



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



**SHIRE OF THREE SPRINGS  
ORDINARY COUNCIL MEETING NOTICE PAPER  
25 AUGUST 2021**

President and Councillors,

An ordinary meeting of Council is called for Wednesday, 25 August 2021, in the Council Chambers, Railway Road, Three Springs commencing at 5pm.

**Keith Woodward  
Chief Executive Officer**

**19 August 2021**

**DISCLAIMER**

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

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

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

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

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

To: Chief Executive Officer

☐ Ordinary Council Meeting held  
on

☐ Special Council Meeting held  
on

☐ Committee Meeting held on

☐ Other

Report No

Report Title

Name

☐ Elected  
Member

☐ Committee

☐ Employee

☐ Contractor

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

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

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

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

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

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

OFFICE USE ONLY

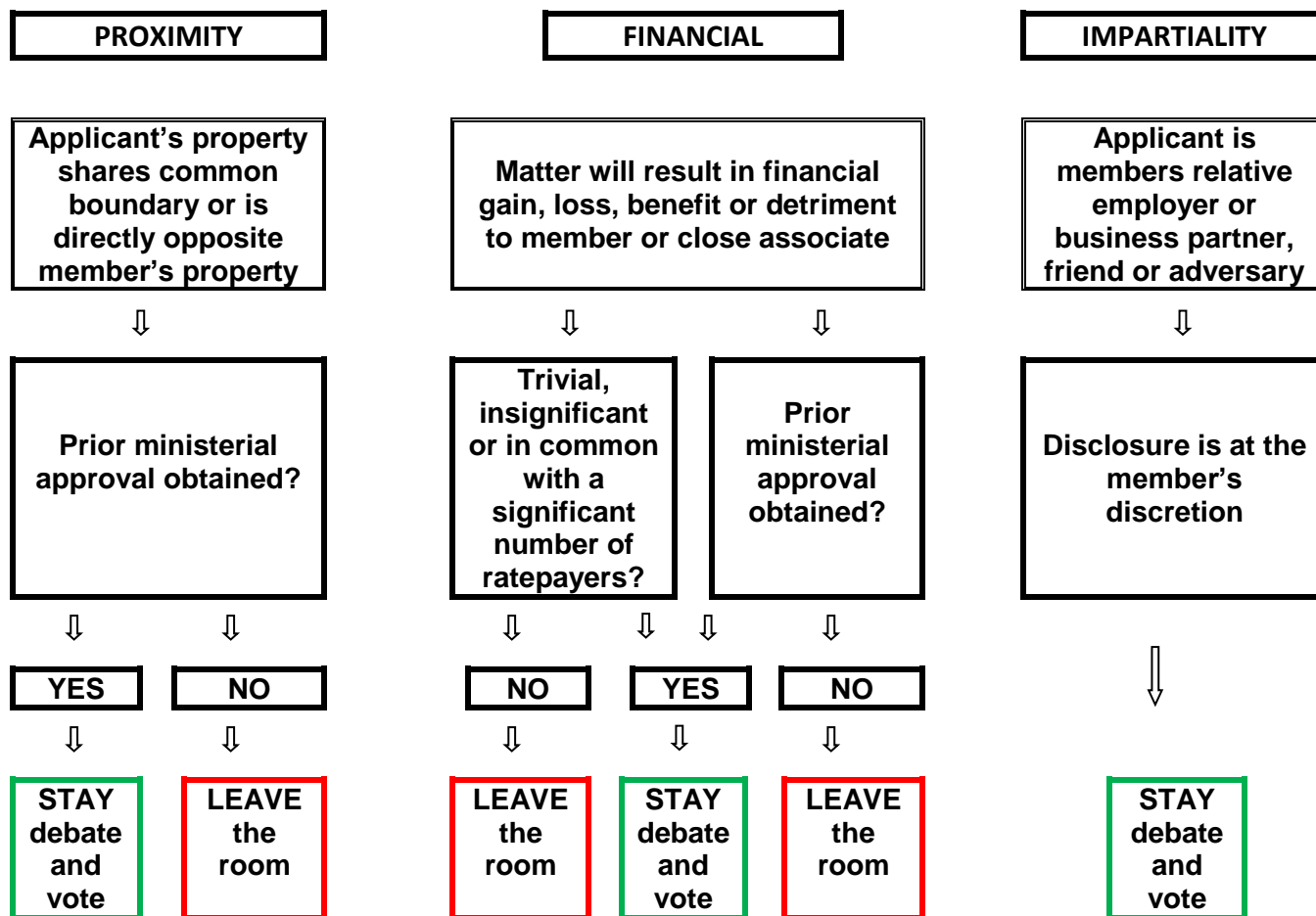
CEO

Signed:

Date:

:

## Declaring an Interest



### Local Government Act 1995 - Extract

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

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

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

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

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

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

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

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

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

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## AGENDA

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

The Shire President declared the meeting open at:

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

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

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

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

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

### 4. PUBLIC QUESTION TIME

### 5. APPLICATIONS FOR LEAVE OF ABSENCE

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

### 6. CONFIRMATION OF PREVIOUS MEETING MINUTES

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

	Date	Moved	Seconded	Vote
6.1	SCM 09/07/2021	Cr.	Cr.	
6.2	OCM 28/07/2021	Cr.	Cr.	

### 7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

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

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

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

## 10. REPORTS OF OFFICERS

Executive Services	
<b>10.1. Good Governance in Practice</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	25 August 2021
Author:	Keith Woodward, Chief Executive Officer
Attachment (s):	Nil

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### Council Role:

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

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### Report Purpose:

That Council Accepts:

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

Compliance Action	Compliance Requirement	Section / Ref	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
<b>Monthly Financial Report</b> LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg.34	July 2021 report submitted to the August 2021 OCM. Reference Minutes	
<b>Report on Elected Member Training Due by: 31 July</b> LG must prepare a report on the training completed by Council members in the previous financial year. CEO must publish the report on the LG's website within one month of the end of the financial year.	Local Government Act 1995	s.5.127	Up to date 2020/2021 Register on Council Members Training on website	
<b>Emergency Services Levy - Option A Remittance Due by: 21st of the month</b> Option A Remittance Report - see Form B Schedule 5 and ESL Assessment Profile Return Form A	DFES - ESL Manual of Operating Procedures	Clause 5.13.	Payment Remittance	Shire does not practice option A.  Option B is activated during months of September/March/June
<b>Primary Returns -</b> Request Primary Return from any new employee who is a Designated Employee. Return must be received by CEO within 3 months of the person's start day	Local Government Act 1995	s.5.75		N/A – no new designated Employees

<b>Financial Interests Register - Review</b> Review register to remove Primary and Annual Returns (not other interest disclosures) from the Financial Interest Register that relate to persons who are no longer Designated Employees (resigned or changed roles) or for Elected Members who have resigned. Returns that are removed are to be kept by the CEO as LG Record for at least 5 years after the person ceased to be a Designated Employee.	Local Government Act 1995	s.5.88(3)(4)		The Interests Register has been audited and is compliant with the statutory directive.
<b>Emergency Services Levy - End of Year Reconciliation Report Due by: 31 July</b> Schedule 6 Form C	DFES - ESL Manual of Operating Procedures	Clause. 5.13.4	N/A	Option B is exercised by the Shire of Three Springs
<b>Annual Returns -</b> Request Elected Members and Designated Employees to provide an Annual Return by no later than <b>31 August</b> CEO's Annual Return must be lodged with the President / Mayor	Local Government Act 1995	s.5.76(1)		Annual Returns have been provided to Council and relevant Staff. A reminder has been sent to those who have still not returned the completed forms.
<b>Elections -</b> Electoral Commission agreement to conduct the election required by: (80th day)	Local Government Act 1995	s.4.20(2)(3)(4) s.4.61(2)(4)		February OCM 2021 Minutes. Confirmation received from the Electoral Commission

## **Execution of Delegation for July 2021**

<b>Date</b>	<b>File Reference</b>	<b>Delegation Number</b>	<b>Decision Detail</b>	<b>Applicant</b>	<b>Officer</b>	<b>Comment</b>
19-Jul-21	PMT ID: 186411939	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni Account to CBA Muni Account	Nab - CBA	Chief Executive Officer	Transfer Funds to Licensing Account Banking Aware Super Refund - \$103.84
20-Jul-21	PMT ID: F107201602771	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Chief Executive Officer	Transfer \$47,000.00 from Maxi A/C to Muni A/C
20-Jul-21	PMT ID: F107211611633	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Chief Executive Officer	Fortnightly Payroll PPE 20 July 2021 - \$46,823.04
22-Jul-21	PMT ID: F107271986673	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Chief Executive Officer	Transfer \$50,000.00 from Maxi A/C to Muni A/C
26-Jul-21	PMT ID: F186588313	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni A/C to CBA Maxi A/C	NAB	Chief Executive Officer	Transfer Funds from NAB Muni A/C to CBA Maxi A/C 20/07/2021 \$400,000.00
27-Jul-21	PMT ID: F107271986673	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Chief Executive Officer	Transfer \$23,000.00 from Maxi A/C to Muni A/C
28-Jul-21	ADM0373	GO004 - Execution of Documents and Affixing of Common Seal to Documents	Agreement		Chief Executive Officer	Agreement July 2021
01-Jul-21	PMT ID: 185345855	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$766,128.44 from Maxi A/C to Muni A/C
01-Jul-21	PMT ID: 185343737	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from GFH A/C to Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$284,377.34 from GFH A/C to Muni A/C
01-Jul-21	PMT ID: 185385405	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni A/C to CBA Muni A/C	NAB	Deputy Chief Executive Officer	Transfer \$2,815,675.27 from NAB Muni A/C to CBA Muni A/C
01-Jul-21	PMT ID: 185384438	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Lisc A/C to CBA Lisc A/C	NAB	Deputy Chief Executive Officer	Transfer \$379.60 from NAB Lisc A/C to CBA Lisc A/C
02-Jul-21	PMT ID: F107020623568	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Deputy Chief Executive Officer	Transfer \$650,000.00 from CBA Muni A/C to CBA Maxi A/C
7-Jul-21	PMT ID: F107060847985	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Deputy Chief Executive Officer	Fortnightly Payroll PPE 06 July 2021 - \$47,062.32
07-Jul-21	PMT ID: F107070892510	CS002 - Payments	Transfer Funds from Maxi A/C to	CBA	Deputy Chief	Transfer \$20,000.00 from Maxi A/C to Muni A/C

		from Municipal Fund and Trust Fund	Muni A/C		Executive Officer	
09-Jul-21	PMT ID: F107091048483	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Deputy Chief Executive Officer	Transfer \$92,000.00 from Maxi A/C to Muni A/C
09-Jul-21	PMT ID: F107091064016	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID F107091064016 for \$91,637.87
12-Jul-21	PMT ID: F107121124115	CS002 - Payments from Municipal Fund and Trust Fund	Bpay Telstra Bill - Creditors	CBA	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID F107121124115 for \$1,420.36
14-Jul-21	PMT ID: F107141296403	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Deputy Chief Executive Officer	Transfer \$80,000.00 from Maxi A/C to Muni A/C
19-Jul-21	PMT ID: 186411939	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni Account to CBA Muni Account	Nab - CBA	Deputy Chief Executive Officer	Transfer Funds to Licensing Account Banking Aware Super Refund - \$103.84
20-Jul-21	PMT ID: F107201602771	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Deputy Chief Executive Officer	Transfer \$47,000.00 from Maxi A/C to Muni A/C
20-Jul-21	PMT ID: F107211611633	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Deputy Chief Executive Officer	Fortnightly Payroll PPE 20 July 2021 - \$46,823.04
21-Jul-21	PMT ID: F186588313	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni A/C to CBA Maxi A/C	NAB	Deputy Chief Executive Officer	Transfer Funds from NAB Muni A/C to CBA Maxi A/C 20/07/2021 \$400,000.00
22-Jul-21	PMT ID: F107221764776	CS02 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID F107221764776 for \$42,654.55
22-Jul-21	PMT ID: F107271986673	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Deputy Chief Executive Officer	Transfer \$50,000.00 from Maxi A/C to Muni A/C
27-Jul-21	PMT ID: F107271986673	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Deputy Chief Executive Officer	Transfer \$23,000.00 from Maxi A/C to Muni A/C
28-Jul-21	PMT ID: F107282063018	CS02 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Deputy Chief Executive Officer	Creditor Payment - EFT PMT ID F107282063018 for \$22,016.67
1-Jul-21	PMT ID: 185341608	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 30/06/2021 - \$270.60
01-Jul-21	PMT ID: 185345855	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	NAB	Senior Finance Officer	Transfer \$766,128.44 from Maxi A/C to Muni A/C
01-Jul-21	PMT ID:	CS002 -	Transfer Funds	NAB	Senior	Transfer \$284,377.34 from

	185343737	Payments from Municipal Fund and Trust Fund	from GFH A/C to Muni A/C		Finance Officer	GFH A/C to Muni A/C
01-Jul-21	PMT ID: 185385405	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni A/C to CBA Muni A/C	NAB	Senior Finance Officer	Transfer \$2,815,675.27 from NAB Muni A/C to CBA Muni A/C
01-Jul-21	PMT ID: 185384438	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Lisc A/C to CBA Lisc A/C	NAB	Senior Finance Officer	Transfer \$379.60 from NAB Lisc A/C to CBA Lisc A/C
02-Jul-21	PMT ID: F107020623568	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Maxi A/C	CBA	Senior Finance Officer	Transfer \$650,000.00 from CBA Muni A/C to CBA Maxi A/C
02-Jul-21	PMT ID: F107020646974	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni A/C to CBA Lisc A/C	CBA	Senior Finance Officer	Transfer \$404.45 from CBA Muni A/C to CBA Lisc A/C
05-Jul-21	PMT ID: 185526433	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni A/C to CBA Muni A/C	NAB	Senior Finance Officer	Transfer \$78.00 from NAB Muni A/C to CBA Muni A/C
05-Jul-21	PMT ID: 185539420	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Senior Finance Officer	Transfer \$29.90 to Licensing A/C - Banking Correction Error: Funds Deposited into Wrong Bank Acc 01/07/2021 Banking 30/06/2021
06-Jul-21	PMT ID: F107060796553	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Lisc A/C to NAB Lisc A/C to cover Direct Debit 05/07/2021	CBA to NAB	Senior Finance Officer	Transfer \$404.45 from the CBA Lisc A/C to NAB Lisc A/C to cover DoT Direct Debit on 05/07/2021
07-Jul-21	PMT ID: F107060847985	CS002 - Payments from Municipal Fund and Trust Fund	Fortnightly Payroll	NAB	Senior Finance Officer	Fortnightly Payroll PPE 06 July 2021 - \$47,062.32
07-Jul-21	PMT ID: F107070892510	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Senior Finance Officer	Transfer \$20,000.00 from Maxi A/C to Muni A/C
09-Jul-21	PMT ID: F107091011288	CS02 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni Account to CBA Licensing Account	CBA	Senior Finance Officer	Transfer Funds to Licensing Account Banking 08/07/2021 - \$259.30
09-Jul-21	PMT ID: F107091048483	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Maxi A/C to Muni A/C	CBA	Senior Finance Officer	Transfer \$92,000.00 from Maxi A/C to Muni A/C
12-Jul-21	PMT ID: F107121124115	CS002 - Payments from Municipal Fund and Trust Fund	Bpay Telstra Bill - Creditors	CBA	Senior Finance Officer	Creditor Payment - EFT PMT ID F107121124115 for \$1,420.36
12-Jul-21	PMT ID: 185993724	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni Account to CBA Muni Account	NAB to CBA	Senior Finance Officer	Transfer Funds to Licensing Account Banking 05/07/2021 - \$359.65
14-Jul-21	PMT ID: F107141296403	CS002 - Payments from Municipal	Transfer Funds from Maxi A/C to Muni A/C	CBA	Senior Finance Officer	Transfer \$80,000.00 from Maxi A/C to Muni A/C

		Fund and Trust Fund				
14-Jul-21	PMT ID: F107141300353	CS02 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Senior Finance Officer	Creditor Payment - EFT PMT ID F107141300353 for \$77,892.81
1-Jul-21	PMT ID: 185341608	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Customer Service Officer 2	Transfer Funds to Licensing Account Banking 30/06/2021 - \$270.60
5-Jul-21	PMT ID: 185526433	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from NAB Muni Account to CBA Muni Account	NAB	Customer Service Officer 2	Transfer Funds to CBA Muni Account from NAB Muni Account 02/07/2021 - \$78.00
5-Jul-21	PMT ID: 185539420	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from Muni Account to Licensing Account	NAB	Customer Service Officer 2	Transfer Funds to Licensing Account - Banking Correction Error: Funds Deposited into Wrong Bank Acc 30/06/2021 - \$29.90
8-Jul-21	PMT ID: F107080939006	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni Account to CBA Licensing Account	CBA	Customer Service Officer 2	Transfer Funds to Licensing Account Banking 07/07/2021 - \$586.80
9-Jul-21	PMT ID: F107091011288	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni Account to CBA Licensing Account	CBA	Customer Service Officer 2	Transfer Funds to Licensing Account Banking 08/07/2021 - \$259.30
10-Jul-21	PMT ID: F107091064016	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Customer Service Officer 2	Creditor Payment - EFT PMT ID F107091064016 for \$91,637.87
14-Jul-21	PMT ID: F107141300353	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Customer Service Officer 2	Creditor Payment - EFT PMT ID F107141300353 for \$77,892.81
21-Jul-21	PMT ID: F107211628580	CS002 - Payments from Municipal Fund and Trust Fund	Transfer Funds from CBA Muni Account to CBA Licensing Account	CBA	Customer Service Officer 2	Transfer Funds to Licensing Account Banking 20/07/2021 - \$69.25 F107211628580
22-Jul-21	PMT ID: F107221764776	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Customer Service Officer 2	Creditor Payment - EFT PMT ID F107221764776 for \$42,654.55
28-Jul-21	PMT ID: F107282063018	CS002 - Payments from Municipal Fund and Trust Fund	Weekly Payment - Creditors	CBA	Customer Service Officer 2	Creditor Payment - EFT PMT ID F107282063018 for \$22,016.67

### Consultation:

Nil

### Statutory Environment:

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

#### 5.41. Functions of CEO

*The CEO's functions are to —*

- (a) *advise the Council in relation to the functions of a local government under this Act and other written laws; and*

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

*Local Government (Audit) Regulations 1996*

17. *CEO to review certain systems and procedures*

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

**Policy Implications:**

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

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

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

**Financial/Resources Implications:**

Nil

**Strategic Implications:**

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

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

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

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

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

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



<b>Executive Services</b>	
<b>10.2 Appointment of Bush Fire Control Officers</b>	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0146
Disclosure of Interest:	Nil
Date:	25 August 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.
- ☐ 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 consider appointing persons to the positions of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Bush Fire Control Officers for the Shire of Three Springs, and the associated Shire of Three Springs Volunteer Bush Fire Brigade.

#### **Background:**

These appointments are statutory appointments under the provisions of the *Bush Fire Act 1954* and are typical.

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

In accordance with the *Bush Fire Act 1954*, Section 38(1), the local government must appoint individuals to be Bush Fire Control Officers.

#### **Consultation:**

Shire of Three Springs Bush Fire Brigades and the Department of Fire and Emergency Services.

#### **Statutory Environment:**

The *Bush Fires Act 1954*, Part IV, Division 1, Section 38 outlines Council's process to appoint a Bush Fire Control Officer.

**Policy Implications:**

Nil

**Financial/Resources Implications:**

Nil

**Strategic Implications:**

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

Strategic Community Plan 2018 - 2028	
Council Objectives:	Outcome:
People are motivated, work together and have an increased pride and participation in the community.	Maintain and improve the provision of emergency services  Support and acknowledge volunteers  Continue to support community organisations.

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:**

OFFICERS RECOMMENDATION:	10.2
That Council appoint the following persons to the positions of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Bush Fire Control Officer:	
<b>Shire of Three Springs Volunteer Bush Fire Brigade:</b>	
1. Craig Morgan to the position of Chief Bush Fire Control Officer	
2. Christian Haeusler to the position of Deputy Chief Bush Fire Control Officer	
<b>Town Brigade:</b>	
3. Rod Ennor to the position of Captain	
4. John Freebairn to the position of Vice Captain	
<b>East Brigade:</b>	

5. Christian Haeusler to the position of Captain
6. Robbie Weir to the position of Vice Captain
7. Mick Verrall to the position of Bush Fire Control Officer

**Arrino Brigade:**

8. Ash Bone to the position of Captain
9. Liam Mutter to the position of Vice Captain

**West Brigade:**

10. Jim Heal to the position of Captain
11. Chad Eva to the position of Vice Captain
12. Adam Thomas to the position of Bush Fire Control Officer

**Bush Fire Control Officers Appointed as Permit Issuing Officers:**

Emergency and Ranger Services Manager	Jason Cacic
Chief Executive Officer	Kylie Spark
Chief Bush Fire Control Officer	Keith Woodward
Deputy Bush Fire Control Officer	Craig Morgan
	Christian Haeusler

**Fire Weather Reader**

Fire Weather Reader	Craig Morgan
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## 10. REPORTS OF OFFICERS

Executive Services	
10.3 Ordinary Council Meetings Dates 2022	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	25 August 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.
- ☐ 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 consider the proposed Ordinary Council Meeting dates and starting times for 2022.

### Background:

The proposed meeting dates for 2022, being the fourth Wednesday of the month (except December when it will be held on the second Wednesday) commencing at 5.00pm are as follows:

- There will be no Ordinary Council meeting in January 2022
- 23 February
- 23 March
- 27 April

- 25 May
- 22 June
- 27 July
- 24 August
- 28 September
- 26 October
- 23 November
- 13 December

Council are required to give local public notice of the proposed dates as per Regulation 12(1) of the *Local Government (Administration) Regulations 1996*.

**Officers Comment:**

Nil

**Consultation:**

Nil

**Statutory Environment:**

Local Government (Administration) Regulations 1996

**12. Meetings, public notice of (Act s. 5.25(1)(g))**

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
- (a) the ordinary council meetings; and
  - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,
- are to be held in the next 12 months.

**Policy Implications:**

Nil

**Financial/Resources Implications:**

Nil

**Strategic Implications:**

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

Strategic Community Plan 2018-2028	
Council Objectives:	Outcome:
A long term strategically focused Shire that is efficient, respected and accountable.	4.1.4. Lead by example to get the community involved in the decision making process.

Working in partnership with all community, government and corporate stakeholders	4.3.2. Ensure compliance with all relevant legislation.
To be strong advocates representing the community's interest	

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

<b>Corporate Business Plan 2020 – 2024</b>	
<b>Scope Statement:</b>	<b>Project Outputs:</b>
Continue to lobby and advocate for key government and infrastructure services, and solve community issues and act on opportunities.	Advocacy on key issues

**Voting Requirements:**  
Simple Majority

**Officer's Recommendation:**

<b>OFFICER'S RECOMMENDATION:</b>	<b>10.3</b>
<p>That Council endorse the following dates for Ordinary Council meetings for 2022 commencing at 5.00pm:</p> <ul style="list-style-type: none"> <li>• There will be no Ordinary Council meeting in January 2022</li> <li>• 23 February</li> <li>• 23 March</li> <li>• 27 April</li> <li>• 25 May</li> <li>• 22 June</li> <li>• 27 July</li> <li>• 24 August</li> <li>• 28 September</li> <li>• 26 October</li> <li>• 23 November</li> <li>• 13 December</li> </ul>	

## 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:	25 August 2021
Author:	Marc Bennett, Manager of Works and Services
Attachment (s):	Capital Works Report 2021-22

#### 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 July 2021.

#### Background:

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

#### Officers Comment:

Refer to the attached status report.

#### Consultation:

Nil

#### Statutory Environment:

Nil

#### Policy Implications:

Purchasing Policy 3007.1

**Financial/Resources Implications:**

Shire of Three Springs Adopted Budget 2020-2021

**Strategic Implications:**

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

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

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

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

**Voting Requirements:**

Simple Majority.

**Officer's Recommendation:**

<b>OFFICER'S RECOMMENDATION:</b>	<b>10.4</b>
That Council accepts the Capital Works Report for July 2021.	



Shire of Three Springs Capital Works 2021/22								
			Budget	Actual Cost	Variation	% Complete	Completion Date	Comment
1	Buildings	Staff House Capital	\$ 163,424.00	\$ 22,000.00	\$ 141,424.00	5%	Jun-22	Part of the Shires staff housing Capital Program
		Shire Building Capital	\$ 34,857.00		\$ 34,857.00	0%	Jun-22	Part of the Shires staff Building Capital Program
8	Infrastructure - Parks & Oval	Skate Park revamp	\$ 30,000.00	\$ 25,550.77	\$ 4,449.23	60%	Oct-21	According to the Strategic Community Plan community consultation, 100% of the community ranked playgrounds as either very important or moderately important. The Skate Park is 20 years old, and is in need of upgrading. The company that did the original installation is no longer in operation. This has made sourcing spare parts difficult, as most skate parks are now constructed using concrete.
10	Infrastructure - Roads	Sunset Road SLK 0-5100	\$ 90,620.00		\$ 90,620.00	0%	Apr-22	The project will consist of drainage reformation and gravel Re-sheet (100mm) with gravel sourced from gravel pit on Nebru road. Sunset road is part of The Strategic Resource Plan 2016-2031 priorities a number of roads currently utilised as grain freight routes resulting in an increased frequency of maintenance and renewal and is funded through Roads to Recovery.
11	Infrastructure - Roads	McKenzie Road ( Talc Lookout)	\$ 45,600.00		\$ 45,600.00	0%	May-22	The project will consist of drainage reformation and gravel Re-sheet (100mm) with gravel sourced from gravel pit on Nebru road. Mckenzie road is part of The Strategic Resource Plan 2016-2031 priorities a number of roads currently utilised as grain freight routes resulting in an increased

								frequency of maintenance and renewal and is funded through Roads to Recovery.
12	Infrastructure - Roads	Lynch Road SLK 3520-11210	\$ 156,876.00	\$ 8,200.00	\$ 148,676.00	5%	Feb-22	The project will consist of drainage reformation and gravel Re-sheet (200mm) with gravel sourced from gravel pit on Nebru road. Lynch road is part of The Strategic Resource Plan 2016-2031 priorities a number of roads currently utilised as grain freight routes resulting in an increased frequency of maintenance and renewal and is funded through Roads to Recovery.
13	Infrastructure - Roads	Morawa Road SLK 24.50-29.86	\$ 300,000.00	\$ 19,680.00	\$ 280,320.00	5%	Dec-21	This Project funded as part of the Regional Road Group and is part of the shires Regional Roads Resealing 15 year plan. The scope of works is box out shoulders and reform reseal 14mm full length.
14	Infrastructure - Roads	Arrino South Road SLK 9.75-13.96	\$ 300,000.00	\$ -	\$ 300,000.00	0%	Dec-21	This Project funded as part of the Regional Road Group and is part of the shires Regional Roads Resealing 15 year plan. The scope of works is to Cement stabilize SLK 10.17-10.26, 9.75 - 10.07, reseal 14mm full length.
15	Infrastructure - Roads	Dudawa Road SLK 3.53-8.39	\$ 300,000.00	\$ 12,300.00	\$ 287,700.00	5%	Dec-20	This Project funded as part of the Regional Road Group and is part of the Shires Regional Roads Resealing 15 year plan. The scope of works is to reform bend SLK 7.75-8.10and reseal to 8 mt, Install new culvert at SLK 8.25 and reseal 14mm full length.
18	Infrastructure - Drainage	Drainage & Kerbing	\$ 59,125.00		\$ 62,306.25	0%	Apr-22	This project is to replace kerb on various streets in town
20	Plant & equipment	Ride on Mower	35,000.00	\$ -	\$ 35,000.00	0%	Oct-21	As per the Plant Replacement Schedule for the period 2016-2026
21	Plant & equipment	Plant Trailer	\$ 18,000.00	\$ -	\$ 18,000.00	0%	Oct-21	As per the Plant Replacement Schedule for the period 2016-2026

22	Plant & equipment	Building Maintenance Trailer	\$ 12,000.00	\$ -	\$ 12,000.00	0%	Oct-22	As per the Plant Replacement Schedule for the period 2016-2026
23	Plant & equipment	Loader	\$ 300,000.00	\$ -	\$ 300,000.00	0%	Mar-22	As per the Plant Replacement Schedule for the period 2016-2026
	<b>Grant Funding</b>							
5	Infrastructure - Parks & Oval	Love Locks	\$ 32,370.00		\$ 32,370.00	0%	Mar-22	This project is to replace plumbing system and install monitoring boars
6	Infrastructure - Parks & Oval	Dominican Park	\$ 125,000.00	\$ 103,026.84	\$ 21,973.16	60%	Oct-21	This Project is to construct a BMX track, get water and power connected and to construct off street parking
9		Upgrade Glyde street Standpipe	7,000.00		\$ 7,000.00	0%	Oct-21	
	<b>Total</b>		<b>\$2,002,872.00</b>	<b>\$ 190,757.61</b>	<b>\$ 1,815,295.64</b>			

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

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

12.1. ELECTED MEMBERS

12.2. STAFF – Late Items

12.2.1 Late Item - Financial Statement for Period Ending 31 July 2021

12.2.2 Late Item - Accounts for Payment as at 31 July 2021

**13. QUESTIONS BY MEMBERS WITHOUT NOTICE**

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

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

The Next Ordinary Council Meeting will be held on Wednesday 23 September 2021 @ 5pm.

**16. CONFIDENTIAL ITEMS**

**17. MEETING CLOSURE**