



MINUTES
SPECIAL COUNCIL MEETING
HELD ON
FRIDAY
8 AUGUST 2025
COMMENCING AT 3.30 PM



Disclosure of Interest Form

(Elected Members/Committee Members/Employees/Contractors)

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

To: Chief Executive Officer

- ☐ Ordinary Council Meeting held
on _____
- ☐ Special Council Meeting held
on _____
- ☐ Committee Meeting held on _____
- ☐ Other _____

Report No _____

Report Title _____

Name _____

☐ Elected
Member

☐ Committee

☐ Employee

☐ Contractor

Type of Interest (*see overleaf for further information)

☐ Proximity

☐ Financial

☐ Impartiality

Nature of Interest

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

Name: _____ Signed: _____ Date: _____

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

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

OFFICE USE ONLY

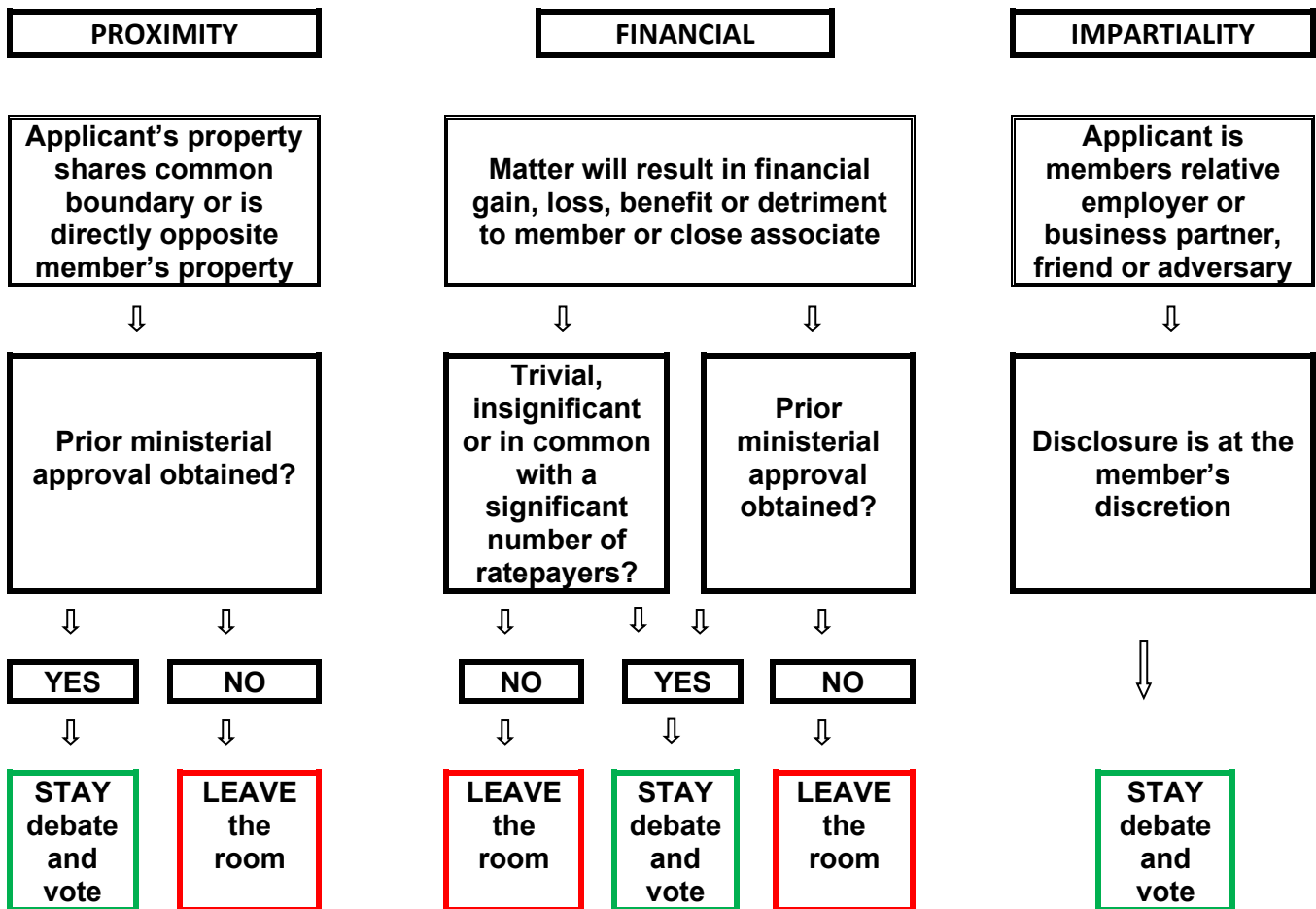
CEO

Signed:

Date:

:

Declaring an Interest



Local Government Act 1995 - Extract

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

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

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

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

5.71 - Employees to disclose interests relating to delegated functions.

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

'Local Government (Administration) Regulations 1996 – Extract

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

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

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at: 3.41pm.

Acknowledgement of Country: -

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

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

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

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF PREVIOUS MEETING MINUTES

Nil

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The Shire President reminds Council Members and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting prior to the matter being discussed.

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

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Nil

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10. REPORTS OF OFFICERS

Nil

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

12.1. Elected Members - Nil

12.2 Staff – Nil

13. QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil

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

Nil

15. TIME AND DATE OF NEXT MEETING

The Next Ordinary Council Meeting will be held on Wednesday, 27 August 2025 @ 5.30pm.

16. CONFIDENTIAL ITEMS

16.1. RECOMMENDATION TO CLOSE COUNCIL MEETING

049/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION		16.1.
<u>MOVED:</u> Cr. Mutter <u>SECONDED:</u> Cr. Eva In accordance with the <i>Local Government Act 1995</i> - Reason for Confidentiality Section 5.23(2) (c), "a contract entered into, or which may be entered into by the local government". It is a requirement of the <i>Freedom of Information Act 1992</i> 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 <i>Freedom of Information Act 1992</i> denying public access.		
	FOR	AGAINST
Cr. Lane (President)	✓	
Cr. Eva (Deputy President)	✓	
Cr. Mutter	✓	
Cr. Heal	✓	
Cr. Ennor		

Cr. Connaughton	✓	
Cr. Mills		

CARRIED:
VOTED: 5/0

*Recording of the meeting was suspended.

The Shire President suspended standing orders at 3.47pm to discuss Item 16.1.1

The Deputy Chief Executive Officer and Executive Secretary left the meeting at 3.47pm

16. REPORTS OF OFFICERS

Executive Services	
16. 1.1 Request for cashing out entitled Long Service Leave	
Agenda Reference:	CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	8 August 2025
Author:	Krys East, Deputy 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:

To seek Council approval, by Regulation 19 of the Local Government (Long Service Leave) Regulations 2024, for the Chief Executive Officer (CEO) to cash out his accrued long service leave entitlement before his resignation on 26 August 2025.

Officer's Recommendation:

050/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 16.1.1.

MOVED: Cr. Connaughton
SECONDED: Cr. Eva

That Council, acting in its capacity as employer and pursuant to Regulation 19 of the Local Government (Long Service Leave) Regulations 2024, approves the Chief Executive Officer's written request to forego 494 hours of entitled long-service leave and authorises payment in lieu of that leave no later than the final pay period ending before 26 August 2025, such payment to be treated as ordinary-time earnings and to attract superannuation contributions at the prevailing rate.

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

CARRIED:
VOTED: 5/0

051/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 16.2

MOVED: Cr. Mutter
SECONDED: Cr. Heal

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

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

CARRIED:
VOTED: 5/0

The Deputy Chief Executive Officer and Executive Secretary returned to the meeting at 4.00pm and Standing Orders were resumed.

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 4.02pm.

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

Signed: _____
Presiding Officer

Date: 27 August 2025

Confidential