UNCONFIRMED MINUTES

AUDIT RISK AND IMPROVEMENT COMMITTEE

Council Chambers
24-26 Richmond Street Nyabing

Wednesday 9 September 2026

Commencement: 10:30 am

UNCONFIRMED MINUTES

9 September 2026

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member, **Ms Rachel Kirby**, declared the Audit Risk and Improvement Committee Meeting of 9 September 2026 open at 10:30am.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members Present

Ms Rachel Kirby	Independent Chair
Cr Kate Johnston	Member
Cr Scott Crosby	Member

Staff Members Present

Christie Smith	Chief Executive Officer
David Bentley	Deputy Chief Executive Officer
Jenni Dolan	Coordinator Finance

Apologies

Cr Tim Borgward	Member

Leave of Absence

Nil

3. DISCLOSURES OF INTEREST

Nil.

4. CONFIRMATION AND RECEIVING OF MINUTES / BUSINESS ARISING

4.1 Audit Committee Meeting – 27 March 2026

OFFICER RECOMMENDATION / COMMITTEE DECISION
Moved Cr Crosby / Seconded Cr Johnston
That the minutes of the Audit Committee meeting of the Shire of Kent held in the Nyabing Council Chambers on 27 March 2026 be confirmed as a true and accurate record of the meeting.

CARRIED 3/0
For: Ms Kirby, Cr Johnston, Cr Crosby
Against: Nil

5. OFFICER REPORTS

5.1 2025 Compliance Audit Return

Author:	David Bentley, Deputy Chief Executive Officer
Location:	N/A
File No:	
Voting Requirements:	Simple Majority
Attachments:	5.1 Attachment 1 – 2025 Compliance Audit Return

OFFICER / COMMITTEE RECOMMENDATION
Moved Cr Johnston / Seconded Cr Crosby
That Council
1. **endorse the 2025 Compliance Audit Return; and**
2. **authorise the Chief Executive Officer and President to sign the Compliance Audit Return and send it to the Local Government Inspector's Office.**

CARRIED 3/0
For: Ms Kirby, Cr Johnston, Cr Crosby
Against: Nil

Purpose
The Audit and Risk Committee and Council are required to consider the Compliance Audit Return for 2025 prior to submission to the Local Government Inspector prior to 30 September 2026.

Background
Each calendar year, local governments are required to complete a Compliance Audit Return.

This year, the deadline has been moved from 31 March to 30 September. This was because the reforms that set up the Local Government Inspector made the Inspector the body that coordinates the Compliance Audit Return, not the Department of Local Government, Industry Regulation and Safety. As the Local Government Inspector commenced on 1 January 2026, there was no time for the Local Government Inspector to generate a Compliance Audit Return for the normal timeframes. It is expected that normal timeframes will resume for the 2026 Compliance Audit Return.

It is worth noting that the information contained within the Compliance Audit Return only applies to the 2025 calendar year and doesn't take anything into account that has happened during 2026.

Comment
Officers have undertaken a comprehensive review of documentation and operations to respond to the questions contained in this year's Compliance Audit Return.

There were new questions contained in this year's return resulting in a more thorough review of some aspects of the Shire's operations.

There was one instance of non-compliance identified in this year's Compliance Audit Return.

The question that the Shire did not comply with was:
Question: Has every local government council member completed and passed the Council Member Essentials course, consisting of the five required modules and delivered by an approved provider, within 12 months of being elected?

Response: No

Comment: Two Councillors have not completed their full Council Members Essentials Course within twelve months of being elected. The Councillors are enrolled and full compliance should be achieved prior to the reporting requirements to the Inspector needing to be triggered.

Relevant legislative provision in relation to this question:

35. Training for council members (Act s. 5.126(1))

(1) A council member completes training for the purposes of section 5.126(1) if the council member passes the course of training specified in subregulation (2) within the period specified in subregulation (3).

(2) The course of training is the course titled Council Member Essentials that —
- (a) consists of the following modules —
  - (i) Understanding Local Government;
  - (ii) Serving on Council;
  - (iii) Meeting Procedures;
  - (iv) Conflicts of Interest;
  - (v) Understanding Financial Reports and Budgets;

  And

- (b) is provided by any of the following bodies —
  - (i) North Metropolitan TAFE;
  - (ii) South Metropolitan TAFE;
  - (iii) WALGA.

(3) The period within which the course of training must be passed is the period of 12 months beginning on the day on which the council member is elected.

36. Exemption from Act s. 5.126(1) requirement

(1) A council member is exempt from the requirement in section 5.126(1) if —
- (a) the council member passed any of the following courses within the period of 5 years ending immediately before the day on which the council member is elected —
  - (i) the course of training specified in regulation 35(2);
  - (ii) the course titled 52756WA — Diploma of Local Government (Elected Member);

(iii) the course titled LGA50220 Diploma of Local Government - Elected Member;
(iv) the course titled LGASS00007 Elected Member;

Or

(b) the council member passed the course titled LGASS00002 Elected Member Skill Set before 1 July 2019 and within the period of 5 years ending immediately before the day on which the council member is elected.

(2) A person who is a council member on the day on which the Local Government Regulations Amendment (Induction and Training) Regulations 2019 regulation 8 comes into operation is exempt from the requirement in section 5.126(1) until the end of their term of office.

Statutory Implications
Local Government (Audit) Regulations 1996

14. Compliance audits

(1) A local government must carry out an audit (a compliance audit) of the local government's compliance with the statutory requirements prescribed by regulation 13 for the period beginning on 1 January and ending on 31 December in each year.

(1A) Subregulation (1) is subject to regulation 15A.

(2) After a local government has carried out a compliance audit, the CEO must —
(a) prepare a compliance audit return in a form approved by the Inspector; and
(b) give a copy of the compliance audit return to the local government's audit, risk and improvement committee.

(3) The audit, risk and improvement committee must —
(a) review the compliance audit return; and
(b) report to the council the results of that review.

(4) When reporting to the council, the audit, risk and improvement committee must make any recommendations that the committee considers appropriate in relation to the compliance audit return.

(5) The council must consider the compliance audit return and the results of the audit, risk and improvement committee's review (including any recommendations) at a meeting of the council.

(6) The council must —
(a) determine if any matters raised by the audit, risk and improvement committee require action to be taken by the local government; and
(b) either —

(i) adopt the compliance audit return; or

(ii) adopt the compliance audit return subject to amendments proposed by the council.

15. Signed compliance audit return and other information must be given to Inspector

(1) After a compliance audit return has been adopted by the council under regulation 14(6)(b), the local government must give the following information to the Inspector —

(a) a copy of the compliance audit return (or amended compliance audit return, if applicable), signed by the mayor or president and by the CEO;

(b) any recommendations made under regulation 14(4) after the audit, risk and improvement committee has reviewed the compliance audit return;

(c) a copy of the relevant section of the minutes of the meeting at which the compliance audit return was adopted by the council;

(d) any additional information explaining or qualifying the compliance audit.

(2) The information must be given to the Inspector no later than 31 March next following the period to which the return relates.

(3) The Inspector may extend the 31 March deadline.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Community Strategic Plan 2023 - 2033

Civic Leadership Strategic Priorities – Proactive and well governed Shire

Risk Implications

N/A

5.2 Progress Report – Regulation 5 and Regulation 17 Reports

Author:	David Bentley, Deputy Chief Executive Officer
Location:	N/A
File No:	
Voting Requirements:	Simple Majority
Attachments:	5.2 Attachment 1 – Regulation 5 and Regulation 17 Progress Report

OFFICER / COMMITTEE RECOMMENDATION
Moved Cr Johnston / Seconded Cr Crosby
That Council notes the information contained within the Regulation 5 and Regulation 17 Progress Report.

CARRIED 3/0
For: Ms Kirby, Cr Johnston, Cr Crosby
Against: Nil

Purpose
The Audit and Risk Committee and Council are provided a progress report for the Shire's Regulation 5 and Regulation 17 reports for its information.

Background
At the Audit Committee and Ordinary Council Meetings in August 2025, the committee considered and the Council adopted its reports pursuant to the previous regulation 5 of the *Local Government (Financial Management) Regulations 1996* and regulation 17 of the *Local Government (Audit) Regulations 1996*.

A series of actions were recommended by the consultant as part of those reviews. A summary of those actions and progress comments are included at **Attachment 1**.

Regulation 5 reviews are no longer a requirement, however they have been incorporated into the new regulation 17 reviews.

Comment
The comments in relation to the actions are contained within **Attachment 1**.

Statutory Implications
Local Government (Audit) Regulations 1996
17. CEO to review certain systems and procedures
(1) The CEO must review the appropriateness and effectiveness of the local government's systems and procedures in relation to the following matters —
  (a) financial management;
  (b) legislative compliance;
  (c) risk management.

(2) Under subregulation (1), the CEO may review any or all of the matters referred to in subregulation (1)(a) to (c) at any time but must review each of those matters not less than once in every 4 financial years.

(3) The CEO must report to the audit, risk and improvement committee the results of each review carried out under subregulation (1).

Policy Implications
Nil

Financial Implications
Nil

Strategic Implications
Community Strategic Plan 2023 - 2033
Civic Leadership Strategic Priorities – Proactive and well governed Shire

Risk Implications
N/A

6. MEETING CLOSED

The Presiding Member, **Ms Rachel Kirby**, declared the meeting closed at 10:31am.