ORDINARY MEETING OF THE SHIRE OF KULIN COUNCIL MINUTES

Held Wednesday, 17 June 2026 4:00pm in the
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 ANNOUCEMENTS 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
B Miller	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 of Governance and Risk
J Hobson	Executive Manager Works
C Higgins	Executive Support Officer

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

4 DECLARATIONS OF INTEREST BY MEMBERS

4.1 Declarations of Financial Interest

A late Item 13.2 was introduced by decision of Council (Chief Executive Officer Employment Contract – Realignment and Renewal). The Chief Executive Officer, Mr Alan Leeson, declared a financial interest when that item was announced. A written declaration of interest was also provided.

4.2 Declarations of Proximity Interest

Nil

4.3 Declarations of Impartiality Interest

Cr Robbie Bowey declared an impartiality interest in relation to Item 9.5 (Audit Risk and Improvement Committee – Appointment of Independent Members). A written declaration of interest was also provided.

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 the Shire of Kulin Ordinary Council meeting held on 20 May 2026 and Minutes of the Shire of Kulin Special Council meeting held on 10 June 2026, provided to Councillors via the Shire's portal.

01/0626

Moved Cr Smoker Seconded Cr Siviour that the minutes of the Shire of Kulin Ordinary Council meeting held on 20 May 2026 and the minutes of the Shire of Kulin Special Council meeting held on 10 June 2026 be confirmed as a true and correct record.

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

Against – Nil

Carried 7/0

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 May 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 May 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 April 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 May 2026 are attached within **Attachment 1.**

The table below summarises the payments made during May 2026.

May 2026	
Fund	Amount
Municipal	$1,231,658.41
Trust	$7,223.00
Total	**$1,238,881.41**

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 May 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 May 2025).

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.

02/0626

Moved Cr Miller Seconded Cr Mullan that Council receive:

1. **the list of accounts paid from the Municipal and Trust accounts during the month of May 2026, totalling $1,238,881.41 as detailed within Attachment 1; and**
2. **the list of payments made using credit, debit and purchasing cards in May 2026, as detailed within Attachment 1.**

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

Against – Nil

Carried 7/0

Attachment 1- Copy of Payment Schedule, Credit Card Summary and Credit Card Statement May 2026

9.2 Financial Report – May 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 May 2026

SUMMARY

Council is provided with the financial report for the month ended 31 May 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 include:

- 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
Simple majority required.

03/0626

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 May 2026, as presented in Attachment 2.

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

Against – Nil

Carried 7/0

Attachment 2 – May 2026 Financial Report

9.3 Adoption of Percentage and Value for the Reporting of Material Variances

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	12.01
Author:	Fiona Murphy, Executive Manager Financial Services
Strategic Reference:	12 – Accurate forward planning to achieve community priorities
Disclosure of Interest:	Nil
Attachment:	Nil

SUMMARY

That in accordance with the *Local Government (Financial Management) Regulations 1996,* Council adopt a percentage or value to be used in the statements of financial activity for reporting material variances for 2026/27 financial year.

BACKGROUND & COMMENT

Currently variances +/- 10% and +/- $10,000 are reported. It is not proposed to change this position.

FINANCIAL IMPLICATIONS

Variances +/- 10% and +/- $10,000 will be reported in the monthly financial statements.

STATUTORY AND PLANNING IMPLICATIONS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires local governments to prepare each month a statement of financial activity reporting on the revenue and expenditure of funds for the month in question.

1. The statement is to contain the following detail:
   a) annual budget estimates, taking into account any expenditures incurred for an additional purpose under Section 6.8(1)(b) or (c) (i.e. the revised budget);
   b) budget estimates to the end of the month to which the statement relates;
   c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
   d) material variances between the comparable amounts referred to in (b) and (c) above; and
   e) the net current assets at the end of the month to which the statement relates (ie. surplus/(deficit) position.
2. The statement of financial activity is to be accompanied by:
   a) explanation of the composition of the net current asset of the month to which the statement relates, less committed assets and restricted assets;
   b) an explanation of each the material variance referred to in sub regulation 1(d) above; and;
   c) such other supporting information as is considered relevant by the local government.
5. Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the Australian Accounting Standards (AAS), to be used in statements of financial activity for reporting material variances.

POLICY IMPLICATIONS

Adoption of the proposed percentage and value will become Council policy to guide the preparation of monthly financial statements.

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority required.

04/0626

Moved Cr Miller Seconded Cr Noble that Council, pursuant to Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, adopts a material variance threshold of ±10% and ±$10,000, whichever is the greater, for the purpose of reporting material variances in the Monthly Statement of Financial Activity for the 2026/27 financial year.

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

Against – Nil

Carried 7/0

9.4 Creation of Land Development Reserve and Amendment to Budgeted Reserve Transfers

Responsible Officer: Chief Executive Officer, Alan Leeson
File Reference: 12.02
Author: Fiona Murphy, Executive Manager Financial Services
Strategic Reference: 12 – Accurate forward planning to achieve community priorities
Disclosure of Interest: Nil
Attachment: Nil

SUMMARY
To seek Council approval for the creation of a new Land Development Reserve to fund future land development projects in the Shire, and to approve amendments to the 2025/26 reserve transfers to reflect the Shire's current financial position and strategic priorities.

BACKGROUND & COMMENT
During the 2025/26 financial year, six lots of residential land were sold, generating unbudgeted proceeds of approximately $220,000. Given the importance of future residential land development within the Shire, it is proposed that these proceeds be transferred to a new Land Development Reserve. The purpose of the reserve would be to provide a dedicated funding source for future land development projects.

Transfers to and from reserve accounts are adopted by Council in the annual budget and budget review. After consideration of both the financial position of the Shire as at 31 May 2026, and projects that have or have not progressed as budgeted throughout the 2025/26 financial year, amendments to the budgeted reserve transfers are proposed.

The details of the budgeted and proposed transfers for the 2025/26 year are provided in the table below:

Reserve	Purpose & Explanatory Notes	Opening balance	Interest earned (approx.)	Original Budget & Budget Review Transfers To/(From)	Proposed Transfer To/(From)	Expected Closing Reserve Balance*
Leave	To fund annual and long service leave requirements	426,401	18,180	0	0	444,581
Plant	To fund the purchase of plant *$400,000 transferred out of reserve at the beginning of year to fund purchase of grader.* *Truck currently on order will be delivered in July. Budget review assumed this would be paid for in current year. Transfer $410 to reserve to cover this (includes insurance proceeds & savings from trade of other plant items).* *Additional $100k transferred to reserve in line with original budget.*	794,911	25,215	(473,000)	110,000	930,126
Building	To fund the construction of staff housing *Original budget included $850,000 transfer from building reserve for new house construction project and housing renovations.* *House construction project has not started so transfer is not required until next year.* *Housing renovation projects have come in underbudget so excess funds have been transferred to reserve.*	639,344	31,258	(630,000)	290,000	960,602
Admin Equipment	To fund the purchase of administration equipment *Operational savings in current year budget allow for extra funds to be transferred to the Admin Equipment reserve to fund the future purchase of IT equipment and the ERP project.*	136,115	5,803	15,000	60,000	201,918

Reserve	Purpose & Explanatory Notes	Opening balance	Interest earned (approx.)	Original Budget & Budget Review Transfers To/(From)	Proposed Transfer To/(From)	Expected Closing Reserve Balance*
Natural Disaster	To assist in the funding of preparations following a natural disaster	94,653	4,036	0	0	98,689
Joint Venture Housing Reserve	To fund the upkeep of JV Housing with the Department of Housing *This transfer is not required due to savings in housing renovations and projects not completed.*	47,373	2,021	(45,000)	0	49,394
FRC Surface & Equipment	To fund the replacement of equipment and the court surface at the FRC	49,217	2,098	0	0	51,315
Medical Services	To fund the upgrade of medical facilities & costs related to the recruitment of a doctor for the Shire.	132,341	5,642	0	0	137,983
Fuel Facility	To fund the replacement of the fuel facility	41,253	1,759	10,000	10,000	53,012
Sportsperson Scholarship	To fund the development of local sportspersons	15,678	668	0	0	16,346
Freebairn Recreation	To fund the ongoing asset management of the FRC *The budget review included a $135,000 transfer from this reserve to fund new air conditioning and cool room repairs. Savings in the current year budget mean this transfer is not required.*	237,484	10,125	(105,000)	30,000	277,609
Short Stay Accommodation	To fund the construction of short stay accommodation units at the caravan park *Consulting costs for future short stay accommodation project were not incurred.*	309,300	13,187	(25,000)	0	322,487
Bendering Tip Rehabilitation	To fund the rehabilitation of the Bendering Tip site	141,980	6,053	0	0	148,033
Independent Water Reserve	To fund the replacement and maintenance of water infrastructure within the Shire.	36,600	1,560	20,000	20,000	58,160
Visitor & Tourist Services	To fund projects related to visitor and tourist services in the Shire *A number of Tourism related projects and operating costs were not incurred with savings transferred to this reserve for future projects*	0	0	10,000	80,000	80,000
Land Development Reserve	To fund future land development projects in the Shire *A new reserve to be created. Proceeds from sale of residential blocks sold during the year transferred here to fund development of new residential subdivision.*	0	0	0	220,000	220,000
Total		**3,102,670**	**127,605**	**(1,233,000)**	**820,000**	**4,060,305**

FINANCIAL IMPLICATIONS

Additional funds added to reserve for future projects.

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995

6.11. Reserve accounts

(1) Subject to subsection (5), 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 each such purpose.

Local Public notice is not required for the establishment of a new reserve account, only to change the purpose of a reserve account or use the money in a reserve account for another purpose.

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS
Absolute majority.

05/0626

Moved Cr Bowey Seconded Cr Siviour that Council:

1. Establish a Land Development Reserve pursuant to section 6.11 of the *Local Government Act 1995* for the purpose of funding future land development projects in the Shire; and

2. Approve the amended budgeted transfers to and from reserves for 2025/26 to be:

Reserve	Transfer Value (full year)
Leave	0
Plant	110,000
Building	290,000
Admin Equipment	60,000
Natural Disaster	0
Joint Venture Housing Reserve	0
FRC Surface Replacement	0
Medical Services	0
Fuel facility	10,000
Sportsperson Scholarship	0
Freebairn Recreation	30,000
Short Stay Accommodation	0
Bendering Tip Rehabilitation	0
Independent Water Reserve	20,000
Visitor & Tourist Services	80,000
Land Development Reserve	220,000
Total Transfer to and from Reserves for 2025/26	820,000

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

Against – Nil

Carried 7/0 by absolute majority

9.5 Audit Risk and Improvement Committee – Appointment of Independent Members

Responsible Officer:	Chief Executive Officer
File Reference:	09.02
Author:	Alan Leeson, Chief Executive Officer
Strategic Reference:	Strategic Pillar 11: Civic Leadership and Governance
Disclosure of Interest:	Cr Robbie Bowey – impartiality (*written declaration also provided*)
Attachments:	Attachment 3 – Terms of Reference of Audit Risk and Improvement Committee (adopted 20 May 2026); Information and CV summary regarding proposed Deputy Presiding Member (*provided under separate cover*)

SUMMARY
The purpose of this report is to seek Council endorsement of the extension of the appointment of the Independent Presiding Member of the Shire of Kulin's Audit Risk and Improvement Committee (ARIC) and to appoint an Independent Deputy Presiding Member of the ARIC.

BACKGROUND
The Shire of Kulin's ARIC was established in accordance with the *Local Government Act 1995* ("the Act") and the *Local Government (Audit) Regulations 1996*.

Presiding Member of the ARIC

In accordance with the requirements of section 5.12 of the Act, Council appointed an independent Presiding Member of the ARIC in June 2025, Mr Darren Mollenoyux, who has been undertaking the role since that time. This report recommends the extension of that appointment in accordance with the terms of the Officer's Recommendation. It is noted that the Council has previously reviewed and considered the qualifications, experience and curriculum vitae of Mr Mollenoyux.

Deputy Presiding Member of the ARIC

Council is also required to appoint a Deputy Presiding Member of the ARIC, with such appointment required to be made by 30 June 2026. At its meeting on 15 April 2026, the ARIC recommended that Council take appropriate action in regard to an appointment.

A suitably qualified candidate, Yvonne Bowey, has been identified. Yvonne brings significant experience in local government governance, financial oversight, audit and risk management. Accordingly, it is recommended that Council appoint Yvonne as Deputy Presiding Member of the ARIC.

Information regarding Yvonne's qualifications, experience and professional background has been provided under separate cover for Council's consideration.

COMMENT
While it is open to Council to initiate a formal Expression of Interest (EOI) process, the proposed candidate, Yvonne Bowey, possesses the qualifications, experience and expertise required for the role. Given the Shire's limited resource environment and the benefit of timely progression, it is proposed that Council proceeds with direct appointment of Yvonne Bowey as the proposed Deputy Presiding Member of the ARIC.

FINANCIAL IMPLICATIONS
Both the independent Presiding Member and Deputy Presiding Member are paid positions. The meeting attendance fee will be determined by Council through the annual budget, in accordance with Council policy and set within the range prescribed by the *Salaries and Allowances Tribunal* (SAT) determinations and guidelines for independent ARIC members, plus reimbursement off reasonable expenses as a direct result of attending ARIC meetings (such as travelling and childcare costs).

The sitting fee would be expected to be approximately $250.00 per meeting attended for the 2026/2027 budget, plus any applicable expenses.

STATUTORY IMPLICATIONS
Local Government Act 1995
Local Government (Audit) Regulations 1996
Terms of Reference of the Shire of Kulin ARIC [adopted by Council on 20 May 2026]

POLICY IMPLICATIONS
As noted above, the independent positions are paid positions and the occupants will be entitled to sitting fees and reimbursement of reasonable expenses in line with Council policy.

COMMUNITY CONSULTATION
There is no requirement for community consultation. Terms of Reference for the ARIC were adopted by Council at its Ordinary meeting on 20 May 2026. There has been appropriate internal consultation amongst the Executive Management Team and review of sector practice regarding appointment of an independent Deputy Presiding Member and extension of the appointment of the existing independent Presiding Member.

WORKFORCE IMPLICATIONS
There are no known workforce implications in consideration of this matter.

VOTING REQUIREMENTS
Absolute Majority.

Cr Bowey had declared an impartiality interest in Item 9.5. Cr Bowey left the Chambers at 4.06pm prior to consideration of or voting on Item 9.5.

06/0626

Moved Cr Smoker Seconded Cr Miller that Council:

1. **Extends the appointment of Mr Darren Mollenoyux as the Independent Presiding Member of the Shire of Kulin Audit Risk and Improvement Committee, to continue effective from 17 June 2026 until the earlier of the next ordinary elections day of the Shire (in 2027) or as otherwise provided by clause 6.4 of the Terms of Reference for the ARIC;**
2. **Appoints Mrs Yvonne Bowey as a committee member of the ARIC and as the Deputy Presiding Member, effective from 17 June 2026 until the earlier of the next ordinary elections day of the Shire (in 2027) or as otherwise provided by clause 6.4 of the Terms of Reference for the ARIC; and**
3. **Confirm that the remuneration of the Presiding Member and Deputy Presiding Member will be determined in accordance with the annual budget, Council policy and set within the range prescribed by the *Salaries and Allowances Tribunal* (SAT) determinations and guidelines for independent ARIC members, plus reimbursement off reasonable expenses as a direct result of attending ARIC meetings.**

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

Against – Nil

Carried 6/0 by absolute majority

Cr Bowey returned to Chambers at 4.07pm, after consideration of and voting on Item 9.5.

Attachment 3 – Terms of Reference of Audit Risk and Improvement Committee

9.6 Adoption of Fees and Charges 2026/2027

Responsible Officer:	Chief Executive Officer
File Reference:	12.04
Author:	Executive Manager of Governance & Risk, Cassi Lewis
Strategic Reference:	*Strategic Pillar 4: Civic Leadership – Responsible, accountable and transparent leadership to deliver our priorities*
Disclosure of Interest:	Nil
Attachment:	Attachment 4 – 2026/2027 Schedule of Fees & Charges

SUMMARY:
A schedule of proposed Fees and Charges for the 2026/2027 financial year is presented for Council consideration and adoption. The schedule incorporates adjustments based on cost recovery principles, inflationary impacts, and benchmarking where appropriate.

BACKGROUND & COMMENT

In accordance with Section 6.16 of the *Local Government Act 1995*, a local government may impose and recover a fee or charge for any goods or services it provides. Fees and charges may be imposed or amended by absolute majority decision of Council and are subject to public notice requirements.

Officers have undertaken a review of all fees and charges for the 2026/2027 financial year. In determining the proposed fees and charges, consideration has been given to:

- the cost to the Shire of providing the service or goods;
- CPI and inflationary impacts affecting service delivery.
- the price at which the service or goods could be provided by an alternative provider; and

Where appropriate, fees have been adjusted to maintain cost recovery. In some instances, fees have been maintained at current levels where CPI-based increases would be negligible and not practical to implement. It is noted that certain fees included in the schedule are prescribed by legislation and are not determined by Council. These have been identified within the schedule where applicable.

Subject to Council adoption, the 2026/2027 Schedule of Fees and Charges will apply from 1 July 2026.

FINANCIAL IMPLICATIONS
Fees and charges revenue forms an important component of the Shire's operating revenue. The proposed adjustments are expected to support cost recovery and will be incorporated into the 2026/2027 Annual Budget.

STATUTORY AND PLANNING IMPLICATIONS
6.16. Imposition of fees and charges

(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*
** Absolute majority required.*

(2) A fee or charge may be imposed for the following —
- *(a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- *(b) supplying a service or carrying out work at the request of a person;*
- *(c) subject to section 5.94, providing information from local government records;*
- *(d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- *(e) supplying goods;*
- *(f) such other service as may be prescribed.*

(3) Fees and charges are to be imposed when adopting the annual budget but may be —
- *(a) imposed* during a financial year; and*
- *(b) amended* from time to time during a financial year.*

** Absolute majority required.*

Section 6.19 of the *Local Government Act 1995* requires local public notice to be given where a local government wishes to impose fees or charges under this subdivision after the annual budget has been adopted. The notice

must include the local government's intention to impose the fees or charges and the date from which they are proposed to apply.

POLICY IMPLICATIONS
There are no policy implications.

COMMUNITY CONSULTATION
The proposed 2026/2027 Schedule of Fees and Charges will be made publicly available following Council adoption. As the fees and charges are proposed to take effect from 1 July 2026, and prior to adoption of the 2026/2027 Annual Budget, local public notice will be given in accordance with section 6.19 of the *Local Government Act 1995*.

WORKFORCE IMPLICATIONS
Nil

OFFICER'S RECOMMENDATION
That Council:

1. Adopts, by absolute majority, the 2026/2027 Schedule of Fees and Charges as presented in Attachment 4.
2. Notes that the adopted 2026/2027 Schedule of Fees and Charges will apply from 1 July 2026.
3. Authorises the Chief Executive Officer to give local public notice of the adopted 2026/2027 Schedule of Fees and Charges in accordance with section 6.19 of the *Local Government Act 1995.*

VOTING REQUIREMENTS
Absolute majority.

In response to discussion, the President indicated that he was open to receiving a procedural motion to suspend standing orders to allow discussion of elements of the proposed 2026/2027 Schedule of Fees and Charges, prior to formal debate.

07/0626

Moved Cr Siviour Seconded Cr Mullan that Council suspend standing orders to discuss the 2026/2027 Schedule of Fees and Charges.

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

Against – Nil

Carried 7/0

Standing orders suspended at 4.11pm.

At the conclusion of discussion, the President sought a motion to resume standing orders.

08/0626

Moved Cr Mullan Seconded Cr Siviour that Council resume standing orders.

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

Against – Nil

Carried 7/0

Standing orders resumed at 4.15pm

In accordance with Regulation 11 (da) of the Local Government (Administration) Regulations 1996, the officer's recommendation was adopted with amendment to include reference to the impact of increases in and application of statutory fees and charges that are not imposed by Council, but which need to be collected by Council on behalf of government agencies (e.g. building permit fees). These fees were not reflected in the 2026/2027 Schedule of Fees and Charges presented to Council with this item.

The words 'noting that Fees & Charges included in the schedule set by other agencies aside from local government (Shire of Kulin) will change in the schedule in line with the Prescribed Change' were added at the end of proposed resolution 1 in the Officer's Recommendation.

09/0626

Moved Cr Siviour Seconded Cr Mullan that Council:

1. Adopts by absolute majority, the 2026/2027 Schedule of Fees and Charges as presented in Attachment 4, noting that Fees & Charges included in the schedule set by other agencies aside from local government (Shire of Kulin) will change in the schedule in line with the Prescribed Change.

2. Notes that the adopted 2026/2027 Schedule of Fees and Charges will apply from 1 July 2026.

3. Authorises the Chief Executive Officer to give local public notice of the adopted 2026/2027 Schedule of Fees and Charges in accordance with section 6.19 of the *Local Government Act 1995.*

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

Against – Nil

Carried 7/0 by absolute majority

Attachment 4 – 2026/2027 Schedule of Fees and Charges

9.7 Adoption of Privacy Policy, Designation of Privacy Officer and Information Sharing Officer - *Privacy and Responsible Sharing of Information Act 2024 (WA)*

Responsible Officer:	Chief Executive Officer
File Reference:	13.0 Governance
Author:	Alan Leeson, Chief Executive Officer Shire of Kulin Strategic Integrated Plan 2025-2035
Strategic Reference:	11- Civic Leadership and Governance
Disclosure of Interest:	Nil
Attachment:	Attachment 5 - Draft Privacy and Responsible Information Sharing Policy

SUMMARY

The Western Australian Government introduced the *Privacy and Responsible Information Sharing Act 2024* ("PRIS Act") in 2024. Whilst the Act has already commenced, there are significant privacy and information sharing obligations under the PRIS Act that will commence on 1 July 2026 and with which the Shire of Kulin must be compliant.

A draft Privacy and Responsible Information Sharing Policy in response to the requirements of the PRIS Act is attached to this report for Council's consideration, and if approved, for formal adoption. The Shire of Kulin does not currently have a stand-alone privacy policy.

BACKGROUND & COMMENT

The purpose of the PRIS Act is to reform how public sector entities, which includes local governments, manage their privacy obligations.

The PRIS Act introduces a formal privacy framework including specific obligations in the event of a notifiable data breach. Statutory officers have been created under the PRIS Act as noted in the policy, including an Information Commissioner and Chief Data Officer.

The policy is intended to establish a framework for managing "Personal Information", as defined in the PRIS Act in accordance with legislative requirements.

The attached policy details the Shire of Kulin's commitment to privacy compliance in managing Personal Information and responsible sharing of Personal Information.

These obligations include requirements relating to the handling, storage, security, and disclosure of Personal Information, as well as compliance with the Information Privacy Principles (IPPs).

The PRIS Act outlines obligations relating to:

- lawful collection and use of personal information;
- data minimisation and information quality;
- storage and security requirements;
- rights of individuals to access and correct their personal information;
- mandatory reporting of eligible information breaches; and
- responsible information sharing between government entities.

Local governments are required to align their internal policies, procedures and systems with the new legislative requirements. Further, there is a mandatory Notifiable Information Breach Scheme, which requires entities to notify both the Information Commissioner and affected individuals of eligible data breaches and will commence on 1 January 2027.

The Shire of Kulin must have a privacy officer and a responsible information officer. The PRIS Act requires the Chief Executive Officer (as the 'principal officer' defined under the PRIS Act) to designate either the Chief Executive Officer or another senior officer to fulfil these roles. It is intended that the Chief Executive Officer will fill both roles and Council is also asked to note and endorse those designations.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising from adoption of this Policy. General operational costs associated with the Shire's systems and practices and educating staff on privacy awareness are already included in the relevant Council budget.

STATUTORY AND PLANNING IMPLICATIONS

Privacy and Responsible Information Sharing Act 2024

Local Government Act 1995

State Records Act 2000

Freedom of Information Act 1992

POLICY IMPLICATIONS

The Privacy and Responsible Information Sharing Policy will become a new Council Policy once adopted. As needed, supporting administrative procedures may be developed.

COMMUNITY CONSULTATION

Nil required.

WORKFORCE IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Absolute majority required.

10/0626

Moved Cr Miller Seconded Cr Siviour that Council:

1. Adopts the attached Privacy and Responsible Information Sharing Policy and authorises the Chief Executive Officer to make any required administrative amendments provided they do not change the intent of the Policy, and to incorporate within the Shire of Kulin's Policy Manual as required.

2. Notes and acknowledges that the Chief Executive Officer will be designated as the privacy officer and the information sharing officer for the Shire of Kulin for the purposes of the PRIS Act and further, to the extent any formal appointment or delegation from Council may be required, delegates and authorises those functions to the Chief Executive Officer.

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

Against – Nil

Carried 7/0 by absolute majority

Attachment 5 – Draft Privacy and Responsible Information Sharing Policy

9.8 Appointment of Additional Dual Fire Control Officers for Shire of Kulin and Shire of Wickepin for the 2026/27 Fire Season

Responsible Officer:	Chief Executive Officer
File Reference:	09.02
Author:	Chief Executive Officer – Alan Leeson Shire of Kulin Strategic Integrated Plan 2025-2035
Strategic Reference:	Law Order & Public Safety
Disclosure of Interest:	Nil
Attachment:	Attachment 6 – Letter dated 25 May 2026 from the Shire of Wickepin

SUMMARY

At the Shire of Kulin Ordinary Council meeting of 15 April 2026, in accordance with the provisions of the *Bush Fires Act 1954*, Council determined the dates of prohibited and restricted burning for the 2026/2027 fire season and formally appointed fire control officers (including dual bush fire control officers).

Section 40 of the *Bush Fires Act 1954* allows two or more local governments to appoint dual bush fire control officers by agreement.

The purpose of this report is to recommend the appointment of additional dual fire control officers for the Shire of Kulin, who have already been appointed as fire control officers in the Shire of Wickepin.

BACKGROUND & COMMENT

Section 38 (1) of the *Bush Fires Act 1954* provides that a local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of the Act. As noted above, section 40 of the *Bush Fires Act 1954* allows two or more local governments to appoint dual bush fire control officers by agreement.

The Shire of Wickepin has written to the Shire of Kulin (letter dated 25 May 2026) advising that the Shire of Wickepin has appointed the individuals named below as Dual Fire Control Officers (for the Shire of Kulin) for the 2026/2027 bush fire season:

- Wes Astbury
- David Stacey
- Todd Mullan

It is noted that the Shire of Kulin Council formally appointed Mr Clinton Mullan and Mr David Lewis as Dual Fire Control officers for Shire of Wickepin and the Shire of Kulin. As with any dual appointment, for it to be effective, the corresponding Shire must also formally appoint the individuals to be dual fire control officers in that Shire.

The Chief Executive Officer of the Shire of Kulin has written to the Shire of Wickepin in regard to the appointments of Mr Clinton Mullan and Mr David Lewis and requested that the Shire of Wickepin Council consider those appointments. Correspondence has also been sent to the relevant Shires in relation to the various other proposed dual appointments as resolved at the Ordinary Council Meeting of 15 April 2026.

As required by the *Bush Fires Act 1954*, the Shire of Kulin Council must formally endorse and appoint the individuals nominated by the Shire of Wickepin in order for them to be validly and formally appointed as bush fire control officers for the Shire of Kulin.

The officer's recommendation in this report is that Council appoint Mr Wes Astbury, Mr David Stacey and Mr Todd Mullan as dual fire control officers in the Shire of Kulin.

FINANCIAL IMPLICATIONS
Nil applicable

STATUTORY AND PLANNING IMPLICATIONS
Bush Fires Act 1954

POLICY IMPLICATIONS
Nil

COMMUNITY CONSULTATION
Appointments will be advertised widely across the Shire of Kulin community and as required by the *Bush Fires Act 1954.*

WORKFORCE IMPLICATIONS
Nil

VOTING REQUIREMENTS
Simple majority required.

11/0626

Moved Cr Noble Cr Bowey that Council accept the nominations from the Shire of Wickepin and formally appoints Mr Wes Astbury, Mr David Stacey and Mr Todd Mullan as additional dual fire control officers for Shire of Kulin for the 2026/2027 fire season, in accordance with the provisions of the *Bush Fires Act 1954.*

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

Against – Nil

Carried 7/0

Attachment 6 – Letter from Shire of Wickepin to Shire of Kulin dual FCO appointments 2026-2027

9.9 Acknowledgement and Appreciation of Historical Land Use Arrangements between Lucca Pty Ltd and Shire of Kulin

Responsible Officer:	Chief Executive Officer
File Reference:	20.01 General – Agreements & Contracts
Author:	Chief Executive Officer – Alan Leeson
Strategic Reference:	Shire of Kulin Strategic Integrated Plan 2025-2035 Civic Leadership and Governance Community Partnerships and Events Risk Management and Organisational Sustainability
Disclosure of Interest:	Nil
Attachment:	Nil

SUMMARY
The purpose of this report is to formally recognise the expiration of the existing Licence to Use Land Agreement between Lucca Pty Ltd and the Shire of Kulin relating to land owned by Lucca Pty Ltd on which the annual Kulin Bush Races and other community events are held.

The report also acknowledges the generosity and preparedness of Lucca Pty Ltd and the Lucchesi family to have worked directly with the Shire to facilitate significant events of value to the Kulin community and looks forward to the ongoing future success of those events.

BACKGROUND & COMMENT
In April 2014, the Shire of Kulin entered into a “Licence to Use Land” Agreement with Lucca Pty Ltd relating to land owned by Lucca Pty Ltd, comprised in lots 7759, 10085 and 10086 (“the land”).

The original agreement was considered to provide the most appropriate mechanism to enable the conduct of the annual Kulin Bush Races event and other approved community and festival-based events on the land, including the Blazing Swan event.

It is acknowledged that contemporary event management practices indicate that operational control, governance, insurance and risk allocation responsibilities associated with independently operated events should appropriately be entered into directly with the land owner and the organiser of such events.

The Shire wishes to formally recognise and sincerely thank the Lucchesi Family and Lucca Pty Ltd for working directly with the Shire and for their continuing support, cooperation and generosity in allowing the Kulin Bush Races and associated community events to be conducted on the land (noting this has been ongoing for over approximately three decades).

The contribution of the Lucchesi Family continues to be critical to the success and ongoing reputation of the Kulin Bush Races as one of regional Western Australia’s premier community events.

FINANCIAL IMPLICATIONS
Nil direct financial implications arise from the expiration of the licence agreement with the Shire of Kulin.

STATUTORY AND PLANNING IMPLICATIONS
Nil

POLICY IMPLICATIONS
Nil

COMMUNITY CONSULTATION
Nil

WORKFORCE IMPLICATIONS
Nil

VOTING REQUIREMENTS
Simple Majority.

12/0626

Moved Cr Siviour Cr Noble that Council:

1. Notes the expiration of the Licence to Use Land Agreement between Lucca Pty Ltd and the Shire of Kulin relating to lots 7759, 10085 and 10086; and

2. Formally recognises and thanks the Lucchesi Family and Lucca Pty Ltd for their ongoing longstanding support and generosity in facilitating the Kulin Bush Races and associated community events for the benefit of the Kulin community and looks forward to the ongoing future success of such events.

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

Against – Nil

Carried 7/0

9.10 Major Land Transaction Provisions – Regional Workforce Housing Projects

Responsible Officer:	Chief Executive Officer
File Reference:	12.01
Author:	Chief Executive Officer – Alan Leeson
Strategic Reference:	Shire of Kulin Strategic Integrated Plan 2025-2035 Goal 4 – Increase Housing & Land Options Goal 5 – Provide Opportunity to Grow Our Resident Population Goal 6 – Advocate for the Needs of Rural and Regional Communities
Disclosure of Interest:	Nil
Attachment:	Nil

SUMMARY

The purpose of this report is to seek Council's support for a formal representation to the Hon. Hannah Beazley MLA, Minister for Local Government, and the Hon. John Carey MLA, Minister for Housing, regarding the application of Major Land Transaction provisions to regional workforce housing projects delivered by local governments for a public purpose.

The report proposes that Council request consideration of amendments to the *Local Government (Functions and General) Regulations 1996* to better recognise workforce housing projects undertaken by local governments to address housing shortages and support essential services in regional Western Australia.

BACKGROUND

Housing availability remains one of the most significant challenges facing regional Western Australia and continues to impact the attraction and retention of key workers, government personnel and essential services within rural communities.

In response, many local governments are increasingly required to facilitate, fund and deliver housing projects due to ongoing market failure and limited private sector investment in smaller communities.

The Shire of Kulin, along with other regional local governments, has identified housing shortages as a critical barrier to attracting and retaining:

• Teachers;

• Police officers;

• Health professionals;

• Local government employees;

• Emergency service personnel; and

• Other essential workers.

Increasingly, local governments are stepping into a role traditionally fulfilled by the private market or government agencies in order to ensure the continued delivery of essential services within regional communities.

COMMENT

The current Major Land Transaction provisions contained within section 3.59 of the *Local Government Act 1995* and Regulation 8A of the *Local Government (Functions and General) Regulations 1996* require local governments to prepare a business plan and undertake a minimum six-week public advertising process where the value of a land transaction exceeds the prescribed threshold.

The current threshold is the lesser of:

• $2,000,000; or

• 10% of the local government's operating expenditure for the preceding financial year.

For many rural and regional local governments, the applicable threshold is therefore significantly less than $2,000,000.

For example, a local government with annual operating expenditure of approximately $9.5 million would be captured at a threshold of approximately $950,000. In today's construction market, this may equate to as few as two or three workforce dwellings.

A practical challenge for regional local governments is that workforce housing projects are often captured by the Major Land Transaction provisions because long-term lease arrangements are considered a form of land transaction or disposal under the legislation, notwithstanding the local government retains ownership of both the land and housing assets.

In many instances, the local government is not selling land, relinquishing ownership or undertaking a commercial venture. Rather, it retains ownership of both the land and housing assets and enters into lease arrangements to support workforce accommodation outcomes.

Furthermore, these projects are generally:

• Undertaken for a public purpose;

• Not intended to generate commercial profit;

• Designed to address housing market failure;

• Intended to support the retention of essential government and community services; and

• Funded and delivered at the financial risk of the local government.

Whilst the policy intent of the Major Land Transaction provisions is understood and supported, there is concern that the current framework may unintentionally capture relatively modest workforce housing projects that are being delivered for a clear public benefit.

Council notes that regional local governments are increasingly being encouraged by both State and Federal Governments to facilitate housing delivery and be "shovel ready" in addressing housing shortages.

This matter was raised for discussion at the WALGA Central Country Zone Meeting held in Dumbleyung on 12 June 2026. The discussion highlighted that a number of rural and regional local governments are increasingly undertaking workforce housing projects to address housing shortages and support essential services, and that the current Major Land Transaction provisions may unintentionally capture relatively modest housing projects delivered for a public purpose.

As such, there may be merit in reviewing the current exemption provisions contained within Regulation 8 of the *Local Government (Functions and General) Regulations 1996*, or other aspects of the Major Land Transaction framework, to determine whether workforce housing projects delivered by local governments for a public purpose warrant separate consideration.

FINANCIAL IMPLICATIONS

Nil direct financial implications associated with this report.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 3.59

Local Government (Functions and General) Regulations 1996 – Regulations 8 and 8A

POLICY IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Not required.

STRATEGIC IMPLICATIONS

The proposal aligns with Council's strategic objectives of increasing housing availability, supporting population growth and advocating for improved outcomes for rural and regional communities.

OFFICER'S RECOMMENDATION

That Council:

1. Requests the Hon. Hannah Beazley MLA, Minister for Local Government, to consider amendments to the *Local Government (Functions and General) Regulations 1996* and associated Major Land Transaction

provisions to better recognise workforce housing projects undertaken by local governments for a public purpose within rural and regional Western Australia.

2. Requests the Hon. Hannah Beazley MLA, Minister for Local Government, to specifically consider amendments to Regulation 8 of the *Local Government (Functions and General) Regulations 1996* to provide an exemption, or alternative streamlined process, for local government-led workforce housing projects where:
    - the primary purpose is workforce attraction and retention;
    - the project supports the delivery of essential services;
    - the local government retains ownership of the land and housing assets; and
    - the project is not being undertaken primarily for commercial profit.
3. Requests the Hon. John Carey MLA, Minister for Housing, support consideration of the above amendments in recognition of the increasing role local governments are undertaking in the delivery of workforce and key worker housing across regional Western Australia.
4. Notes the matter was raised for discussion at the WALGA Central Country Zone Meeting on 12 June 2026 and acknowledges the importance of a coordinated regional advocacy position on workforce housing and associated regulatory barriers.
5. Requests the Chief Executive Officer provide copies of Council's resolution to WALGA, ROEROC member councils and neighbouring regional local governments for information and consideration.

VOTING REQUIREMENT

Simple Majority.

In accordance with Regulation 11 (da) of the Local Government (Administration) Regulations 1996, the officer's recommendation was adopted with amendment to proposed resolution 2 of the Officer's Recommendation to include that the Minister for Wheatbelt, the Hon. Sabine Winton MLA also be requested to specifically consider amendments to Regulation 8 of the Local Government (Functions and General) Regulations 1996 as set out below.

The words 'and the Minister for Wheatbelt, Sabine Winton MLA', were added into proposed resolution 2 of the Officer's Recommendation.

13/0626

Moved Cr Bowey Seconded Cr Miller that Council:

1. Requests the Hon. Hannah Beazley MLA, Minister for Local Government, to consider amendments to the *Local Government (Functions and General) Regulations 1996* and associated Major Land Transaction provisions to better recognise workforce housing projects undertaken by local governments for a public purpose within rural and regional Western Australia.

2. Requests the Hon. Hannah Beazley MLA, Minister for Local Government and the Minister for Wheatbelt, the Hon. Sabine Winton MLA, to specifically consider amendments to Regulation 8 of the *Local Government (Functions and General) Regulations 1996* to provide an exemption, or alternative streamlined process, for local government-led workforce housing projects where:

- the primary purpose is workforce attraction and retention;

- the project supports the delivery of essential services;

- the local government retains ownership of the land and housing assets; and

- the project is not being undertaken primarily for commercial profit.

3. Requests the Hon. John Carey MLA, Minister for Housing, support consideration of the above amendments in recognition of the increasing role local governments are undertaking in the delivery of workforce and key worker housing across regional Western Australia.

4. Notes the matter was raised for discussion at the WALGA Central Country Zone Meeting on 12 June 2026 and acknowledges the importance of a coordinated regional advocacy position on workforce housing and associated regulatory barriers.

5. Requests the Chief Executive Officer provide copies of Council's resolution to WALGA, ROEROC member councils and neighbouring regional local governments for information and consideration.

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

Against – Nil

Carried 7/0

9.11 Avon Waste - Temporary Fuel Levy and Potential Contract Variation

Responsible Officer:	Chief Executive Officer
File Reference:	31.06 Service Provision – Avon Waste
Author:	Alan Leeson, Chief Executive Officer
Strategic Reference:	Shire of Kulin Strategic Integrated Plan 2025-2035 4 Civic Leadership – Well Governed and Effectively Managed Local Government
Disclosure of Interest:	Nil
Attachments:	*Confidential Attachments provided under separate cover*

SUMMARY

Avon Waste has requested that the Shire consider a temporary fuel recovery mechanism in response to increased fuel costs and the introduction of the Road Transport Contractual Chain Order – Fuel Cost Recovery – 2026.

This report seeks Council's consideration of the matter and authorisation for the Chief Executive Officer to continue discussions with Avon Waste regarding a potential temporary variation to the Contract, subject to appropriate safeguards, verification and documentation.

BACKGROUND & COMMENT

The Shire entered into a Contract with Avon Waste commencing on 1 July 2018 for the provision of waste collection and associated waste management services.

In March 2025, Council exercised the extension provisions contained within the Contract and authorised the continuation of the existing arrangement through to 30 June 2028.

In April 2026, Avon Waste wrote to the Shire seeking a fuel levy adjustment, citing significant increases in diesel pricing and impacts associated with the Road Transport Contractual Chain Order – Fuel Cost Recovery – 2026.

FINANCIAL IMPLICATIONS

At the time of writing, the precise financial implications cannot be determined as Avon Waste has not yet provided all supporting operational data necessary to fully verify the proposed fuel recovery calculations.

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995
Fair Work Act 2009 (Cth)
Road Transport Contractual Chain Order – Fuel Cost Recovery – 2026

POLICY IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Not required.

WORKFORCE IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority.

14/0626

Moved Cr Mullan Seconded Cr Noble that Council:

1. Receives the report regarding Avon Waste's request for a temporary fuel recovery mechanism.

2. Authorises the Chief Executive Officer to continue discussions and negotiations with Avon Waste regarding a temporary fuel recovery arrangement associated with the Road Transport Contractual Chain Order – Fuel Cost Recovery – 2026.

3. Authorises the Chief Executive Officer to negotiate, finalise and execute a temporary Deed of Variation with Avon Waste, subject to verification of supporting data, transparency of methodology, audit rights, protection against double recovery and appropriate cessation provisions.

4. Requires any material variation from the principles outlined above to be referred back to Council for further consideration.

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

Against – Nil

Carried 7/0

10 COMPLIANCE

10.1 Compliance Reporting – General and Financial Compliance May 2026

Responsible Officer:	Chief Executive Officer
File Reference:	04.05 Corporate Management Procedures - Compliance
Author:	Alan Leeson, Chief Executive Officer
Strategic Reference:	SIP 4: Civic Leadership - accurate forward planning to achieve community priorities
Disclosure of Interest:	Nil
Attachment:	Attachment 7 - May 2026 General and Financial Compliance Checklist

SUMMARY
This report addresses General and Financial Compliance matters for May 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

15/0626

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

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

Against – Nil

Carried 7/0

Attachment 7 - May 2026 General and Financial Compliance Checklist

10.2 Review of Policy Manual and Administrative Procedures and Operational Guidelines (APOG) Manual

Responsible Officer:	Chief Executive Officer
File Reference:	14.02
Author:	Cassi-Dee Lewis, Executive Manager Governance and Risk
Strategic Reference:	Shire of Kulin Strategic Integrated Plan 2025-2035 11- Civic Leadership and Governance
Disclosure of Interest:	Nil
Attachment:	Attachment 8 - Shire of Kulin Policy Manual and Administrative Procedures and Operational Guidelines

SUMMARY

Section 2.7(2)(b) of the *Local Government Act 1995* outlines that one of the roles of Council is to determine the local government's policies.

The Shire of Kulin Policy Manual and Administrative Procedures and Operational Guidelines ("APOG") were last reviewed, in their entirety, at the May 2025 Council Meeting.

Attached for Council's review is the Shire of Kulin's Policy Manual and APOG with recommended updates and changes (shown in marked up form).

BACKGROUND & COMMENT

The Shire of Kulin policies and procedures are split into two documents, the Policy Manual and the APOG:

1. The Policy Manual contains formal over-arching policy items;

2. The APOG contains formalised procedures and guidelines of a day-to-day and/or operational nature.

The objectives of the Council's Policy Manual and APOG are to provide Council with a formal written record of all policy decisions, provide staff with guidelines in which to act in accordance with Council's wishes and to enable staff to act promptly in accordance with Council's requirement, but without continual reference to Council.

The APOG Manual remains a significant operational and governance document for the Shire, providing procedural direction and operational guidance across Administration, Governance, Human Resources, Community Services and Works functions.

In addition to review of the policies, procedures and operational practices associated with the Kulin Childcare Centre and associated childcare services and inclusion of a new dedicated section of the APOG, the 2026 review of the APOG has primarily focused on:

- Legislative compliance updates;
- Alignment with current operational practice;
- Removal of outdated or duplicated provisions;
- Inclusion of new workplace health and safety related policies;
- Clarification of administrative procedures; and
- Minor grammatical, formatting and consistency improvements.

The new section of the APOG regarding childcare services is intended to:

- Consolidate childcare related operational procedures into a single structured area of the APOG;
- Improve governance oversight and operational consistency;
- Better align childcare operations with current legislative, licensing and compliance requirements;
- Provide clearer guidance for staff, management and Council; and
- Support the ongoing growth and operational complexity of childcare services delivered by the Shire.

It is anticipated the childcare section will continue to evolve over time as operational practices, compliance requirements and service delivery needs develop.

A summary of key proposed amendments to the APOG includes:

Section of APOG	Key change
A1 Acting CEO	Updated to align with section 5.39C requirements and WALGA model policy guidance
A3 Annual Electors General Meeting	Updated to reflect statutory requirements and removal of outdated references regarding Auditor attendance and meeting timing
A5 Budget Preparation	Updated to better reflect current Shire budget preparation processes
A10 Complaint Handling	Legislative reference corrections
A12 Finance & Budget Considerations	Removal of sections now addressed through separate policies
A13 Fees & Charges – Discounts & Waivers	Inclusion of waivers and updated wording
A13a Fuel Sale Price Setting	Inclusion of market considerations allowing flexibility in fuel pricing methodology
A14 Housing	Removal of prescriptive housing allocations and transfer of housing allowance matters to remuneration policy
A18 Mobile Phones	Updated device security and stolen device provisions
A19 Motor Vehicles	Removal of fixed allowance values in favour of WALGA referenced documentation
A20 Occupation Safety & Health	Removal of outdated legislative references; introduction of three new workplace safety related policies: A20a Working Alone or Remote; A20b Fatigue Management; and A20c Psychosocial Safety
A20a Working Alone or Remote	New policy
A20b Fatigue Management	New policy
A20c Psychosocial Safety	New policy
A22 Recovery of Rates & Other debts	Inclusion of childcare fee recovery provisions
A24 Risk Management	Superseded by standalone Risk Management Policy adopted December 2025
A25 Smoke Free Workplace	Inclusion of vaping provisions
A32 Discounts	Rates – removal of mandatory early payment discount requirement
Governance and Human Resources	Policy amendments to reflect updated training requirements, Employee Assistance Program provisions and Working with Children Check requirements
A33 Childcare Centre – Payment of fees policy	The childcare fee policy is intended to provide a clear and consistent framework for how childcare fees are charged, paid, reduced, recovered and communicated to families.

FINANCIAL IMPLICATIONS

The review of the APOG and Policy Manual does not of itself have any direct financial implications. However, the review process has identified a number of areas where existing practices, procedures and policies require clarification, updating or formalisation.

Some proposed amendments, particularly those relating to childcare fees and charges, debt recovery processes and the administration of discounts and waivers, may result in fees being charged, recovered or administered differently to current practice. While these changes are not expected to have a material impact on the Shire's overall financial position, they may result in improved cost recovery, increased fee revenue or changes to the timing of revenue collection. These adjustments will be provided for in the budget.

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS
Nil

COMMUNITY CONSULTATION
Advertising period is for a minimum of 4 weeks.

WORKFORCE IMPLICATIONS
Nil

OFFICER'S RECOMMENDATION
That Council adopts the reviewed and updated Shire of Kulin Policy Manual and Administrative Procedures and Operation Guidelines (APOG) as attached.

VOTING REQUIREMENTS
Absolute majority required.

In accordance with Regulation 11 (da) of the Local Government (Administration) Regulations 1996, the officer's recommendation was adopted with amendment due to discussion regarding waivers pursuant to APOG Policy A13 (Fees and Charges – Discounts & Waivers). It was resolved to adopt the reviewed and updated Shire of Kulin Policy Manual and Administrative Procedures and Operational Guidelines (APOG) and request a further review of APOG Policy A13 (regarding waivers) and to bring that item back to Council for discussion at the July Concept Forum.

16/0626

Moved Cr Mullan Seconded Cr Siviour that Council adopts the reviewed and updated Shire of Kulin Policy Manual and Administrative Procedures and Operational Guidelines (APOG) as attached and requests a further review of APOG Policy A13 (regarding waivers), and bring that item back to Council for discussion at the July Concept Forum.

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

Against – Nil

Carried 7/0 by absolute majority

Attachment 8 - Shire of Kulin Policy Manual and Administrative Procedures and Operational Guidelines

10.3 Review of Delegations Register

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	04.04 Delegations
Author:	Cassi Lewis, Executive Manager Governance & Risk
Strategic Reference:	Shire of Kulin Integrated Strategic Plan 2025-2035 Strategic Pillar 4: Civic Leadership – Responsible, accountable and transparent leadership to deliver our priorities
Disclosure of Interest:	
Attachment:	Attachment 9 – Shire of Kulin Register of Delegations – Draft Review June 2026

SUMMARY

Council is requested to consider and adopt the reviewed Shire of Kulin Register of Delegations.

The *Local Government Act 1995* requires a local government to review its delegations at least once every financial year. The Register of Delegations has therefore been reviewed to ensure the delegations remain current, appropriate and consistent with the operational requirements of the Shire.

The reviewed Register of Delegations is presented for Council's consideration and adoption.

BACKGROUND & COMMENT

The *Local Government Act 1995* allows Council to delegate certain powers and duties to the Chief Executive Officer. Delegations are an important governance tool as they allow routine administrative and operational decisions to be made efficiently, while ensuring Council retains responsibility for strategic, policy and significant statutory decisions.

Section 5.42 of the *Local Government Act 1995* provides that a local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act, other than those matters that cannot be delegated under section 5.43. Delegations to the Chief Executive Officer must be made by absolute majority.

Section 5.46 of the Act requires the Chief Executive Officer to keep a register of delegations and for delegations to be reviewed at least once every financial year. The Shire's Register of Delegations was last reviewed and adopted by Council at its Ordinary Meeting held on 21 May 2025. A further review has now been undertaken as part of the 2026 annual review process.

The review considered whether each delegation remains necessary and appropriate, whether the delegation reflects current operational practice, and whether statutory and policy references remain current. Consideration was also given to whether the conditions and subdelegations are sufficiently clear and whether any delegations require amendment, consolidation or removal.

The review has identified a number of minor administrative amendments, including updated statutory references, correction of typographical errors, clarification of delegation conditions and updates to policy references.

It is recommended that Council adopt the reviewed Register of Delegations as presented.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND PLANNING IMPLICATIONS

5.42. Delegation of some powers and duties to CEO

1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
(a) this Act other than those referred to in section 5.43; or
(b) the Planning and Development Act 2005 section 214(2), (3) or (5).

**Absolute majority required.*

2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.44. CEO may delegate some powers and duties to other employees

1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
(a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
(b) the exercise of that power or the discharge of that duty by the CEO's delegate,
are subject to any conditions imposed by the local government on its delegation to the CEO.
4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
5) In subsections (3) and (4) —
conditions includes qualifications, limitations or exceptions.

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

17/0626

Moved Cr Smoker Seconded Cr Miller that Council, by absolute majority, pursuant to sections 5.42 and 5.44 of the *Local Government Act 1995*:

1. Notes that the annual review of the Shire of Kulin Register of Delegations has been undertaken for the 2026 financial year; and

2. Adopts the Shire of Kulin Register of Delegations, as presented in Attachment 9.

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

Against – Nil

Carried 7/0 by absolute majority

Attachment 9 – Shire of Kulin Register of Delegations – Draft Review June 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

The President noted that there were two items of urgent business to be brought forward.

The President noted that the September Ordinary Council Meeting scheduled for 16 September 2026 clashes with the Local Government Convention being held in Perth between 16 and 18 September 2026. The President asked if someone was prepared to move and second a motion to change the date of the Ordinary Council Meeting from 16 September 2026 to 23 September 2026.

18/0626

Moved Cr Bowey Seconded Cr Siviour that the September Ordinary Council Meeting be moved from 16 September 2026 to 23 September 2026.

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

Against – Nil

Carried 7/0

The President noted that there was an urgent item of business to be brought forward regarding the re-alignment of the Chief Executive Officer's employment contract in line with the local government financial year and that he had tabled a report in his capacity as Shire President before Councillors.

The Chief Executive Officer, Alan Leeson, declared an interest in Item 13.2 and left Chambers at 4.32pm, before discussion of the Item.

The President asked if someone was prepared to move and second a motion to allow the Item to be brought forward as an urgent item of business.

19/0626

Moved Cr Miller Seconded Cr Siviour that Item 13.2 (Chief Executive Officer Employment Contract – Realignment and Renewal) be introduced as an item of urgent business.

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

Against – Nil

Carried 7/0

The President proposed that Council move behind closed doors as confidential aspects concerning the Chief Executive Officer's employment were required to be discussed (Local Government Act 1995 - section 5.23(2)(b)).

The President asked if someone was prepared to move and second a motion that Council close the meeting to the public.

20/0626

Moved Cr Noble Seconded Cr Mullan that Council close the meeting to the public (pursuant to section 5.23(2)(b) *Local Government Act 1995*)

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

Against – Nil

Carried 7/0

The meeting was closed to the public at 4.35pm.

After the meeting was closed to the public, the President requested staff to leave Chambers.

Staff left Chambers at 4.35pm.

After consideration of confidential items regarding the Chief Executive Officer's employment contract in Item 13.2, the President asked if someone could move and second a motion that Council come out of camera and re-open the meeting to the public.

21/0626

Moved Cr Miller Seconded Cr Siviour that Council come out of camera and re-open the meeting to the public.

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

Against – Nil

Carried 7/0

The meeting was re-opened to the public at 4.45pm.

Staff, excluding the Chief Executive Officer, returned to Chambers at 4.47pm after discussion of confidential aspects of Item 13.2 were concluded and after the meeting had been reopened to the public.

Council then voted on Item 13.2 (attached).

13.2 CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT - REALIGNMENT AND RENEWAL

Responsible Officer:	Shire President
File Reference:	22.00 CEO Personnel file
Author:	Cr Grant Robins – Shire President
Strategic Reference:	Civic Leadership
Disclosure of Interest:	Financial and Impartiality Interest – Chief Executive Officer, Alan Leeson
Attachment:	*Draft Employment Contract (Confidential – provided under separate cover)*

SUMMARY

Council is requested to consider entering into a new Employment Contract with the Chief Executive Officer commencing 1 July 2026 for a period of five (5) years, expiring 30 June 2031. The proposal seeks to align the contract term with the local government financial year and authorise the Shire President and Deputy Shire President to negotiate and finalise remuneration within the applicable Band 4 parameters established by the Salaries and Allowances Tribunal

BACKGROUND & COMMENT

The Chief Executive Officer, Mr Alan Leeson, commenced employment with the Shire of Kulin on 20 March 2023 pursuant to a three-year Contract of Employment.

Following completion of the Chief Executive Officer's Annual Performance Review process in 2025, Council resolved at its Ordinary Meeting held on 23 April 2025 (Resolution 09/0425) to extend the term of the Chief Executive Officer's Employment Contract from 20 March 2026 to 19 March 2031.

Subsequent discussions between the Shire President, Deputy Shire President and Chief Executive Officer have identified an opportunity to realign the contract term with the local government financial year.
The proposed arrangement would provide for a new five-year Employment Contract commencing 1 July 2026 and expiring 30 June 2031.

The Shire President and Deputy Shire President are supportive of this approach as it provides improved alignment with the annual budget process, Long Term Financial Plan, Strategic Community Plan, Corporate Business Plan and annual performance review cycle.

The proposal does not alter Council's statutory obligations regarding the annual performance review of the Chief Executive Officer and provides continuity of executive leadership and organisational stability moving forward

FINANCIAL IMPLICATIONS

Provision for the Chief Executive Officer's remuneration package is contained within Council's annual budget.

Any adjustment to remuneration will be undertaken by the Shire President and Deputy Shire President in consultation with the Chief Executive Officer and must remain within the applicable Band 4 Total Reward Package parameters as determined by the Salaries and Allowances Tribunal from time to time.

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995

- Section 5.36 – Local Government Employees
- Section 5.38 – Annual Review of CEO Performance
- Sections 5.39A and 5.39B – CEO Performance Review Process

POLICY IMPLICATIONS

Council Policy HR2 – Standards for CEO Recruitment, Performance and Termination.

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

The proposal provides continuity of executive leadership and organisational stability.

SUMMARY

The proposed contract realignment will align the Chief Executive Officer's Employment Contract with the local government financial year whilst maintaining Council's existing annual performance review obligations and ensuring remuneration remains within Salaries and Allowances Tribunal Band 4 parameters.

VOTING REQUIREMENTS

Absolute Majority.

22/0626

Moved Cr Noble Seconded Cr Siviour that Council, pursuant to Sections 5.36, 5.38, 5.39A and 5.39B of the *Local Government Act 1995:*

1. Notes that Council previously resolved at its Ordinary Meeting held on 23 April 2025 (Resolution 09/0425) to extend the term of the Chief Executive Officer's Employment Contract to 19 March 2031.

2. Approves the realignment of the Chief Executive Officer's Employment Contract to the local government financial year.

3. Authorises the Shire President and Deputy Shire President to negotiate, finalise and execute, on behalf of the Shire of Kulin, a new Employment Contract with Mr Alan James Leeson, Chief Executive Officer, for a term of five (5) years commencing 1 July 2026 and expiring 30 June 2031.

4. Authorises the Shire President and Deputy Shire President to negotiate and determine the Chief Executive Officer's remuneration package, provided that any remuneration remains within the applicable Band 4 Total Reward Package parameters determined by the Salaries and Allowances Tribunal.

5. Authorises the Shire President to execute all documentation necessary to give effect to this resolution.

For - Cr Robins, Cr Smoker, Cr Bowey, Cr Miller, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 7/0 by absolute majority

The Chief Executive Officer, Alan Leeson, re-entered Chambers at 4.49pm after voting on Item 13.2 was completed.

14 MEETING IS CLOSED TO THE PUBLIC

The meeting was closed to the public at Item 13 for consideration of confidential aspects of late Item 13.2 (Chief Executive Officer Employment Contract – Realignment and Renewal).

15 CLOSURE / DATE AND TIME OF NEXT MEETING

There being no further business the President declared the meeting closed at 4.50pm.

The next Ordinary Meeting of Council will be on 29 July 2026 at 4:00pm.