

# Minutes

February 2026



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## 1 DECLARATION OF OPENING

The President declares the meeting open.

## 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.

Cr Bowey and Cr Mullan requested to attend this meeting via electronic means and were required to meet the following criteria under *Local Government Act 1995 – Section 5.25; and Local Government (Administration) Regulations 1996 – 14C*:

- Authorised by the President (or Council)
- Remain in instantaneous contact with other attendees
- Declare confidentiality can be maintained (location to be quiet and private)

01/0226

Moved Cr Noble Seconded Cr Miller that for the Ordinary Council Meeting scheduled for 18 February 2026, permission to attend via electronic means be approved for Cr Bowey and Cr Mullan.

Carried 7/0

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

Against – Nil

Both Councillor Bowey and Councillor Mullan:

- (i) declared (verbally) that they could maintain confidentiality; and
- (ii) remained in instantaneous contact with other attendees for the duration of the meeting

## 3 RECORD OF ATTENDANCE

### ATTENDANCE

G Robins	President
B Smoker	Deputy President
J Noble	Councillor
C Mullan	Councillor – <b>attended by electronic means</b>
B Miller	Councillor
R Bowey	Councillor – <b>attended by electronic means</b>
L Siviour	Councillor
A Leeson	Chief Executive Officer
C Lewis	Executive Manager of Governance and Risk
J Hobson	Executive Manager of Works
F Murphy	Executive Manager Financial Services
T Scadding	Executive Manager Community Development
C Higgins	Executive Support Officer

### APOLOGIES

Nil

### LEAVE OF ABSENCE

Nil

## 4 DECLARATION OF INTEREST BY MEMBERS

### 4.1 Declarations of Financial Interest

Nil

### 4.2 Declarations of Proximity Interest

Nil

### 4.3 Declarations of Impartiality Interest

In relation to Item 9.3 of the Agenda – Lease – Cultivating Kulin Committee Incorporated (“CKC”) - the following officers and Elected Members have disclosed impartiality interests in accordance with the *Local Government Act 1995*:

- Alan Leeson – Chief Executive Officer – spouse (Melissa Milligan Leeson) is Treasurer of CKC
- Fiona Murphy – Executive Manager Financial Services – spouse (Tom Murphy) is Kulin Bush Races representative on CKC
- Judd Hobson – Executive Manager of Works – Chairperson of CKC
- Taryn Scadding – Executive Manager of Community Services – Secretary of CKC
- Cr Brad Smoker – Deputy Shire President – Kulin Community Financial Services representative on CKC
- Cr Brad Miller – Committee Member of CKC and Proxy Council Delegate
- Cr Lachlan Siviour – Council Delegate on CKC

*The above officers and Elected Members each provided a written disclosure of their impartiality interests prior to commencement of the meeting and prior to discussion of Item 9.3.*

### 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

#### 7.1.1 Ordinary Council Meeting

Minutes of the Shire of Kulin Ordinary Council Meeting, held on 16 December 2025, provided to Councillors via the Shire’s portal and published on the Shire’s website.

***In accordance with Regulation 11 of the Local Government (Administration) Regulations 1996, the officer’s recommendation was adopted with amendment to note that corrections had been made to the draft Minutes previously provided to Councillors via the Shire’s portal and published on the Shire’s website. The draft Minutes of the Ordinary meeting held on 16 December 2025 previously published were adopted with the inclusion of the corrections set out in the motion.***

02/0226

Moved Cr Miller Seconded Cr Siviour that the minutes of the Shire of Kulin Ordinary meeting held on 16 December 2025 be confirmed as a true and correct record, noting that the following corrections were made to the draft Minutes previously provided to Councillors via the Shire’s portal and published on the Shire’s website:

1. Item 7.1.1 - on page 4 – a row was added after the vote outcome to show ‘carried 5/0’
2. Item 9.3 - on page 10 – a row was added after the vote outcome to show ‘carried 4/0’

**3. Item 9.3 - on page 10 – addition of the words ‘Councillor Smoker declared a Proximity Interest in Item 9.3 and left the chambers at 4.04pm’**

**Carried 7/0**

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

***Against – Nil***

### **7.1.2 Electors Meeting**

Minutes of the Shire of Kulin Annual Elector’s Meeting, held on 5 February 2026, provided to Councillors via the Shire’s portal and published on the Shire’s website.

**03/0226**

**Moved Cr Noble Seconded Cr Siviour that the minutes of the Shire of Kulin Electors meeting held on 5 February 2026 be received.**

**Carried 7/0**

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

***Against – Nil***

## **8 PRESENTATIONS / DEPUTATIONS**

Nil

## 9 AGENDA BUSINESS - MATTERS REQUIRING DECISION

### 9.1 List of Accounts Paid During the Months of December 2025 and January 2026

<b>Responsible Officer:</b>	Chief Executive Officer
<b>File Reference:</b>	12.06
<b>Author:</b>	Fiona Murphy, Executive Manager Financial Services
<b>Strategic Reference:</b>	12.01
<b>Disclosure of Interest:</b>	Nil
<b>Attachment:</b>	December 2025 and January 2026 List of Accounts

#### 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 months of December 2025 and January 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 December 2025 and January 2026 are attached within Attachment 2 and 3, respectively.

The tables below summarise the payments made during December 2025 and January 2026.

December 2025	
Fund	Amount
Municipal	\$1,492,139.45
Trust	\$0
<b>Total</b>	<b>\$1,492,139.45</b>

January 2026	
Fund	Amount
Municipal	\$902,007.73
Trust	\$800.00
<b>Total</b>	<b>\$902,807.73</b>

#### 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 December 2025 and January 2026 are attached within Attachment 2 and Attachment 3, respectively.

#### 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.*
- (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.

**04/0226**

**Moved Cr Smoker Seconded Cr Siviour that Council receive,**

- 1. the list of accounts paid from the Municipal and Trust Accounts during the month of December 2025, totalling \$1,492,139.45, as detailed within Attachment 2;**
- 2. the list of payments made using credit, debit and purchasing cards in December 2025, as detailed within Attachment 2;**
- 3. the list of accounts paid from the Municipal and Trust accounts during the month of January 2026, totalling \$902,807.73, as detailed within Attachment 3; and**
- 4. the list of payments made using credit, debit and purchasing cards in January 2026, as detailed within Attachment 3.**

**Carried 7/0**

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

**Against – Nil**

Attachment 1 - December 2025 Schedule of Payments and Credit Card Summary

Attachment 2 - January 2026 Schedule of Payments and Credit Card Summary

## 9.2 Financial Reports – December 2025 and January 2026

<b>Responsible Officer:</b>	Chief Executive Officer
<b>File Reference:</b>	12.06
<b>Author:</b>	Fiona Murphy, Executive Manager Financial Services
<b>Strategic Reference:</b>	12 – Accurate Forward Planning To Achieve Community Priorities
<b>Disclosure of Interest:</b>	Nil
<b>Attachment:</b>	December 2025 and January 2026 Monthly Financial Statements

### SUMMARY:

Council is provided with the monthly financial reports for the months ended 31 December 2025 and 31 January 2026 for review, in accordance with its statutory obligations under the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

### BACKGROUND & COMMENT:

The monthly financial reports 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**

- (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 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 —*
  - (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.*

**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 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.

**05/0226**

**Moved Cr Miller Seconded Cr Mullan that Council, in accordance with Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996*, receive the Statement of Financial Activity and Statement of Financial Position and supporting documentation for the periods ending 31 December 2025 and 31 January 2026, as presented.**

**Carried 7/0**

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

***Against – Nil***

Attachment 3 – Financial Statements December 2025

Attachment 4 – Financial Statements January 2026

### 9.3 Lease – Cultivating Kulin Committee Incorporated – Renewal of Cropping Lease

<b>Responsible Officer:</b>	Chief Executive Officer
<b>File Reference:</b>	05.15
<b>Author:</b>	Chief Executive Officer Shire of Kulin Integrated Plan 2025 – 2035 Strategic Pillar 1 – Economy – Collaborate to grow our local economy; Increase awareness and visitation to our communities Strategic Pillar 2 – Community – Provide opportunity to grow our resident population; Safe, caring and healthy lifestyle Strategic Pillar 4 – Civic Leadership – Accurate forward planning to achieve community priorities
<b>Strategic Reference:</b>	
<b>Disclosure of Interest:</b>	Impartiality interests as detailed below under Disclosure of Interest
<b>Attachment:</b>	Nil

#### SUMMARY

The cropping lease between the Shire of Kulin and Cultivating Kulin Committee Incorporated (“CKC”) expired on 31 January 2026. The lease is for the land currently occupied by the CKC, consisting of the “Airstrip farmland”, (East of Kulin townsite), and “Proud’s farmland”, (West of Kulin townsite) (“the lease”), more particularly described as follows:

#### **Prouds (West of Kulin townsite)**

- Deposited Plan 401313 Lot 50
- Deposited Plan 401313 Lot 51
- Deposited Plan 64300 – Lot 9001

**Area leased/cropped:** 100 hectares

hereinafter described as the “Proud’s Farmland”;

and

#### **Airstrip (East of Kulin Townsite)**

- Deposited Plan 404427 Reserve 20831 (Lot 165)

**Area leased/cropped:** 35 hectares;

hereinafter described as the “Airstrip Farmland”.

CKC has formally requested renewal of the lease for cropping purposes for a further six (6) year term under substantially the same terms and conditions as the previous lease.

Council is being asked to consider renewal of the lease in recognition of the substantial community, economic and social benefit the arrangement supports.

#### **DISCLOSURE OF INTEREST**

The following officers and Elected Members have disclosed impartiality interests in accordance with the *Local Government Act 1995*:

- Alan Leeson – Chief Executive Officer – spouse (Melissa Milligan Leeson) is Treasurer of Cultivating Kulin Committee Incorporated
- Fiona Murphy – Executive Manager Financial Services – spouse (Tom Murphy) is Kulin Bush Races representative on CKC
- Judd Hobson – Executive Manager of Works – Chairperson of CKC
- Taryn Scadding – Executive Manager of Community Services – Secretary of CKC
- Cr Brad Smoker – Deputy Shire President – Kulin Community Financial Services representative on CKC
- Cr Brad Miller – Committee Member of CKC and Proxy Council Delegate
- Cr Lachlan Siviour – Council Delegate on CKC

These interests are impartiality interests only.

CKC is an incorporated not-for-profit association. No member receives remuneration, dividends, fees or pecuniary profit from its activities. Accordingly, there is no financial interest or personal financial gain associated with the proposed lease.

All statutory disclosure and participation obligations will be complied with and managed by the Presiding Member at the meeting.

## **BACKGROUND & COMMENT**

Cultivating Kulin Committee (CKC) is a not-for-profit body dedicated to fostering the growth, development, and wellbeing of the Kulin community. CKC operates in the interest of residents, local businesses, and the broader development of the town, ensuring that Kulin remains a thriving rural community and an attractive destination for residents and visitors alike.

The primary objectives of CKC are:

- To promote and lift the profile of Kulin and its people;
- To consider ways and means of improving or maintaining the quality of life in the area;
- To assist in the development of the Kulin community in an orderly and responsible manner;
- To make representation to Governments, Government Authorities and Local Authorities for promoting the interests of its members;
- To join with other organisations having similar objectives in order to strengthen the Group's effectiveness in the attainment of its objectives;
- Encourage community participation in projects; and
- Facilitate targeted projects that have a whole of community benefit.

The CKC has strong partnerships with the Shire of Kulin, Kulin Bush Races and Kulin Community Financial Services. These partnerships align organisational and community aspirations in relation to community projects and opportunities and ensure positive outcomes for our region.

Volunteers play a vital role in CKC's operations. Initiatives such as the Community Cropping Program demonstrate the power of volunteer involvement and local business support, with the majority of funds raised reinvested into CKC-managed community projects.

The lease arrangement between Shire of Kulin and CKC supports volunteer sustainability, population retention, social cohesion, visitor servicing and economic activation within the townsite.

The lease operates as a community capacity-building mechanism rather than a simple agricultural arrangement. It strengthens volunteer governance and reduces reliance on direct Shire subsidy.

It is proposed that existing agronomic and land management safeguards continue to apply to ensure responsible land stewardship.

## **FINANCIAL IMPLICATIONS**

The rental return to the Shire is modest in direct revenue terms. However, the broader community return is significant when considering the economic multiplier effect and the strategic importance of retaining community infrastructure.

## **STATUTORY AND PLANNING IMPLICATIONS**

Section 3.58 of the *Local Government Act 1995* provides that a lease of land constitutes a disposition of property.

Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996* provides that a disposition of land is an exempt disposition where it is made to a not-for-profit body whose objects are charitable, cultural, educational, recreational or similar in nature and whose members are not entitled to pecuniary profit.

CKC meets these criteria. Accordingly, the proposed lease qualifies as an exempt disposition and Section 3.58 does not apply.

No public auction, tender, public notice or market valuation process is required.

There are no identified planning impediments to continuation of cropping activities.

## **POLICY IMPLICATIONS**

The proposal is consistent with the Shire's Strategic Integrated Plan 2025–2035 and Council's adopted roles to Advocate, Partner, Deliver and Facilitate.

## **COMMUNITY CONSULTATION**

The continuation of an arrangement that supports a key community-owned facility aligns with community priorities identified through the Strategic Integrated Plan engagement process.

Additional consultation is not considered necessary given this is a continuation of an existing arrangement.

## **WORKFORCE IMPLICATIONS**

Nil

## **CONCLUSION**

The proposed renewal supports economic activation, strengthens volunteer governance capacity, contributes to population retention and aligns with the Shire's Strategic Integrated Plan.

The proposal is legislatively compliant and involves no financial gain to any individual.

## **VOTING REQUIREMENTS**

Simple Majority

**06/0226**

**Moved Cr Noble Seconded Cr Bowey that Council,**

- 1. Approves the granting of a six-year cropping lease to Cultivating Kulin Committee Incorporated over the "Airstrip Farmland" and "Proud's Farmland" as described in this report and on substantially the same financial terms and conditions as the previous lease; and**
- 2. Authorises the Chief Executive Officer to finalise and execute the lease documentation on behalf of the Shire of Kulin.**

**Carried 7/0**

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

***Against – Nil***

## 9.4 Western Power Pole Top Fires – Direct Advocacy to Minister for Energy and Western Power

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<b>Responsible Officer:</b>	Chief Executive Officer
<b>File Reference:</b>	09.03 Bushfire Hazard Reduction file
<b>Author:</b>	Chief Executive Officer
<b>Strategic Reference:</b>	Pillar 3: Environment – Protection of natural and built assets
<b>Disclosure of Interest:</b>	Nil
<b>Attachment:</b>	Attachment 6 – Media Release by Western Power dated 29 January 2026 – Enhancing network resilience against pole top fires (for information)

### SUMMARY

To seek Council endorsement to formally raise serious concerns directly with the Western Australian Minister for Energy and Western Power regarding the recent spate of pole top fires within the Shire of Kulin occurring during the ex-Tropical Cyclone Mitchell weather event.

### BACKGROUND AND COMMENT

Over the past few days multiple pole top fires have occurred within the Shire of Kulin. These ignition events coincided with the recent tropical low weather system (ex-Tropical Cyclone Mitchell), which brought elevated humidity, intermittent rainfall and unstable atmospheric conditions across the region. There have also been a number of other pole top fires in the Shire of Kulin in recent weeks that have not coincided with a particular weather event.

A number of the affected poles and associated infrastructure are recently installed, indicating that the incidents cannot simply be attributed to ageing assets.

The clustering of these ignition events raises serious concerns regarding network resilience and maintenance. Local volunteer bush fire brigades have responded to and extinguished each of the pole top fires. There has been no observable Western Power fire suppression presence at these incidents.

Of critical concern are delays in Western Power isolating downed or compromised power lines. These delays place volunteer bush fire brigade members at significant risk.

In practical operational terms, volunteers are frequently unable to access and suppress fires where live power lines remain active. Brigades are required to hold position until confirmation is received that lines have been isolated. During this time, fires may continue to burn unchecked.

This creates an unsafe working environment and exposes volunteers to potentially life-threatening electrical hazards. Volunteer responders protecting life and property should not be placed in circumstances where electricity network delays prevent safe fire suppression.

There has been no proactive communication acknowledging the cluster of incidents locally or outlining corrective measures. Given the Wheatbelt's significant bushfire risk profile, this matter directly impacts community safety and emergency response capability.

### STATUTORY AND PLANNING IMPLICATIONS

Nil

### POLICY IMPLICATIONS

Nil

### FINANCIAL IMPLICATIONS

No direct financial implications to the Shire. However, repeated emergency callouts place operational strain on volunteer bush fire brigade resources.

## **RISK IMPLICATIONS**

There is significant safety risk to volunteer bush fire brigade members where live power lines are not isolated in a timely manner.

Further, there is escalation of the risk of grassfires under higher temperature and wind conditions.

## **COMMUNITY CONSULTATION**

Nil required. The report seeks Council endorsement to advocate for the broader community of the Shire of Kulin for the reasons set forth.

## **CONCLUSION**

The recent spate of pole top fires during the ex-Tropical Cyclone Mitchell weather event represents a serious infrastructure and community safety concern. Immediate engagement with Western Power and the Minister for Energy is warranted to ensure accountability, improved mitigation performance and strengthened volunteer safety protections.

## **VOTING REQUIREMENTS**

Simple majority required.

**07/0226**

**Moved Cr Smoker Seconded Cr Siviour that Council,**

**1. Notes the recent spate of pole top fires within the Shire of Kulin and the associated risks to community safety and volunteer bush fire brigade members.**

**2. Directs the Chief Executive Office to formally write to the Minister for Energy and Western Power raising Council's serious concerns and seeking detailed response in relation to the following matters:**

**(a) The effectiveness of current pole top fire mitigation measures within the Shire of Kulin, including treatment and replacement programs, and whether those measures are performing as intended under humid and unstable weather conditions; and**

**(b) The apparent occurrence of pole top fires on recently installed infrastructure and the standards, inspection regimes and quality assurance processes applicable to those installations;**

**(c) Western Power's operational response protocols for isolating downed or compromised power lines during emergency incidents, including expected timeframes for isolation and communication with incident controllers;**

**(d) The risks posed to volunteer bush fire brigade members when live lines remain active and prevent safe suppression activities, and what procedural changes will be implemented to mitigate this risk;**

**(e) The absence of proactive communication to the Shire of Kulin and the community regarding the recent cluster of incidents, and the communication protocols that apply during similar events;**

**(f) A request for a formal briefing from Western Power representatives to Council at the earliest opportunity.**

**3. Requests that the Minister for Energy provide oversight of this matter and advise what steps will be taken to ensure improved network resilience, timely line isolation and enhanced safety protections for rural volunteer emergency responders.**

**Carried 7/0**

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

**Against - Nil**

Attachment 5 - Western Power Media Release 29 January 2026 - Enhancing network resilience against pole top fires

***In accordance with Regulation 11 of the Local Government (Administration) Regulations 1996, the officer's recommendation was adopted with amendment to remove (from the first sentence of point 1) the words 'including those occurring during the ex Tropical Cyclone Mitchell Event' to reflect the generality of pole top fires occurring in the Shire of Kulin throughout the year, rather than from a specific weather event.***

## 9.5 Write off of unpaid rent

<b>Responsible Officer:</b>	Chief Executive Officer
<b>File Reference:</b>	12.03 Audit
<b>Author:</b>	Senior Finance Officer & Executive Manager of Financial Services
<b>Strategic Reference:</b>	11 High Standard of Governance
<b>Disclosure of Interest:</b>	Nil
<b>Attachment:</b>	Nil

### SUMMARY:

For Council to approve the write off of \$4,640.61 in unpaid rent owing by sundry debtor DW113.

### BACKGROUND & COMMENT:

The tenant of 19 Wright Street, Kulin abandoned the property in early 2025. Attempts by both the Shire and local police to contact the tenant were unsuccessful. The Shire applied to the Magistrates Court in June 2025 to terminate the tenancy agreement, and the court order was granted.

At the time of termination, the tenant owed \$4,640.61 in unpaid rent. Multiple attempts were made to recover outstanding rent whilst the tenant was residing at the property.

Given the history of non-payment of rent, the absence of contact details for the tenant, the low likelihood of recovery and the potential legal costs involved, management have assessed the debt as unrecoverable.

Under the *Local Government Act 1995*, Council has the authority to write off monies owing to the Shire. Management therefore seeks approval to write off the full amount of \$4,640.61 in unpaid rent.

### FINANCIAL IMPLICATIONS:

There will be no financial impact of the write off in 2025/26. The debt was provided for as at 30 June 2025 because it was deemed unlikely that debt would be collected.

### STATUTORY AND PLANNING IMPLICATIONS:

*Local Government Act 1995*

s6.12 *Power to defer, grant discounts, waive or write off debts*

- (1) *Subject to subsection (2) and any other written law, a local government may -*
  - (a) *when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or*
  - (b) *waive or grant concessions in relation to any amount of money; or*
  - (c) *write off any amount of money, which is owed to the local government.*

\* *Absolute majority required.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power."*

### POLICY IMPLICATIONS:

Nil

### COMMUNITY CONSULTATION:

Nil

### WORKFORCE IMPLICATIONS:

Nil

### VOTING REQUIREMENTS:

Absolute majority required.

**08/0226**

**Moved Cr Miller Seconded Cr Noble that Council resolve to write of \$4,640.61 in unpaid rent owing by debtor DW113.**

**Carried by absolute majority 7/0**

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

***Against – Nil***

UNCONFIRMED DRAFT

**10.1 Compliance Reporting – General Compliance December 2025 and January 2026**

**Responsible Officer:** Chief Executive Officer  
**File Reference:** 04.05 Corporate Management Procedures - Compliance  
**Author:** Alan Leeson, Chief Executive Officer  
 SIP 4: Civic Leadership - accurate forward planning to achieve community priorities  
**Strategic Reference:**  
**Disclosure of Interest:** Nil  
 Attachment 6 - December 2025 Compliance Report  
**Attachments:** Attachment 7 - January 2026 Compliance Report

**SUMMARY:**

This report addresses General and Financial Compliance matters for December 2025 and January 2026. This process is not definitive, each month additional items and/or actions may be identified that are then added to the monthly checklist. Items not completed each month e.g. quarterly action - will be notations. 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 Compliance Checklist is a working document; the Executive Manager of Governance and Risk emails the assigned staff member their compliance requirements for the coming month. This document is tabled at the monthly Management Team meetings where the list is reviewed and updated.

Prior month items not completed previously will be reported in the following month so Council remains aware.

**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

**09/0226**

**Moved Cr Smoker Seconded Cr Miller that Council that Council receive the General & Financial Compliance Report for December 2025 and January 2026.**

**Carried 7/0**

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

***Against – Nil***

Attachment 6 - Compliance Report December 2025

Attachment 7 - Compliance Report January 2026

## 11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

## 12 MOTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Nil

## 14 MEETING IS CLOSED TO THE PUBLIC

### 14.1 Confidential Item (Meeting Closed to the Public)

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<b>Responsible Officer:</b>	Chief Executive Officer
<b>File Reference:</b>	13.03
<b>Author:</b>	Alan Leeson, Chief Executive Officer
<b>Strategic Reference:</b>	
<b>Disclosure of Interest:</b>	Nil

#### SUMMARY:

For Council to discuss a matter of a confidential nature, adoption of the Responsible Officer's recommendation to move "in camera" (behind closed doors), is required.

#### BACKGROUND & COMMENT:

Council is empowered by section 5.23 (2) of the *Local Government Act 1995* to move behind closed doors if the meeting, or part of the meeting, deals with matters as outlined in that section.

Section 5.23(2) states:

- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
- (a) a matter affecting an employee or employees; and*
  - (b) the personal affairs of any person; and*
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
  - (e) a matter that if disclosed, would reveal —*
    - (i) a trade secret; or*
    - (ii) information that has a commercial value to a person; or*
    - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;**and*
  - (f) a matter that if disclosed, could be reasonably expected to —*
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or*
    - (ii) endanger the security of the local government's property; or*
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;**and*
  - (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*

*(h) such other matters as may be prescribed.*

**POLICY IMPLICATIONS:**

Nil

**WORKFORCE IMPLICATIONS:**

Nil

**VOTING REQUIREMENTS:**

Simple Majority required.

**10/0226**

Moved Cr Mullan Seconded Cr Miller that Council, in accordance with Section 5.23(2)(c) of the *Local Government Act 1995* resolve that the meeting is closed to members of the public as provisions of the Act regarding a contract entered into, or which may be entered into, by the local government, will relate to a matter to be discussed at the meeting.

Carried 7/0

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

*Against – Nil*

*Meeting closed to the public at 4.14pm*

## **14.2 Confidential Item**

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Confidential agenda item provided under a separate cover.

*In relation to Item 14.2, the President announced that the Confidential Officer's Recommendation had been Adopted (11/2026).*

**12/0226**

Moved Cr Smoker Seconded Cr Siviour that the meeting is re-opened to members of the public.

Carried 7/0

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

*Against – Nil*

*Meeting reopened to the public at 4.19pm.*

## **15 CLOSURE / DATE AND TIME OF NEXT MEETING**

There being no further business the President declared the meeting closed at 4:20pm.

**Ordinary Meeting 18 March 2026 at 4:00pm**