



UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING

Pingrup Pavilion
Gaby Street Pingrup

Tuesday 15 September 2026

Commencement: 6:00pm

UNCONFIRMED MINUTES**15 September 2026**

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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member, **Cr Kate Johnston**, declared the Ordinary Council Meeting of 15 September 2026 open at 6:01pm.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**Elected Members Present**

Cr Kate Johnston	President
Cr Scott Crosby	Deputy President
Cr Suma Reid	Councillor
Cr Greg Hobley	Councillor
Cr Darren Gray	Councillor
Cr Tim Borgward	Councillor

Staff Members Present

Christie Smith	Chief Executive Officer via MS Teams
David Bentley	Deputy Chief Executive Officer

Apologies

Nil.

Leave of Absence

Nil.

Public

Members of the public: 0

Members of the press: 0

3. DISCLOSURES OF INTEREST

Nil.

4. PUBLIC QUESTION TIME

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. CONFIRMATION AND RECEIVING OF MINUTES / BUSINESS ARISING**6.1 Ordinary Council Meeting – 19 August 2026****OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/022)**

Moved Cr Gray / Seconded Cr Hobley

That the minutes of the Ordinary Council Meeting of the Shire of Kent held in the Nyabing Council Chambers on Wednesday 19 August 2026 be confirmed as a true and accurate record of the meeting.

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

6.2 Audit Risk and Improvement Committee Meeting – 9 September 2026**OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/023)**

Moved Cr Crosby / Seconded Cr Reid

That the minutes of the Audit Risk and Improvement Committee of the Shire of Kent held in the Nyabing Council Chambers on Wednesday 9 September 2026 be received.

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

6.3 Outstanding Council Resolutions September 2026

The Outstanding Council Resolutions Register for September 2026 is provided as **Attachment 6.3** for information.

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

Nil.

9. REPORTS OF COMMITTEES

9.1 Audit Risk and Improvement Committee - 2025 Compliance Audit Return

Author: David Bentley, Deputy Chief Executive Officer
Location: N/A
File No:
Voting Requirements: Simple Majority
Attachments: 9.1 Attachment 1 – 2025 Compliance Audit Return

OFFICER / COMMITTEE RECOMMENDATION / COUNCIL DECISION (OCM2627/024)

Moved Cr Hobley / Seconded Cr Borgward

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 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

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

9.2 Audit Risk and Improvement Committee - 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: 9.2 Attachment 1 – Regulation 5 and Regulation 17 Progress Report

OFFICER / COMMITTEE RECOMMENDATION / COUNCIL DECISION (OCM2627/025)

Moved Cr Crosby / Seconded Cr Reid

That Council notes the information contained within the Regulation 5 and Regulation 17 Progress Report.

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward
 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

10. REPORTS – OFFICE OF THE CEO**10.1 Establishment of Emergency Services Reserve Fund and Adoption of Emergency Services Reserve Fund Policy**

Author:	Christie Smith, Chief Executive Officer
Location:	N/A
File No:	SERV.140 / FIN.101
Voting Requirements:	Simple Majority - More than half of Elected Members present required to vote in favour
Attachments:	10.1 Attachment 1 – 3.1.11 Emergency Services Reserve Fund Policy

OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/026)

Moved Cr Crosby / Seconded Cr Gray

That Council

- 1. ADOPTS Policy 3.1.11 – *Emergency Services Reserve Fund*, as presented as Attachment 1;**
- 2. ESTABLISHES, pursuant to section 6.11 of the *Local Government Act 1995*, a reserve account titled the Emergency Services Reserve Fund for the following purpose: ‘*For the provision, maintenance, improvement and support of emergency services within the Shire of Kent*’.**
- 3. ACCEPTS the amount ultimately transferred by the Kent St John Ambulance as the initial contribution to the Emergency Services Reserve Fund;**
- 4. AUTHORISES the Chief Executive Officer to establish the Reserve within the Shire's financial accounts, confirm and record the amount and date of the initial contribution in Policy 3.1.11 once the funds are received, and undertake the necessary administrative and financial actions to give effect to Council's decision; and**
- 5. DETERMINES that inserting the confirmed amount and date of the initial contribution into Policy 3.1.11 is an administrative update for historical record-keeping purposes and does not constitute an amendment to the policy.**

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

Purpose

The purpose of this report is for Council to consider the adoption of Policy 3.1.11 – *Emergency Services Reserve Fund* and the establishment of an Emergency Services Reserve Fund pursuant to section 6.11 of the *Local Government Act 1995*.

The proposed Reserve will provide a transparent and accountable framework for the management of community-raised and Council-contributed funds for the provision, maintenance, improvement and support of emergency services within the Shire of Kent.

Background

The Shire has been approached by local emergency services representatives regarding the future management of funds raised by the community for emergency services purposes.

The funds were originally raised by members of the local community to support emergency services operating within the Shire. In considering an appropriate mechanism for the ongoing management of these funds, it was identified that establishment of a dedicated reserve account under section 6.11 of the *Local Government Act 1995* would provide an appropriate governance framework.

Once transferred to the Shire, the funds become local government funds and are required to be administered in accordance with the *Local Government Act 1995* and applicable financial management requirements. While the original community intent and ongoing involvement of local emergency services groups is recognised, responsibility for the management and approval of expenditure remains with Council.

A draft Emergency Services Reserve Fund Policy has therefore been prepared to establish a transparent and collaborative framework for the management and use of the Reserve.

Comment

The proposed Emergency Services Reserve Fund will provide a transparent mechanism for the Shire to receive, retain and manage community-raised funds for emergency services purposes.

Policy 3.1.11 has been developed to provide additional governance around the operation of the Reserve and ensure that the community origins and intended purpose of the funds continue to be recognised.

The Policy provides that Reserve funds must be used for projects, services, equipment or activities undertaken within the Shire of Kent which provide a direct benefit to emergency services within the district.

Importantly, the Policy establishes a collaborative decision-making framework. Consultation between the Shire and relevant local emergency services groups is mandatory before expenditure from the Reserve occurs. Where expenditure is proposed by the Shire or Council, the relevant emergency services groups must be consulted before the proposal is presented to Council. Where agreement cannot be reached, the differing views are to be presented to Council for consideration.

While consultation is mandatory, it does not constitute a delegation of Council's financial or decision-making responsibilities. All funds held in the Reserve are local government funds and Council retains final responsibility for their allocation and expenditure.

The Policy also establishes an annual matching contribution arrangement. Where local emergency services groups collectively contribute a minimum cash amount of \$3,000

during a financial year, Council will contribute \$3,000 to the Reserve for that financial year. Council's contribution is limited to \$3,000 per financial year under the matching arrangement, irrespective of whether the groups' combined contribution exceeds \$3,000. Council may separately approve additional contributions at its discretion.

The Policy identifies eligible and ineligible uses of the Reserve and establishes a formal process for funding requests, including consideration of project costs, other available funding, asset ownership, ongoing maintenance and operating implications, procurement requirements and operational risk.

The proposed framework is considered to provide an appropriate balance between protecting the community purpose for which the funds were originally raised, maintaining meaningful involvement of local emergency services groups and ensuring Council meets its statutory responsibilities for the management of local government funds.

As the amount of the initial contribution is not yet known, it is proposed that Council authorise the Chief Executive Officer to insert the confirmed amount and date into the Background section of the adopted Policy after the funds are received. This will record a historical fact only and will not alter the Policy objective, principles, contribution arrangements, eligible uses or decision-making framework. The insertion will therefore be treated as an administrative update rather than a policy amendment.

Statutory Implications

Local Government Act 1995

Section 6.7 – Municipal fund

Section 6.7 provides that all money and the value of assets received or receivable by a local government are to be held and brought to account in its municipal fund unless required by the Act or another written law to be held in the trust fund.

The funds transferred to the Shire will therefore form part of the Shire's municipal funds and will not be held on trust on behalf of the contributing community group.

Section 6.11 – Reserve accounts

Section 6.11(1) provides that where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for that purpose.

The proposed Emergency Services Reserve Fund will be established for the purpose:

“For the provision, maintenance, improvement and support of emergency services within the Shire of Kent.”

Section 6.11 also provides that, subject to prescribed exceptions, before a local government changes the purpose of a reserve account or uses reserve funds for another purpose, it must give one month's local public notice of the proposed change or use and the decision requires an absolute majority.

Local Government (Financial Management) Regulations 1996

Regulation 17 requires a reserve account to have a title that clearly identifies the purpose for which the money in the account is set aside and requires the reserve to be appropriately identified in the local government's accounts, annual budget and financial reports.

The proposed Emergency Services Reserve Fund and its stated purpose satisfy this requirement.

Future transfers to and from the reserve will be incorporated into the Shire's annual budget and financial reporting processes in accordance with the applicable legislative requirements.

Policy Implications

Adoption of the Officer Recommendation will establish a new Council Policy – Emergency Services Reserve Fund.

The Policy provides the governance framework for the operation of the reserve, including:

- the purpose of the reserve;
- eligible uses of reserve funds;
- annual contributions by the emergency services groups and Council;
- consultation requirements prior to expenditure;
- the process for considering funding requests;
- the requirement that expenditure occur within the Shire of Kent; and
- consultation with local emergency services groups prior to any proposed amendment to the Policy.

The Policy does not remove or fetter Council's statutory responsibility for decisions relating to the expenditure of local government funds.

Financial Implications

The amount of the initial community contribution has not yet been confirmed. The amount ultimately received will be transferred to the Emergency Services Reserve Fund and recorded in Policy 3.1.11, together with the date received, under the administrative authority provided by Council.

Policy 3.1.11 provides that where local emergency services groups collectively contribute a minimum cash amount of \$3,000 to the Reserve during a financial year, Council will contribute \$3,000 for that financial year.

The annual matching contribution will be provided for through the annual budget or budget review as appropriate.

Any future expenditure from the Reserve must be consistent with the adopted purpose of the Reserve and be included in the annual budget or authorised through an applicable budget amendment process.

Strategic Implications

The proposal supports Council's broader objectives of:

- supporting and strengthening local emergency services capability;
- improving community safety and resilience;
- supporting and recognising the contribution of local volunteers;
- maintaining strong partnerships between Council and community organisations;
- and
- ensuring responsible, transparent and sustainable financial management.

The establishment of the reserve provides a long-term mechanism through which community and Council contributions can be accumulated and strategically applied to emergency services priorities within the Shire.

Risk Implications**Financial Risk – Low**

The establishment of a dedicated reserve provides clear identification and transparent reporting of funds contributed for emergency services purposes. Financial risk is further mitigated through the Shire's normal budget, financial management, audit and procurement controls.

Governance/Compliance Risk – Low

The proposed reserve will be established and administered in accordance with section 6.11 of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*. The supporting Council Policy provides additional governance around consultation, eligible expenditure and decision-making.

Reputational Risk – Low to Moderate

The initial funds have been raised by the local community for emergency services purposes. There is therefore a reasonable community expectation that the funds will continue to be used for that purpose. The dedicated reserve, clearly defined purpose and consultation requirements contained within the Policy reduce the risk of community concern regarding the future use of the funds.

Partnership Risk – Low

The proposed Policy recognises that the reserve represents a partnership between Council and local emergency services groups. Requiring consultation before expenditure and before amendments to the Policy will assist in maintaining transparency and trust between the parties.

Overall, the establishment of the Emergency Services Reserve Fund and adoption of the associated Policy is considered to present a Low risk to Council.

10.2 Proposed Lease of Lot 31 Aspendale Street (Nyabing Church) to Michelle Dolan Trading as Run Line Arts

Author:	Christie Smith, Chief Executive Officer
Location:	N/A
File No:	SERV.58
Voting Requirements:	Simple Majority - More than half of Elected Members present required to vote in favour
Attachments:	9.2 Attachment 1 – Draft Lease Agreement – Nyabing Church

OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/027)

Moved Cr Hobley / Seconded Cr Crosby

That Council

1. **APPROVES** the proposed disposition of Lot 31 Aspendale Street, Nyabing – Nyabing Church by way of lease to Michelle Dolan Trading as Run Line Arts, subject to compliance with section 3.58 of the *Local Government Act 1995* and the following principal terms:
 - (a) **Permitted use:**
Use as a private arts studio and creative development space for Run Line Arts, including the creation and storage of artwork and art materials, project planning and administration, preparation for off-site workshops and community arts activities, grant preparation, business administration, professional inspections and quotations, meetings by appointment and other uses reasonably ancillary to those purposes.
 - (b) **Term:** 12 months;
 - (c) **Rent:** \$1 plus GST per annum;
 - (d) **Market rental value:** \$5,800 plus GST per annum, as assessed by Acumentis on 27 August 2026; and
 - (e) **Such other terms and conditions** as are considered appropriate by the Chief Executive Officer, provided that they do not materially alter the proposed disposition.
2. **AUTHORISES** the Chief Executive Officer to give local public notice of the proposed disposition in accordance with section 3.58(3) and (4) of the *Local Government Act 1995*.
3. **DETERMINES** that, if no submissions are received during the statutory public notice period, the Chief Executive Officer is authorised to:
 - (a) **finalise** the terms of the lease, provided those terms are not materially different from the terms advertised;
 - (b) **enter into** the lease with Michelle Dolan Trading as Run Line Arts; and
 - (c) **execute** the document pursuant to section 9.49A(4) of the *Local Government Act 1995*.

- 4. DETERMINES that, if one or more submissions are received during the statutory public notice period, the submissions and the proposed lease are to be presented to Council for consideration before the lease is entered into.**

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

Purpose

For Council to consider advertising its intention to dispose of Lot 31 Aspendale Street, Nyabing – Nyabing Church by way of lease to Michelle Dolan Trading as Run Line Arts for a rental consideration of \$1 plus GST per annum.

Background

The Shire of Kent owns the property located at Lot 31 Aspendale Street, Nyabing.

Due to their no longer being church services and a diminishing Committee, the Nyabing Community Church was gifted to the Shire of Kent with settlement taking place in August 2025. Council is yet to make a decision on the future of the land and / or the building.

Michelle Dolan has requested permission to lease the property for a 12-month trial period with the purpose of a private arts studio and creative development space for Run Line Arts.

The proposed use would include the creation and storage of artwork and art materials, project planning and administration, preparation for off-site workshops and community arts activities, grant preparation, business administration, professional inspections and quotations, meetings by appointment and other uses reasonably ancillary to those purposes.

The principal terms proposed are a lease period of 12 months, at a peppercorn rental of \$1 plus GST per annum.

Comment

The proposed lease is to a private party and does not qualify for the community organisation exemption under regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996*.

A lease constitutes a disposal of property under section 3.58 of the *Local Government Act 1995*. As the proposed lease is being negotiated directly with Michelle Dolan, rather than through a public auction or tender process, the private-treaty requirements of section 3.58(3) apply.

The proposed rental consideration of \$1 plus GST per annum is substantially below the assessed market rental value of \$5,800 plus GST per annum.

The proposed concession is recommended as the use supports a regional arts-based initiative within the community and activates an otherwise unused property.

Before agreeing to the proposed lease, the Shire must give local public notice identifying the property, the proposed lessee, the consideration and the market value of the disposition. The notice must invite submissions for a period of at least two weeks.

It is recommended that Council approve the proposed lease subject to completion of the statutory public notice process. If no submissions are received, the Chief Executive Officer will be authorised to finalise and enter into the lease without the matter returning to Council. If any submissions are received, the proposed lease and submissions will be presented to Council for consideration before any disposition occurs.

Statutory Implications

Local Government Act 1995

Section 3.58 defines “dispose” as including the sale, lease or other disposal of local government property.

Section 3.58(3) permits a local government to dispose of property other than through public auction or tender where, before agreeing to the disposition, it:

- gives local public notice of the proposed disposition;
- allows at least two weeks for submissions;
- considers any submissions received; and
- records the decision and reasons in the minutes where the decision is made by Council or a committee.

Under section 3.58(4), the public notice must include:

- the names of all parties concerned;
- the consideration to be received; and
- the market value of the disposition.

The market value must be established by a valuation undertaken not more than six months before the proposed disposition.

Local Government (Functions and General) Regulations 1996

Regulation 30 identifies dispositions that are exempt from the requirements of section 3.58.

The proposed disposition does not fall within an exemption prescribed by regulation 30. The Shire must therefore comply with the local public notice and submission process required by section 3.58.

Policy Implications

There is no specific Council policy directly applicable to the proposed lease.

Financial Implications

The proposed rent is \$1 plus GST per annum.

Strategic Implications

The proposal is consistent with the following objectives of the Shire of Kent Strategic Community Plan 2023 - 2033:

1.3 Well maintained community spaces and infrastructure: Shire owned community buildings and heritage spaces are well maintained, accessible and activated.

4.1 Forward planning and implementation of plans to achieve community priorities: We actively participate and work with local and regional organisations to deliver benefit to our communities.

Risk Implications

Risk	Likelihood	Consequence	Rating	Treatment
Failure to comply with the statutory disposal process	Unlikely	Major	Moderate	Obtain a current market rental valuation, disclose the prescribed information and complete the public notice process before approving the lease.
Inadequate allocation of maintenance and operating responsibilities	Possible	Moderate	Moderate	Clearly document responsibilities in the lease and require appropriate insurance.
Financial cost arising from below-market rent	Likely	Minor	Moderate	Clearly disclose the value of the concession and periodically review the arrangement.
Lessee fails to comply with lease obligations	Possible	Moderate	Moderate	Include inspection, default, remediation and termination provisions in the lease.
Community concern regarding preferential use of a public asset	Possible	Minor	Low	Undertake public advertising and consider all submissions before making a final decision.

11. REPORTS – CORPORATE SERVICES

11.1 Community Grant – Pingrup Community Resource Centre

Author:	David Bentley, Deputy Chief Executive Officer
Location:	N/A
File No:	FIN.295
Voting Requirements:	Absolute Majority - 4 Elected Members required to vote in favour
Attachments:	11.1 Attachment 1 – Costings for Pingrup CRC Request

OFFICER RECOMMENDATION

That Council makes a determination in relation to the community grant application by the Pingrup CRC and if the determination is to approve, makes a budget amendment to the value approved.

LAPSED FOR WANT OF A MOVER

Purpose

Council is requested to consider the community grant submissions made by the Pingrup Community Resource Centre as part of the 2026/27 Community Grant funding round.

Background

In April 2026, the Shire of Kent called for community grant funding submissions under the newly established Community Grants Policy.

The Pingrup Community Resource Centre submitted a request for \$7,000 for a SOCK Week community event and SOCK mural project as well as storage shelving for volunteer groups to store assets and resources in the Fed Shed to utilise the area better.

When discussing community grants, Council sought further information from the Pingrup Community Resource Centre for their submission, including what the cost of the project will be.

Comment

Through various correspondence, finalised costings were requested and provided to the Shire. Those costings total \$6,698.70 including GST for the SOCK Week murals and are provided as **Attachment 1** to this report.

However, as the finalised costings were provided to the Shire after the July Ordinary Council Meeting, the Community Grant provision to the Pingrup Community Resource Centre for this grant request was not included in the Annual Budget for the 2026-27 financial year.

Should Council wish to grant the community grant request, it must also consider a budget amendment to the value of the contribution that is approved.

Statutory Implications

Amendments to budgets need to be carried by an absolute majority.

Policy Implications

Policy 3.2.7 Community Grants Policy

Financial Implications

If the Community Grant request is granted, a budget amendment will need to be resolved to ensure sufficient funds are provided for in the 2026/27 Annual Budget.

Strategic Implications

Community Strategic Plan 2023 - 2033

Civic Leadership Strategic Priorities – Proactive and well governed Shire

Risk Implications

Nil.

11.2 Monthly Financial Report to 31 August 2026

Author:	Jenni Dolan, Finance Coordinator
Location:	N/A
File No:	FIN.322
Voting Requirements:	Simple Majority - More than half of Elected Members present required to vote in favour
Attachments:	10.1 Attachment 1 – Monthly Financial Report to 31 August 2026 10.1 Attachment 2 – Capital Expenditure Snapshot

OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/028)

Moved Cr Crosby / Seconded Cr Gray

That Council receive the Monthly Financial Reports to 31 August 2026 as presented at Attachment 1.

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward
Against: Nil

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 Reports as presented indicate that Council continues to be in a sound financial position

Overview

Presented to Council are the financials current to 31 August 2026. Noted in the Statement of Financial Activity is a current surplus of \$6,490,651. Reflected in the report is the operating revenue which sits above the year-to-date (YTD) budget estimate by 1.3%, and accounts for 70% of the full-year budget. While operating expenditure sits below the YTD budget estimate by 23% and accounts for 9% of the full-year budget.

Rates and Services

The first rates instalment due date is imminent and already we are receiving a considerable number of early payments. The admin team has been kept busy with receipting the rates payments.

Capital expenditure

Renovations to 2/3 Gaby Street are well underway and progressing steadily. The road capital works program sees the construction team working on the Roads to Recovery funded project at Range Road following the preparation work on Nyabing South. Other Infrastructure and Furniture & Equipment programs are yet to commence.

The Capital Expenditure Snapshot (Attachment 2) provides an overview of the capital works to date.

Next month

Annual financial reporting will continue to be the focus of the finance team. Collation of documents to support the audit is nearing completion. We anticipate welcoming representatives from the Lincolns audit team early in November.

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.

11.3 Schedule of Accounts Paid to 31 August 2026

Author:	Jenni Dolan, Finance Coordinator
Location:	N/A
File No:	FIN.317
Voting Requirements:	Simple Majority - More than half of Elected Members present required to vote in favour
Attachments:	11.3 Attachment 1 – Schedule of Accounts Paid - August 2026

OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/029)

Moved Cr Reid / Seconded Cr Hobley

That Council endorse the payments from the Municipal Fund and Trust Fund for the period ending 31 August 2026.

Municipal Fund (Fee)	\$ 8,729.33
Municipal Fund (EFT)	\$ 548,060.95
Municipal Fund (Cheque)	\$ 4,621.82
Municipal Fund (Direct Debits)	\$ 21,049.43
Trust Fund	\$ 0.00
TOTAL	\$ 582,461.53

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

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.

12. REPORTS – INFRASTRUCTURE SERVICES

Nil.

13. REPORTS – REGULATORY SERVICES

Nil.

14. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

15. NEW BUSINESS OF AN URGENT NATURE AGREED TO BY A RESOLUTION OF COUNCIL**16. MATTERS BEHIND CLOSED DOORS****PROCEDURAL MOTION**

Moved Cr Crosby / Seconded Cr Borgward

That Council proceed behind closed doors for items 16.1, 16.2 and 16.3 as it may do as provided under section 5.23(4)(c)(i) of the *Local Government Act 1995* as the reports contains the tendered prices from a request for tender process.

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

16.1 T26/02 – Provision of Road Shoulder Reconstruction, Widening and Sealing – Dumbleyung Road**OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/030)**

Moved Cr Gray / Seconded Cr Borgward

That Council

- 1. awards Tender T26/02 for the Provision of Road Shoulder Reconstruction, Widening and Sealing – Dumbleyung Road to Fulcher Contractors for the consideration of \$615,136.69 ex GST;**
- 2. delegates authority to the Chief Executive Officer to negotiate a contract with Fulcher Contractors, based on the terms and conditions provided in the Request for Tender documents; and**
- 3. authorises the Chief Executive Officer to execute a contract with Fulcher Contractors Pty Ltd pursuant to section 9.49A(4) of the *Local Government Act 1995*.**

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

16.2 T26/03 – Supply and Spray of Bitumen**OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/031)**

Moved Cr Crosby / Seconded Cr Reid

That Council

1. awards Tender T26/03 for the Supply and Spray of Bitumen to Downer EDI Works Pty Ltd for the consideration of \$398,720 ex GST;
2. delegates authority to the Chief Executive Officer to negotiate a contract with Downer EDI Works Pty Ltd, based on the terms and conditions provided in the Request for Tender documents; and
3. authorises the Chief Executive Officer to execute a contract with Downer EDI Works Pty Ltd pursuant to section 9.49A(4) of the *Local Government Act 1995*.

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

16.3 T26/04 – Provision of Pavement Stabilisation Works**OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/032)**

Moved Cr Hobley / Seconded Cr Gray

That Council

1. awards Tender T26/04 for the Provision of Pavement Stabilisation Works to Fulton Hogan Industries Pty Ltd for the consideration of \$147,573 ex GST;
2. delegates authority to the Chief Executive Officer to negotiate a contract with Fulton Hogan Industries Pty Ltd, based on the terms and conditions provided in the Request for Tender documents; and
3. authorises the Chief Executive Officer to execute a contract with Fulton Hogan Industries Pty Ltd pursuant to section 9.49A(4) of the *Local Government Act 1995*.

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

Pursuant to section 5.23(8) of the Local Government Act 1995, the following information is provided for the purposes of the minutes:

If a decision is made to close a meeting to members of the public under subsection (2), (3) or (4), the following must be recorded in the minutes of the meeting

(a) the decision

The decision to go behind closed doors in these minutes.

- (b) the section under which the decision is made and, if that subsection is subsection (2) or (4), the paragraph of that subsection under which the decision is made.**

This decision to proceed behind closed doors is made pursuant to section 5.23(4)(c)(i) of the *Local Government Act 1995*;

- (c) if the provision recorded under paragraph (b) is subsection (2)(c) or (4)(g) – the applicable regulation (including any applicable subregulation or paragraph**

Not applicable.

- (d) if the provision recorded under paragraph (b) is subsection (2)(d) or (5)(h) – a statement that a direction was given under section 5.23AA(1) or (2) (as the case requires)**

Not applicable.

- (e) an explanation of how the matter or information to which the decision relates falls within the scope of the provision recorded under paragraph (b);**

The information in the reports contain submitted prices from a request for tender process.

- (f) a summary of the steps taken to ensure that the closure to members of the public is for no longer than required or authorised under the provision recorded under paragraph (b);**

Council only discussed the matters contained within the reports behind closed doors. As soon as the items were voted on, Council immediately moved a procedural motion to reopen the meeting to the public.

- (g) any prescribed information.**

There is no prescribed information contained in the *Local Government (Administration) Regulations 1996* relevant to this section.

PROCEDURAL MOTION

Moved Cr Borgward / Seconded Cr Crosby

That Council reopen the meeting to the public at 6:08pm.

CARRIED 6/0

For: Cr Johnston, Cr Crosby, Cr Reid, Cr Hobley, Cr Gray, Cr Borgward

Against: Nil

17. MEETING CLOSED

The Presiding Member, **Cr Kate Johnston**, declared the meeting closed at 6:08pm.