



ORDINARY MEETING OF THE SHIRE OF KULIN COUNCIL MINUTES

Held on Wednesday, 23 September 2026 at
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
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

Nil

4.2 Declarations of Proximity Interest

Nil

4.3 Declarations of Impartiality Interest

The President, Cr Robins, announced that Cr Bowey had declared an impartiality interest in Item 9.10 (Kulin Retirement Homes Inc. – Request to Write Off 2026/27 Rates) as she is the Vice President of the Kulin Retirement Homes Committee and part of the decision making of the committee. A written declaration of interest was also provided prior to the commencement of the meeting or consideration of the item.

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 19 August 2026, provided to Councillors via the Shire's portal.

01/0926

Moved Cr Siviour Seconded Cr Noble that the minutes of the Shire of Kulin Ordinary Council meeting held on 19 August 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

Unconfirmed Minutes of the Shire of Kulin Audit, Risk and Improvement Committee meeting held on 9 September 2026, provided to Councillors via the Shire's portal and contained in **Attachment 1**.

02/0926

Moved Cr Bowey Seconded Cr Miller that the unconfirmed minutes of the Shire of Kulin Audit, Risk and Improvement Committee meeting held on 9 September 2026 (contained in Attachment 1) be received.

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

Against – Nil

Carried 7/0

[Attachment 1 – Unconfirmed Minutes of the Shire of Kulin Audit, Risk and Improvement Committee meeting \(9 September 2026\)](#)

8 PRESENTATIONS / DEPUTATIONS

Nil

9 Agenda Business - Matters Requiring Decision

9.1 List of Accounts Paid During the Month of August 2026

Responsible Officer:	Chief Executive Officer
File Reference:	12.06
Author:	Fiona Murphy, Executive Manager Financial Services <i>Shire of Kulin Strategic Integrated Plan 2025-2035 – Goal 12 – Accurate forward planning to achieve community priorities</i>
Strategic Reference:	
Disclosure of Interest:	Nil
Attachment:	Attachment 2 – Copy of Schedule of Payments, Credit Card Summary and Credit Card Statement August 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 August 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 August 2026 are attached within **Attachment 2**.

The table below summarises the payments made during August 2026.

August 2026	
Fund	Amount
Municipal	\$666,559.92
Trust	\$0
Total	\$666,559.92

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 August 2026 are attached within **Attachment 2**.

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.

03/0926

Moved Cr Noble Seconded Cr Siviour that Council receive:

- 1. the list of accounts paid from the Municipal and Trust accounts during the month of August 2026, totalling \$666,559.92 as detailed within Attachment 2; and**
- 2. the list of payments made using credit, debit and purchasing cards in August 2026, as detailed within Attachment 2.**

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

Against – Nil

Carried 7/0

[Attachment 2 - Copy of Schedule of Payments Credit Card Summary and Credit Card statement August 2026](#)

9.2 Financial Report – August 2026

Responsible Officer:	Chief Executive Officer
File Reference:	12.01
Author:	Fiona Murphy, Executive Manager Financial Services <i>Shire of Kulin Strategic Integrated Plan 2025-2035 - Goal 12 – Accurate Forward Planning To Achieve Community Priorities</i>
Strategic Reference:	
Disclosure of Interest:	Nil
Attachment:	Attachment 3 - Monthly Financial Report August 2026

SUMMARY

Council is provided with the financial report for the month ended 31 August 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 3**.

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

Simple majority.

04/0926

Moved Cr Smoker Seconded Cr Miller 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 August 2026, as presented in Attachment 3.

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

Against – Nil

Carried 7/0

[Attachment 3 – Monthly Financial Report August 2026](#)

9.3 Adoption of Shire of Kulin Compliance Audit Return (CAR)

Responsible Officer:	Chief Executive Officer
File Reference:	04.02 <i>Local Government Act 1995</i> and Regulations
Author:	Executive Manager Governance and Risk, Cassi Lewis <i>Shire of Kulin Strategic Integrated Plan 2025-2035</i> <i>Strategic Pillar 4: Civic Leadership – Responsible, accountable and transparent leadership to deliver our priorities; Goal 11 – High Standard of Governance</i>
Strategic Reference:	
Disclosure of Interest:	Nil
Attachment:	Attachment 4 - 2025 Compliance Audit Return

SUMMARY

To present the Shire of Kulin's 2025 Compliance Audit Return ("CAR") to Council for adoption and endorsement for submission to the Local Government Inspector by 30 September 2026.

The completed CAR indicates a high level of legislative compliance overall, with two matters identified as non-compliant. These relate to requirements contained within the Employee Code of Conduct regarding the management of gift information and completion of prescribed training by Council Members.

The CAR was considered by the Shire of Kulin Audit Risk and Improvement Committee ("the ARIC") at its meeting on 9 September 2026.

BACKGROUND & COMMENT

Each year local governments are required to undertake a compliance audit for the period 1 January to 31 December against prescribed provisions of the *Local Government Act 1995* and associated regulations.

The CAR provides a structured self-assessment of compliance with a range of legislative requirements relating to governance, financial management, delegations, disclosure of interests, elections, employee conduct, Council Member training, tendering and procurement, disposal of property and other statutory responsibilities.

Legislative amendments commencing from 1 January 2026 have changed the process applying to the CAR. The Chief Executive Officer is now required to prepare the CAR and provide it to the Shire's ARIC. The ARIC must review the CAR, report the results of its review to Council and make any recommendations it considers appropriate.

Council must subsequently consider the CAR together with the results and recommendations arising from the ARIC review, determine whether any matters identified require action and adopt the CAR, with or without amendments. The Shire of Kulin's 2025 CAR has now been completed and is included as an attachment to this report.

Legislative Reference	CAR Response	Finding and Proposed Action
Local Government (Administration) Regulations 1996 – r.19AC	No	The Shire's Employee Code of Conduct requires employees to disclose reportable gifts to the CEO within 10 days; however, the Code does not expressly contain requirements dealing with the recording, storage, disclosure and use of information relating to gifts accepted by employees from associated persons, as required by regulation 19AC. Staff will amend the Employee Code of Conduct to expressly incorporate these requirements and publish the updated Code on the Shire's website.
Local Government (Administration) Regulations 1996 – r.35	No	As at 31 December 2025, not all prescribed Council Member Essentials training requirements had been completed within the required timeframe. Staff note that this requirement has been satisfied in 2026.

FINANCIAL IMPLICATIONS

There are no material financial implications arising from this report.

STATUTORY AND PLANNING IMPLICATIONS

Local Government (Audit) Regulations 1996

Regulation 14 requires a local government to undertake an annual compliance audit for the period 1 January to 31 December.

Following completion of the compliance audit:

- the CEO must prepare the Compliance Audit Return and provide it to the ARIC;
- the ARIC must review the CAR, report the results of its review to Council and make any recommendations it considers appropriate;
- Council must consider the CAR and the results and recommendations of the ARIC review;
- Council must determine whether any matters raised require action; and
- Council must adopt the CAR, either as presented or subject to amendments determined by Council.

Following adoption, Regulation 15 requires the local government to provide the Local Government Inspector with:

1. the adopted CAR, signed by the Shire President and Chief Executive Officer;
2. any recommendations made by the ARIC following its review of the CAR;
3. the relevant section of the Council minutes recording adoption of the CAR; and
4. any additional information explaining or qualifying the compliance audit.

Transitional provisions applying to the 2025 CAR require the information relating to the compliance audit for the period 1 January 2025 to 31 December 2025 to be provided to the Local Government Inspector by 30 September 2026.

The resolutions and recommendations passed by the ARIC at its meeting on 9 September 2026 were as follows, as extracted from the (unconfirmed) Minutes of Meeting (Attachment 1 - Unconfirmed Minutes of Audit Risk and Improvement Committee Meeting):

Minutes Extract:

ARIC 03/0926

Moved Cr Bowey Seconded Cr Mullan that the Audit, Risk and Improvement Committee:

1. Receives and reviews the Shire of Kulin Compliance Audit Return for the period 1 January 2025 to 31 December 2025;

2. Notes the matters identified as non-compliant relating to:

a. Regulation 19AC of the *Local Government (Administration) Regulations 1996* – Employee Code of Conduct requirements relating to the recording, storage, disclosure and use of employee gift information; and

b. Regulation 35 of the *Local Government (Administration) Regulations 1996* – prescribed Council Member training requirements;

2. Recommends that Council:

a. considers the results of the Audit, Risk and Improvement Committee's review of the 2025 Compliance Audit Return and the recommendations made by the Committee;

b. authorises the Shire President and Chief Executive Officer to sign the adopted Compliance Audit Return; and

c. Endorse the return for submission to the Local Government Inspector by the 30 September 2026.

For – Presiding Member D Mollenoyux, Cr Robins, Cr Smoker, Cr Bowey, Cr Miller, Cr Siviour, Cr Noble, Cr Mullan

Against – Nil

Carried 8/0 by Absolute Majority

POLICY IMPLICATIONS

The Shire's Employee Code of Conduct requires amendment by the CEO to expressly incorporate the requirements of regulation 19AC relating to the recording, storage, disclosure and use of employee gift information.

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority.

05/0926

Moved Cr Siviour Seconded Cr Mullan that Council:

- 1. Considers the results of the ARIC's review of the 2025 Compliance Audit Return and the recommendations made by the ARIC;**
- 2. Determines that the corrective actions outlined in this report are appropriate and that no additional action is required;**
- 3. Adopts the Compliance Audit Return as presented in Attachment 4;**
- 4. Authorises the Shire President and Chief Executive Officer to sign the adopted Compliance Audit Return; and**
- 5. Endorses the Compliance Audit Return for submission to the Local Government Inspector by the 30 September 2026.**

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

Against – Nil

Carried 7/0

[Attachment 4 – Shire of Kulin Compliance Audit Return 2025](#)

9.4 Adoption of New Terms of Reference for Audit Risk and Improvement Committee and Appointment of Deputy of the Presiding Member

Responsible Officer:	Chief Executive Officer
File Reference:	13.03
Author:	Chief Executive Officer – Alan Leeson <i>Shire of Kulin Strategic Integrated Plan 2025-2035</i>
Strategic Reference:	<i>Goal 11 – High Standard of Governance</i>
Disclosure of Interest:	Nil
Attachment:	Attachment 5 – Draft Amended Terms of Reference

SUMMARY

The Audit Risk and Improvement Committee (“the ARIC”) endorsed its proposed Terms of Reference at its meeting on 15 April 2026. The Terms of Reference were subsequently adopted by Council at its Ordinary Council Meeting on 20 May 2026.

The ARIC met on 9 September 2026 and endorsed amendments to the Terms of Reference regarding:

- Reference to a Deputy Presiding Member; and
- Meeting frequency provisions to align with presentation of ARIC Agenda business.

Further, the ARIC endorsed the variation of appointment of Mrs Yvonne Bowey as a committee member and Deputy Presiding Member of the ARIC to appointment as Deputy of the Presiding Member.

BACKGROUND & COMMENT

The Terms of Reference were adopted in May 2026 outlining various requirements of the Act and procedural matters regarding the operation of the ARIC.

The *Local Government Act 1995* (“the Act”) mandates appointment of two independent appointments to the ARIC – an independent Presiding Member and an independent Deputy of the Presiding Member. Local governments may optionally appoint a Deputy Presiding Member.

The required appointments were considered to have been achieved by the appointment by Council of Mr Darren Mollenoyux as Presiding Member and appointment of Mrs Yvonne Bowey as both a member of the committee and as Deputy Presiding Member of the ARIC, with the intention of that role to also deputise for the Presiding Member in his absence. Both appointments are independent as required by the Act and each appointment is supported by significant demonstrated skills and experience.

Since appointment of the Deputy Presiding Member, information has been received that the provisions of the Act should be interpreted so that the mandated role of the Deputy of the Presiding Member is only to deputise and carry out the roles and responsibilities of the Presiding Member in their absence and to not be a member of the committee at all times or serve as the Deputy Presiding Member.

To account for this interpretation, it is also proposed that that Terms of Reference be revised to:

- Clarify the role of the Deputy of the Presiding Member in clause 6.2; and
- Amend clause 6.3 and associated other clauses regarding references to Deputy Presiding Member (this is an optional appointment) and include references to the Deputy of the Presiding Member as necessary.

It is proposed that Council amend Mrs Yvonne Bowey’s appointment from committee member and Deputy Presiding Member to Deputy of the Presiding Member (to only deputise as required in the absence of the Presiding Member).

As the position of Deputy Presiding Member is optional, it will be proposed that Council does not appoint anyone in this position for the time being. This can be reconsidered after the 2027 elections.

Further, it is proposed to amend the meeting frequency provisions in clause 7.1 of the Terms of Reference to require meetings at least four (4) times per calendar year rather than ‘quarterly’. It is considered that this will create appropriate flexibility to align with the timing of relevant Agenda business and provides clarity as to the meaning of a ‘year’.

FINANCIAL IMPLICATIONS

Sitting fees for Elected Members and independent committee members are set in accordance with Council policy, within the limits prescribed by the *Salaries and Allowances Tribunal*, and incorporated into Council's annual budget each financial year. The new proposed Terms of Reference will not require two independent persons to attend all meetings of the ARIC (which will be a saving in committee fees for independent members).

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995

Local Government (Audit) Regulations 1996

POLICY IMPLICATIONS

Shire of Kulin Audit Risk and Improvement Committee – Terms of Reference

COMMUNITY CONSULTATION

There is no requirement for community consultation. There has been appropriate internal consultation amongst the Executive Management Team and review of sector practice.

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority required (for statutory appointments to the ARIC).

06/0926

Moved Cr Noble Seconded Cr Miller that Council:

- 1. Adopts the amended Terms of Reference as attached; and**
- 2. Hereby varies the appointment of Yvonne Bowey to the ARIC by contemporaneously:**
 - a. Revoking her appointment as Deputy Presiding Member and committee member of the ARIC; and**
 - b. Appointing her as Deputy of the Presiding Member of the ARIC 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.**

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 – Amended Draft Terms of Reference for Shire of Kulin Audit, Risk and Improvement Committee](#)

9.5 Corporate Business Plan 2025–2029 – Annual Review and 2026/27 Deliverables

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	04.06 Strategic / Corporate Business Plans
Author:	Executive Manager Governance & Risk, Cassi Lewis <i>Shire of Kulin Strategic Integrated Plan 2025-2035 Civic Leadership – Goal 11 High Standard of Governance;</i> <i>Goal 12 Accurate Forward Planning to Achieve Community Priorities</i>
Strategic Reference:	
Disclosure of Interest:	
Attachment:	Attachment 6.1 - Corporate Business Plan 2025/26 Review Attachment 6.2 - Proposed Corporate Business Plan Deliverables 2026/27

SUMMARY

For Council to consider the annual review of the Shire's Corporate Business Plan for 2025/26 and adopt the proposed deliverables for 2026/27, including actions carried forward from 2025/26.

BACKGROUND & COMMENT

Council adopted the Shire of Kulin Strategic Integrated Plan 2025–2035 in June 2025. The Plan incorporates the Corporate Business Plan and sets out the actions to be delivered over the four-year period.

As part of the annual review process, staff have reviewed each action identified for delivery in 2025/26. The outcome of that review is included at **Attachment 6.1** and provides a summary of what was completed, what progressed during the year and what remains outstanding.

The review shows that a number of actions were completed or substantially progressed during 2025/26. Others remain ongoing, either because they form part of normal service delivery or because the work extends across more than one financial year.

The Corporate Business Plan already includes 45 actions scheduled for 2026/27. Several unfinished 2025/26 actions are already included in that program and will therefore continue without any change to their delivery year. These include the road asset management review, Events Plan, Shire-owned asset review, community benefit framework, Town Planning Scheme review, Sport and Recreation Facilities Plan, cybersecurity work and ERP project.

The review also identified five actions from 2025/26 that remain relevant but were not originally scheduled for 2026/27. It is proposed that these be carried forward:

Ref	Action
1.4	Develop and implement a Gravel Source Strategy and Policy
2.3	Enhance the Holt Rock visitor experience whilst protecting natural bushland
2.10	Undertake a review of the Dudinin, Pingaring and Kulin Halls, in consultation with the community, to inform future planning and decision-making
11.2	Develop a Workforce Plan
12.1	Ensure Council's Long Term Financial Plan aligns with our strategic priorities

These additions bring the proposed 2026/27 delivery program to 50 actions, as shown at **Attachment 6.2**.

Not every unfinished 2025/26 action has been carried forward. Where an action was investigated and Council determined that it should not proceed, or where the original intent has otherwise been addressed, it has not automatically been added to the following year. This keeps the 2026/27 program focused on actions that remain relevant and achievable.

The annual review gives Council an opportunity to confirm the work program for the coming year and ensure the Corporate Business Plan continues to reflect current priorities, available resources and projects already underway.

FINANCIAL IMPLICATIONS

Delivery of individual actions is subject to funding provided through the Annual Budget, availability of staff resources and, where applicable, external funding.

STATUTORY AND PLANNING IMPLICATIONS

Regulation 19DA of the *Local Government (Administration) Regulations 1996* sets out the requirements for the Corporate Business Plan. Specifically, Regulation 19DA(4) requires the Corporate Business Plan to be reviewed every year.

Regulations 19DA(5) and (6) provide for modification of the Corporate Business Plan and require Council to determine whether to adopt those modifications by absolute majority.

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

No specific community consultation has been undertaken for the annual Corporate Business Plan review.

WORKFORCE IMPLICATIONS

Delivery of the Corporate Business Plan relies largely on existing staff resources across the organisation, with responsibility shared between management, administration, works, community development and operational staff.

VOTING REQUIREMENTS

Absolute Majority.

07/0926

Moved Cr Mullan Seconded Cr Siviour that Council:

- 1. Receives the Corporate Business Plan 2025/26 Review, as presented at Attachment 6.1; and**
- 2. Adopts the Proposed Corporate Business Plan Deliverables 2026/27, as presented at Attachment 6.2, as modifications to the Corporate Business Plan component of the Shire of Kulin Strategic Integrated Plan 2025–2035.**

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

Against – Nil

Carried 7/0 by Absolute Majority

[Attachment 6.1 – Corporate Business Plan 2025/2026 Review](#)

[Attachment 6.2 – Proposed Corporate Plan Deliverables 2026/2027](#)

9.6 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 – Goal 9 – Protection of Natural and Built Assets</i>
Disclosure of Interest:	Nil
Attachment:	Attachment 7 – Shire of Kulin Firebreak Order for 2026/2027 fire season

SUMMARY

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

Consideration of this matter previously came before Council at the Ordinary Council Meeting on 19 August 2026 (as Agenda Item 9.4) including the proposed continuation of Registered Grain Out-loading areas (first introduced as part of the 2025/2026 Firebreak Order). The matter was resolved to be laid on the table and returned to this meeting to enable the matter to be reviewed at the next Bush Fire Brigades (“BFB”) Advisory meeting to be held in Pingaring on 10 September 2026.

It was unanimously resolved at the BFB meeting that Registered Grain Out-loading areas be removed from the 2026/2027 Fire Break Order.

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.

At the August Council Meeting, Council considered the draft 2026/2027 Firebreak Order, including the proposed continuation of Registered Grain Out-loading Areas. Council resolved to lay the matter on the table and refer it to the BFB meeting for further discussion before the item returns to Council.

Issues such as the physical suitability of registered out-loading hard stand areas and broader risk and liability considerations associated with permitting grain out-loading activity during a Harvest and Vehicle Movement Ban (“HVMB”) were to be considered at the BFB meeting.

A key consideration was the potential worst-case scenario where a fire was to start on a day when a HVMB was in place, as a result of activity associated with accessing or using a Registered Grain Out-loading area. While the Registered Out-loading area itself may be maintained to a bare-earth standard and supported by operational controls, the greater practical risk may arise from road trains or grain trucks traversing internal farm roads, paddock tracks or other access routes to reach the approved site. These movements may occur away from the inspected hard stand area and may present an ignition risk depending on conditions, route condition, stubble load, mechanical failure, exhaust contact, dragging chains, tyre failure or other vehicle-related causes.

There was consideration of where responsibility and liability may rest in that scenario, including the respective obligations of the landowner, vehicle operator, contractor and the Shire in the context of the *Bush Fires Act 1954*, the Shire’s Firebreak Order, Harvest and Vehicle Movement Ban provisions, and Council’s policy position in allowing registered grain out-loading areas to operate during the forthcoming harvest.

The originally proposed Firebreak Order sought to manage this risk through site registration, minimum bare-earth standards around ignition sources, inspection rights for Fire Control Officers, the requirement for an attended fire unit, and the ability for authorised fire officers to suspend out-loading when conditions warrant. However, it has

been identified that these controls should be considered against the broader operational reality of grain movement across farm properties during HVMB conditions.

It is also relevant that the 2026/2027 Firebreak Order has already been distributed with Shire Rate Notices. If the Officer's Recommendation is accepted, staff will arrange for appropriate notification of the removal of the Registered Grain Out-loading application provisions.

The Officer's Recommendation is based on the preferred position that Council should consider discontinuing the Registered Grain Out-loading area provisions, not primarily because of the administrative requirements associated with receiving applications, inspecting sites or administering approvals, but because of the broader chain of liability and residual risk that may remain with the Shire in the event of a worst-case scenario.

If a large fire of serious consequence were to commence during HVMB conditions in connection with grain out-loading activity, even where an individual landowner, contractor or vehicle operator may have direct responsibility for the activity, there remains a material concern that the existence of a Shire-approved registration framework may expose the local government to scrutiny regarding whether the activity should have been permitted at all under those conditions.

It is important to note that this position is not based on formal legal advice. It reflects an officer's subjective and lay interpretation of the relevant legislative and risk environment, particularly having regard to contemporary expectations around risk management, accountability and liability where a decision of local government may be viewed as enabling an activity during heightened fire risk conditions.

The purpose of referring the matter to the BFB meeting was to allow Fire Control Officers to provide practical advice to Council on the fire risk, operational enforceability, and reasonableness of continuing with registered grain out-loading arrangements in their current form. Feedback was sought from the BFB meeting on whether the current controls are considered adequate, whether additional conditions should be recommended, and whether the Shire's approach appropriately balances harvest continuity with community safety, volunteer firefighter risk, landowner responsibility and Council's broader statutory responsibilities.

The unanimous resolution of the BFB meeting was that Registered Grain Out-loading areas be removed from Shire of Kulin 2026/2027 Firebreak Order.

FINANCIAL IMPLICATIONS

Nil

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

Shire of Kulin Bush Fire Brigades AGM 31 March 2026
Shire of Kulin Bush Fire Brigades Meeting 10 September 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.

VOTING REQUIREMENTS

Simple majority.

08/0926

Moved Cr Siviour Seconded Cr Noble that Council:

- 1. Adopts the Shire of Kulin Firebreak Order for the 2026/2027 fire season as attached; and**
- 2. Notes that the Firebreak Order will be published in accordance with Section 33 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 7 – Shire of Kulin Firebreak Order for 2026/2027 fire season](#)

Unconfirmed

9.7 Organisational Culture and Workforce Development Review

Responsible Officer:	Chief Executive Officer
File Reference:	20.0
Author:	Alan Leeson, Chief Executive Officer <i>Shire of Kulin Strategic Integrated Plan 2025-2035 – Strategic Pillar 4: Civic Leadership; Goal 11 – High standard of governance; Strategy 11.2 Develop a Workforce Plan; Strategy 11.4 Implement mitigation strategies for our workforce that lead essential and key Shire services</i>
Strategic Reference:	
Disclosure of Interest:	Nil
Attachment:	EEO Specialists Pty Ltd Culture Review Proposal dated 31 August 2026 (confidential attachment – circulated to Councillors under separate cover)

SUMMARY

This item seeks Council approval to engage EEO Specialists Pty Ltd to undertake an independent whole-of-organisation culture and workforce development review. The review is proposed as a proactive organisational development initiative to continue to support a positive, respectful and productive workplace, identify existing strengths, and provide a practical framework for long-term improvement.

BACKGROUND & COMMENT

The Shire continues to invest in developing its workforce and continuing to maintain a positive, respectful and productive workplace. As part of this ongoing development, Management has explored an independent whole-of-organisation review to provide employees with an opportunity to contribute to the future development of the Shire's workplace culture.

EEO Specialists Pty Ltd has provided a proposal for a Culture Review. The approach considers visible elements such as values, policies, communication and workplace practices, together with employees' day-to-day experience of the Shire. The proposed review provides an opportunity to identify and build upon the Shire's organisational strengths while identifying practical opportunities for further development. The review will consider workplace relationships, communication, teamwork, leadership, organisational values and workplace practices. The consultant's methodology will combine survey results, employee consultation and organisational information to develop an overall picture of workplace culture.

Importantly, the exercise is intended to be constructive and development focused. It will identify areas of organisational strength that should continue to be supported, together with opportunities for further improvement. The review will conclude with an organisational report and a practical 12-month Culture Action Plan, providing a framework for future organisational development, leadership initiatives, training and culture-building activities. Management considers the review a worthwhile investment in the Shire's employees and an opportunity to establish a positive foundation for ongoing organisational and workforce development.

COMMUNITY CONSULTATION

Community consultation is not required. If approved by Council, employees will be invited to participate through a whole-of-workforce survey, focus groups aligned to operational areas of the Shire's business, and confidential individual interviews where required. Participation will be supported by clear communication regarding the purpose of the review, confidentiality arrangements and the way in which findings will be reported thematically.

STATUTORY AND PLANNING IMPLICATIONS

The proposal relates to the Shire's general employer responsibilities, governance obligations and contemporary work health and safety considerations. No specific statutory approval process is required for Council to authorise the engagement.

POLICY IMPLICATIONS

The review will have regard to relevant Shire policies, values, codes, procedures and organisational communications. Any recommended policy or procedural changes arising from the review will be considered separately following receipt of the final report and Culture Action Plan.

FINANCIAL IMPLICATIONS

The financial implications are expected to be in the vicinity of \$25,000 to \$30,000 plus GST, depending on final scope, focus group requirements, any additional individual interviews required and any regional delivery costs. The cost will be managed within the external contractors / consultants allocation within the overall 2026/2027 Budget.

STRATEGIC IMPLICATIONS

The proposal aligns with the Shire of Kulin Strategic Integrated Plan 2025–2035, particularly Strategic Pillar 4: Civic Leadership, which seeks responsible, accountable and transparent leadership to deliver Council's priorities.

It also supports the Plan's focus on developing a Workforce Plan, implementing mitigation strategies for the workforce that lead essential and key Shire services, and maintaining a skilled local workforce. The review will provide a practical baseline to guide future organisational development, leadership initiatives, training and workplace culture improvement.

RISK IMPLICATIONS

The review provides a proactive means of supporting workplace communication, organisational effectiveness, leadership development, employee wellbeing and psychological safety. Risks associated with the review, including confidentiality and employee confidence in the process, will be managed through independent facilitation, clear communication and thematic reporting of findings.

VOTING REQUIREMENTS

Simple majority.

09/0926

Moved Cr Smoker Seconded Cr Miller that Council:

- 1. Approves the engagement of EEO Specialists Pty Ltd to undertake a whole-of-organisation culture and workforce development review and training program;**
- 2. Approves expenditure in the vicinity of \$25,000 to \$30,000 plus GST, subject to final confirmation of scope, consultation requirements and any regional delivery costs;**
- 3. Authorises the Chief Executive Officer to finalise the scope, timing and delivery arrangements for the review; and**
- 4. Notes that the outcomes of the review will inform future organisational development, staff training, leadership development and workplace culture initiatives.**

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

Against – Nil

Carried 7/0

9.8 Review of Employee Code of Conduct

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	22.01 Codes of Conduct - Personnel
Author:	Executive Manager Governance & Risk, Cassi Lewis <i>Strategic Pillar 4: Civic Leadership – Goal 11 - High standard of governance.</i>
Strategic Reference:	
Disclosure of Interest:	Nil
Attachment:	Attachment 9 - Employee Code of Conduct

SUMMARY

To advise Council of the review of the Shire of Kulin Employee Code of Conduct and the amendments made to ensure the Code remains current and consistent with legislative requirements and Shire policies and procedures.

BACKGROUND & COMMENT

The Shire's Employee Code of Conduct establishes the standards of conduct and behaviour expected of employees and addresses the requirements of section 5.51A of the *Local Government Act 1995* and Part 4A of the *Local Government (Administration) Regulations 1996*.

In July 2026, Council adopted a number of revised Human Resources policies and procedures, including HR6 Employee Complaint Management, HR18 Workplace Behaviour (Harassment, Discrimination & Bullying) and HR25 Under Performance Management.

These documents provide more detailed processes for the management of workplace complaints, inappropriate workplace behaviour and employee underperformance. HR6 is specifically intended to operate in conjunction with the Employee Code of Conduct and refers workplace behaviour matters to HR18 and underperformance matters to HR25. HR18 similarly provides the detailed workplace behaviour requirements and provides for complaints to be managed through HR6.

Following adoption of these policies, it was appropriate to review the Employee Code of Conduct to ensure the documents were consistent and to avoid duplication between the Code and the more detailed HR procedures. The revised Code now establishes the overall standards expected of employees, with the detailed processes for complaints, workplace behaviour and underperformance addressed through the relevant HR policies.

A further need to amend the Code was identified during preparation of the Shire's 2025 Compliance Audit Return. The review against regulation 19AC of the *Local Government (Administration) Regulations 1996* identified that, although the Code required employees to disclose reportable gifts to the CEO within 10 days, it did not expressly address the recording, storage, disclosure and use of information relating to gifts, as required by the regulation. The Compliance Audit Return therefore recorded a response of "No" against regulation 19AC and noted that the Code would be amended to address the requirement.

The Compliance Audit Return finding, together with the recent HR policy review, prompted a broader review of the Code against the current legislation and the Shire's policies and procedures. The principal amendments include:

- inclusion of requirements for the recording, storage, disclosure and use of employee gift information and establishment of an Employee Gifts Register;
- inclusion of an Employee Disclosure of Gifts Declaration Form and clarification of reportable and prohibited gift requirements;
- clarification of the requirements applying to financial and proximity interests and interests affecting impartiality;
- inclusion of the current legislative requirements relating to outside employment;
- inclusion of privacy and information management requirements consistent with the *Privacy and Responsible Information Sharing Act 2024* and the Shire's Privacy and Responsible Sharing of Information Policy;
- alignment of workplace complaints, workplace behaviour and underperformance provisions with HR6, HR18 and HR25;
- clarification of the reporting and management of suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour; and
- removal of lengthy extracts of legislation and replacement with references to the relevant legislation, reducing the risk of the Code becoming outdated when legislation is amended.

Responsibility for preparing, implementing and amending the Employee Code of Conduct rests with the CEO under section 5.51A of the *Local Government Act 1995*, therefore the revised Code is presented to Council for noting rather than adoption. Once finalised, the current version will be published on the Shire's website in accordance with the Act.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995

Section 5.51A provides that:

- the CEO must prepare and implement a Code of Conduct to be observed by employees;
- the CEO may amend the Code; and
- the CEO must publish an up-to-date version of the Code on the local government's official website.

Local Government (Administration) Regulations 1996

Part 4A prescribes the required content of an Employee Code of Conduct, including requirements relating to gifts, conflicts of interest, outside employment and other employee conduct matters.

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority.

10/0926

Moved Cr Bowey Seconded Cr Siviour that Council:

1. Notes the review of the Shire of Kulin Employee Code of Conduct and the revised Employee Code of Conduct – September 2026, as attached.

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

Against – Nil

Carried 7/0

[Attachment 9 – Employee Code of Conduct](#)

9.9 Sale of Land – Adoption of Updated Reserve Price of Vacant Land Report

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	05.19
Author:	Executive Manager of Financial Services, Fiona Murphy <i>Shire of Kulin Strategic Integrated Plan 2025-2035 – Goal 5 - Provide opportunity to grow our resident population</i>
Strategic Reference:	
Disclosure of Interest:	Nil
Attachment:	Attachment 10 - Reserve Price of Vacant Land Report

SUMMARY

For Council to adopt the updated Reserve Price of Vacant Land Report.

BACKGROUND & COMMENT

Council policy A14A sets the procedure for selling vacant blocks of land in accordance with s3.58 of the *Local Government Act 1995* (the Act). The Act requires local public notice of any property sales to be given. This local public notice must include the market value of the property being sold. The market value must be ascertained by a valuation carried out in the last 6 months or as declared by a resolution of the local government based on a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

The Reserve Price of Vacant Land Report (the Report) lists all vacant blocks of land currently for sale along with the last independent valuation of each block. It also lists a reserve price which reflects Council's view of current market value of each block taking into consideration the last independent valuation and other factors such as recent sales history. The Report also list the discounts and incentives offered to prospective buyers.

The last independent valuation of vacant land was completed as at 30 June 2025. Since this time many blocks of land have sold.

The Report was last adopted by Council in March 2026. At this time, Council increased the reserve prices of blocks of vacant land based on increased demand and recent sales history in the region. As this review was six months ago Council are required to review and adopt an updated Report to meet the requirements of the Act.

The table below shows sales of residential land since 1 July 2025:

Property	Area (m2)	Settlement date	Last Independent Market Value at time of Sale	Sales price
Robertson Park & Other				
29 Ellson Street	1,190	10 July 2026	\$13,000	\$40,909
2 Ellson Street	500	Under offer	\$7,000	\$18,182
Proudview Estate				
31 Davies Road	10,000	1 Dec 2025	\$35,000	\$31,818
15 Hodgson Street	10,200	24 Feb 2026	\$36,000	\$32,500
9 Hodgson Street	10,000	26 Feb 2026	\$36,000	\$31,818
15 Davies Road	10,000	22 May 2026	\$35,000	\$45,455
3 Davies Road	10,287	29 May 2026	\$36,000	\$47,273

Since increasing the reserve price, four blocks of land have sold. The Shire continues to receive regular enquiries regarding residential land for sale in Kulin. Management believe the reserve prices set in the attached updated Reserve Price of Vacant Land Report continue to represent market value.

It should be noted that: If an offer to purchase a vacant block of land is received which is above or not less than 10% below the reserve price in the Reserve Price of Vacant Land Report the CEO has delegation to sell the land. All other offers need to be approved by Council.

FINANCIAL IMPLICATIONS

Only one land sale is included in the 2026/27 Council budget. The Shire has sold two blocks of residential land at the reserve prices outlined in the attached Report so far this year. Any further sales at the reserve prices listed in the Report will have a positive effect on the financial position of the Shire and will be transferred to the Land Development Reserve.

STATUTORY AND PLANNING IMPLICATIONS

S3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
 and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

POLICY IMPLICATIONS

Policy A14A Sale of Land and Housing
 Delegation a.14 Sale of Land and Housing

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority.

11/0926

Moved Cr Bowey Seconded Cr Noble that Council adopt the updated Reserve Price of Vacant Land Report to be used in conjunction with Policy A14A Sale of Land and Housing to set reserve prices for vacant blocks of residential land for sale.

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

Against – Nil

Carried 7/0

[Attachment 10 – Updated Reserve Price of Vacant Land Report](#)

9.10 Kulin Retirement Homes Inc. – Request to Write Off 2026/27 Rates

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	25.02
Author:	Fiona Murphy, Executive Manager of Financial Services <i>Shire of Kulin Strategic Integrated Plan 2025-2035 – Goal 6 - Community – Safe Caring & Healthy Lifestyle</i>
Strategic Reference:	
Disclosure of Interest:	Cr Robbie Bowey – impartiality interest
Attachment:	Attachment 11 - Letter from Kulin Retirement Homes Inc.

SUMMARY

As in prior years, Kulin Retirement Homes Inc. has requested rates for their properties in Gordon Street and Price St, Kulin be waived. All service charges applicable for the property are to be paid by the committee.

BACKGROUND & COMMENT

A letter was received from Kulin Retirement Homes Inc. on 7 May 2026 requesting that Council waive rates for both Kulinda Village and the Workman Estate. Rates for assessment A95 Kulinda Estate are \$8,247.10 and for A1422 Workman Estate are \$3,336.33.

Kulin Retirement Homes Inc. have expressed their appreciation of Council's continued support and generosity in waiving rates in previous years.

FINANCIAL IMPLICATIONS

The write off is allowed for in the 2026/27 Shire of Kulin Budget.

STATUTORY AND PLANNING IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority.

12/0926

Moved Cr Siviour Seconded Cr Mullan that Council rates levied to Kulin Retirement Homes Inc. totalling \$3,336.33 for assessment number A1422 (Workman Estate) and \$8,247.10 for assessment number A95 (Kulinda Village) be waived as a contribution from the Shire of Kulin to the organisation as they continue to operate as a not-for-profit community organisation.

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

Against – Nil

Carried 7/0

[Attachment 11 – Letter from Kulin Retirement Homes to Shire - 2026-27 Waiver of Rates](#)

9.11 Road Reserve Closure Proposal

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	28.10 Roads General
Author:	Executive Manager Governance & Risk, Cassi Lewis
Strategic Reference:	Strategic Pillar 4 – Civic Leadership, Goal 11 – High standard of governance
Disclosure of Interest:	Nil
Attachment:	Attachment 12 – Letter from SD, MT & MS LUCCHESI requesting permanent closure of road reserve.

SUMMARY

Council is requested to consider a request from Lucca Pty Ltd for the permanent closure of an unnamed and unconstructed road reserve passing through Lots 14019 and 11367 on Deposited Plan 233581, Kulin-Holt Rock Road, Jilakin.

Subject to the permanent closure being approved by the Minister for Lands, the applicant intends to seek purchase of the land comprising the former road reserve and amalgamate it with the adjoining property.

BACKGROUND & COMMENT

Correspondence was received on 18 September 2026 requesting that the Shire commence the process for permanent closure of the unnamed road reserve passing through the applicant's farming property at Jilakin.

The road reserve extends generally from the southern boundary of the property in a north-easterly direction to the northern boundary, as identified on the aerial plan attached to the applicant's correspondence.

The applicant's intention, subject to the necessary approvals, is to apply to the State Government to purchase the land comprising the former road reserve and amalgamate it with the adjoining property. The applicant acknowledges that commencement of the road closure process does not guarantee that the road will be closed or that the land will subsequently be sold to Lucca Pty Ltd.

Section 58 of the *Land Administration Act 1997* enables a local government that considers a road within its district should be permanently closed to request the Minister for Lands to close the road. The Minister may grant the request, direct the local government to reconsider the request or refuse the request.

Ordinarily, regulation 9 of the *Land Administration Regulations 1998* requires a local government to advertise a proposed road closure for a submission period of 35 days before Council resolves to make the request to the Minister. Regulation 9 does not, however, apply where the circumstances specified in regulation 9A are satisfied.

Regulation 9A applies where the subject land:

- has been reserved, declared or otherwise dedicated as a road; and
- has never been used as a road or had a road constructed upon it.

Where regulation 9A applies, the local government may resolve to request permanent closure without first undertaking the regulation 9 advertising process. The request to the Minister must include confirmation that regulation 9A applies, details of Council's resolution, sketch plans showing the road and its proposed future disposition, and any other relevant information.

Administration has reviewed historical and current aerial imagery and Shire road and asset records and has identified no evidence that the subject road reserve has ever been constructed or used as a road. The road reserve is not identified as part of the Shire's constructed road network and its closure would not adversely affect practical or legal access to surrounding properties.

On this basis, Administration considers that the subject road reserve satisfies the requirements of regulation 9A of the *Land Administration Regulations 1998* and that the statutory advertising requirements contained in regulation 9 are therefore not applicable.

The road reserve is not considered to be required for the Shire's existing or foreseeable road network. Its permanent closure would rationalise the land tenure through the applicant's proposed subsequent acquisition and amalgamation of the land with the adjoining property.

Permanent closure of the road does not itself transfer ownership of the land to Lucca Pty Ltd. Following closure, the land remains Crown land and any subsequent disposal or amalgamation is a separate State Government process.

The applicant has agreed to meet the reasonable external costs associated with the proposal, including statutory, surveying, valuation, State Government, Landgate and amalgamation costs, and has requested that the Shire consult with it before incurring any significant costs.

FINANCIAL IMPLICATIONS

The applicant has agreed to meet the reasonable external costs associated with the proposed road closure and subsequent land transaction.

It is proposed that Lucca Pty Ltd be responsible for all external costs incurred by the Shire in progressing the proposal, including any survey, valuation, State Government, Landgate or other professional costs.

Minor internal administrative costs associated with progressing the request will be met through existing resources.

STATUTORY AND PLANNING IMPLICATIONS

Land Administration Act 1997 – Section 58

Section 58 provides that where a local government considers that a road in its district should be permanently closed, it may, in accordance with the regulations, request the Minister to close the road.

Land Administration Regulations 1998 – Regulations 9 and 9A

Regulation 9 ordinarily requires public advertising for 35 days prior to Council resolving to request permanent closure.

Regulation 9A provides modified requirements where the land has been reserved, declared or otherwise dedicated as a road but has never been used as a road or had a road constructed upon it. Where regulation 9A applies, regulation 9 does not apply.

Under regulation 9A, the Shire's request to the Minister must include:

1. confirmation that the land satisfies regulation 9A and that the regulation 9 process has therefore not been undertaken;
2. confirmation of Council's resolution and the date of that resolution;
3. sketch plans showing the location of the road and the proposed future disposition of the land; and
4. any other information considered relevant to the Minister's consideration of the request.

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Relevant government agencies or service authorities may be consulted as part of progressing the application where required.

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority.

13/0926

Moved Cr Noble Seconded Cr Smoker that Council:

1. Requests, pursuant to section 58 of the *Land Administration Act 1997*, that the Minister for Lands permanently close the unnamed road reserve through Lots 14019 and 11367 on Deposited Plan 233581, Kulin-Holt Rock Road, Jilakin, as shown in the attachment;
2. Authorises the Chief Executive Officer to undertake the actions necessary to progress the road closure request; and

3. Requires Lucca Pty Ltd to meet all external costs associated with the proposed road closure.

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

Against – Nil

Carried 7/0

[Attachment 12 - Letter on behalf of Lucca Pty Ltd regarding road reserve closure proposal](#)

Unconfirmed

10 Compliance

10.1 Compliance Reporting – General and Financial Compliance August 2026

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	04.05
Author:	Alan Leeson, Chief Executive Officer Cassi Lewis, Executive Manager Governance & Risk
Strategic Reference:	<i>Shire of Kulin Strategic Integrated Plan 2025-2035 - Goal 4 – Civic Leadership – accurate forward planning to achieve community priorities</i>
Disclosure of Interest:	Nil
Attachment:	Attachment 13 – General and Financial Compliance Checklist August 2026

SUMMARY

This report addresses General and Financial Compliance matters for August 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

14/0926

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

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

Against – Nil

Carried 7/0

[Attachment 13 – General and Financial Compliance Checklist August 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

Nil

15 CLOSURE / DATE AND TIME OF NEXT MEETING

The President announced that the next Ordinary Meeting of Council will be held on Wednesday 21 October 2026 at 4:00pm.

There being no further business the President declared the meeting closed at 4.16pm.