UNCONFIRMED MINTUES

ORDINARY COUNCIL MEETING

Council Chambers
24-26 Richmond Street Nyabing

Wednesday 21 October 2026

Commencement: 6:00pm

UNCONFIRMED MINUTES

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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member, **Cr Kate Johnston**, declared the Ordinary Council Meeting of 21 October 2026 open at 6:00pm.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Elected Members Present

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

Staff Members Present

Christie Smith	Chief Executive Officer
David Bentley	Deputy Chief Executive Officer
Gary Mathewson	Manager Infrastructure

Apologies

Cr Suma Reid	Councillor

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.

The Manager Infrastructure departed the Chamber at 6:01pm.

6. CONFIRMATION AND RECEIVING OF MINUTES / BUSINESS ARISING

6.1 Ordinary Council Meeting – 15 September 2026

OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/033)
Moved Cr Gray / Seconded Cr Hobley
That the minutes of the Ordinary Council Meeting of the Shire of Kent held at the Pingrup Pavilion on Tuesday 15 September 2026 be confirmed as a true and accurate record of the meeting.

CARRIED 5/0
For: Cr Johnston, Cr Crosby, Cr Hobley, Cr Gray, Cr Borgward
Against: Nil

6.2 Outstanding Council Resolutions October 2026

The Outstanding Council Resolutions Register for October 2026 is provided as **Attachment 6.2** for information.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

8. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil.

9. REPORTS OF COMMITTEES

Nil.

10. REPORTS – OFFICE OF THE CEO

10.1 Shire of Kent Water Infrastructure Assessment

Author: Christie Smith, Chief Executive Officer
Location: N/A
File No: GRA.301
Voting Requirements: Absolute Majority - 4 Elected Members required to vote in favour
Attachments: Nil

OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/034)
Moved Cr Crosby / Seconded Cr Borgward
That Council

1. **NOTES that executive staff have entered into a funding agreement with the Department of Water and Environmental Regulation (DWER) for the Kent Water Infrastructure Assessment, with grant funding of $60,000 and a project completion date of 30 April 2027.**
2. **AUTHORISES, pursuant to section 6.8(1)(b) of the *Local Government Act 1995*, unbudgeted expenditure of $60,000 for the assessment and eligible urgent works, to be offset by DWER grant funding under the agreement.**
3. **APPROVES amendments to the 2026/27 Annual Budget to include $60,000 in DWER grant income and $60,000 in project expenditure.**
4. **AUTHORISES the Chief Executive Officer to implement the project within the approved budget and funding agreement.**
5. **REQUESTS that the assessment findings and any recommendations requiring further funding be presented to Council for consideration in future asset management and budget planning.**

CARRIED BY AN ABSOLUTE MAJORITY 5/0
For: Cr Johnston, Cr Crosby, Cr Hobley, Cr Gray, Cr Borgward
Against: Nil

Purpose
To advise Council of the Kent Water Infrastructure Assessment and associated DWER funding agreement, and seek approval for unbudgeted expenditure and corresponding grant income to deliver the project.

Background
Executive staff have entered into a funding agreement with DWER through the AA Dams/SCWS program to undertake a comprehensive assessment of the Shire's non-potable water infrastructure. The program assists local governments to improve the long-term durability and management of their non-potable water infrastructure assets.

Operational knowledge of water infrastructure can be concentrated among individual staff. Documenting asset locations, network connections and operating procedures will provide an accessible reference for current and future staff and support continuity of operations. Similar audits undertaken by other local governments have proven highly valuable.

Funding of up to $60,000 is available for the audit and eligible urgent repairs to a critical water asset selected by the Shire. The project must be completed by 30 April 2027.

Comment

The assessment will be undertaken by ThinkWater and will provide a comprehensive record of the Shire's non-potable water supply network and establish a practical basis for maintenance, renewal and future investment. The audit will deliver:

- An interactive network map identifying the location and connectivity of pipelines, pumps, tanks, dams and other water infrastructure assets.
- A condition assessment report for all key assets, documenting condition, maintenance requirements, risks and priorities for future investment.
- An operations and maintenance manual recording system functionality, operating procedures and asset information.
- Recommendations for system improvements and future expansion opportunities to support strategic planning and sustainable service delivery.
- Identification of urgent asset renewal and maintenance works, with priority actions clearly defined and incorporated into the project milestones under the funding agreement.

The project will strengthen the Shire's capacity to manage its water infrastructure, improve asset resilience and reduce operational risks associated with staff turnover. Findings will support informed decisions about maintenance, renewal and future growth.

The urgent works component provides an opportunity to address a priority issue identified by the audit on a critical water asset selected by the Shire, within the funding cap and eligibility requirements. Recommendations beyond the funded scope will inform future planning and budget decisions.

Grant payments are linked to the following milestones:

Milestone #	Action	Amount
Milestone 1	• Execution of the funding agreement. • Provision of a purchase order and/or emails evidencing engagement with contractors.	$10,000
Milestone 2	• Submission of the Kent Water Infrastructure Report. • Reports containing sufficient detail to demonstrate milestone completion and that expenditure incurred or committed is consistent with project delivery. • Identification of an urgent infrastructure item and a quotation for the works. • Provision of a purchase order and/or emails evidencing engagement of contractors.	$14,000

Milestone 3	• Photographic evidence demonstrating completion of all works required under this milestone. • Proof of payment and acquittal of expenses.	$36,000

Statutory Implications
Section 6.8(1)(b) of the *Local Government Act 1995* requires expenditure for a purpose not included in the annual budget to be authorised in advance by Council resolution. An absolute majority is required. The availability of offsetting grant income does not remove the requirement to authorise the unbudgeted expenditure.

Project procurement and expenditure must comply with applicable legislative requirements and the conditions of the DWER funding agreement.

Policy Implications
Contractor engagement and purchasing will be undertaken in accordance with the Shire's applicable purchasing policy and procedures. The assessment will support asset management and risk management practices. No policy amendment is proposed.

Financial Implications
The project is not included in the adopted 2026/27 Annual Budget. Approval is sought to include up to $60,000 in expenditure and corresponding DWER grant income, with the indicative allocation shown below.

Component	**Amount**
Comprehensive water infrastructure audit	$24,000
Eligible urgent works	$36,000
Total Project Expenditure	**$60,000**
DWER Grant income	($60,000)
Net additional cash contribution by the Shire	**$0**

The Shire's contribution is in-kind staff time for project coordination, provision of asset information, site access, contractor liaison and reporting. This will be managed within existing staff resources.

No additional cash contribution is anticipated, provided expenditure remains within the approved funding and satisfies the agreement's eligibility and acquittal requirements. As grant payments are milestone-based, expenditure and grant receipts may occur at different times and will require cash flow management. Any proposed expenditure beyond the approved budget will require separate approval.

Strategic Implications
The assessment supports sustainable infrastructure management, reliable service delivery and responsible financial planning. It will improve the information available for asset management planning, maintenance scheduling and renewal forecasting, and assist Council to prioritise future water infrastructure investment.

Risk Implications

The project addresses the risk of operational knowledge being lost through staff turnover, incomplete asset records, and infrastructure failure arising from unidentified condition or maintenance issues.

Risk	Mitigation
Loss of operational knowledge	Reduced through the network map and documented operating and maintenance procedures.
Asset failure or service interruption	Reduced through condition assessment, prioritised maintenance and eligible urgent works.
Project delays	Managed through early contractor engagement and monitoring progress against the 30 April 2027 completion date.
Grant non-compliance or unrecovered expenditure	Managed through adherence to eligible scope, milestone evidence, expenditure records and acquittal requirements.
Cost overruns	Managed through quotations, a defined scope and expenditure controls within the $60,000 project cap.

10.2 Dadour Provisions and Local Government Reform

Author:	Christie Smith, Chief Executive Officer
Location:	N/A
File No:	GOV.88
Voting Requirements:	Simple Majority - More than half of Elected Members present required to vote in favour
Attachments:	Nil

OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/035)
Moved Cr Crosby / Seconded Cr Hobley
That Council

1. **SUPPORTS retention of the provisions in Schedule 2.1, Clauses 8, 9 and 10 of the *Local Government Act 1995*, commonly known as the Dadour Provisions, to preserve affected communities' right to reject a proposed amalgamation where the statutory poll thresholds are met;**
2. **ADVOCATES for legislative and policy reforms that support and expand voluntary shared services, regional partnerships and resource-sharing between local governments as alternatives to amalgamation where appropriate;**
3. **ADVOCATES for State Government funding for independent business cases, financial modelling, service reviews and community engagement to inform consideration of amalgamation or boundary change proposals; and**
4. **REQUESTS the Shire of Kent's WALGA Great Southern Country Zone representatives to submit a motion seeking Zone support for this position and its adoption through WALGA State Council advocacy processes.**

CARRIED 5/0
For: Cr Johnston, Cr Crosby, Cr Hobley, Cr Gray, Cr Borgward
Against: Nil

Purpose
To establish Council's position on the proposed removal of the Dadour Provisions, supporting community choice and practical alternatives that strengthen local government sustainability.

Background
On 17 September 2026, the State Government announced reforms intended to improve local government sustainability and facilitate voluntary amalgamations, including removal of the Dadour poll provisions. The *Local Government Amendment and Repeal Bill 2026* was introduced into Parliament on 14 October 2026 to progress these reforms.

Under the existing provisions, where the Local Government Advisory Board recommends an amalgamation of the kind covered by clause 8, affected electors must be advised of their right to request a poll. A request requires at least 250 electors or 10 per cent of electors of an affected district, whichever is fewer. If at least 50 per cent of electors in an affected district vote and a majority of those voting oppose the recommendation, the Minister must reject it.

Comment

The Shire supports reform that improves service delivery, organisational capacity and long-term financial sustainability. Amalgamation may offer benefits in some circumstances, but these should be demonstrated through independent assessment and considered by the affected communities.

For Kent, becoming part of a larger district could reduce the community's influence over local representation, service access, infrastructure priorities and the use of local assets and reserves. The interests and identity of Nyabing, Pingrup and the surrounding rural community should remain central to any proposal.

Voluntary shared services, regional partnerships and resource sharing provide practical alternatives. Joint procurement, shared specialist staff, coordinated infrastructure planning and mutual support for emergency response can improve capacity and efficiency while retaining local representation and decision-making. Legislative and funding arrangements should make these options easier to establish and sustain.

Retention of the Dadour Provisions does not prevent voluntary amalgamations. It preserves a mechanism for electors to reject a covered proposal where the statutory thresholds are met. The State Government has indicated that independent review and community consultation would continue under its proposed reforms; however, consultation does not provide the same protection as a binding poll.

Communities considering structural change also need reliable information about likely costs, benefits, service impacts, assets, liabilities and representation. State funding for independent business cases, financial modelling, service reviews and community engagement would enable informed decisions without placing the assessment burden solely on local ratepayers.

A balanced approach is therefore to retain community poll rights, support voluntary collaboration and ensure any structural reform is supported by evidence. Advocacy through the Great Southern Country Zone and WALGA State Council would strengthen the Shire's position.

Statutory Implications

Schedule 2.1 of the *Local Government Act 1995* governs district boundary and amalgamation processes. Clauses 8, 9 and 10 provide the relevant poll and decision-making framework. Council's resolution would establish an advocacy position only; legislative change requires Parliamentary approval.

Policy Implications

No existing Shire policy amendments are required. The resolution would establish Council's formal advocacy position.

Financial Implications

No material direct financial implications arise beyond normal administrative costs. Costs associated with any future structural change or expanded shared service arrangement would require separate assessment.

Strategic Implications

The recommendation supports accountable local leadership, meaningful community participation, accessible services and protection of local identity, while encouraging collaboration to improve sustainability.

Risk Implications

The principal risks are loss of binding community poll rights and potential impacts on representation, services, assets and financial priorities under future amalgamation proposals. Establishing and communicating Council's position presents low organisational risk and enables timely advocacy.

11. REPORTS – CORPORATE SERVICES

11.1 Disposal of Lot 31 Aspendale Street Nyabing – Public Submissions

Author:	David Bentley, Deputy 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:	11.1 Attachment 1 – Submission Received for Disposal of Property

OFFICER RECOMMENDATION / COUNCIL RESOLUTION (OCM2627/036)
Moved Cr Gray / Seconded Cr Crosby
That Council

1. **Notes the submission received in response to the local public notice of the disposal of property at Lot 31 Aspendale Street Nyabing, provided as Attachment 1 to this report; and**
2. **Authorises the Chief Executive Officer 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) , with the Shire President, execute the finalised lease agreement pursuant to section 9.49A(2) of *the Local Government Act 1995*.**

CARRIED 5/0
For: Cr Johnston, Cr Crosby, Cr Hobley, Cr Gray, Cr Borgward
Against: Nil

Purpose
Council is required to consider submissions made in response to the public notice period of the disposal of property of Lot 31 Aspendale Street Nyabing.

Background
At its meeting on 15 September 2026, Council resolved:

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 or 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. arrange execution of the lease in accordance with the Shire's Execution of Documents Policy.

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.

In response to the local public notice given under point 2 of the resolution, one submission was received. As a result, a report is brough back to Council in accordance with point 3 of the resolution.

Comment
The submission received in relation to the lease agreement supported the disposition of property as proposed.

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
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.

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

Risk	Likelihood	Consequence	Rating	Treatment
				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.

11.2 Monthly Financial Report to 30 September 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:	11.2 Attachment 1 – Monthly Financial Report to 30 September 2026 11.2 Attachment 2 – Capital Expenditure Snapshot

The Manager Infrastructure returned the Chamber at 6:04pm.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION (OCM2627/037)
Moved Cr Borgward / Seconded Cr Hobley
That Council receive the Monthly Financial Reports to 30 September 2026 as presented at Attachment 1.

CARRIED 5/0
For: Cr Johnston, Cr Crosby, 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 for September 2026. Noted in the Statement of Financial Activity is a current surplus of $6,699,752. Reflected in the report is the operating revenue which sits above the year-to-date (YTD) budget estimate by 1%, and accounts for 73% of the full-year budget. While operating expenditure sits below the YTD budget estimate by 32.8% and accounts for 12.2% of the full-year budget.

Rates and Service Charges
To the end of September, we have received payment of 66% of rates and service changes for 2026/27, including arrears. Final Notices have been sent in early October for outstanding amounts. This is the first step in the Council Revenue Collection policy to recoup outstanding balances. Instalment notices for those rate payers on Option 3 (4 instalments) are due to go out mid-October.

Capital expenditure

The close of September sees the Plant & Equipment capital expenditure on track with all planned purchases complete and only the second change over the DCEO vehicle remaining for early in 2027. Plant disposals are in progress with four vehicles being auctioned in Perth over the next month or so. It should be noted that the financial report presented does not yet account for the profit/loss on vehicle sales to date. This will be shown in the financials once 2025/26 annual financial reporting is finalised.

The onsite works at 15 Aspendale Street to connect the houses are progressing well. We anticipate receiving the keys late October/early November. 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
Rates debtor follow-up will commence in October and continue into November. In addition, numerous annual returns are completed at this time of the year, including the Water Supply and Sewerage Services Collection and WALGA Roads Assets and Expenditure.

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 30 September 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 - September 2026

OFFICER RECOMMENDATION / COUNCIL DECISION (OCM2627/038)
Moved Cr Gray / Seconded Cr Crosby
That Council endorse the payments from the Municipal Fund and Trust Fund for the period ending 30 September 2026.

Municipal Fund (Fee)	$	2,739.90
Municipal Fund (EFT)	$	333.014.73
Municipal Fund (Cheque)	$	0
Municipal Fund (Direct Debits)	$	20,915.00
Trust Fund	$	0.00
TOTAL	**$**	**356,669.63**

CARRIED 5/0
For: Cr Johnston, Cr Crosby, 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 Borgward / Seconded Cr Hobley
That Council proceed behind closed doors for item 16.1 as it may do as provided under section 5.23(4)(b) of the *Local Government Act 1995* as the reports contains information relating to the personal affairs of an individual.

CARRIED 5/0
For: Cr Johnston, Cr Crosby, Cr Hobley, Cr Gray, Cr Borgward
Against: Nil

16.1 Outstanding Sundry Debt – Debt Collection

ALTERNATIVE / COUNCIL DECISION (OCM2627/039)
Moved Cr Johnston / Seconded Cr Borgward
That Council authorise the write-off of $3,000 owed by the former employee under invoice 7102.

CARRIED 5/0
For: Cr Johnston, Cr Crosby, Cr Hobley, Cr Gray, Cr Borgward
Against: Nil

OFFICER RECOMMENDATION
That Council authorise the outstanding debt of $3,000 owed by the former employee under invoice 7102 to be referred to AMPAC Debt Recovery for recovery.

LAPSED FOR WANT OF A MOVER

Reasons for change:
Council resolved an alternative resolution as it was believed that there was a very low chance of success in successfully recovering the outstanding invoice.

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)(b) 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 information that relates the personal and financial circumstances of an individual.

(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 Gray / Seconded Cr Borgward
That Council reopen the meeting to the public at 6:07pm.

CARRIED 5/0
For: Cr Johnston, Cr Crosby, Cr Hobley, Cr Gray, Cr Borgward
Against: Nil

17. MEETING CLOSED

The Presiding Member, **Cr Kate Johnston**, declared the meeting closed at 6:07pm.