

12 December 2025



24-26 Richmond St
Nyabing WA 6341
Ph: (08) 9829 1051
Fax: (08) 9829 1083

Email: admin@kent.wa.gov.au
Website: www.kent.wa.gov.au

Dear President and Councillors,

NOTICE PAPER AND AGENDA – ORDINARY COUNCIL MEETING – 17 DECEMBER 2025

Please be advised that an Ordinary meeting of the Council of the Shire of Kent is to be held on

**Wednesday 17 December 2025
in the Council Chambers,
Nyabing**

Briefing Session to commence	4:30pm
Ordinary Council Meeting to commence	6:00pm

Open Council Meetings – Procedures

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an Ordinary Council Meeting under “public question time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council’s standing orders, policies and decisions of the Shire.

Yours faithfully,

**CHRISTIE SMITH
CHIEF EXECUTIVE OFFICER**

Disclaimer

Members of the Public are advised that the recommendations to Council contained within this agenda and decisions arising from the Council Meeting can be subject to alteration. Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council’s decision with respect to any particular issue.



AGENDA

ORDINARY COUNCIL MEETING

**Council Chambers
24-26 Richmond Street Nyabing**

Wednesday 17 December 2025

Commencement: 6:00pm

AGENDA**17 December 2025**

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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE****3. DISCLOSURES OF INTEREST****Section 5.65 and 5.70 of the Local Government Act 1995**

Elected Member or officer, who has an interest in any matter for discussion and attends a Committee/Council Meeting, must disclose the nature of the interest in a written notice give to the Chief Executive Officer before the meeting, or at the meeting prior to discussion on the matter.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision-making procedure relating to the matter, unless allowed by the Committee/Council. If the Committee/Council allow an Elected Member to speak, the extent of that interest must be stated.

- Declaration of Financial Interests:
- Declaration of Proximity Interests:

Clause 22 – Code of Conduct for Council Members, Committee Members and Candidates

A Council Member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest in a written notice given to the CEO before the meeting or at the meeting immediately before the item is discussed.

An interest for the purposes of the Code of Conduct 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.

- Declaration of Impartiality Interests

4. PUBLIC QUESTION TIME**5. APPLICATIONS FOR LEAVE OF ABSENCE**

6. CONFIRMATION AND RECEIVING OF MINUTES / BUSINESS ARISING**6.1 Ordinary Council Meeting – 19 November 2025****OFFICER RECOMMENDATION**

That the minutes of the Ordinary Council Meeting of the Shire of Kent held in the Nyabing Council Chambers on Wednesday 19 November 2025 be confirmed as a true and accurate record of the meeting.

6.2 Audit Committee Meeting – 17 December 2025**OFFICER RECOMMENDATION**

1. That the minutes of the Audit Committee meeting of the Shire of Kent held in the Nyabing Council Chambers on Wednesday 17 December 2025 be confirmed as a true and accurate record of the meeting.

6.3 Outstanding Council Resolutions December 2025

The Outstanding Council Resolutions Register for December 2025 is provided as **Attachment 6.3** for information.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**8. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

9. OFFICER REPORTS

9.1 Memorandum of Understanding – Great Southern Treasures

Author:	Christie Smith, Chief Executive Officer
Location:	N/A
File No:	TOU.3
Voting Requirements:	Simple Majority - More than half of Elected Members present required to vote in favour
Attachments:	Nil

OFFICER RECOMMENDATION

That Council:

- 1. Declines to enter into a further three-year Memorandum of Understanding with Great Southern Treasures requiring an annual contribution of \$7,000; and**
- 2. Advises Great Southern Treasures that the Shire of Kent remains willing to participate in joint regional events or projects on a non-financial, project-by-project basis**

Purpose

To seek Council's consideration on whether to enter into a further three-year Memorandum of Understanding (MOU) with Great Southern Treasures (GST) at a cost of \$7,000 per annum, or to discontinue the financial contribution while maintaining a non-financial, collaborative relationship for joint events and regional projects.

Background

The Shire of Kent has been a participating member of the Great Southern Treasures group since its inception in 2001. The group was originally established to promote regional tourism, support collaborative marketing initiatives, and strengthen the identity of the Great Southern region.

Currently, member Shires of Great Southern Treasures comprises of Broomehill-Tambellup, Cranbrook, Gnowangerup, Jerramungup, Katanning, Kent, Kojonup and Woodanilling.

Over time, the structure and focus of GST have evolved, and the outcomes currently being delivered no longer align as closely with Council's expectations or provide the same level of value or benefit previously realised.

The current MOU is due for renewal, with a proposed new three-year commitment at a cost of \$7,000 per annum.

Comment

Administration has reviewed the value derived from the Shire's ongoing financial participation in GST and considers that the annual contribution of \$7,000 no longer represents a cost-effective investment. While the group continues to undertake regional

promotion and joint initiatives, the tangible benefits to the Shire of Kent appear limited based on the current model and outputs delivered.

Notwithstanding this, there remains merit in continuing to collaborate with neighbouring local governments on specific regional initiatives, shared events, or collective tourism projects where beneficial. Such participation can continue outside of a formal financial commitment.

It is therefore recommended that Council does not re-sign the proposed MOU requiring an annual contribution but advises GST that the Shire of Kent is open to remaining involved on a project-by-project basis where there is no fixed annual financial obligation.

Statutory Implications

There are no direct statutory obligations requiring the Shire to participate in Great Southern Treasures. Council's decision relates to discretionary expenditure and inter-regional collaboration.

Policy Implications

There are no specific Council policies mandating participation in regional tourism groups. Should Council cease its financial contribution, references to GST participation in any strategic or promotional documents may require review and update.

Financial Implications

Declining to enter into the proposed MOU will result in an annual saving of \$7,000 over the next three financial years (total \$21,000).

Resources may still be allocated on a case-by-case basis for future collaborative projects, subject to Council approval and budget availability.

Strategic Implications

This decision aligns with Council's focus on achieving value for money, responsible expenditure, and prioritising initiatives that deliver clear, measurable benefits to the community. Continued non-financial collaboration supports regional connectivity without committing to ongoing fixed costs.

Risk Implications

Low to Moderate Risk.

Declining the MOU may affect the Shire's visibility within GST-led marketing material, though this is considered minimal given the limited benefits currently received. Any reputational impacts can be mitigated by clear communication of Council's willingness to continue informal collaboration where appropriate.

9.2 Shire of Kent Volunteer Bush Fire Brigade Guidelines and Operational Procedures

Author: Ryan Sutherland, Community Emergency Services Manager
Location: N/A
File No:
Voting Requirements: Simple Majority - More than half of Elected Members present required to vote in favour
Attachments: 9.2 Attachment 1 – Shire of Kent Volunteer Bush Fire Brigade Guidelines and Operational Procedures (March 2025)

OFFICER RECOMMENDATION

That Council:

1. **Repeal the Shire of Kent Standard Operating Procedures for Bush Fire Brigades (2015); and**
2. **Ratify the Shire of Kent Volunteer Bush Fire Brigade Guidelines and Operational Procedures (March 2025) as provided in Attachment 1.**

Purpose

The Shire of Kent Council review and ratify the Shire of Kent Volunteer Bush Fire Brigade Guidelines and Operational Procedures (March 2025) to replace the Shire of Kent Standard Operating Procedures for Bush Fire Brigades (2015).

Background

The Shire of Kent has previously implemented Guidelines and Standard Operating Procedures for Bush Fire Brigades (2015) pre-dating the adoption and intent of the Shire of Kent Bush Fire Brigades Local Law 2024.

On 14 October 2024, the Shire of Kent Bush Fire Advisory Committee endorsed that the Shire of Kent review the Bush Fire Brigade Operating Procedure (2015) and provide a copy of procedures to all volunteer firefighters to outline roles and responsibilities (BFAC Resolution 07/2024). Subsequently, BFAC endorsed the Volunteer Bush Fire Brigade Guidelines and Operational Procedures (March 2025) at a meeting of that committee on 13 March 2025 (BFAC Resolution 03/2025).

The Shire of Kent, in accordance with the Shire of Kent Bush Fire Brigades Local Law 2024, references bush fire operating procedures for the purposes of managing the conduct of BFB volunteers when conducting normal brigade activities; managing BFBs including for the purpose of cancellation of BFB registration; and the suspension and termination of membership of a BFB volunteer firefighter. The Volunteer Bush Fire Brigade Guidelines and Operational Procedures (March 2025) address the operation of BFBs in accordance with the intent specified by the Bush Fire Brigades Local Law 2024.

Comment

The Shire of Kent, in accordance with the Shire of Kent Bush Fire Brigades Local Law 2024, references bush fire operating procedures for the purposes of managing the conduct of BFB volunteers when conducting normal brigade activities; managing BFBs including for the purpose of cancellation of BFB registration; and the suspension and

termination of membership of a BFB volunteer firefighter. The Volunteer Bush Fire Brigade Guidelines and Operational Procedures (March 2025) address the operation of BFBs in accordance with the intent specified by the Bush Fire Brigades Local Law 2024.

Statutory Implications

Bush Fires Act 1954

Local Government Act 1995

Policy Implications

Shire of Kent, Local Emergency Management Arrangements (2021).

Guidelines and Standard Operating Procedures for Bush Fire Brigades (2015).

Financial Implications

There are no direct financial implications arising from this report.

Strategic Implications

Effective and safe management of BFBs.

Risk Implications

Statutory and procedural non-compliance.

Local law non-compliance.

9.3 Memorandum of Understanding – Lakes Emergency Response and Recovery

Author: Christie Smith, Chief Executive Officer
Location: N/A
File No: New file
Voting Requirements: Simple Majority - More than half of Elected Members present required to vote in favour
Attachments: 9.3 Attachment 1 – Draft MOU – Lakes Emergency Response and Recovery

OFFICER RECOMMENDATION

That Council:

1. Accept the Emergency Response and Recovery Memorandum of Understanding between the Shires of Kent, Dumbleyung and Lake Grace; and
2. Authorise the Shire President and Chief Executive Officer to execute the MoU of behalf of the Shire of Kent.

Purpose

To seek Council's endorsement of the Emergency Response and Recovery Memorandum of Understanding (MoU) between the Shires of Kent, Dumbleyung and Lake Grace. The MoU establishes a cooperative framework to support emergency response and post-incident recovery across the Combined Lakes Local Emergency Management Committee (LEMC) region.

Background

Local governments play a critical role in emergency management, including preparedness, response and recovery. The Combined LEMC has identified the benefit of formalising a shared approach to mutual support during emergency events that may impact one or more of the participating local governments.

The proposed MoU outlines the intent of participating Shires to work collaboratively during emergency response operations and throughout the recovery process. The agreement supports resource sharing, improved coordination and strengthened regional resilience.

A key guiding principle of the MoU is that any assistance provided by a partnering local government will be voluntary and limited to a level that does not compromise the operability or essential service delivery of the local government offering the support.

Comment

The MoU has been developed to:

- Facilitate the provision of mutual aid between partnering local governments during emergencies and throughout post-incident recovery.
- Enhance the capacity of our communities to respond to and cope with significant emergency events.
- Demonstrate strong regional collaboration, reinforcing the willingness of participating local governments to share resources, skills and support where required.

Entering into this MoU does not create a binding financial or operational obligation; rather, it establishes an agreed understanding and cooperative intent to support one another when capacity allows. The arrangement aligns with best practice in regional emergency management and supports the principles of resilience and resource-sharing promoted through Western Australia's emergency management framework.

The MoU has been reviewed administratively and is considered to be appropriate, practical and beneficial for the Shire.

Statutory Implications

The MoU supports the objectives of the *Emergency Management Act 2005*, which requires local governments to be actively involved in emergency management, including response and recovery.

There are no legislative obligations created by entering this MoU; however, it complements the statutory functions of the Local Emergency Management Committee.

Policy Implications

There are no direct policy implications.

The MoU aligns with existing emergency management procedures and supports the principles of regional collaboration and shared service delivery.

Financial Implications

There are no upfront costs associated with entering into the MoU.

Any support provided during an emergency will be subject to available resources and may attract cost recovery arrangements where appropriate and agreed between the participating local governments.

Strategic Implications

The proposal aligns with the Shire's Strategic Community Plan 2023-2033 following strategic priorities:

- 4.1 *Support emergency services planning, risk mitigation, response and recovery.*
- 4.2 *Proactive and well-governed Shire by strong organisational capacity and resource sharing to improve efficiency and preparedness.*

Risk Implications

Risk Rating: Low (with agreement in place)

Adopting the MoU reduces organisational and community risk by:

- Improving the Shire's capacity to respond to and recover from emergency events.
- Providing additional access to resources and expertise when the Shire's internal capacity is exceeded.
- Strengthening relationships with neighbouring local governments and promoting coordinated emergency management practices.

If the MoU is not adopted, the Shire may have limited access to mutual aid support during significant emergencies, increasing operational and community risk.

9.4 Adoption of 2024/2025 Annual Report

Author: Christie Smith, Chief Executive Officer
Location: N/A
File No: FIN.227
Voting Requirements: Absolute Majority - 4 Elected Members required to vote in favour
Attachments: 9.4 Attachment 1 – 2024/2025 Annual Report Including the Audited Annual Financial Statements and Auditors Report

OFFICER RECOMMENDATION

That Council:

1. **Receives the Auditors Report for inclusion in the 2024/2025 Annual Report**
2. **Accepts the 2024/25 Annual Report; and**
3. **Holds the Shire of Kent Annual Electors Meeting in accordance with section 5.27(2) of the *Local Government Act 1995*, at the Nyabing Council Chambers on Wednesday 11 February 2026.**

Purpose

Council is requested to consider receiving the auditors report for inclusion on the 2024/25 Annual Report, accepting the 2024/25 Annual Report and setting a date for the Annual Electors Meeting.

Background

Council is required to prepare an annual report for each financial year.

The annual report is to include the auditor's report for the year ended 30 June 2025. The annual report will be made available and is to be presented to the Annual Electors Meeting.

Comment

It is proposed to hold the Annual Electors Meeting on Wednesday 11 February 2025 commencing at 5pm at the Nyabing Council Chambers, 24-26 Richmond Street Nyabing.

Statutory Implications

Sections 5.53, 5.54 and 5.55 of the *Local Government Act 1995* outline information that is to be included in an annual report, acceptance of the annual report and notice of the annual report.

Section 5.27 of the Act requires that the Annual Electors Meeting must be held within 56 days of the adoption of the Council's Annual Report.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Strategic Community Plan 2023-2033

Civic Leadership Strategic Priorities – Proactive and Well Governed Shire.

Risk Implications

N/A

9.5 Unbudgeted Expenditure – Housing Maintenance

Author:	David Bentley, Deputy Chief Executive Officer
Location:	Various
File No:	PRO.52
Voting Requirements:	Absolute Majority - 4 Elected Members required to vote in favour
Attachments:	Nil.

OFFICER RECOMMENDATION

That Council:

1. Approves \$10,000 as unbudgeted expenditure from the Land and Building Reserve for the internal painting of 2B Coates Close Nyabing; and
2. Approves \$10,000 as unbudgeted expenditure from the Land and Building Reserve for the internal painting of 2/3 Gaby Street Pingrup.

Purpose

To consider a request for unbudgeted expenditure from reserve funds to undertake internal painting of 2B Coates Close and 2/3 Gaby Street Pingrup.

Background

Shire employee house 2B Coates Close and 2/3 Gaby Street were scheduled for internal painting in the 24/25 budget, with a contractor engaged to complete the work in April/May 2025. However, due to the contractor's ill-health, the work was not completed, and the decision was made to postpone the project. To avoid unnecessary disruption for the tenants, the painting was rescheduled for when the property next became vacant.

In June 2025, Council resolved to transfer \$7,500 of the allocated budget to the reserve fund for 2B Coates Close Nyabing and \$6,500 for 2/3 Gaby Street Pingrup (OCM2425/106). With these houses now vacated due to resignation and retirement, it is now deemed an appropriate time to undertake the necessary painting work.

Comment

The maintenance program approved by the Housing, Public Buildings and Other Infrastructure Working Group included internal painting for 2B Coates Close and 2/3 Gaby Street in the 24/25 budget. Since the work was not completed as planned, with only part of the painting complete at 2/3 Gaby Street, the funds were redirected to reserves. With the vacancies at these properties, this presents an opportunity to carry out the required painting work, aligning with the long-term property maintenance plan.

While the expense was not originally included in the 25/26 budget, the funds are available in the building reserve. New quotes will be obtained prior to contractor appointment, and costs may differ from initial estimates. Given the unbudgeted nature of this expense, approval from Council is sought to proceed with the outlined work.

There is an expected increase in cost from the original quote from the previous painting contractor. Any funds not spent for this purpose will be returned to the reserve when

Council considers transfers of unspent money to reserves at the end of the financial year.

Statutory Implications

Section 6.8 of the *Local Government Act 1995* applies, requiring a resolution by Absolute Majority for any unbudgeted expenditure.

Policy Implications

Policy 3.1 Accounting Policies

Objective: To provide a financial framework, in addition to Accounting Standards and other statutory requirements, to ensure the Shire's accounting data is accurate, reliable and compliant.

To ensure there are appropriate financial control systems in place to authorise payments from Municipal and Trust funds in order to safeguard financial resources.

Financial Implications

This is an unbudgeted expense and therefore requires approval by Absolute Majority.

Strategic Implications

Strategic Community Plan 2023-2033

2.1 Economy - Coordinated delivery of economic services and projects: Shire housing stock is continually improved and expanded to help attract a skilled workforce.

Risk Implications

Nil.

9.6 Monthly Financial Report to 30 November 2025

Author:	Jenni Dolan, Finance Coordinator
Location:	N/A
File No:	FIN.283
Voting Requirements:	Simple Majority - More than half of Elected Members present required to vote in favour
Attachments:	9.6 Attachment 1 – Monthly Financial Report to 30 November 2025 9.6 Attachment 2 - Capital Expenditure Snapshot

OFFICER RECOMMENDATION

That Council receive the Monthly Financial Reports to 30 November 2025 as presented at Attachment 1.

Purpose

In accordance with the Local Government (Financial Management) Regulations 1996, to follow is the presentation of the Monthly Financial Reports to Council.

Background

Monthly Financial Reports are to be presented to Council and are to be received by Council resolution.

Comment

The Monthly Financial Report as presented indicate that Council continues to be in a sound financial position.

Overview

Presented to Council is the November monthly report stating the financial position of the Shire with 41.7% of the year completed. Noted in the Statement of Financial Activity is a current surplus of \$4,644,260. Reflected in the report is the operating revenue, which sits above the year-to-date (YTD) budget estimate by 2.87%, and accounts for 78.6% of the adopted full-year budget estimate. Operating expenditure sits below the YTD budget estimate by 29.5%, and accounts for 24.4% of the adopted full-year budget estimate.

Annual Audit

The audited annual financial report for 2024/25 is due to be presented to the Audit and Risk Committee, with the recommendation to accept and present the document to Council. We are pleased to have received an unqualified opinion for the 24/25 financial year, resulting in no management letter being received.

Capital expenditure

To commence expenditure of the land and building budget, a tender for Key Worker Housing was advertised in November. The plant and equipment budget continues to tick along with all approved purchases either complete or in progress.

Attachment 2 provides an updated snapshot of capital expenditure to mid-November.

Next month

As we move into the steadier pace that is typical during the Christmas – New Year period, with our Christmas shutdown and that of suppliers also, a little less activity is expected through the financials. This will allow the opportunity to process asset acquisitions, disposals and depreciation that are held off until Council have received the audited financials for the previous year. The next meeting will see the presentation of both December and January financials.

Note 3 of the Financial Report provides a full listing and explanation of all items considered of significant variance.

Statutory Implications

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Clause 34 and 35

Policy Implications

Policy 3.1 Accounting Policies

Objective: To provide the basis for Council's accounting concepts and reporting guidelines.
To maintain accounting reporting procedures which comply with Statutory Requirements and to demonstrate Council's financial position.

Financial Implications

Ongoing management of Council funds.

Strategic Implications

Community Strategic Plan 2023 - 2033

Civic Leadership Strategic Priorities – Proactive and well governed Shire

Risk Implications

Nil.

9.7 Schedule of Accounts Paid to 30 November 2025

Author:	Jenni Dolan, Finance Coordinator
Location:	N/A
File No:	FIN.279
Voting Requirements:	Simple Majority - More than half of Elected Members present required to vote in favour
Attachments:	9.7 Attachment 1 – Schedule of Accounts Paid, Including Corporate and Fuel Cards for November 2025

OFFICER RECOMMENDATION

That Council endorse the payments from the Municipal Fund and Trust Fund for the period ending 30 November 2025.

Municipal Fund (Fee)	\$ 57,155.95
Municipal Fund (EFT)	\$ 403,925.49
Municipal Fund (Cheque)	\$ 0.00
Municipal Fund (Direct Debits)	\$ 26,947.69
Trust Fund	\$ 0.00
TOTAL	\$ 488,029.13

Purpose

Council endorsement of payment to Creditors under CEO Delegated Authority 2.1.2.

Background

Details payments made to creditors since last Council Meeting.

Comment

The Schedule of Accounts Reports as presented, indicate that Council continues to be in a sound financial position.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states that only the following information is to be reported to Council and form part of the public minutes:

- a) the payee's name;
- b) the amount of the payment;
- c) the date of the payment; and
- d) sufficient information that identifies the payment.

Statutory Implications

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Part 2 – Regulation 11, 12 and 13.

Policy Implications

Policy 3.1 Accounting Policies

Objective: To provide the basis for Council's accounting concepts and reporting guidelines.
To maintain accounting reporting procedures which comply with Statutory Requirements and to demonstrate Council's financial position.

Financial Implications

Ongoing management of Council funds.

Strategic Implications

Community Strategic Plan 2023 - 2033

Civic Leadership Strategic Priorities – Proactive and well governed Shire

Risk Implications

Nil.

10. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil.**11. NEW BUSINESS OF AN URGENT NATURE AGREED TO BY A RESOLUTION OF COUNCIL****12. MATTERS BEHIND CLOSED DOORS****PROCEDURAL MOTION**

That Council proceed behind closed doors at [insert time] pursuant to section 5.23(2)(c) of the *Local Government Act 1995* while item 12.1 is considered.

Reasons for Confidentiality

The Reports contained below are confidential in accordance with section 5.23(2) the *Local Government Act 1995* as it deals with matters affecting:

5.23(2)(c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

12.1 T25/05 – Key Worker Housing – Design, Construct, Deliver and Install**PROCEDURAL MOTION**

That Council come out from behind closed doors at [insert time].

13. MEETING CLOSED