC meeting
Cr. Mills	
Cr. Ennor	28 May Strategic Briefing and OCM
Cr. Eva	12 April – informal meeting re: Duffy's 20 April -Community meeting following Cyclone Seroja 28 March – Strategic Briefing & OCM

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

10. REPORTS OF OFFICERS

Executive Services	
10.1. Good Governance in Practice	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Nil

Council Role:

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

Report Purpose:

That Council Accepts:

1. The Governance Compliance Calendar report for April 2021.
2. Actions Performed under Delegated Authority for April 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 April 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
Monthly Financial Report LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg.34	DLGSC WA Local Government Accounting Manual	April 2021 report submitted to the May 2021 OCM. Reference - Minutes	
Emergency Services Levy - Option A Remittance Due by: 21st of the month Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures	Clause 5.13.	DFES -ESL Manual of Operating Procedures	N/A	
Elections - Enrolment Eligibility Claims (Owners and Occupiers) Register - Prepare for Elections - Review register and take action re expired Eligibility Claims (no longer property owner/claim based on occupation or nominee expired)	Local Government Act 1995	s.4.35 Elections Regs.14 and 15 Form 6 and 7	WALGA Template Enrolment Eligibility Claims Register	Register review complete – no expired Eligibility Claims	
Audit - Compliance Audit Return Action Plan Prepare a Compliance Audit Return Action Plan that assigns responsibility and timeframes for implementing outcomes/actions arising from the Compliance Audit Return. Provide Compliance Audit Return Action Plan to Council via Audit Committee for endorsement.	n/a	n/a	Operational Practice	N/A	
Audit - Compliance Audit Return Action Plan Prepare a Compliance Audit Return Action Plan progress report that details progress to completing outcomes / actions arising from the Audit Report. Provide Compliance Audit Return Action Plan Progress Report to Council via Audit Committee for endorsement.	n/a	n/a	Operational Practice	N/A	
Public Access to Information - Audit Check LG website, Library and LG office to ensure all information listed in s.5.94, s.5.96A and Admin. Reg.29 is publicly accessible (see s.5.96 too) and that customer service staff are trained to provide access accordingly. Audit to note limitations:	Local Government Act 1995	s.5.94 Admin. Reg.29 s.5.95 s.5.96 s.5.96A Admin. Regs. 29A and 29B	WALGA - Governance Subscription Good Governance in Practice Resource - Public Information Access & LG Website Information Guide	Ongoing – In progress	

s.5.95 and Admin. Regs. 29A and 29B					
Valuer General Information Due 14th day of each month - providing schedules of: • building licenses issued • building license works completed • registered plans and amendments under the Strata Titles Act 1985	Valuation of Land Act 1978	s.37		Completed by City of Geraldton	

Execution of Delegation for April 2021

Date	File Reference	Delegation Number	Decision Detail	Applicant	Officer	Comment
6-Apr-21	PMT ID: 179550592	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 01/04/2021 - \$118.80
8-Apr-21	PMT ID: 179745096	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 07/04/2021 - \$48.40
9-Apr-21	PMT ID: 179793366	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 08/04/2021 - \$784.50
14-Apr-21	PMT ID: 180122817	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Deputy Chief Executive Officer	Fortnightly Payroll PPE 13 April 2021 - \$44,956.41
20-Apr-21	PMT ID: 180438988	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$256,783.75 from GFH A/C to Muni A/C
20-Apr-21	PMT ID: 180452357	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 180452357 for \$254,735.12
20-Apr-21	Chq 11631	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - City of Greater Geraldton	NAB	Deputy Chief Executive Officer	Creditors Payment - City of Greater Geraldton # 11631 - \$550.06
20-Apr-21	Chq 11632	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - Coates Hire	NAB	Deputy Chief Executive Officer	Creditors Payment - Coates Hire # 11632 - \$200.57
20-Apr-21	Chq 11633	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - Shire of Chapman Valley	NAB	Deputy Chief Executive Officer	Creditors Payment - Shire of Chapman Valley # 11633 - \$1,298.00
20-Apr-21	PMT ID: 180438988	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$256,783.75 from GFH A/C to Muni A/C
20-Apr-21	PMT ID: 180452357	CS002 - Payments from Municipal Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 180452357 for \$254,735.12

		and Trust Fund				
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20-Apr-21	Chq 11633	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - Shire of Chapman Valley	NAB	Deputy Chief Executive Officer	Creditors Payment - Shire of Chapman Valley # 11633 - \$1,298.00
23-Apr-21	PMT ID: 180750450	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$30,000.00 from Maxi A/C to Muni A/C
23-Apr-21	PMT ID: 180757291	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID 180757291 for \$28,753.38
23-Apr-21	Chq 11634	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - City of Greater Geraldton	NAB	Deputy Chief Executive Officer	Creditors Payment - City of Greater Geraldton # 11634 - \$220.38
28-Apr-21	PMT ID: 180959907	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$70,000.00 from GFH A/C to Muni A/C
28-Apr-21	PMT ID: 180978957	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Deputy Chief Executive Officer	Fortnightly Payroll PPE 27 April 2021 - \$56,419.03
29-Apr-21	PMT ID: 181064200	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 28/04/2021 - \$1,478.00
30-Apr-21	PMT ID: 181161578	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 29/04/2021 - \$235.00
1-Apr-21	PMT ID: 179398338	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 31/03/2021 - \$8,053.00
6-Apr-21	PMT ID: 179550592	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 01/04/2021 - \$118.80
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		Payments from Municipal Fund and Trust Fund	Payment - City of Greater Geraldton		Officer	Greater Geraldton # 11631 - \$550.06
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20-Apr-21	Chq 11633	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - Shire of Chapman Valley	NAB	Senior Finance Officer	Creditors Payment - Shire of Chapman Valley # 11633 - \$1,298.00
21-Apr-21	PMT ID: 180542458	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 20/04/2021 - \$969.55
22-Apr-21	PMT ID: 180642176	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 21/04/2021 - \$1,066.75
23-Apr-21	PMT ID: 180716899	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 22/04/2021 - \$44.05
23-Apr-21	PMT ID: 180750450	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	NAB	Senior Finance Officer	Transfer \$30,000.00 from Maxi A/C to Muni A/C
23-Apr-21	PMT ID: 180757291	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	NAB	Senior Finance Officer	Creditor Payment - EFT PMT ID 180757291 for \$28,753.38
23-Apr-21	Chq 11634	CS002 - Payments from Municipal Fund and Trust Fund	Creditors Payment - City of Greater Geraldton	NAB	Senior Finance Officer	Creditors Payment - City of Greater Geraldton # 11634 - \$220.38
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1-Apr-21	PMT ID: 179398338	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 31/03/2021 - \$8053.00
21-Apr-21	PMT ID: 180542458	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 20/04/2021 - \$969.55
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30-Apr-21	PMT ID: 181161578	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 29/04/2021 - \$235.00

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.

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

033/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.1	
<p style="text-align: right;"><u>MOVED:</u> Cr. Mills <u>SECONDED:</u> Cr. Ennor</p> <p>That Council Accepts:</p> <ol style="list-style-type: none"> 1. The Governance Compliance Calendar report for April 2021. 2. The Execution of Delegation report for April 2021. <p style="text-align: right;">CARRIED: VOTED: 5/0</p>	

10. REPORTS OF OFFICERS

Executive Services	
10.2. Trading in Thoroughfare Policy	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0200
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Keith Woodward, Shire of Three Springs
Attachment (s):	Trading in Thoroughfare Policy

Council Role:

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

Report Purpose:

Council does not have an '*Activities in Thoroughfares Local Law*' to guide trading in Thoroughfares activities. Until Council has an '*Activities in Thoroughfares Local Law*', the proposal is to have a policy to guide processes and activities.

This report recommends to Council that the '*Trading in Thoroughfare Policy*' be adopted and wave application fees until the 2021-2022 Shire budget is adopted.

Background:

The purpose of the policy is to ensure:

- The Shire encourages the use of public open space for outdoor mobile food vendors as a means of enhancing community activity.

- The Shire seeks vendors whose vehicle presentation contributes to the character and energy of the area.
- The Shire encourages more options for residents and tourists.

Officer's Comment:

The proposed locations for trading:

- ***Railway Road Park/Verge***



- ***Visitor Centre***



- **Recreation Precinct**



- **Dominican Park**



Consultation:

Nil

Statutory Environment:

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:

Nil

Financial/Resources Implications:

The Shire engaged Griffin Australian International Valuation Solutions to provide a Three Springs Market Rental Value assessment. The fees associated with 'Trading in Thoroughfares' have been calculated based on the Griffin data shown in Table 1. There would be an additional cost of \$10.00 per day associated with a Shire powered site.

Table One-Griffin Report:

From the above evidence we have extrapolated the following Approx Market Rental Value rate table as guide;

Area M2	Rent Per Annum	Rent Per M2	Rent Per Week
15	\$ 3,300	\$ 220	\$ 63
30	\$ 4,500	\$ 150	\$ 87
45	\$ 4,600	\$ 102	\$ 88
60	\$ 4,860	\$ 81	\$ 93
100	\$ 7,600	\$ 76	\$ 146
200	\$ 8,430	\$ 42	\$ 162
300	\$ 10,500	\$ 35	\$ 202

The cost associated with a powered site is calculated at \$10.00 per day. No prorata principles will apply to this charge. The rate is applicable, be it for 1 hour or 8 hours.

Table Two provides examples of rates.

Table Two-Costs unpowered and powered locations:

	Length	Width	Total	Days	\$0.60	\$ 10.00	GST	Grand Total
					Rate M ²	Power		
Unpowered site	7.5m	2m	15	7	\$63.00		\$6.30	\$69.30
	1	1	1	1	\$0.60		\$0.06	\$0.66
Powered Site	7.5	2	15	7	\$63.00	\$70.00	\$76.30	\$146.30
	1	1	1	1	\$0.60	\$10.00	\$10.06	\$20.06

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
Three Springs becomes a healthy and unified community with a bright future.	An attractive, inviting and functional street environment

	1.1.1 Provide and maintain good quality tourism infrastructure and facilities 1.3.1 Promote existing and new industry opportunities to increase employment
--	---

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

Corporate Business Plan 2020-2024		
Scope Statement:		Project Outputs:
Outcome 1.1	Develop tourism infrastructure and increase the length of stay	Provide and maintain good quality tourism infrastructure and facilities

Voting Requirements:

Absolute Majority.

Officer's Recommendation:

034/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION		10.2
<p style="text-align: right;"><u>MOVED: Cr. Eva</u> <u>SECONDED: Cr. Mills</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt the 'Trading in Thoroughfares' policy. 2. Approve the Fees in the 2021-2022 Shire budget. 3. Wave associated fees until the adoption of the 2021-2022 Shire budget. <p style="text-align: right;">CARRIED: VOTED: 4/0</p> <p><i>Cr. Mutter declared a financial interest and left the meeting at 5.08pm.</i> <i>Cr. Mutter returned to the meeting at 5.09pm</i></p>		

10. REPORTS OF OFFICERS

Executive Services	
10.3 Waiving of Building & Planning Application Fees	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0364
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Planning Advisor & Chief Executive Officer
Attachment:	Nil

Council Role:

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

Report Purpose:

Cyclone Seroja has had a significant impact upon the Midwest. Initial assessments based upon the 19 requests for assistance that were logged from the Shire of Three Springs area to the Department of Fire & Emergency Services ('DFES') indicate that 14 residences and 3 non-residential structures were damaged in the Shire. This report recommends that Council waive all Shire fees for demolition and construction works relating to Cyclone Seroja to provide some financial support to impacted landowners.

Background:

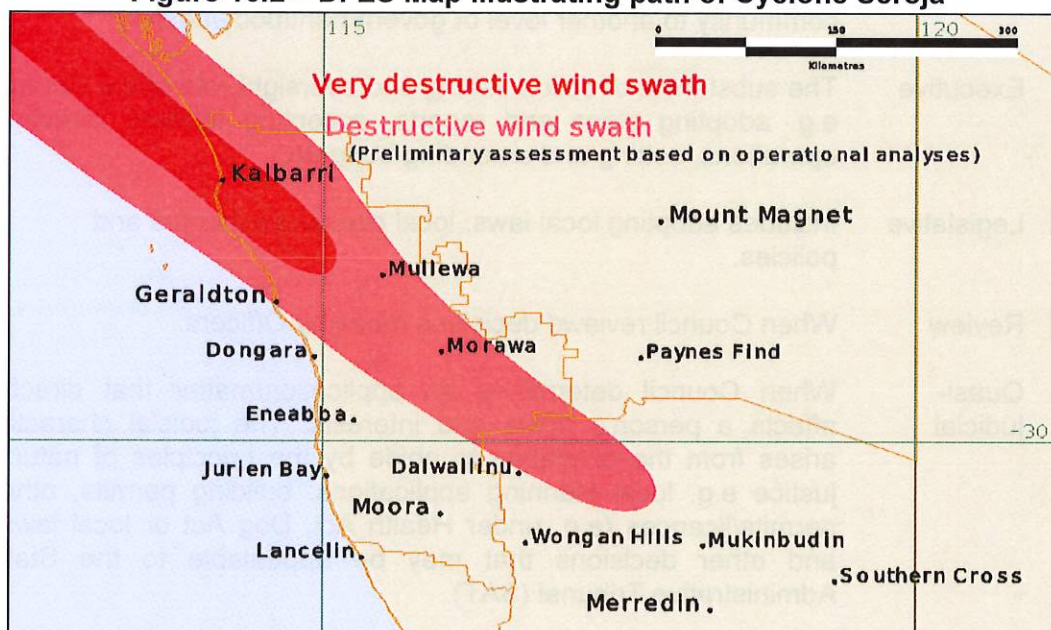
The processing of building permit and demolition applications by the Shire requires payment of application fees to cover Shire resources involved in its duties such as site inspections, liaising with the applicant where insufficient information has been provided, professional assessment, printing costs and costs in administering state government levies amongst others.

Not all building and demolition works require application to be lodged for development ('planning') approval, for example residential structures in townsites that comply with the Residential Design Codes of Western Australia or in rural areas generally would not require a planning application to be lodged with the Shire. However, where applications propose variance to the R-Codes, or Local Planning Scheme or Local Planning Policy requirements, or are located in areas deemed by DFES to be bushfire prone then lodgement of a planning application is required and this also requires payment of a planning application fee.

This report recommends that Council waive the requirement for landowners/applicants to pay a building application fee or planning application fee where the works relate to demolition or rebuilding (repair or replacement) associated with Cyclone Seroja.

The waiving of the requirement to pay application fees will provide some minor financial assistance to the members of our community impacted by Cyclone Seroja as they begin the process of recovery.

Figure 10.2 – DFES Map illustrating path of Cyclone Seroja



Consultation:

Nil.

Statutory Environment:

Part 7 Division 2 Clause 52 of the *Planning and Development Regulations 2009* allows for a local government to waive or refund, in whole or in part, payment of a fee for planning service.

Section 6.16 of the *Local Government Act 1995* requires that an amendment of a Shire fee/charge must be made by absolute majority.

Lodgement of a building permit application also attracts payment of the Building Services Levy by the applicant. This is a levy imposed by the Building Commission that is required to be collected by the local government and passed onto the Department of Mines, Industry Regulation and Safety.

The Shire wrote to the Department of Mines, Industry Regulation and Safety on 4 May 2021 seeking an exemption, and the Department responded on 11 May 2021 to advise as follows:

"I was saddened to hear of the significant impacts that the Shire of Three Springs experienced during Severe Tropical Cyclone Seroja. Our thoughts remain with all those affected by this event.

Ordinarily the building services levy is paid when making an application under the Building Act 2011 for a building, demolition or occupancy permit or building approval certificate. However, to assist in the recovery, repair and rebuilding efforts, the Building Commissioner has agreed to waive the building services levy for people affected by the cyclone in your local government area.

A notice of the waiver was published in the Government Gazette on Friday 14 May 2021. An extract of this waiver is enclosed for your information. I hope that the removal of this levy provides some financial support for those affected by this cyclone."

Landowners/Builders lodging building permit applications are also required to pay the Construction & Training Fund ('CTF') Levy. An enquiry was also sent to the CTF on 4 May 2021 enquiring whether it would waive its levy for works relating to damage caused by Cyclone Seroja.

On 6 May 2021 the CTF responded as follows:

"CTF has been approached to waive the BCITF levy on construction work required in response to damage caused by Severe Tropical Cyclone Seroja. CTF is also aware that the Building Commission has waived the building services levy, and local governments are removing planning and building permit fees for impacted works.

After a thorough review of our Act, it has been confirmed that there is no legislative mechanism available for CTF to exempt or waive the BCITF levy in response to works resulting from damage caused by a natural disaster.

Whilst CTF is sympathetic to those impacted by this disaster the levy will need to be collected as normal for those applications exceeding an estimate \$20,000 in value.

The CTF Board is exploring options by which we can provide targeted support to the construction workforce directly engaged in the rebuild works.

To help in this, it would be appreciated if a record of those applications where fees are waived but the BCITF levy charged is kept. We can then use this to identify impacted works and engage with the project owner and their sub-contractors to provide support.

I recognise that some applicants may be aggrieved or confused by the need to still pay the levy in the circumstances. Should this be the case, they are welcome to contact CTF on 9244 0100 or provide feedback via email inquiries@ctf.wa.gov.au."

The response of CTF is disappointing as it had been hoped that a coordinated zero fee approach could have been achieved that may in some small way have served to assist those who have suffered as a result of Cyclone Seroja.

Policy Implications:

The Shire's Schedule of Fees & Charges are updated annually (generally at the May Council meeting) as part of the lead up to the formulation and adoption of the Council budget for the upcoming financial year.

Financial/Resources Implications:

Waiving of the building and planning application fees will have some budgetary impact to Council based upon the potential for receipt of 17 building applications relating to cyclone damage (however this is a 'ceiling' figure, with 8 of these identified as being 'slightly damaged' and not all recovery activities will involve structural works that require the lodgement of a building application). However, it is considered that the ability for the Shire to continue its ongoing role of providing support to those members of our community who have experienced hardship as a result of this event should be maintained.

Strategic Implications:

The Shire of Three Springs Strategic Community Plan 2018-2028 identifies the community's visions and is the Shire's principal strategic guide for future planning and activities, and lists the following outcomes that might be considered relevant to this matter:

Reference	Strategy	Still Relevant	Priority	Timeframe
4.1.4	Lead by example to get the community involved in the decision-making process.	Yes	High	Ongoing

Voting Requirements:

Absolute Majority.

035/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.3
<p style="text-align: right;"><u>MOVED: Cr. Mutter</u> <u>SECONDED: Cr. Eva</u></p> <p>That Council resolves to waive all Shire building permit, demolition and planning application fees for works relating to Cyclone Seroja.</p> <p style="text-align: right;">CARRIED: VOTED: 5/0</p>

10. REPORTS OF OFFICERS

Works and Services	
10.4 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:	26 May 2021
Author:	Marc Bennett , Manager of Works and Services
Attachment (s):	1. Capital Works Report 2020-21 2. Maintenance Grading Map April 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 Capital Works Report for April 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.

Strategic Community Plan 2018 - 2028	
Council Objectives	Outcome
Nil	Nil

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

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

036/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.4
<p style="text-align: right;"><u>MOVED:</u> Cr. Ennor <u>SECONDED:</u> Cr. Mills</p> <p>That Council accepts the Capital Works Report for April 2021.</p> <p style="text-align: right;">CARRIED: VOTED: 5/0</p>

10. REPORTS OF OFFICERS

Works and Services	
10.5 Skate Park Redevelopment	
Agenda Reference:	MWS
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0382
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Marc Bennett, Manager of Works and Services
Attachment (s):	1. Skate Park Map 2. Costing work sheet

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:

1. Approves the Skate Park Redevelopment Plan. The project is worth \$37,000.
2. The balance of \$17,000 is considered in the 2021-2022 annual budget.

Background:

Over the past two years, Council has planned to develop the Skate Park, and allocated \$10,000 in each financial year to develop the park.

Officer's Comment:

The Skate Park Redevelopment plan is not referenced in the Shire's Strategic

Community Plan. However, it is clear that the concept to develop the skate park was established in 2018, with capital investment commencing in 2019 and 2020.

In March 2021, the Shire President met with the Manager of Works and Services to formulate a plan for the redevelopment of the skate park.

From the meeting, the skate park development is generally based on the following wishes:

Basketball Backboard and pole: Install a basketball backboard and pole on the eastern side of the skate park.

Supply and Lay Lime Stone: Install limestone retaining wall on the western side of the skate park and fill with soft fall sand.

2 x Covered Picnic Tables: Install two covered picnic tables in the southwest and eastern corner.

Bitumen Painting: Painting of games, hopscotch etc. northwest side.

Fencing: Installation of perimeter fence with gates on the southern and northern ends.

Climbing Equipment: Installation of climbing equipment on the southern side.

Consultation:
Shire President

Statutory Environment:
Nil

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.

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
To Retain and improve high-quality infrastructure	2.8.5 Maintain and develop community and sporting facilities.

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

Corporate Business Plan 2020 - 2024	
Scope Statement:	Project Outputs:
Provide and maintain good quality tourism infrastructure and facilities.	Maintain and enhance attractions in line with the asset plan.

Voting Requirements:
Absolute Majority.

Officer's Recommendation:

037/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.5
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MOVED: Cr. Lane
SECONDED: Cr. Mutter

That Council:

1. Approves the Skate Park Redevelopment Plan. The project is worth \$37,000.
2. The balance of \$17,000 is considered in the 2021-2022 annual budget.

CARRIED:
VOTED: 5/0

10. REPORTS OF OFFICERS

Works and Services	
10.6 Midlands Road Black Spot	
Agenda Reference:	MWS
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0171
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Marc Bennett, Manager of Works and Services
Attachment (s):	1. Black Spot Application 2017 2. Black Spot Application 2018 3. Email Mark Salt 4. Email Sarah Page 5. Email Bernie Miller

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:

1. Withdraw from the Main Roads State Black Spot project 'Midland Road' Arrino.
2. In accordance with the Black Spot Program Development and Management Guideline section 6.4.1 'Withdrawals and Terminating Projects' request that the Shire retains the 2019 expenditure of \$96,639.

Background:**2017:**

- The Shire applied for State Black Spot Program funding through Main Roads.
- The nature of the concern is multiple intersecting roads with limited sight vision, issues with traffic entering and exiting onto Midlands Road. The treatment proposal consisted of re-aligning Lynch, Sunset, Rothsay roads and constructing a climbing lane on Midlands's road heading north.
- August 2017 The Shire submitted the State Black Spot application. The project is staged over two years with a total project cost of \$500,000. Attachment 1: Black Spot Application 2017

2018:

- July 2018 Shire submitted the State Black Spot application. Project staged over two years with a total project cost of \$725,000. Attachment 2: Black Spot Application 2018

2019:

- August 2019 email from Mark Salt (Main Roads) to CEO with what appears to reference a meeting from the day before about a possible shortfall in funding. The subject line at the top of the email refers to the Black Spot Submission stage 3: Attachment 3: Email Mark Salt

2020:

- April 2020 email from Sarah Page (Main Roads) to MWS with breakdown of current Black Spot Funding. Total project cost is now \$1,025,000. Attachment 4: Email Sarah Page
- May 2020 email from Bernie Miller (Main Roads) to CEO advising the detailed cost estimate is \$2.34 million. Attachment 5: Email Bernie Miller

Officers Comment:

In 2017 the Shire expected the project to cost \$500,000. In 2020 Main Roads advised the Shire that the design work had been compiled, and the cost estimate was \$2,340,000. The Shire cannot ascertain how the cost escalated from \$500,000 to \$2,340,000.

The total project area is 19,490m². This consists of 14,260m² on Main Roads land and 5,230m² on Shire land.

Officers cannot find any Council minutes associated with this project.

Consultation:

Main Roads

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

This project is not included in the Shire's strategic platform and is not supported by a previous decision of the Council. To complete this project, the Shire would require to contribute \$780,000. This investment has not been modelled through the Long Term Financial Plan, and the impact of Treasury borrowings has not been calculated, meaning the long-term impact of this project is unknown.

Should Main Roads not approve the Shire's request associated with section 6.4.1, the Shire would be obligated to pay Main Roads \$96,639.

There is no Shire strategic reference and or project development record to justify this project; the Executive does not support this project.

Strategic Implications:

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

Strategic Community Plan 2018 - 2028	
Council Objectives	Outcome
This project is not referenced in the SCP	

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

Corporate Business Plan 2020 - 2024	
Scope Statement:	Project Outputs:
This project is not referenced in the CBP	

Voting Requirements:

Simple Majority.

Officer's Recommendation:

038/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.6	
<p style="text-align: right;"><u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Mills</p> <p>That Council approve:</p> <ol style="list-style-type: none"> 1. Withdraw from the Main Roads State Black Spot project 'Midland Road' Arrino. 2. In accordance with the Black Spot Program Development and Management Guideline section 6.4.1 'Withdrawals and Terminating Projects' request that the Shire retains the 2019 expenditure of \$96,639. <p style="text-align: right;">CARRIED: VOTED: 5/0</p>	

10. REPORTS OF OFFICERS

Executive Services	
10.7 Community Development Officer - Update	
Agenda Reference:	CDO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0209
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Sharon Bell, Community Development Officer
Attachment (s):	Nil

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☐ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☐ Legislative Includes adopting local laws, local planning schemes and policies.
- ☒ Review When Council reviews decisions made by Officers.
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Report Purpose:

That Council accepts the Community Development Report for April 2021.

Background:

This report provides Council with the Community Development update.

Officer's Comment:

Tourism		
March 2021	Wildflower Country General Meeting	Last meeting held 29 April. Main topics were Master Trails Plan and Map Project.
	Tourist Radio	Had meeting with Sandy from Hinterland Collaborative. He will be doing all the work.
	Local Tourism	Tourism activity increasing. Getting more

		reviews on Wikicamps.
	Tourist Information Brochure	Currently being re-designed.
	Historical Photos	Stickers have been ordered. I did not hear back from TSPS so have gone ahead without them. Some replacement stickers have also been ordered.
Grants		
	WA Bike Network	I will be organising an event with TSPS for the Slaughter St project to record video of the use of the path to complete acquittal. I have been invited to sit on a Reference Group for the WABN Grants Program. CEO has approved this.
	Traineeship Grant	MWS, CEO to decide on traineeship and HR to advertise position.
	Airstrip Upgrade	An application was unsuccessful.
	Community Housing Maintenance Grant	Funding for maintenance for Kadathinni Units 2, 4 and 6 is being sought as part of these maintenance grants. Works can include repairs and replacement of walls, flooring, paving etc., but not painting. Application for \$18,500 has been submitted
Emergency Services		
	LEMC Meeting	Next meeting in June, will be visiting our Evacuation Centres
	VBFB Contact Details for DFES	Monthly reports being sent to all Captains.
	DFES - STAND NBN Satellite Communications	An application has been submitted for an emergency satellite to be put on the Admin Centre as part of the DFES STAND program
	Cyclone Seroja	Working to assist the community in the recovery process
Projects/Events		
	Astrotourism	Membership has been renewed for 2020/2021 year. I have booked the 26 May for the event, as this will be a super moon and lunar eclipse.
	Wildflower Banners	I sourced a range of high res photos from local photographers. Photos have been selected and sent to the printers.
	Checkmate	Event to go ahead (third time lucky) on Wednesday 12 May. SoTS is sponsoring the event through provision of catering and accommodation for facilitator.
	Wildflower Show	First meeting has been held. Show is scheduled to go ahead. Waiting on a letter from them regarding requirements for the Shire support, which will be the same as previous years, with the addition of COVID support.

	Yakabout	Erin works with me to do the Yakabout. She is proving to be very competent in production of the document.
Marketing and Promotion		
	Website	Website is updated as necessary. Every update now has to be recorded.
	Social media	All posts have to be recorded.
Governance		
	Health and Wellbeing Plan	I have commenced work on this document. Quote provided by EHO was for \$15,000 to create.
	Budget Bulletin	I have commenced work on this document as requested by DCEO.
	DAIP	Dept. of Licencing DAIP reporting has been completed.

Grant	Amount Applied For	Amount Received	Successful	Notes
Drought in Communities	\$500,000	\$500,000	Yes	Team effort, wrote application and submitted it
REDS	\$224,000		No	For Caravan Park
Local Roads and Community Infrastructure	\$329,104	\$329,104	Yes	Wrote the project plan for Keith to submit
Sport and Rec	\$81,530.54		No	Program highly subscribed, feedback indicated application was very good, however there were other priority areas.
WABN	\$70,000		No	Dual use paths for Williamson St and Dominican Park Murcott and Young St paths (deferred from 2020-21)
	\$46,000	\$46,000	Yes	
DPIRD - Traineeship	\$35,000	\$35,000	Yes	Traineeship application, potentially for Parks and Gardens, Construction, Pool
Australia Day - Rebranding	\$1,000	\$1,000	Yes	For bunting and promotional materials with the new message on them.
Australia Day - COVID Safe	\$20,000	\$20,000	Yes	Items to ensure social distancing:

				BBQ, trestles, chairs, urn, eskies, more marketing materials
NAIDOC	\$3,257	\$1,000	Yes	Received \$1,000
International Day of People with Disability	\$1,000	\$1,000	Yes	Event and equipment at pool
Air Strip	\$94,641		No	For re-sheeting of airstrip. Waiting to hear.
Library Technology	\$5,000	\$1,905	Yes	For a new public computer, and to upgrade the staff computer.
Grants for Women	\$3,600		No	Grant submitted on behalf of the Ladies Lipstick Luncheon committee.
Local Roads and Community Infrastructure	\$234,465	\$234,465	Yes	Dominican Park construction. Team effort, submitted application.
CHO Maintenance Grant	\$18,500		Unknown	Community Housing. Applied for maintenance for Units 2, 4, 6 of Kadathinni.
CBH Grass Roots Grant	\$3,465		No	For 15 banners for harvesting, seeding and history of agriculture
Total	\$1,670,562.54	\$1,171,379		

Consultation:

Business Community
LEMC

Statutory Environment:

Nil

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
Develop tourism infrastructure and increase length of stay	<p>1.1.2 Participate in the "Wildflower Way" Tourist Drive</p> <p>1.1.3 Develop complementary infrastructure and activities such as walk trails and heritage interpretation</p> <p>1.1.6 Rebrand and promote Three Springs as an attractive place to live and work</p>
An attractive, inviting and functional main street environment	2.5.2 Continue to implement that main street revitalisation plan
People are motivated, work together and have an increased pride and participation in the community	3.1.6 Actively facilitate, support and participate in community events
Managed population growth across a range of demographics, particularly aged and families	3.2.2 Develop an Investment Attraction Plan
Increase the range and quality of housing for families and seniors	3.4.1 Develop and implement an Investment Attraction Plan
Maintain and improve the provision of emergency services	<p>3.7.1 Continue to support and fund the community and emergency services management position for the region</p> <p>3.7.2 Update and implement Emergency Management Plans</p>
A well engaged and informed community that actively participates	<p>4.1.5 Support and acknowledge volunteers</p> <p>4.1.6 Actively facilitate, support and participate in community events</p>

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

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
A prosperous, thriving and innovative local economy	1.1 Develop tourism infrastructure and increase length of stay
To have a sustainable natural and built environment balanced with the needs of the community	2.5 An attractive, inviting and functional main street environment

A healthy, cohesive and safe community	<p>3.3 Three Springs is recognized as an Age-Friendly community</p> <p>3.4 Increase the range and quality of housing for families and seniors</p> <p>3.7 Maintain and improve the provision of emergency services</p>
A collaborative and forward thinking community that is guided by strong leadership	4.1 A well engaged and informed community that actively participates

Voting Requirements:

Simple Majority.

Officer's Recommendation:

039/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.7

MOVED: Cr. Mutter
SECONDED: Cr. Eva

That Council accepts the Community Development Report for April 2021.

CARRIED:
VOTED: 5 /0

10. REPORTS OF OFFICERS

Corporate Services	
10.8 Budget Amendment Lovelocks Soak Plumbing	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0397
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Rajinder Sunner, Deputy Chief Executive Officer
Attachment (s):	Nil

Council Role:

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

Report Purpose:

That Council approve a budget amendment of \$80,000 for Lovelocks Soak Plumbing {Job PC006, GL 4110370} for additional cost to be transferred from Potable Water Reserve {Pay} {GL 9674403}.

Background:

In March 2020, Shire received a Water Supply Investigation Report from GHD. Annual Budget 2020-2021 was adopted on 15 July 2021, with a budget allocation of \$100,000 for Lovelocks Soak Plumbing. In December 2020, GHD met on site with the Shire's Lovelock Soak Working Group to propose a scope of work and produce recommendations. The report from GHD was discussed at the Council Strategic briefing in December 2020. In February 2021, GHD was awarded the contract for technical drawings and BOC for the reinstatement of subsoil pipework at Lovelock Soak. We received the Technical drawings and BOC on 19 April 2021. Three suppliers were requested for a quote in April 2021 to carry out work as per technical specifications provided. The Shire only received one quote from New

Ground Water Services for \$110,709.

Officer's Comment:

Refer to Financial/Resources Implications.

Consultation:

Chief Executive Officer and Manager of Works and Services

Statutory Environment:

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

** Absolute majority required.*

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the Council.

Policy Implications:

Nil

Financial/Resources Implications:

Year to date expenditure on Lovelock Soak Plumbing is \$66,071 with a budget of \$100,000, leaving a balance of \$33,930. There is an additional \$80,000 funds required to complete this project as per technical specifications form GHD. This amount of \$80,000 will be transferred from Portable Water Reserve {Pay}.

Strategic Implications:

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

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

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

Corporate Business Plan 2020 – 2024	
Scope Statement:	Project Outputs:
Investigate options for water harvesting.	Support and encourage best practice water utilization management.

Voting Requirements:

Absolute Majority.

Officer's Recommendation:

040/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.8

MOVED: Cr.
SECONDED: Cr.

That Council:

1. Approve a budget amendment of \$80,000 for Lovelock Soak Plumbing {Job PC006, GL 4110370}.
2. Transfer \$80,000 from Potable Water Reserve {Pay} {GL9674403}.

CARRIED:
VOTED:

Item 10.6 withdrawn as per instructions of the CEO.

10. REPORTS OF OFFICERS

Corporate Services	
10.9 Financial Statement for Period 30 April 2021	
Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Rajinder Sunner, Deputy Chief Executive Officer
Attachment (s):	Monthly Financial Report 30 April 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 April 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:

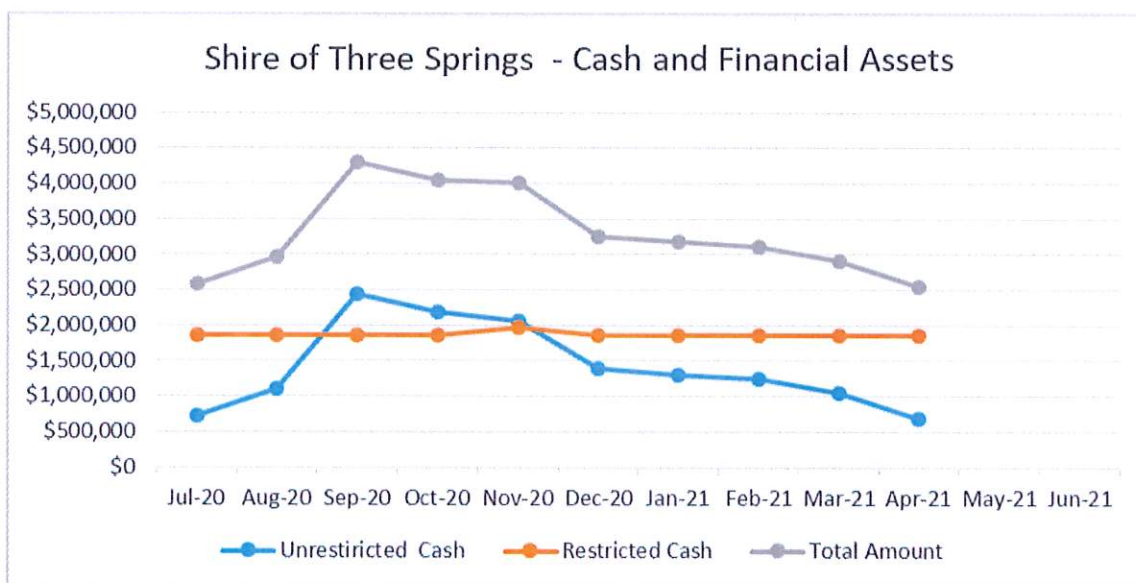
Total Cash Available as at 30 April 2021 is \$2,519,730. Cash available is made up of Unrestricted cash \$652,312 and Restricted cash \$1,867,418 backed by various reserves. Reserve funds are invested in term deposit with NAB expiring on 28 June 2021 attracting interest of 0.22%.

Rates Debtors as at 30 April 2021 \$102,876. We have collected 95.51% of our outstanding Rates as at 30 April 2021.

Operating revenue as at 30 April 2021 is \$3,207,297. The breakdown of the Operating revenue; Rates 64%, Operating grants subsidies and contributions 27%, Fees and Charges 6% and Other revenue 3%.

Operating expenses as at 30 April 2021 is \$4,262,961. 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.

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

41/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.9
<p style="text-align: right;"><u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Ennor</p> <p>That Council accepts the monthly financial report for the period ending 30 April 2021.</p> <p style="text-align: right;">CARRIED: VOTED: 5/0</p>

10. REPORTS OF OFFICERS

Corporate Services	
10.10 Accounts for Payments as at 30 April 2021	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Donna Newton, Finance and Payroll Officer
Attachment (s):	List of creditors paid as at 30 April 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.

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

42/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.10
<p style="text-align: right;"><u>MOVED: Cr. Mutter</u> <u>SECONDED: Cr. Lane</u></p> <p>That Council accepts:</p> <ol style="list-style-type: none"> 1. The accounts for payment as presented for April 2021 from the Municipal Fund totalling \$321,440.30. Represented by Electronic Fund Transfers No's 17022 - 17057, Cheque No 11631, 11633 & 11634 and Direct Debits 12870.1– 12947.1. 2. Licensing Fund totalling \$34,035.05. Represented by Direct Debit No. 12949.1. <p>Total Payments for April 2021 \$355,475.35</p> <p style="text-align: right;">CARRIED: VOTED: 5/0</p>	

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**12.1. ELECTED MEMBERS****12.2. STAFF**

12.2.1- Late Item - Report of Officer - Deputy CEO - Banking Institution

Corporate Services

12.2.1 Late Item Banking Institution – Bank Proposal

Agenda Reference:	DCEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0082
Disclosure of Interest:	Nil
Date:	26 May 2021
Author:	Rajinder Sunner, Deputy Chief Executive Officer
Attachment (s):	12.2.1 Proposal for Banking and Bill Payment Services

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.
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Report Purpose:

That Council authorises:

1. The closure of the Shire of Three Springs banking accounts with the National Australia Bank (NAB).
1. The opening of the Shire of Three Springs banking accounts with the Commonwealth Bank of Australia (CBA).

Background:

The CBA offers a higher interest rate on investments, lower fees and a dedicated team managing local government banking needs in Western Australia.

Officer's Comment:

Refer to Financial/Resources Implications.

Consultation:

Chief Executive Officer.
Commonwealth Bank of Australia.

Statutory Environment:

Nil

Policy Implications:*Policy 04 –Investment of Surplus Funds:*

Employees authorised to make investment decisions and sign investment lodgements, withdrawals etc., are specified in Council's Delegated Authority Register.

- *Any investments made under delegated authority are to comply with the Authorised Investments List.*
- *Decisions in excess of \$750,000 unauthorised investments or for terms > 12 months must be referred to Council for determination.*

2. Authorised Investments

Without approval from Council, investments are limited to: -

- *State/Commonwealth Government Bonds,*
- *Interest Bearing Deposits,*
- *Bank accepted/endorsed bank bills,*
- *Bank negotiable Certificate of Deposits; and*
- *Investments fixed for greater than 12 months are to be approved by Council,*
reviewed on a regular basis and invested for no longer than 3 years.

Financial/Resources Implications:

CBA reduces the Shire banking cost by \$3,725 for 2021. These savings are associated with a higher interest rate and lower back fee. Table 1.

Table 1:

Shire of Three Springs Banking Proposal May 2021							
TERM DEPOSIT Term Deposit - 3 Months As at 1 July 2021 {Reserve Bank Cash Rate is 0.10%} Bank Accounts Account Keeping fees - April 2021 -{\$198.18+320.30} Credit Card Fees 2 Master Cards - Limit of \$10K Internet Banking Direct Debit and Bpay per transactions - Based on 250 Transactions Per Month EFTPOS Terminals { Sales @ \$20K PM = \$240K PA} Merchant Fees - Facility Fees		NAB	CBA	NAB	CBA	Extra Interest	Saving in Cost
		Interest %		Interest %			
	\$2,032,276	0.22%	0.33%	\$4,471	\$6,707	\$2,236	
				\$622	\$0		\$622
				\$216	\$48		\$168
		\$0.23	\$0.11	\$682	\$330		\$352
				\$474	\$294		\$180

Merchant Service Fees		0.25%	0.18%	\$600	\$432		\$168
						\$2,236	\$1,490
Projected Savings - CBA Proposal							\$3,725

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

43/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 12.2.1
<p style="text-align: right;"><u>MOVED:</u> Cr. Mills <u>SECONDED:</u> Cr. Eva</p> <p>That Council to authorise:</p> <ol style="list-style-type: none"> 1. The closure of the Shire of Three Springs banking accounts with the National Australia Bank. 2. The opening of the Shire of Three Springs banking accounts with the Commonwealth Bank of Australia. <p style="text-align: right;">CARRIED: VOTED: 5/0</p>

13. QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil

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

Nil

15. TIME AND DATE OF NEXT MEETING

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

CONFIDENTIAL ITEMS

16.1. RECOMMENDATION TO CLOSE COUNCIL MEETING

044/2021 OFFICER'S RECOMMENDATION: RECOMMENDATION TO CLOSE COUNCIL MEETING **16.1**

MOVED: Cr. Eva
SECONDED: Cr. Mills

Reason for Confidentiality. Local Government Act 1995: Section 5.23 (2) (c) " the personal affairs of any person".

It is a requirement of the *Freedom of Information Act 1992* that all this information is returned to the Chief Executive Officer at the completion of these items for appropriate filing to maintain confidentiality.

Once all negotiations have been completed for Agenda Item 16.1.1 this will be considered an "exempt document" in accordance with Schedule 1 of the *Freedom of Information Act 1992* denying public access.

CARRIED:
VOTED: 5/0

16. REPORTS OF OFFICERS

Executive Services	
16.1.1 Matter to be Considered Behind Closed Doors - Honorary Freeman	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	28 April 2021
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	

Council Role:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Officer's Recommendation:

045/2021 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 16.1.1	
<p style="text-align: right;"><u>MOVED:</u> Cr. Lane <u>SECONDED:</u> Cr. Mutter</p> <p>That Council approves the nomination of Mr Anthony Thomas as a Shire of Three Springs Honorary Freeman.</p> <p style="text-align: right;">CARRIED: VOTED: 5/0</p>	

046/2021 OFFICER'S RECOMMENDATION: RECOMMENDATION TO RE-OPEN COUNCIL MEETING **16.2**

MOVED: Cr. Mutter
SECONDED: Cr. Eva

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

CARRIED:
VOTED: 5/0

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 5.17pm.

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

Signed: _____

Presiding Officer

Date: 23 June 2021