



MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF KULIN COUNCIL

Held on Wednesday, 19 August 2026 4:00pm, Shire
of Kulin Council Chambers 38 Johnston Street, Kulin

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1 DECLARATION OF OPENING

The President declared the meeting open at 4.00pm.

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

In accordance with Section 5.23A of the *Local Government Act 1995*, and Part 2A of the *Local Government (Administration) Regulations 1996*, this Council meeting is being digitally recorded (audio). All recordings will be retained as part of the Shire of Kulin's records and will be made available to the public via Council's website, excluding recordings of matters that Council take behind closed doors.

3 RECORD OF ATTENDANCE

ATTENDANCE

G Robins	President
B Smoker	Deputy President
J Noble	Councillor
C Mullan	Councillor
R Bowey	Councillor
L Siviour	Councillor
A Leeson	Chief Executive Officer
F Murphy	Executive Manager Financial Services
T Scadding	Executive Manager Community Development
C Lewis	Executive Manager Governance and Risk
J Hobson	Executive Manager Works
C Higgins	Executive Support Officer

APOLOGIES

B Miller	Councillor
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LEAVE OF ABSENCE

Nil

4 DECLARATIONS OF INTEREST BY MEMBERS

4.1 Declarations of Financial Interest

The Shire President, Cr Grant Robins, declared a financial interest in Item 14.2, Tender Submission Consideration - RFT 01-2026/2027, Bitumen and Aggregate. Cr Robins also provided a written declaration of financial interest.

4.2 Declarations of Proximity Interest

Nil

4.3 Declarations of Impartiality Interest

Nil

4.4 Declarations of Indirect Financial Interest

Nil

5 PUBLIC QUESTION TIME

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Previous Council Meetings

Minutes of Shire of Kulin Ordinary Council meeting held on 29 July 2026, provided to Councillors via the Shire's portal.

01/0826

Moved Cr Noble Seconded Cr Siviour that the minutes of the Shire of Kulin Ordinary Council meeting held on 29 July 2026, be confirmed as a true and correct record.

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried – 6/0

7.2 Committee Meetings

Nil

8 PRESENTATIONS / DEPUTATIONS

Nil

9 AGENDA BUSINESS - MATTERS REQUIRING DECISION

9.1 List of Accounts Paid During the Month of July 2026

Responsible Officer:	Chief Executive Officer
File Reference:	12.06
Author:	Fiona Murphy, Executive Manager Financial Services
Strategic Reference:	12 – Accurate forward planning to achieve community priorities
Disclosure of Interest:	Nil
Attachment:	Attachment 1 – Copy of Schedule of Payments, Credit Card Summary and Credit Card Statement July 2026

SUMMARY

For Council to receive the list of accounts paid from the municipal fund and the trust fund, and payments made using purchasing cards under the Chief Executive Officer's delegated authority, during the month of July 2026, in accordance with its statutory obligations under *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

BACKGROUND & COMMENT

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire's Municipal and Trust funds.

Regulation 13 – List of Accounts

In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Officer is to be provided to Council each month.

Lists detailing the payments for July 2026 are attached within **Attachment 1**.

The table below summarises the payments made during July 2026.

July 2026	
Fund	Amount
Municipal	\$1,029,655.22
Trust	\$0
Total	\$1,029,655.22

Regulation 13A – Credit, Debit and Other Purchasing Cards

Regulation 13A of the *Local Government (Financial Management) Regulations 1996* requires a list of payments made using credit, debit or other purchasing cards to be prepared and presented to Council each month.

Lists of payments made using credit, debit and other purchasing cards in July 2026 are attached within **Attachment 1**.

FINANCIAL IMPLICATIONS

The expenditure explained in this report is in accordance with the Annual Budget, as adopted or amended by Council. Relevant financial delegations for the expenditure have been granted by Council (last reviewed in June 2026).

STATUTORY AND PLANNING IMPLICATIONS

Regulations 13 and 13A of the *Local Government (Financial Management) Regulations 1996* are set out below:

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name; and*
 - (b) *the amount of the payment; and*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *a list of accounts for approval to be paid is to be prepared each month showing —*
 - (a) *for each account which requires council authorisation in that month —*
 - (i) *the payee's name; and*
 - (ii) *the amount of the payment; and*

- (iii) *sufficient information to identify the transaction; and*
 - (b) *the date of the meeting of the council to which the list is to be presented.*
 - (3) *A list prepared under subregulation (1) or (2) is to be —*
 - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

13A. Payments by employees via purchasing cards

- (1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —*
 - (a) *the payee's name;*
 - (b) *the amount of the payment;*
 - (c) *the date of the payment;*
 - (d) *sufficient information to identify the payment.*
- (2) *A list prepared under subregulation (1) must be —*
 - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority required.

02/0826

Moved Cr Mullan Seconded Cr Smoker that Council receive:

- 1. the list of accounts paid from the Municipal and Trust accounts during the month of July 2026, totalling \$1,029,655.22 as detailed within Attachment 1; and**
- 2. the list of payments made using credit, debit and purchasing cards in July 2026, as detailed within Attachment 1.**

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 6/0

[Attachment 1 – Copy of Schedule of Payments, Credit Card Summary and Credit Card Statement July 2026](#)

9.2 Financial Report – July 2026

Responsible Officer:	Chief Executive Officer
File Reference:	12.06
Author:	Fiona Murphy, Executive Manager Financial Services
Strategic Reference:	12 – Accurate Forward Planning To Achieve Community Priorities
Disclosure of Interest:	Nil
Attachment:	Attachment 2 - Monthly Financial Report July 2026

SUMMARY

Council is provided with the financial report for the month ended 31 July 2026 for review, in accordance with its statutory obligations under the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*. The monthly financial report is attached as **Attachment 2**.

BACKGROUND & COMMENT

The monthly financial report includes:

- an update on revenue and expenditure in comparison to the annual budget;
- a statement of financial position;
- the basis of preparation;
- an explanation of material variances (greater than \$10,000 and 10%) are included in the monthly financial report; and
- other supplementary financial information relevant to the report month.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND PLANNING IMPLICATIONS

Council is required by section 6.4 of the *Local Government Act 1995* to prepare financial reports as prescribed. Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* require preparation of monthly financial activity statements and statements of financial position.

Regulations 34 and 35 are set out below:

34. **Financial activity statement required each month (Act s.64)**

(1A) in this regulation –

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

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for the previous month (the **relevant month**) in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the relevant month; and
 - (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.
- (1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).
- (1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - [(a) deleted]
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity must be shown according to nature classification.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and

- (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percent or value, calculated in accordance with the ASS, to be used in statements of financial activity for reporting material variances.

35. Financial position statement required each month

- (1) A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the **previous month**) and —
 - (a) the financial position of the local government as at the last day of the previous financial year; or
 - (b) if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.
- (2) A statement of financial position must be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the previous month; and
 - (b) recorded in the minutes of the meeting at which it is presented.

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simply majority.

03/0826

Moved Cr Noble Seconded Cr Siviour that Council, in accordance with Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996*, receive the Monthly Financial Report including Statement of Financial Activity, Statement of Financial Position and supporting documentation for the period ending 31 July 2026, as presented in Attachment 2.

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 6/0

VOTING REQUIREMENTS

Simple majority required.

[Attachment 2 – Monthly Financial Report July 2026](#)

9.3 Amendment to 2026-27 Rates Instalment Due Dates

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	25.02
Author:	Executive Manager of Financial Services, Fiona Murphy <i>Strategic Pillar 12: Accurate forward planning to achieve community priorities</i>
Strategic Reference:	
Disclosure of Interest:	Nil
Attachment:	Nil

SUMMARY

For Council to consider and amend the fourth instalment due date for 2026/27 rates and service charges from 26 March 2027 to 2 April 2027, to ensure compliance with section 6.50(3) of the *Local Government Act 1995*.

BACKGROUND & COMMENT

The 2026/27 Annual Budget was adopted by Council on 29 July 2026. After adoption, management noticed an error in Note 2(b) Interest Charges and Instalments – Rates & Service Charges. Note 2(b) lists the following due dates for Option 3 (Four Instalments):

First Instalment	25 September 2026
Second Instalment	27 November 2026
Third Instalment	29 January 2027
Fourth Instalment	26 March 2027

The fourth instalment due date does not comply with s6.50(3) of the *Local Government Act 1995* which requires an interval of 2 months between instalment due dates. The interval between the third and fourth instalments is less than 2 months.

To rectify this error, management proposes changing the fourth instalment due date to 2 April 2027.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995

6.50. Rates or service charges due and payable

- (3) *Where a person elects to pay a rate or service charge by instalments the second and each subsequent instalment does not become due and payable at intervals of less than 2 months.*

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

The amended instalment due dates will be reflected on the 2026/27 rates notices and communicated to ratepayers through the annual 2026/27 Rates & Budget Newsletter.

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority required.

04/0826

Moved Cr Bowey Seconded Cr Mullan that Council amend the fourth instalment due date for 2026/27 Rates and Service Charges from 26 March 2027 to 2 April 2027 to ensure compliance with section 6.50(3) of the *Local Government Act 1995*.

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against - Nil

6/0 Carried by Absolute Majority

9.4 Adoption of 2026/2027 Annual Firebreak Order

Responsible Officer:	Chief Executive Officer
File Reference:	09.02
Author:	Chief Executive Officer – Alan Leeson
Strategic Reference:	<i>Shire of Kulin Strategic Integrated Plan 2025-2035</i> – Goal 9 – Protection of Natural and Built Assets
Disclosure of Interest:	Nil
Attachment:	Attachment 3 – Shire of Kulin Firebreak Order for 2026/2027 fire season

SUMMARY

Council is requested to consider adoption of the Shire of Kulin Firebreak Order for the 2026/2027 fire season pursuant to Section 33 of the *Bush Fires Act 1954*.

The Firebreak Order has been updated to continue and refine provisions for Registered Grain Out-Loading Hard Stand Areas, which were first introduced as part of the 2025/2026 Firebreak Order. The revised provisions reflect feedback from the 2025/2026 harvest period and discussion at the Annual Meeting of Bush Fire Brigades held on 31 March 2026.

BACKGROUND & COMMENT

The Shire of Kulin issues an annual Firebreak Order under Section 33 of the *Bush Fires Act 1954*. The Order sets out the requirements for all owners and occupiers of land within the district to install and maintain firebreaks and undertake other fire prevention measures by 31 October each year.

Grain out-loading hard stand areas were first introduced as part of the 2025/2026 Firebreak Order to provide landowners, particularly those using contractors, with an approved and managed option for completing grain out-loading during periods when a Harvest and Vehicle Movement Ban (HVMB) is in place.

At the Annual Meeting of Bush Fire Brigades held on 31 March 2026, the 2025/2026 arrangements were reviewed and there was general support for continuation of the system for the 2026/2027 harvest, with discussion focused on strengthening objective risk management measures within the policy framework and approval conditions.

FINANCIAL IMPLICATIONS

An annual registration fee of \$250 plus GST will be charged for each registered grain out-loading hard stand site, providing a modest revenue stream to offset administrative and inspection costs. This charge was adopted by absolute majority by Council during the review of 2026/2027 User Fees & Charges in June 2026 (Resolution 09/0626).

STATUTORY AND PLANNING IMPLICATIONS

Pursuant to section 33 of the *Bush Fires Act 1954*, local governments may require landowners and occupiers to establish and maintain firebreaks.

POLICY IMPLICATIONS

Shire of Kulin Strategic Community Plan – “*Safe and resilient community.*”

COMMUNITY CONSULTATION

Fire Control Officers AGM 31 March 2026

RISK IMPLICATIONS

Adoption of the 2026/2027 Firebreak Order mitigates bushfire risk by maintaining clear, enforceable fire prevention requirements across rural and townsite land prior to and during the fire season.

Continuing the Registered Grain Out-Loading Hard Stand Area provisions provides a managed framework for grain out-loading during periods when a Harvest and Vehicle Movement Ban is in place, while strengthening operational controls following the 2025/2026 harvest review.

The 2026/2027 requirements reduce risk by requiring bare-earth standards around ignition sources, annual site registration, GPS identification, inspection rights for Fire Control Officers, and a dedicated attended fire unit during out-loading operations.

The ability for authorised fire officers to suspend out-loading without notice where conditions warrant, including during active fire incidents or catastrophic fire weather forecasts, provides an additional safeguard to protect life, property, volunteers and the broader community. The residual risk is considered manageable where landowners comply with the Firebreak Order and registered site conditions are monitored and enforced by the Shire.

VOTING REQUIREMENTS

Simple majority.

OFFICER'S RECOMMENDATION

That Council:

1. Adopts the Shire of Kulin Firebreak Order for the 2026/2027 fire season;
2. Notes that the Firebreak Order will be published in accordance with Section 33 of the *Bush Fires Act 1954*; and
3. Provides delegated authority to the Chief Executive Officer to administer and determine applications for licensed grain out-loading hard stand areas.

05/0826

Moved Cr Smoker Seconded Cr Siviour that Item 9.4 be laid on the table and returned to the next Ordinary Council Meeting on 23 September 2026, to enable the matter to be referred to the next Bush Fire Brigades Advisory Meeting to be held in Pingaring on the 10th September 2026.

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against- Nil

Carried 6/0

[Attachment 3 - 2026-2027 Annual Firebreak Order](#)

9.5 Request to Initiate a Review of Local Law for Shire of Kulin

Responsible Officer:	Chief Executive Officer
File Reference:	19.03
Author:	Alan Leeson – Chief Executive Officer
Strategic Reference:	<i>Civic Leadership – 11 High Standard of Governance</i>
Disclosure of Interest:	Nil
Attachment:	Nil

SUMMARY

The transitional provisions in clause 65 of Schedule 9.3 of the *Local Government Amendment Act 2024* require local governments to review all local laws within a two (2) year period, prior to 7 December 2026, unless a review of the local law occurred within the last eight (8) years.

At the July 2026 Ordinary Council Meeting Council took the opportunity to initiate a review all of the Shire of Kulin's local laws at the same time in consideration of efficiency and alignment of timing. That process has commenced with relevant public notices being given in accordance with section 3.16 of the *Local Government Act 1995*.

Council is asked to confirm it initiates a review of the Shire of Kulin Animals, Environment and Nuisance Amendment Local Law 2016 ("2016 AEN Local Law"). This local law was reviewed in 2018 by the *Shire of Kulin Animals, Environment and Nuisance Amendment Local Law 2018* ("Amendment Law").

The 2016 AEN Local Law is essentially the 'principal law' referred to in and amended by the Amendment Law and intended to be part the review but was not specifically mentioned in the report considered by Council. For completeness of the intention to initiate a review of *all* local laws, Council is requested to confirm it resolves to initiate a review of that local law.

BACKGROUND & COMMENT

Clause 65 of Schedule 9.3 of the *Local Government Amendment Act 2024* requires a review of any local laws that have not been reviewed within the last eight (8) years prior to 7 December 2026 or they will automatically lapse.

Given Council's intention to take the opportunity to review all of its local laws concurrently, Council is requested to confirm it resolves to initiate a review of the 2016 AEN Local Law.

Following conclusion of the public notice periods, any submissions received will be reviewed and presented to Council for consideration, including the officer's recommendation regarding the retention, amendment or repeal of any of the local laws.

Council will then be required to determine by absolute majority whether the local law/s should be repealed, be amended or remain unchanged. Should Council resolve to amend a local law, necessary next steps will include advertising any proposed draft local law for the relevant statutory period to allow for public comments prior to publication in the Gazette and provision to the Department of Local Government, Industry Regulation and Safety.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995 (Subdivision 2 of Division 2 of Part 3)

Local Government Amendment Act 2024 (Transitional provisions, section 65, Schedule 9.3)

POLICY IMPLICATIONS

The outcomes of the review may result in amendments, repeal or consolidation of certain local laws to ensure they remain consistent with current operational practices or legislation.

COMMUNITY CONSULTATION

Consultation will include management review and community consultation as part of the statutory review process through the required public notice process.

WORKFORCE IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple majority.

06/0826

Moved Cr Siviour Seconded Cr Bowey that Council:

- 1. Notes that Council resolved to initiate a review of all of the Shire of Kulin local laws at the Ordinary Council Meeting on 29 July 2026;**
- 2. Initiates a review of the Shire of Kulin Animals, Environment and Nuisance Local Law 2016 in accordance with section 3.16 of the *Local Government Act 1995*;**
- 3. Gives local public notice that the Shire of Kulin proposes to review the Animals, Environment and Nuisance Local Law 2016 (in addition to all other Shire of Kulin local laws) and invites submissions from the public for a period of not less than six (6) weeks from giving that notice regarding that local law;**
- 4. Notes that a copy of the Animals, Environment and Nuisance Local Law 2016 will be available for inspection on the Shire of Kulin's website and at the Shire of Kulin administration office during the consultation period; and**
- 5. Requests that a report be presented to Council following the consultation period, outlining the submissions received and recommendations regarding the retention, amendment or repeal of the Animals, Environment and Nuisance Local Law 2016 (noting a report will also be presented to Council following the outcome of the consultation period already commenced regarding the other local laws).**

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 6/0

9.6 Change of Meeting Date for December 2026 Ordinary Council Meeting

Responsible Officer:	Chief Executive Officer
File Reference:	13.03
Author:	Alan Leeson – Chief Executive Officer
Strategic Reference:	<i>Civic Leadership – 11 High Standard of Governance</i>
Disclosure of Interest:	Nil
Attachment:	Nil

SUMMARY

The meeting schedule for 2026 determined by Council set the date of the December Ordinary Council Meeting on Wednesday 16 December 2026 at 4pm.

The Council meeting date is the same date as an important event supported by and attended by many in the Shire of Kulin community, being the Kulin District High School end of year presentation night.

Council is asked to consider moving the date of the Ordinary Council meeting to an alternative date.

The officer's recommendation is that Council consider moving the December meeting to Thursday 17 December 2026 at 4pm.

Council is requested to determine a date and vote on the resolution, with a draft resolution offered in the officer's recommendation once the date has been considered and proposed.

BACKGROUND & COMMENT

Council determines meeting dates each year in accordance with legislation. Council is permitted to change dates of Council meetings by resolution, with changes to be advertised as required in accordance with the *Local Government (Administration Regulations) 1996*.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995

Local Government (Administration) Regulations 1996

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil required to change the date. However, Council is required to ensure notification of the change of date is advertised as required by legislation.

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority.

07/0826

Moved Cr Siviour Seconded Cr Mullan that Council moves the date of the December 2026 Ordinary Council Meeting, currently scheduled for 4pm on Wednesday 16 December 2026 to 4pm on Thursday 17 December 2026.

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 6/0

10 COMPLIANCE

10.1 Compliance Reporting – General and Financial Compliance July 2026

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	04.05 Alan Leeson, Chief Executive Officer Cassi Lewis, Executive Manager
Author:	Governance & Risk
Strategic Reference:	Strategic Integrated Plan Reference 4 – Civic Leadership – accurate forward planning to achieve community priorities
Disclosure of Interest:	Nil
Attachment:	Attachment 4 – General and Financial Compliance Checklist July 2026

SUMMARY

This report addresses General and Financial Compliance matters for July 2026. The report provides a guide to the compliance requirements being addressed as part of staff workloads and demonstrates the degree of internal audit being completed.

BACKGROUND & COMMENT

The General and Financial Compliance Checklist is an internal working document. This document is regularly reviewed and updated where required.

FINANCIAL IMPLICATIONS

Usual administration expenses associated with complying with Council obligations.

STATUTORY AND PLANNING IMPLICATIONS

Nil

POLICY IMPLICATIONS

Identified as necessary. For this report - Nil.

COMMUNITY CONSULTATION

N/A

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority.

08/0826

Moved Cr Smoker Seconded Cr Noble that Council receive the General and Financial Compliance Checklist for July 2026.

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 6/0

[Attachment 4 – General and Financial Compliance Checklist July 2026](#)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 MOTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

14 MEETING IS CLOSED TO THE PUBLIC

14.1 Confidential Item – Tenders (Meeting Closed to the Public)

Responsible Officer:	Chief Executive Officer
File Reference:	13.03
Author:	Alan Leeson, Chief Executive Officer
Strategic Reference:	11 – High standard of governance
Disclosure of Interest:	<i>Cr Grant Robins – declaration of a financial interest in Item 14.2 (declared at Item 4.1 of the Agenda and written declaration also provided)</i>

SUMMARY

For Council to discuss matters of a confidential nature, adoption of the Responsible Officer's recommendation to move "in camera" (behind closed doors), is required for Items 14.2, 14.3 and 14.4.

BACKGROUND & COMMENT

Council is empowered by sections 5.23 (2), (3) and (4) of the *Local Government Act 1995* to move behind closed doors if the meeting, or part of the meeting, deals with matters as outlined in those sections entitling Council to close the meeting to the public.

POLICY IMPLICATIONS

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority required.

09/0826

Moved Cr Noble Seconded Cr Siviour that Council consider Items 14.2, 14.3 and 14.4 "in camera" in accordance with section 5.23(4)(c) of the *Local Government Act 1995* and close the meeting to the public while those Items are being considered.

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 6/0

The Shire President, Cr Grant Robins, announced that the meeting would be closed to the public at 4.10pm and that he would leave the room while Item 14.2 was being discussed.

(Cr Robins had provided a written declaration to the Chief Executive Officer of a financial interest that as

the manager/owner of Kulin Transport the nature and extent of the interest was as a (potential) subcontractor to a tenderer for the carting of aggregate).

Meeting closed to the public at 4.10pm. Cr Robins left the Chambers at 4.10pm.

14.2 Tender Submission Consideration – RFT 01-2026/2027 Bitumen and Aggregate

10/0826

Cr Siviour Seconded Cr Mullan that Council accept the conforming tender submission from Bitutek in accordance with Shire of Kulin Request for Tender RFT 01-2026/2027 for the supply and application of bitumen and aggregate under full contract service for the 2026/2027 financial year, for the submitted price of \$376,125 excluding GST.

For – Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against - Nil

Carried 5/0

At 4.14pm, after conclusion of consideration and voting on Item 14.2, Deputy Shire President Cr Smoker requested that Cr Siviour collect Cr Robins to return to the Chambers.

Cr Siviour left the Chambers at 4.14pm and returned with Cr Robins at 4.14pm, ready to address Item 14.3.

Shire President Cr Robins resumed Chair of meeting at 4.15pm to Chair the remaining Agenda Items 14.3 – Items 15, inclusive.

14.3 Tender Submission Consideration – RFT 02-2026/2027 Dozer

11/0826

Moved Cr Smoker Seconded Cr Noble that Council:

- 1. Accept the conforming tender submission from WesTrac for the supply and delivery of one Caterpillar D6R2 track type bulldozer in accordance with Shire of Kulin Request for Tender RFT 02-2026/2027, for the submitted price of \$535,000 excluding GST; and**
- 2. Accept the outright purchase offer from Evasham Farms Pty Ltd for the Shire's existing Caterpillar D6T XL dozer for \$195,000 excluding GST.**

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 6/0

14.4 Tender Submission Consideration – RFT 03-2026/2027 Multi Tyre Roller

12/0826

Moved Cr Siviour Seconded Cr Mullan that Council:

- 1. Accept the conforming tender submission from WesTrac for the supply and delivery of one Caterpillar CW34 multi-tyre roller in accordance with Shire of Kulin Request for Tender RFT 03-2026/2027, comprising the base tender price of \$214,652.69 excluding GST, machine high visibility tape option of \$523.91 excluding GST, and engine pre-cleaner option of \$6,988.38 excluding GST, for a total purchase price of \$222,164.98 excluding GST; and**
- 2. Accept the trade-in offer from WesTrac for the Shire's existing 2015 Bomag BW25RH multi-tyre roller for \$30,500 excluding GST, resulting in a net changeover cost of \$191,664.98 excluding GST.**

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 6/0

14.5 Procedural Motion - Meeting to be re-opened to the Public

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	13.03
Author:	Alan Leeson, Chief Executive Officer
Strategic Reference:	<i>Civic Leadership - 11 – High Level of Governance</i>
Disclosure of Interest:	Nil
Attachment:	Nil

SUMMARY

For Council to move out from behind “closed doors” following determination of Items 14.2, 14.3 and 14.4.

BACKGROUND & COMMENT

Council is empowered by sections 5.23 (2), (3) and (4) of the *Local Government Act 1995* to move behind closed doors if the meeting, or part of the meeting, deals with matters as outlined in those sections entitling Council to close the meeting to the public.

POLICY IMPLICATIONS

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority required.

13/0826

Moved Cr Smoker Seconded Cr Siviour that following Council’s consideration of Items 14.2, 14.3 and 14.4 “in camera” in accordance with section 5.23(4)(c) of the *Local Government Act 1995* that the meeting is now re-opened to the public.

For – Cr Robins, Cr Smoker, Cr Bowey, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 6/0

The President declared the meeting was re-opened to the public at 4.17pm.

15 CLOSURE / DATE AND TIME OF NEXT MEETING

The President noted that the next Ordinary Meeting of Council will be held on 23 September 2026 at 4:00pm. There being no further business, the President declared the meeting closed at 4.18pm.