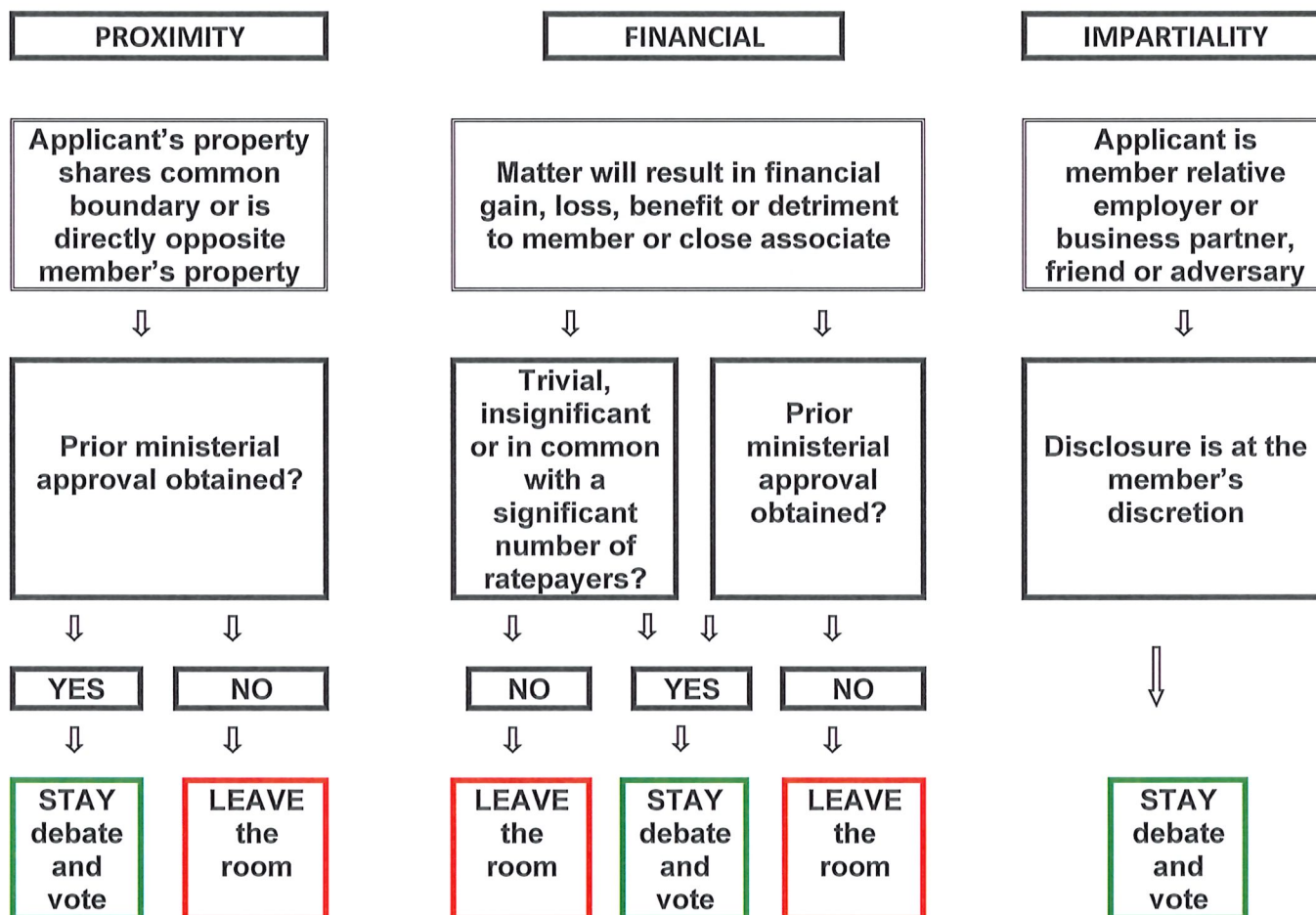




MINUTES
ORDINARY COUNCIL MEETING
HELD ON
THURSDAY
23 OCTOBER 2025
COMMENCING AT 5.30 PM



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

Prior to the Opening of the Meeting

In accordance with Schedule 2.3 of the *Local Government Act 1995*, the Temporary Chief Executive Officer presided over the meeting until the office of Shire President had been filled.

Prior to the commencement of the meeting, newly elected Councillor Jenny Mutter was sworn into office, making a declaration in the prescribed form before the Shire of Three Springs Temporary Chief Executive Officer.

DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Temporary Chief Executive Officer declared the meeting open at: 5.44pm and would like to remind everyone that this meeting is being recorded.

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.

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

	Attendance	Approved Leave of Absence	Absent
Councillor Eva	Present		
Councillor Ennor	Present		
Councillor Connaughton	Present		
Councillor Mutter	Present		
Temporary Chief Executive Officer	Present		
Manager of Infrastructure	Present		
Executive Secretary	Present		

Members of the Public

There was one member of the public in attendance

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3. PUBLIC QUESTION TIME

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. CONFIRMATION OF PREVIOUS MEETING MINUTES

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

	Date	Moved	Seconded	Vote
6.1 Ordinary Council Meeting	24.09.2025.	Cr. Eva	Cr. Connaughton	4/0

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The Temporary Chief Executive Officer 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.

The Temporary Chief Executive Officer acknowledged the recent passing of long term resident of Three Springs, Mrs. Anne Verrall.

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor	Activity
Cr. Eva	24.09.25 – OCM 25.09.25 – Meeting with Strike Energy
Cr. Mutter	
Cr. Ennor	
Cr. Connaughton	24.09.25 – OCM

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10. REPORTS OF OFFICERS

Executive Services	
10.1. Election of Shire President and Deputy Shire President	
Agenda Reference:	10.1
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM0166
Disclosure of Interest:	Nil
Date:	23 October 2025
Author:	Krys East, Temporary 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 elect the Shire President and Deputy Shire President from among the elected Councillors following the 2025 Ordinary Local Government Election, in accordance with Schedule 2.3 of the Local Government Act 1995.

Background:

Pursuant to clause 4 of Division 1 of Schedule 2.3 of the Local Government Act 1995, the Council is required to appoint a President at its first meeting following an election day. The Chief Executive Officer is to preside at the meeting until the office is filled and the election is to be conducted by the CEO in accordance with the procedure prescribed in the Act. Accordingly, the CEO will call for Councillors to nominate candidates at the meeting. All Councillors including newly elected Councillors, are eligible to nominate.

Following the 2025 Ordinary Local Government Election the newly elected Councillors have been sworn in and assumed office.

The Local Government Act 1995 requires Council to elect a Shire President and a Deputy Shire President at its first meeting following the election. These roles are

essential for providing leadership, governance, and representation of the Shire and Council.

The Shire President acts as the principal member of Council and spokesperson, presides at meetings, and performs ceremonial duties. The Deputy Shire President acts in the role of President during periods of absence or unavailability.

Both positions are elected for a two-year term, concluding at the next ordinary local government election.

Officer's Comment:

Nil

Consultation:

Nil

Statutory Environment:

Local Government Act 1995:

2.8. Role of mayor or president

(1) The mayor or president —

- (a) presides at meetings in accordance with this Act; and*
- (b) provides leadership and guidance to the community in the district; and*
- (c) carries out civic and ceremonial duties on behalf of the local government; and*
- (d) speaks on behalf of the local government; and*
- (e) performs such other functions as are given to the mayor or president by this Act or any other written law; and*
- (f) liaises with the CEO on the local government's affairs and the performance of its functions.*

- (2) Section 2.10 applies to a councillor who is also the mayor or president and extends to a mayor or president who is not a councillor.*

2.9. Role of deputy mayor or deputy president

The deputy mayor or deputy president performs the functions of the mayor or president when authorised to do so under section 5.34.

2.10. Role of councillors

A councillor —

- (a) represents the interests of electors, ratepayers and residents of the district; and*
- (b) provides leadership and guidance to the community in the district; and*
- (c) facilitates communication between the community and the council; and*
- (d) participates in the local government's decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a councillor by this Act or any other written law.*

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

[Sections 2.11(1)(b) and 2.15]

Division 1 — Mayors and presidents

1. Terms used

In this Division —

extraordinary vacancy means a vacancy that occurs under section 2.34(1);

office means the office of councillor mayor or president.

2. When council elects mayor or president

(1) *The office is to be filled as the first matter dealt with —*

(a) *at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and*

(b) *at the first meeting of the council after an extraordinary vacancy occurs in the office.*

(2) *If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.*

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected

(1) *The council is to elect a councillor to fill the office.*

(2) *The election is to be conducted by the CEO in accordance with the procedure prescribed.*

(3) *Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.*

(3a) *Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.*

(4) *If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.*

(5) *The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.*

(6) *Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.*

(7) *As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.*

[Clause 4 amended: No. 49 of 2004 s. 69(2)-(5); No. 66 of 2006 s. 14.]

5. Votes may be cast a second time

- (1) *If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.*
- (2) *Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.*
- (3) *When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.*
- (4) *The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.*

Division 2 — Deputy mayors and deputy presidents

6. Terms used

In this Division —

extraordinary vacancy means a vacancy that occurs under section 2.34(1);

office means the office of deputy mayor or deputy president.

7. When council elects deputy mayor or deputy president

- (1) *If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —*
 - (a) *at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and*
 - (b) *at the first meeting of the council after an extraordinary vacancy occurs in the office.*
- (2) *If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —*
 - (a) *as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and*
 - (b) *subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.*
- (3) *If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.*

8. How deputy mayor or deputy president is elected

- (1) *The council is to elect a councillor (other than the mayor or president) to fill the office.*
- (2) *The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.*
- (3) *Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.*

- (3a) *Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.*
- (4) *If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.*
- (5) *The council members are to vote on the matter by secret ballot as if they were electors voting at an election.*
- (6) *Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.*
- (7) *As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.*

[Clause 8 amended: No. 64 of 1998 s. 54(2)-(4); No. 49 of 2004 s. 69(6)-(9).]

9. Votes may be cast a second time

- (1) *If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.*
- (2) *Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.*
- (3) *When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.*
- (4) *The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.*

Schedule 4.1 — How to count votes and ascertain the result of an election

[s. 4.74]

[Heading inserted: No. 15 of 2009 s. 5.]

- 1. *The number of votes given for each candidate is to be ascertained.*
- 2. *If the election is to fill the office of mayor or president, the candidate who receives the greater or greatest number of votes is elected.*
- 3. *If the election is to fill one office of councillor, the candidate who receives the greater or greatest number of votes is elected.*
- 4. *If the election is to fill 2 or more offices of councillor, the candidates elected are —*
 - (a) the candidate who receives the greatest number of votes; and*
 - (b) the candidate who receives the next highest number of votes; and*
 - (c) the candidate who receives the next highest number of votes,**and so on up to the number of offices to be filled.*

5. *If 2 or more candidates receive the same number of votes so that clause 2, 3 or 4 cannot be applied, the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.*

ELECTION OF SHIRE PRESIDENT

The CEO calls for nominations for the position of Shire President.

IF only one nomination is received the CEO will declare that nominee elected

IF more than one nomination is received the CEO will conduct a secret ballot then declare the nominee with the highest number of votes elected.

NOMINATION FROM Cr. Nadine Elsa Eva (received in writing from Cr. Eva on 10 October 2025).

There being only one nomination for the position of Shire President the CEO declared Cr Nadine Elsa Eva duly elected as Shire President of the Shire of Three Springs for a two year term ending at the October 2027 Elections.

Newly elected Shire President to make declaration of office.

Shire President assumes the chair and calls for nominations for the position of Deputy Shire President

ELECTION OF DEPUTY SHIRE PRESIDENT

The President Cr Eva to call for nominations for the position of Deputy Shire President.

IF only one nomination is received the Shire President will declare that nominee elected

IF more than one nomination is received the CEO will conduct a secret ballot then declare the nominee with the highest number of votes elected.

NOMINATION FROM Cr. Mutter (received in writing from Cr. Mutter on 20 October 2025).

NOMINATION FROM Cr Ennor (received in writing from Cr. Ennor on 23 October 2025).

The CEO conducted a secret ballot for the position of Deputy Shire President. The result of the ballot was:

Cr. Mutter: Votes: 2

Cr. Ennor: Votes: 2

Lots were drawn and the Shire President declared Cr. Mutter elected to the position of Deputy Shire President

Cr. Jennifer Dorothy Mutter duly elected as Deputy Shire President of the Shire of Three Springs for a two year term ending at the October 2027 Elections.

Newly elected Deputy Shire President Jennifer Dorothy Mutter to make declaration of office.

Policy Implications:

Nil

Financial/Resources Implications:

Nil

Strategic Implications:

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

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

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

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

Voting Requirements:

Nil

DECLARATION OF RESULT

Election of Shire President

The Temporary Chief Executive Officer, **Ms. Krys East**, called for nominations for the position of **Shire President**.

The nomination period was then declared closed.

The Temporary Chief Executive Officer advised that a written and verbal nomination had been received for **Cr Nadine Eva** for the position of Shire President. **Cr Eva** accepted the nomination.

The Temporary Chief Executive Officer declared **Cr Nadine Eva duly elected unopposed** to the position of **Shire President**.

In accordance with **Section 2.29** and **Schedule 2.3** of the *Local Government Act 1995*, **Cr Eva** made the **Declaration of Office** as **Shire President** for a term of two years, expiring in 2027, in the presence of the Temporary Chief Executive Officer, **Ms. Krys East**.

Election of Deputy Shire President

The **Shire President**, **Cr Nadine Eva**, called for nominations for the position of **Deputy Shire President**.

The nomination period was then declared closed.

The Shire President advised that written nominations had been received from **Cr Jennifer Mutter** and **Cr Julia Ennor** for the position of Deputy Shire President.

No further nominations were received. Both nominees were asked if they wished to withdraw their nominations, and both declined.

A **secret ballot** was conducted for the position of Deputy Shire President. The result of the ballot was:

- **Cr Mutter** – 2 votes
- **Cr Ennor** – 2 votes

As the votes were tied, **lots were drawn** in accordance with Schedule 2.3 of the *Local Government Act 1995*, and the **Shire President** declared **Cr Jennifer Dorothy Mutter** elected to the position of **Deputy Shire President**.

In accordance with **Section 2.29** and **Schedule 2.3** of the *Local Government Act 1995*, **Cr Mutter** made the **Declaration of Office** as **Deputy Shire President** for a term of two years, expiring in 2027, in the presence of the Temporary Chief Executive Officer, **Ms. Krys East**.

** At 5.59pm the Shire President suspended Standing Orders pending further Council discussions on the following Item 10.2 "Appointment of Committees and Delegates" and recording was paused.*

** At 6.08 pm after discussions the Shire President requested to resume Item 10.2 and recording of the meeting was resumed.*

10. REPORTS OF OFFICERS

Executive Services	
10.2. Appointment of Committees and Delegates	
Agenda Reference:	10.2
Location/Address:	Shire of Three Springs
Name of Applicant:	TCEO
File Reference:	ADM0211
Disclosure of Interest:	Nil
Date:	23 October 2025
Author:	Krys East, Temporary 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 appoint Councillors to various committees and external organisations following the October 2025 Ordinary Election.

Background:

Following the biennial local government elections, it is necessary for Council to consider and appoint representatives to its internal committees and to various external organisations. Under the Local Government Act 1995, Council committees and their membership lapse on the day of the ordinary elections, and new appointments must be made at the first Ordinary Council Meeting following the election.

Committees assist Council by undertaking detailed review, investigation, and reporting on specific matters within their terms of reference.

Council also nominates representatives to regional and community-based organisations to ensure local interests are represented and effective communication is maintained between Council and the community.

Officer's Comment:

Council is requested to review the existing committee structure and make appointments for the ensuing term.

The External Committees and appointments made on 25 October 2023 and 27 March 2024 were:

A. WALGA Conference Delegates

- President / Cr. Lane
- Deputy (Proxy) / Cr. Eva
- Cr. Connaughton
- Cr. Mutter

B. Northern Country Zone of WALGA

- President / Cr. Lane
- Deputy (Proxy) / Cr. Eva
- Cr. Ennor
- Cr. Mutter

C. MRWA Regional Road Group

- President / Cr. Connaughton
- Deputy (Proxy) / Cr. Heal
- Cr Mills

D. Three Springs LEMC

- President / Cr. Heal
- Deputy (Proxy) Cr. Mutter
- Cr. Eva

E. Development Assessment Panel

- President / Cr. Connaughton
- Deputy (Proxy) / Cr. Ennor "

The Internal Committees and appointments made on 25 October 2023 and 27 March 2024 were:

1. Appoint councillors to the following Shire of Three Springs internal Audit and Risk Committee.

President / Cr. Lane
Deputy President / Cr. Eva
Cr. Heal
Cr. Mutter
Cr. Ennor
Cr. Connaughton

2. Appoint Councillors to the following Shire of Three Springs Community Fund Assessment Committee.

President / Cr. Ennor
Deputy President / Cr. Eva
CEO

3. Appoint councillors to the Shire of Three Springs Chief Executive Officer - Performance and Salary Review Committee.

President / Cr. Lane
Deputy President / Cr. Eva
Cr. Heal
Cr. Mutter
Cr. Ennor
Cr. Connaughton

Consultation:

Nil

Statutory Environment:

All Committees are established under provisions of Subdivision 2 – Committees and their meetings s 5.8 to 5.18 of the *Local Government Act 1995*.

The committee is to be appointed by an absolute majority decision of Council and consist of three or more person to assist the council. In accordance with s.5.9 (2) of the members a committee is to comprise of:

- 5.9. *Committees, types of*
(2) *A committee is to comprise —*
(a) *council members only; or*
(b) *council members and employees; or*
(c) *council members, employees and other persons; or*
(d) *council members and other persons; or*
(e) *employees and other persons; or*
(f) *other persons only.*

Policy Implications:

Nil

Financial/Resources Implications:

Meeting attendance by Councillors may attract sitting fees as per Council's adopted Fees and Allowances Schedule.

Strategic Implications:

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

Strategic Community Plan 2024-2034	
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.
Improved long term planning and strategic management.	4.5.2. Maintain links with bodies such as MWDC.
Working in partnership with all community, government and corporate stakeholders.	4.5.2 Continued involvement with Government and corporate stakeholders such as the Regional Road Group.

To be strong advocates representing the community's interest	4.6.1. Continue to lobby government and corporate entities to ensure adequate services and facilities are available for the community.
--	--

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

Corporate Business Plan 2020-2024	
Scope Statement:	Project Outputs:
Aligned to the CSP objectives	

Voting Requirements:

Absolute Majority

Officer's Recommendation:

074/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.2

MOVED: Cr. Connaughton

SECONDED: Cr. Mutter

That Council:

1. Revoke the resolutions of Council from:
 - 25 October 2023 (Report 10.2 – External Committees), and
 - 27 March 2024 (Report 10.2 – External Committees); and
 - 25 October 2023 (Report 10.2 - Internal Committees); and
 - 27 March 2024 (Report 10.2 - Internal Committees)
2. Authorise the appointment of Councillors as representatives to the Shire of Three Springs external committees for the period ending at the next Ordinary Election in October 2027.
 - **WALGA Conference Delegates**
 President / Cr. Eva
 Deputy (Proxy) / Cr. Mutter
 Cr. Ennor
 Cr. Connaughton
 - **Northern Country Zone of WALGA**
 President / Cr. Eva
 Deputy (Proxy) / Cr. Mutter
 Cr. Ennor
 Cr. Connaughton
 - **MRWA Regional Road Group**
 President / Cr. Connaughton
 Deputy (Proxy) / Cr. Eva
 - **Three Springs LEMC**
 President / Cr. Mutter
 Deputy (Proxy) Cr. Ennor
 Cr. Eva

- **Development Assessment Panel**

President / Cr. Connaughton
Deputy (Proxy) / Cr. Ennor
Cr. Eva
Cr. Mutter

3. Appoint councillors to the following Shire of Three Springs internal Audit and Risk Committee.

President: Cr. Eva
Deputy President: Cr. Mutter
Cr. Ennor
Cr. Connaughton

4. Appoint Councillors to the following Shire of Three Springs Community Fund Assessment Committee.

President: Cr. Ennor
Deputy President: Cr. Eva
CEO

5. Appoint councillors to the Shire of Three Springs Chief Executive Officer - Performance and Salary Review Committee.

President: Cr. Eva
Deputy President: Cr. Mutter
Cr. Ennor
Cr. Connaughton

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

CARRIED:
VOTED: 4/0
By Absolute Majority

10. REPORTS OF OFFICERS

Executive Services	
10.3. Christmas Shutdown	
Agenda Reference:	10.3
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	TCEO
Disclosure of Interest:	Nil
Date:	23 October 2025
Author:	Krys East, Temporary 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 endorsement for the Shire's Administration Office, Depot, and Aquatic Centre closure periods during the 2025/2026 Christmas and New Year holiday period.

Background:

It is customary for the Shire to close operations over the Christmas and New Year period to allow staff to take annual leave during a traditionally quiet time and to facilitate a coordinated return to work in the new year. The proposed closure dates align with previous years and ensure adequate notice is provided to the community. Shire staff will take annual or accumulated leave for the days on which the office/depot is closed.

Officer's Comment:

The following closure arrangements are proposed for the 2025/2026 period:

- Administration Office:
To close at 2:00 pm on Tuesday, 23 December 2025, and re-open at 8:00 am on Monday, 5 January 2026.

- **Shire Depot:**
To close at 3:30 pm on Thursday, 18 December 2025, and re-open at 7:00 am on Monday, 5 January 2026.
Staff will be available on an on-call basis for any emergency works during this period.
- **Three Springs Aquatic Centre:**
To close on Christmas Day (25 December 2025), Boxing Day (26 December 2025), and New Year's Day (1 January 2026).
The facility will remain open to the public on all other scheduled days, subject to weather and staffing availability.

Public notices will be placed on the Shire's website, social media, and community noticeboards to inform residents of these closures.

Consultation:

SoTS Manager of Infrastructure

SoTS Coordinator Community Development & Tourism

Statutory Environment:

- Local Government Act 1995
- Fair Work Act 2009
- Relevant employment awards

Policy Implications:

Nil

Financial/Resources Implications:

There are no additional financial implications beyond normal employee entitlements for annual leave and public holidays.

Strategic Implications:

This closure period supports staff wellbeing and operational efficiency while maintaining appropriate community communication in line with the Shire's values of accountability and transparency.

Voting Requirements:

Simple Majority.

Officer's Recommendation:

075/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.3
<u>MOVED:</u> Cr. Mutter <u>SECONDED:</u> Cr. Connaughton That Council endorses the following 2025/2026 Christmas and New Year closure arrangements: • The Administration Office close at 2:00 pm on Tuesday, 23 December 2025 and re-open at 8:00 am on Monday, 5 January 2026. • The Shire Depot close at 3:30 pm on Thursday, 18 December 2025 and re-open at 7:00 am on Monday, 5 January 2026.	

- The Three Springs Aquatic Centre close on 25 December 2025, 26 December 2025, and 1 January 2026, with normal operations resuming on all other days.
- Public notice of these closures be provided to the community through the Shire's usual communication channels.

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

CARRIED:
VOTED: 4/0

10. REPORTS OF OFFICERS

Corporate Services	
10.4. Amendment to 2025/26 Fees & Charges	
Agenda Reference:	10.4
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	
Disclosure of Interest:	Nil
Date:	23 October 2025
Author:	Krys East, Temporary 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:

To seek Council approval to amend the adopted 2025/26 Fees and Charges schedule to:

1. Remove the LED charges; and
2. Confirm the pool hire fee for schools other than Three Springs Primary School is \$500 for exclusive use of the pool for their pool carnivals, with swimming lessons charged at the normal pool entry fee.

Background:

As part of the 2025/26 Budget process, Council adopted the Schedule of Fees and Charges in August 2025. Following adoption, it has been identified that the version of the Fees and Charges attached to the Budget Adoption item contained administrative errors. These did not reflect Council's original intent or resolutions but instead incorporated unintended entries.

Specifically, LED charges were included in the adopted schedule without the Council's prior endorsement. In addition, clarification is required to ensure the hire fee for pool carnivals by schools other than Three Springs School is correctly reflected as \$500 for exclusive use of the facility during the carnival. At the same time, these schools' swimming lessons remain subject to the normal entry fee.

Officer's Comment:

The proposed amendments will correct administrative oversights and align the Schedule of Fees and Charges with Council's resolutions and intent:

- Removal of LED charges: These charges were not considered by Council and should not have been included.
- Pool hire fees: The \$500 fee is to apply only to schools other than Three Springs School for exclusive use of the pool during its annual carnival. Swimming lessons will continue to be charged at normal pool entry fees.

These changes will ensure accuracy and transparency in the Schedule of Fees and Charges.

Consultation:

Cr Chris Lane – SoTS Shire President.

Cr Nadine Eva – SoTS Deputy Shire President

Statutory Environment:

Local Government Act 1995 section 6.16(3)(b) allows for the amending of the Schedule of Fees & Charges during a financial year.

“6.16. Imposition of fees and charges

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

** Absolute majority required.*

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

(a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;

(b) supplying a service or carrying out work at the request of a person;

(c) subject to section 5.94, providing information from local government records;

(d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;

(e) supplying goods;

(f) such other service as may be prescribed.

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

(a) imposed during a financial year; and*

(b) *amended* from time to time during a financial year.*

** Absolute majority required.*

Local Government Act 1995 section 6.19 Local government to give notice of fees and charges.

6.19. *Local government to give notice of fees and charges*

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

3. (a) *its intention to do so; and*

4. (b) *the date from which it is proposed the fees or charges will be imposed.”*

Policy Implications:

Nil

Financial/Resources Implications:

Removing LED charges will have no material financial impact, as these were not implemented. The clarification of pool hire fees reflects Council's intended position and does not materially alter budgeted revenue.

Strategic Implications:

Outcome 1.2: Our community fosters and values lifelong learning and recreational opportunities.

Outcome 4.2: A high standard of governance and accountability is maintained.

Voting Requirements:

Absolute Majority

Officer's Recommendation:

076/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION	10.4
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MOVED: Cr. Ennor
SECONDED: Cr. Mutter

That Council:

- Removes the LED charges from the 2025/26 Schedule of Fees and Charges;
- Confirms that the \$500 pool hire fee applies only to schools other than Three Springs School for the purpose of their school carnival for exclusive use of the facility; and
- Approves that schools other than Three Springs School for their in-term swimming lessons are to be charged at the normal pool entry fee.
- Instructs the Temporary CEO to provide public notice of the amended fees and charges.

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

CARRIED:
VOTED: 4 /0
By Absolute Majority

10. REPORTS OF OFFICERS

Executive Services	
10.5. Debtor Write-off	
Agenda Reference:	10.5
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	23 October 2025
Author:	Krys East, Temporary 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:

To inform Council of minor debtor write-offs undertaken under delegated authority by the Chief Executive Officer in accordance with the Shire's Delegation Register, and to formally note the removal of small unrecoverable debts considered uneconomical to pursue.

Background:

A review of outstanding debtor accounts has identified a small number of balances that remain unpaid despite reasonable efforts to recover them.

Under the Shire's Delegation Register, Delegation 2.6 – Write-off of Monies Owed to the Shire,

"The Chief Executive Officer is delegated authority to approve or refuse to approve applications or requests for:

- 1. A waiver of a debt other than rates or a service charge.*
- 2. The write-off of a debt other than rates or a service charge.*

Subject to:

a) The amount of the request or application not exceeding \$1000.00; or Cumulative debts of a debtor valued below \$1000.00. Write off a debt greater than these values must be referred for Council decisions"

While no formal applications for write-off were received, Administration has reviewed these accounts and determined that recovery through debt collection would not be cost-effective. The debts are therefore being written off in the interests of maintaining accurate financial records and good governance.

Officer's Comment:

The following debts have been assessed as unrecoverable and written off accordingly:

Debtor No.	Description	Amount	Reason for Write-Off
T74	Electricity charge	\$81.72	Amount not worth pursuing through debt collection.
M146	Dog infringement	\$200.00	Fines enforcement process not followed within required timeframes.
C117	Dog infringement	\$200.00	Fines enforcement process not followed within required timeframes.
H48	Dog infringement	\$400.00	Fines enforcement process not followed within required timeframes.
B109	Lost library books	\$90.20.	Amount not worth pursuing through debt collection.
B111	Bushfire infringement	\$250.00	Amount not worth pursuing through debt collection.

Total: \$1,221.92

All individual amounts are low-value and uneconomical to pursue. Recovery through formal debt collection or legal processes would result in higher administrative costs than the value of the debts themselves.

The write-offs have been processed in accordance with internal control requirements and will be reported as part of the annual financial statements.

Consultation:

SoTS Assistant Finance Officer

Statutory Environment:

Local Government Act 1995

- Section 6.12(1)(c) – A local government may write off any amount of money owed to the local government.

Delegation Register – Delegation 2.6: Write-off of Monies Owed to the Shire

- Delegated authority to the Chief Executive Officer to approve or refuse to approve applications or requests for the write-off of a debt other than rates or a service charge.

Policy Implications:

Consistent with Delegation CS005– Waiving & Granting of Concessions & Write-Off of Debts other than Rates & Service Charges

Financial/Resources Implications:

A total of \$1,221.92 has been written off as bad debts during the 2025/26 financial year. This amount is immaterial in the context of the Shire's overall budget and will not adversely impact the financial position.

Strategic Implications:

Supports responsible financial management and sound administrative practice consistent with the Shire of Three Springs Strategic Community Plan objectives for accountable and transparent governance.

Voting Requirements:

Simple Majority.

Officer's Recommendation:**077/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.5**

MOVED: Cr. Eva
SECONDED: Cr. Mutter

That Council:

1. Notes the write-off of unrecoverable debts totalling \$1,221.92 undertaken under Delegation CS005– Waiving & Granting of Concessions & Write-Off of Debts other than Rates & Service Charges, as detailed below:

Debtor	Amount	Description
T74	\$81.72	Electricity charge
M146	\$200.00	Dog infringement
C117	\$200.00	Dog infringement
H48	\$400.00	Dog infringement
B109	\$90.20	Lost library books
B111	\$250.00	Bushfire infringement

2. Acknowledges that these write-offs were undertaken to maintain accurate financial records and that no further recovery action is proposed.

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

CARRIED:
VOTED: 4/0

10. REPORTS OF OFFICERS

Executive Services	
10.6 Midwest Grain Freight Route – Budget Amendment	
Agenda Reference:	10.6
Location/Address:	Shire of Three Springs
Name of Applicant:	CEO
File Reference:	ADM
Disclosure of Interest:	Nil
Date:	23 October 2025
Author:	Krys East, Temporary 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 for a budget amendment to allow completion of additional remediation works required along the Three Springs–Eneabba Road, which forms part of the Midwest Secondary Grain Freight Project, following significant rainfall events, and to endorse an application for supplementary Regional Road Group (RRG) funding.

Background:

The Midwest Secondary Grain Freight Project, funded jointly by the State and Commonwealth Governments, has an overall budget allocation of \$11.5 million. The Three Springs–Eneabba Road section, for which the Shire of Three Springs is the lead agency, is nearing completion under this regional program.

The project is being delivered under the Mid West Secondary Freight Network partnership, involving participating local governments, Main Roads WA, and the Regional Road Group (Midwest), with the Shire responsible for project delivery, financial administration, and acquittal.

In recent weeks, issues have been identified where unsuitable materials were encountered due to saturated ground conditions, and scouring of table drains occurred following heavy rainfall over the past three months. These issues are not contractual defects but rather latent conditions, which are inherently difficult to accurately quantify during project planning.

Furthermore, the installation of scour protection (rock groynes) along table drains was outside the original project scope and only became a concern following the recent weather events. For context, similar scouring has been observed along Midlands Road between Mingenew and Three Springs, demonstrating the extent and intensity of the regional weather impacts.

Officer's Comment:

While the contract provisions allowed for limited contingency to address latent conditions, the extent of the rainfall damage has far exceeded what could reasonably have been accommodated within the existing budget.

To maintain the integrity and safety of the constructed road, remedial works in the form of rock groyne installations are required at multiple locations:

- Option 1: 85 critical groynes – estimated cost \$216,000
- Option 2: 154 groynes – estimated cost \$300,000

The Regional Road Group (RRG) has called for “Shovel Ready” project submissions closing 15 October 2025, providing an opportunity to secure additional funding. It is proposed that the Shire submit an application seeking \$200,000, with a Council contribution of one-third (\$100,000).

The proposed rock groyne works will be contained within the existing road reserve, and no additional environmental approvals or clearing are anticipated. The works are consistent with the Shire’s Risk Management Framework and Asset Management Plan principles, as they address known drainage and erosion risks.

Should the application be successful, the required contribution could be accommodated from savings identified during the Mandatory Budget Review to be undertaken by March 2026, should sufficient capacity be available.

Alternatively, the Shire’s contribution may be funded by deferring gravel re-sheeting on Simpson Road (Council-funded), which has been assessed as a suitable offset. On inspection, the SLK sections identified in the 2025/26 Budget are currently being maintained to an acceptable standard through routine maintenance grading. Although there is a section of Simpson Road between SLK 2.77–4.16 that does require more significant work—such as installation of culverts, widening of the carriageway, and improved drainage—this scope of work is estimated to cost in the vicinity of \$400,000 and would therefore be more appropriately considered as a future capital project in an upcoming budget.

It is reasonable to defer or reallocate funds in favour of completing the Midwest Grain Freight Route remedial works, as this represents a higher priority and ensures the protection of a State and Federally funded infrastructure investment.

If the rock groyne scour protection works are not completed, the following impacts are likely:

- Progressive erosion: Continued scouring of table drains will undermine the road shoulders and batters, leading to loss of structural integrity of the pavement.

- Increased maintenance costs: Ongoing washouts and shoulder failures will require repeated maintenance interventions, resulting in higher operational costs to both the Shire and funding partners.
- Reduced road safety: Eroded edges and soft shoulders increase the risk of vehicle edge drop-offs, creating a significant hazard for heavy vehicles and other road users.
- Reduced asset life: The absence of adequate drainage control will lead to early deterioration of the pavement and seal, significantly reducing the design life of the project.
- Potential funding and reputational risk: Failure to adequately protect and maintain the completed works could impact future State and Federal funding eligibility and reflect poorly on project governance.

In summary, without these remediation measures, the long-term sustainability and safety of the \$11.5 million State and Commonwealth Governments funded investment will be compromised.

Consultation:

Main Roads WA
Regional Road Group
GHD Project Superintendent
Red Dust Holding - Contractor
SoTS - Manager of Infrastructure

Statutory Environment:

Local Government Act 1995 – Section 6.8 (1)(b) – Expenditure from the municipal fund not included in the annual budget must be authorised by Council by absolute majority.

Local Government (Financial Management) Regulations 1996 – Regulation 33A – Requires a review of the annual budget to be undertaken between 1 January and 31 March each financial year.

Policy Implications:

Nil

Financial/Resources Implications:

An amendment is proposed to increase the Midwest Secondary Grain Freight Project – Three Springs–Eneabba Road budget by up to \$300,000, with funding to be sourced as follows:

Funding Source	Amount
Regional Road Group Grant (proposed)	\$200,000
Shire Contribution	\$100,000
Total Additional Requirement	\$300,000

Should RRG funding not be approved, Council may elect to:

- Reduce the scope to 85 groynes at \$216,000; and
- Fund the works through deferral of the Simpson Road re-sheeting project \$134,658 or from savings identified in the 2025/26 Budget Review should sufficient capacity be available.

Strategic Implications:

This amendment supports the Shire's Strategic Community Plan 2024–2034, particularly:

- Outcome 2.1: A well-connected and maintained road network that supports local and regional transport needs.
- Outcome 2.2: Efficient management of infrastructure to protect community investment and ensure safety.

It also aligns with the Shire's Asset Management Plan, which seeks to protect and extend the useful life of road assets through timely intervention and effective drainage management.

Voting Requirements:

Absolute Majority

Officer's Recommendation:**078/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.6**

MOVED: Cr. Connaughton
SECONDED: Cr. Ennor

That Council:

1. Approves a budget amendment to increase the Midwest Secondary Grain Freight Project – Three Springs–Eneabba Road budget by \$300,000 to allow for remediation works associated with latent conditions arising from recent rainfall events;
2. Authorises the Chief Executive Officer to submit a Regional Road Group application for \$200,000 towards these works, with the Shire's one-third contribution of up to \$100,000 to be funded from savings identified in the 2025/26 Budget Review or, if required, by deferral of the Simpson Road resheeting project;
3. Notes that Simpson Road has been identified as a suitable offset project as the SLK sections included in the current budget are being adequately maintained, with the more extensive upgrade requirements between SLK 2.77–4.16 to be considered as a future capital project;
4. Notes that failure to undertake the remediation works will result in progressive erosion, increased maintenance costs, reduced road safety, and shortened asset life of the newly constructed section; and
5. Notes that the amendment will be reflected in the next formal Budget Review in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996.

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

CARRIED:
VOTED: 4/0
By Absolute Majority

10. REPORTS OF OFFICERS

Corporate Services	
10.7 Monthly Financial Report for Periods 30 September 2025	
Agenda Reference:	10.7
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	23 October 2025
Author:	Gillian Smith, Bob Waddell & Associates, Consultant
Attachment (s):	Monthly Financial Report 30 September 2025

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 30 September 2025.

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:

The 2025-2026 Budget was adopted at the Ordinary Council Meeting held on 27 August 2025

Further information can be found by referring 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 and 10%. As this report is composed at a program level, variances commentary considers the most significant items that comprise the variance.

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

(1A) In this regulation —

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

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

The total Cash Available as of 30 September 2025 is \$5,543,779. Cash available comprises Unrestricted cash of \$3,118,684 and Restricted cash of \$2,425,095 primarily made up of various reserves.

Rates Debtors balance as at 30 September 2025 is \$2,342,344. Rates Notices for 2025-26 were issued 1 September 2025. The rates collected as at end of September 2025 was \$936,189 – 28.56%

September 2025:

Operating Revenue – Operating revenue of \$3,779,651 is made up of Rates – 46%, Grants - 50%, Fees and Charges - 3%, Other Revenue - 1% and Interest Earnings – 0%.

Operating Expenses – Operating expenses of \$1,326,035 is made of Depreciation - 0%, Employee Costs – 52%, Materials and Contracts – 27%, Insurance – 10%, Utilities – 11%, Loss on Disposal of Assets – 0% and Other Expenditure – 0%.

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

079/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION		10.7															
<u>MOVED:</u> Cr. Connaughton <u>SECONDED:</u> Cr. Ennor That Council accepts the monthly financial report for the period ending 30 September 2025 <table><tr><th></th><th>FOR</th><th>AGAINST</th></tr><tr><td>Cr. Eva (President)</td><td>✓</td><td></td></tr><tr><td>Cr. Mutter (Deputy President</td><td>✓</td><td></td></tr><tr><td>Cr. Ennor</td><td>✓</td><td></td></tr><tr><td>Cr. Connaughton</td><td>✓</td><td></td></tr></table> CARRIED: VOTED: 4/0				FOR	AGAINST	Cr. Eva (President)	✓		Cr. Mutter (Deputy President	✓		Cr. Ennor	✓		Cr. Connaughton	✓	
	FOR	AGAINST															
Cr. Eva (President)	✓																
Cr. Mutter (Deputy President	✓																
Cr. Ennor	✓																
Cr. Connaughton	✓																

10. REPORTS OF OFFICERS

Corporate Services	
10.8 Accounts for Payments 30 September 2025	
Agenda Reference:	10.8
Location/Address:	Shire of Three Springs
Name of Applicant:	Shire of Three Springs
File Reference:	ADM0083
Disclosure of Interest:	Nil
Date:	23 October 2025
Author:	Jelena Brown, Assistant Finance Officer
Attachment (s):	List of creditors paid as at 30 September 2025

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 2025-2026.

Strategic Implications:

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

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

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

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

Voting Requirements:

Simple Majority.

Officer's Recommendation:

080/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 10.8																	
<u>MOVED:</u> Cr. Eva <u>SECONDED:</u> Cr. Mutter That Council accepts: 1. The accounts for payment as presented for September 2025 from the CBA Municipal Fund totalling \$241,603.71. 2. Represented by Cheque No 11689 and Electronic Fund Transfers No's 21105 – 21146 and Direct Debits 17340.1, 17381.1, 17414.1 – 17422.1, and 17425.1 – 17456.1. 3. Licensing Fund totalling \$12,103.95 represented by Direct Debit No. 17359.1 – 17380.1, 17384.1 – 17410.1, and 17423.1. Total Payments for September 2025 \$253,707.66. <table border="1"> <thead> <tr> <th></th><th>FOR</th><th>AGAINST</th></tr> </thead> <tbody> <tr> <td>Cr. Eva (President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Mutter (Deputy President)</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Ennor</td><td style="text-align: center;">✓</td><td></td></tr> <tr> <td>Cr. Connaughton</td><td style="text-align: center;">✓</td><td></td></tr> </tbody> </table> CARRIED: VOTED: 4/0				FOR	AGAINST	Cr. Eva (President)	✓		Cr. Mutter (Deputy President)	✓		Cr. Ennor	✓		Cr. Connaughton	✓	
	FOR	AGAINST															
Cr. Eva (President)	✓																
Cr. Mutter (Deputy President)	✓																
Cr. Ennor	✓																
Cr. Connaughton	✓																

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 – TCEO - Environmental Health Services

Officer's Recommendation:

081/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION		12.1															
<u>MOVED:</u> Cr. Ennor <u>SECONDED:</u> Cr. Mutter That the following items, namely: <i>"12.2.1. Environmental Health Services"</i> is accepted as late items onto this Agenda. <table><tr><th></th><th>FOR</th><th>AGAINST</th></tr><tr><td>Cr. Eva (President)</td><td>✓</td><td></td></tr><tr><td>Cr. Mutter (Deputy President)</td><td>✓</td><td></td></tr><tr><td>Cr. Ennor</td><td>✓</td><td></td></tr><tr><td>Cr. Connaughton</td><td>✓</td><td></td></tr></table> CARRIED: VOTED: 4/0				FOR	AGAINST	Cr. Eva (President)	✓		Cr. Mutter (Deputy President)	✓		Cr. Ennor	✓		Cr. Connaughton	✓	
	FOR	AGAINST															
Cr. Eva (President)	✓																
Cr. Mutter (Deputy President)	✓																
Cr. Ennor	✓																
Cr. Connaughton	✓																

12. REPORTS OF OFFICERS

Executive Services	
12.2. Environmental Health Services	
Agenda Reference:	Temporary CEO
Location/Address:	Shire of Three Springs
Name of Applicant:	TCEO
File Reference:	ADM0220
Disclosure of Interest:	Nil
Date:	23 October 2025
Author:	Krys East, Temporary Chief Executive Officer
Attachment (s):	Letter from Shire of Irwin - Memorandum of Understanding Cessation (June 2025) Draft Memorandum of Understanding – Shire of Irwin (October 2025)

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's approval for the Shire of Three Springs to enter into a new Memorandum of Understanding (MOU) with the Shire of Irwin for the provision of Environmental Health services.

Background:

In April 2024, Council approved entering into an MOU with the Shire of Irwin for the provision of Environmental Health services, effective from 1 July 2024. This arrangement continued until June 2025, when the Shire of Irwin advised that it would no longer be able to provide services due to internal workload pressures.

To ensure continuity of statutory health functions, the Shire engaged Mr. Dave Hadden on a 12-month contract commencing 14 July 2025, at an hourly rate of \$115 (ex GST) plus travel and accommodation.

Mr. Hadden has since been appointed as a full-time Environmental Health Officer with the Shire of Irwin. As a result, the Shire of Irwin has now offered to resume providing Environmental Health services to the Shire of Three Springs through a new MOU.

Officer's Comment:

The proposed MOU from the Shire of Irwin, dated 15 October 2025, provides for the supply of Environmental Health and/or Building Surveying services to the Shire of Three Springs on the following key terms:

- Commencement: 13 October 2025, reviewed annually.
- Services: Environmental Health and/or Building Surveying in accordance with statutory requirements.
- Frequency: One day per calendar month, up to nine (9) hours including travel time, or as otherwise agreed in writing.
- Hourly Rate: \$100 per hour plus GST.
- Travel: Charged in accordance with the ATO cents-per-kilometre method, proportionally where services are shared with other local governments.
- Travel Time: Charged at the same hourly rate.
- Accommodation/Meals: To be arranged or reimbursed by the Shire of Three Springs.
- Termination: Either party may terminate the MOU at any time in writing.

The Shire of Irwin will continue to provide timely responses to enquiries (within two working days for phone calls and five working days for emails) and maintain communication with the Shire regarding compliance inspections, public health issues, and reporting.

This arrangement reinstates the regional collaboration model previously endorsed by Council, provides continuity of qualified Environmental Health support, and offers a more cost-effective solution than the current contract rate.

Consultation:

Shire of Irwin

Dave Hadden, Environmental Health Officer

Statutory Environment:

- Public Health Act 2016 (WA)
- Food Act 2008 (WA)
- Health (Miscellaneous Provisions) Act 1911 (WA)
- Local Government Act 1995 (WA)

The Shire is required to ensure the provision of statutory environmental health services under relevant public health legislation.

Policy Implications:

Nil

Financial/Resources Implications:

Environmental Health services will be charged at \$100 per hour plus GST, with additional costs for travel and accommodation. The cost will be funded within the 2025/26 operational budget allocations for contracted Environmental Health services.

This represents a saving compared with the current hourly contract rate of \$115 per hour plus GST.

Strategic Implications:

This item aligns with the Shire of Three Springs Strategic Community Plan 2024–2034, particularly:

Theme 2 – A Liveable and Connected Community

Outcome 2.3: Provide and maintain high-quality infrastructure, services, and facilities to meet community needs.

Theme 4 – Civic Leadership and Good Governance

Outcome 4.2: Ensure the Shire's resources are used efficiently and effectively through regional collaboration and service sharing.

Voting Requirements:

Simple Majority

Officer's Recommendation:**082/2025 OFFICER'S RECOMMENDATION and COUNCIL RESOLUTION 12.2**

MOVED: Cr. Eva
SECONDED: Cr. Ennor

That Council:

1. Approves entering into a new Memorandum of Understanding with the Shire of Irwin for the provision of Environmental Health and/or Building Surveying services as per the terms outlined in the attached document dated 15 October 2025; and
2. Authorises the Temporary Chief Executive Officer to sign the MOU on behalf of the Shire of Three Springs.

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

CARRIED:
VOTED: 4/0

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, 26 November 2025 @ 5.30pm.

16. CONFIDENTIAL ITEMS

17. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 6.38pm.

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

Signed: _____

Presiding Officer

Date: 26 November 2025