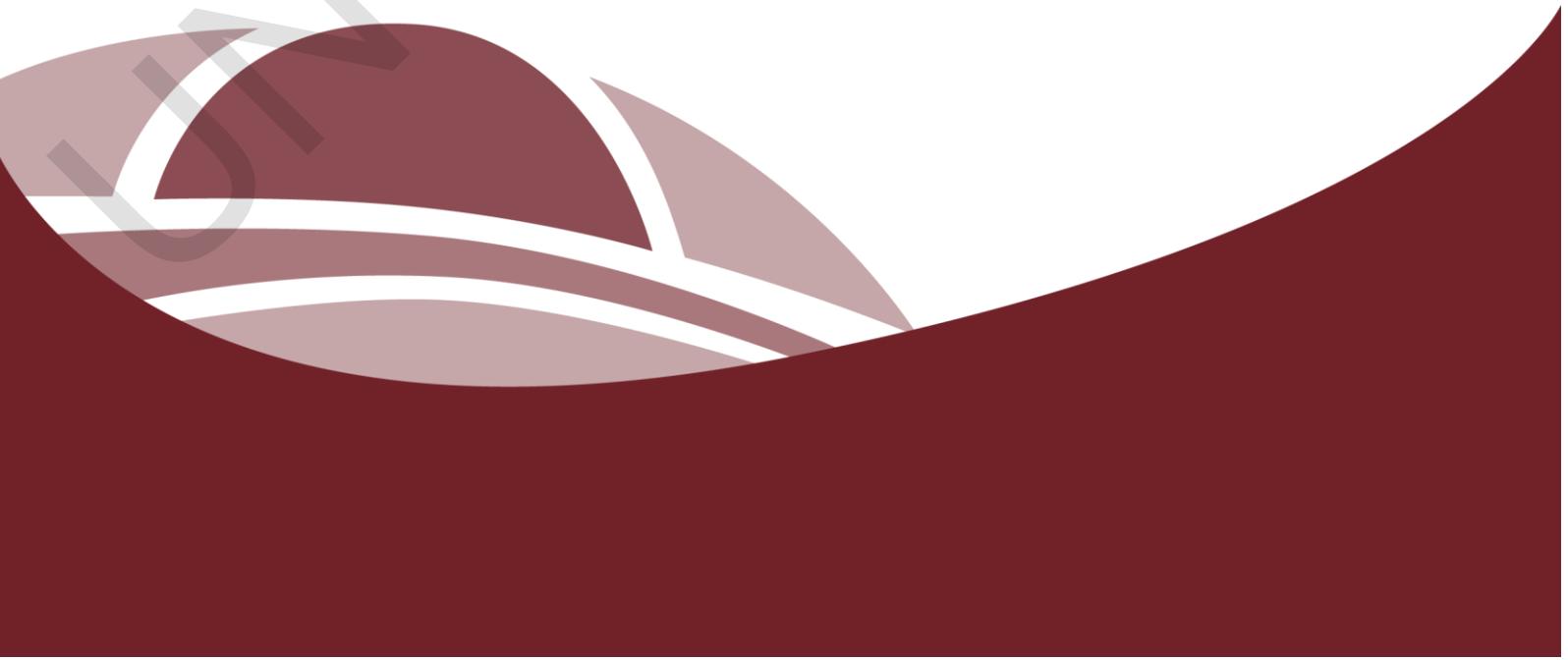




MINUTES

Ordinary Council Meeting
17 February 2026





NOTICE OF MEETING

Dear Elected Members and Members of the Public,

In accordance with the provisions of Section 5.5 of the Local Government Act, you are hereby notified that the February Ordinary Council Meeting has been convened for:

Date: Tuesday 17 February
At: Shire of Narembeen Council Chambers
1 Longhurst Street, Narembeen
Commencing: 5.00pm

Rebecca McCall
Chief Executive Officer

12 February 2026

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Narembeen for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Narembeen disclaims any liability for any loss whatsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's and or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Narembeen during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Narembeen. The Shire of Narembeen warns that anyone who has an application lodged with the Shire of Narembeen must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Narembeen in respect of the application.

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UNCONFIRMED

1. Official Opening and Welcome

The Presiding Person welcomed everyone and declared the meeting open at 5.04pm. Attendees were notified that the meeting was being recorded in accordance with the Local Government (Administration) Regulation r14J.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr HA Cusack	President
Cr HJ Bald	Deputy President
Cr CD Bray	
Cr MJ Currie	
Cr AM Hardham	
Cr LR Smoker	
Cr SW Stirrat	

Staff:

Ms R McCall	Chief Executive Officer
Mr B Forbes	Executive Manager Corporate Services
Mr K Markham	Executive Manager Infrastructure Services
Ms K Conopo	Executive Governance Officer

Member of Public:

Apologies:

3. Public Question Time

Nil

4. Disclosure of Interest

Nil

5. Application for Leave of Absence

Nil

6. Deputations/ Petitions/ Presentations/ Submissions

Nil

7. Delegates' Reports

7.1 Cr Cusack

Date	Meeting/Event
19 December 2025	Citizenship Forum
19 December 2025	Workers Christmas Party
26 January 2026	Australia Day
27 January 2026	CEACA Executive Meeting
30 January 2026	Housing Committee Meeting

02 February 2026	ROE Joint Meeting
05 February 2026	CEO Catchup
10 February 2026	Electors Meeting
13 February 2026	Aged Care Committee
13 February 2026	GECZ Meeting
16 February 2026	ROC Joint Forum
16 February 2026	CEACA Meeting

7.2 Cr Bald

Date	Meeting/Event
16 December 2025	Christmas & Retired Councillor Dinner
18 December 2025	Town Street Party
19 December 2025	Vanessa King Citizenship
19 December 2025	Shire Office & Works Crew Christmas party
26 January 2026	Australia Day Awards Ceremony
30 January 2026	Housing Working Group Meeting
3 February 2026	ANZAC Day Service Meeting
5 February 2026	CEO & Councillor Catchup
9 February 2026	ROE Tourism Meeting
11 February 2026	Plant & Works Committee Meeting
11 February 2026	Annual Electors Meeting
13 February 2026	Aged Care Working Group Meeting
16 February 2026	Joint ROC Event

7.3 Cr Bray

Date	Meeting/Event
26 January 2026	Australia Day
11 February 2026	Plant & Works Committee Meeting
11 February 2026	Annual Electors Meeting

7.4 Cr Currie

Date	Meeting/Event
26 January 2026	Australia Day
11 February 2026	Plant & Works Committee Meeting
11 February 2026	Annual Electors Meeting

7.5 Cr Hardham

Date	Meeting/Event
30 January 2026	Housing Working Group Meeting
5 February 2026	CEO & Councillor Catchup

7.6 Cr Smoker

Nil

Date	Meeting/Event
26 January 2026	Australia Day
11 February 2026	Annual Electors Meeting

7.7 Cr Stirrat

Date	Meeting/Event

26 January 2026	Australia Day
11 February 2026	Plant & Works Committee Meeting
11 February 2026	Annual Electors Meeting

8. Confirmation of Previous Meetings

8.1 Ordinary Council Meeting 16 December 2025 Attachment 8.1A

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Council Resolution – 8.1

That the minutes of the Shire of Narembreen Ordinary Council Meeting held on Tuesday 16 December 2025, as presented, be confirmed as a true and correct record of proceedings.

MIN 8120/26

MOTION - Moved Cr. Stirrat

Seconded Cr. Smoker

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

9. Minutes of Committee Meetings to be Received

Items 9.1 – 9.3 were moved en bloc

9.1 Great Eastern Country Zone Meeting 13 November 2025 Attachment 9.1A

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Council Resolution – 9.1

That the minutes of the GECZ Meeting held on Thursday 13 November 2025, as presented, be received.

9.2 Local Emergency Management Committee Meeting 11 December 2025 Attachment 9.2A

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Council Resolution – 9.2

That the minutes of the LEMC Meeting held on Thursday 11 December 2025, as presented, be received.

9.3 Plant and Works Advisory Committee Meeting 10 February 2026 Attachment 9.3A

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Council Resolution – 9.3

That the minutes of the Plant and Works Advisory Committee Meeting held on Tuesday 10 February 2026, as presented, be received.

MIN 8121/26

MOTION - Moved Cr. Bald

Seconded Cr. Bray

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

10. Recommendations from Committee Meetings for Council Consideration

Nil

11. Announcements by Presiding Member without Discussion

Nil

UNCONFIRMED

12. Matters for which the Meeting may be Closed

12.1 Close the meeting to the Public.

Statutory Implications

Local Government Act 1995 - Section 5.23

4) Despite subsection (1), if any of the following information is to be dealt with at a meeting, the council or committee may close the meeting to members of the public to the extent necessary to ensure that the information is dealt with at the meeting on a confidential basis —

(c) information contained in a tender received by the local government for a contract to the extent that the information —

- (i) is a tendered price; or
- (ii) a tendered methodology for calculating a price;

Voting Requirements

Simple Majority

Absolute Majority

Officers Recommendation / Council Resolution – Item 12.1

That Council close the meeting to public, under Section 5.23(4)(c)(i) of the *Local Government Act 1995*, so that it can receive pricing information contained in a tender submission.

MIN 8122/26

MOTION - Moved Cr. Stirrat

Seconded Cr. Hardham

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

The meeting was closed to the public at 5.08pm

The public recording was ceased and the confidential recording was commenced.

12.2 Pricing information – RFT 2025-08 Housing – Design and Construction of One (1) 3x2 Dwelling No. 49 Cheetham Way

Date:	10 February 2026
Location:	49 Cheetham Way, Narembeen WA 6369
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Garrick Yandle, Haddeo Infrastructure Agriculture
File Reference	CORPORATE MANAGEMENT\TENDERING\2025\RFT 2025-08 - Design and Construction of Dwelling - Lot 2 - 61 Cheetham Way (READVERTISED)
Previous Meeting Reference	8116/25 Ordinary Council Meeting, 16 December 2025
Disclosure of Interest:	
Attachments:	12.2A Detailed breakdown pricing

Purpose of Report

- Executive Decision
 Legislative Requirement

Summary

For Council to receive the pricing information contained in the submissions to RFT 2025/08, Housing - Design and Construction of One (1) 3x2 Dwelling No. 49 Cheetham Way.

Officers Recommendation / Council Resolution – Item 12.2

That Council receive the pricing information from the responses for tender RFT 2025/08 Housing - Design and Construction of One (1) 3x2 Dwelling No. 49 Cheetham Way.

MIN 8123/26 **MOTION** - Moved Cr. Hardham Seconded Cr. Smoker

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

12.3 Re-Open the meeting to the Public.

Statutory Implications

Local Government Act 1995 - Section 5.23

- (8) If a decision is made to close a meeting to members of the public under subsection (2), (3) or (4), the following must be recorded in the minutes of the meeting —
- (a) the decision;
 - (b) the subsection under which the decision is made and, if that subsection is subsection (2) or (4), the paragraph of that subsection under which the decision is made;
 - (c) if the provision recorded under paragraph (b) is subsection (2)(c) or (4)(g) — the applicable regulation (including any applicable subregulation or paragraph);
 - (d) if the provision recorded under paragraph (b) is subsection (2)(d) or (4)(h) — a statement that a direction was given under section 5.23AA(1) or (2) (as the case requires);
 - (e) an explanation of how the matter or information to which the decision relates falls within the scope of the provision recorded under paragraph (b);
 - (f) a summary of the steps taken to ensure that the closure to members of the public is for no longer than required or authorised under the provision recorded under paragraph (b);
 - (g) any prescribed information.

Voting Requirements

- Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 12.3

That Council re-open the meeting to public.

MIN 8124/26 **MOTION** - Moved Cr. Currie Seconded Cr. Bray

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

The meeting was reopened to the public at 5.11pm.

The confidential recording ceased and the public recording was recommenced.

The Presiding Person read the Council Resolution aloud.

The Presiding Person provided a summary of the steps taken to minimise the length of time that the meeting was closed to the public, that being: the pricing information from the tender submissions was extracted and provided to Council as a Confidential Attachment, to be received separately. Deliberation on the awarding of the tender is at Item 13.7.

13. Officers Reports - Office of the Chief Executive Officer

13.1 Corporate Business Plan – Quarterly Monitoring Report – December 2025

Date:	6 January 2026
Location:	Not Applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	CP/Planning/Corporate Business Plan/Progress Reports
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	13.1A IPR Quarterly Progress Report – December 2025

Purpose of Report

- Executive Decision Legislative Requirement

Summary

For Council to review and endorse the Corporate Business Plan (CBP) quarterly progress report for December 2025.

Background

The council, community, and administration each has a unique role and responsibilities for the development of effective and sustainable integrated plans for the local area and reporting on the progress of those plans. A successful integrated planning and reporting process will deliver a:

- Strategic Community Plan (SCP) that clearly links the community's aspirations with the council's vision and long-term strategy;
- Corporate Business Plan that integrates resourcing plans and specific council plans with the strategic community plan; and
- Clearly stated vision for the future viability of the local area.

The Integrated Planning and Reporting Framework:

- recognises that planning for a local government is holistic in nature and driven by the community;
- builds organisational and resource capability to meet community need;
- optimises success by understanding the integration and interdependencies between the components; and
- emphasises performance monitoring so that local governments can adapt and respond to changes in community needs and the business environment.

A strategic review is undertaken every two years, alternating between a minor review and a major review. The Shire of Narembeen's second major strategic review was carried out in 2022/2023 resulting in the adoption of the:

- Strategic Community Plan 2022-2032
- Corporate Business Plan 2022-2023 / 2025-2026

Comment

The CBP undergoes an annual review alongside the annual budget deliberations, with quarterly reports on operational progress. This process ensures that the Shire of Narembeen is actively working towards achieving and implementing its identified goals.

It is crucial for the Shire to assess and track the success of these initiatives to fulfill the aspirations and strategies outlined in the SCP. To this end, the organisation implements reporting mechanisms to ensure alignment of its operations and its commitments and priorities.

Progress reports are conducted quarterly using a traffic light system. These quarterly reports are formally presented to Council's Audit Risk and Improvement Committee - annual results will be communicated to the community through the end-of-year financial annual report as required by legislation.

The CBP – Quarterly Progress Review for December 2025 is presented to Council for its review.

Consultation

Nil

Statutory Implications

Local Government Act 1995 - Section 5.56

(1) A local government is to plan for the future of the district...

Local Government (Administration) Regulations 1996 – Section 19DA

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
- (7) A corporate business plan is to be, and is to remain, consistent with any relevant strategic community plan.

*by absolute majority.

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.1 Forward planning and implementation of plans to achieve strategic priorities

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Framework
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

There are no financial implications to Council in relation to this item. Identified outcomes from the CBP are factored into the Council's Long Term Financial Plan.

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 13.1

That Council receives the Corporate Business Plan Quarterly Monitoring Report – December 2025 as presented in Attachment 13.1A.

MIN 8125/26

MOTION - Moved Cr. Bray

Seconded Cr. Bald

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

13.2 Revocation of Council Resolution

Date:	7 January 2026
Location:	Not Applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	LE/LOCAL LAWS
Previous Meeting Reference	MIN 8074/24 and MIN 8106/25
Disclosure of Interest:	Nil
Attachments:	13.2A Council Support for revocation of decision 13.2B Statement of Legal and Financial Consequences

Purpose of Report

- Executive Decision Legislative Requirement

Summary

Council is requested to revoke two earlier decisions relating to the Shire of Narembeen Bush Fire Brigades Local Law, being the resolutions made in October 2025 and December 2025. This action is required to enable Council to reconsider the matter in full and make a new consolidated decision following further procedural review.

Background

At its Ordinary Council Meeting on 21 October 2025, Council resolved to adopt and make the Shire of Narembeen Bush Fire Brigades Local Law (MIN 8074/25).

At its Ordinary Council Meeting on 16 December 2025, Council further resolved to adopt a revised version of the local law incorporating late feedback from the Department of Local Government, Industry Regulation and Safety (MIN 8106/25).

Subsequent governance review has identified that, to ensure full procedural clarity and compliance, Council should revoke both earlier decisions and replace them with a single, updated resolution.

Comment

In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996, a decision of Council may only be revoked or changed where the prescribed procedural requirements have been met.

As the resolutions made in October 2025 and December 2025 have progressed to implementation, Council is required to:

- Confirm that the motion to revoke the decisions is supported by the requisite number of Councillors; and
- Consider a written statement outlining the legal and financial consequences of carrying the motion.

To satisfy the notice and support requirements of Regulation 10(1) and 10(2), a Flying Minute was issued to Councillors, seeking written confirmation of support for the proposed revocation. The Flying Minute process has completed with the required level of Councillor support being received. This confirmation forms part of the governance record for this item.

Consistent with clause 16.2(2) of the Shire of Narembeen Standing Orders Local Law 2020, this report is accompanied by a written statement of the legal and financial consequences of revoking the earlier decisions, enabling Council to lawfully consider the motion notwithstanding that implementation steps have occurred.

The purpose of revoking the earlier resolutions is to allow Council to reconsider the matter in full and make a single, consolidated decision on the proposed Bush Fire Brigades Local Law, ensuring procedural clarity, governance certainty, and legislative compliance.

Any resolution to revoke the October and December 2025 decisions must be carried by an absolute majority, as required by Regulation 10(3).

Consultation

Lyn Fogg, Senior Governance Specialist WALGA

Statutory Implications

This report is governed by the requirements of Regulation 10 of the Local Government (Administration) Regulations 1996 and Part 16 of the Shire of Narembeen Standing Orders Local Law 2020, which prescribe the process for revoking or changing a Council decision.

Local Government (Administration) Regulations 1996 – Regulation 10

Regulation 10(1)(b):

Where no previous attempt to revoke or change a decision has failed within the preceding three months, a motion to revoke or change a decision must be supported by at least one-third of the number of Councillors, inclusive of the mover.

Regulation 10(2):

Notice of a motion to revoke or change a decision must be signed by at least one-third of the number of Councillors, inclusive of the mover.

Regulation 10(3):

Any decision to revoke or change a decision previously made by Council must be carried by an absolute majority.

Regulation 10(4):

Regulation 10 applies only where the effect of the change would result in the decision being revoked or becoming substantially different.

In this instance, the proposed revocation of the October and December 2025 resolutions would result in those decisions being revoked in full, and therefore Regulation 10 applies.

Shire of Narembeen Standing Orders Local Law 2020 – Part 16

Clause 16.1 confirms that the requirements for revoking or changing a decision are those set out in Regulation 10 of the Local Government (Administration) Regulations 1996.

Clause 16.2(1) provides that Council is not to consider a motion to revoke or change a decision where action has already been taken to implement that decision.

Clause 16.2(2) allows Council to consider such a motion where the motion is accompanied by a written statement of the legal and financial consequences of carrying the motion.

As administrative and preparatory actions have been undertaken following the earlier resolutions, Council is required to formally accept and consider a written statement of the legal and financial consequences prior to revoking the decisions.

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
 Objective: Well governed and efficiently managed Local Government
 Strategy: 4.1 Forward planning and implementation of plans to achieve strategic priorities

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Moderate (3)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (3)
Key Controls in Place	Governance Framework; Regulation 10
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Revocation of the previous decisions does not of itself create additional financial liability. Any costs associated with future gazettal or re-adoption will be addressed in the subsequent report.

Voting Requirements

- Simple Majority Absolute Majority

That Council:

1. Notes that a Flying Minute has been issued in accordance with Regulation 10 of the *Local Government (Administration) Regulations 1996*, and that the required level of Councillor support to revoke the following resolutions has been confirmed:
 - Ordinary Council Meeting – 21 October 2025, Item 12.4 (MIN 8074/25); and
 - Ordinary Council Meeting – 16 December 2025, Item 12.1 (MIN 8106/25);
2. Accepts the written statement of legal and financial consequences of revoking the above decisions, in accordance with Regulation 10 and clause 16.2(2) of the *Shire of Narembeen Standing Orders Local Law 2020*; and
3. Resolves to revoke resolutions: (MIN 8074/25) endorsed on 21 October 2025 and (MIN 8106/25) endorsed on 16 December 2025.
 - 21 October 2025 (MIN 8074/25)

That Council:

1. *In accordance with section 3.12(4) of the Local Government Act 1995, adopts the Shire of Narembeen Bush Fire Brigades Local Law, subject to minor amendments shown 'marked' on the copy attached to the agenda of the meeting, deletion of text boxes, page numbers in the index and notes in the version to be officially Gazetted.*
2. *In accordance with s3.12(5) of the Local Government Act 1995 the local law be published in the Government Gazette and a copy sent to the Ministers for Local Government and Emergency Services.*
3. *In accordance with s3.12(6) of the Local Government Act 1995, after Gazettal local public notice be given:*
 - a) *Stating the title of the local law;*
 - b) *Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and*
 - c) *Advising that copies of the local law may be inspected or obtained from the Shire office.*
4. *Authorise the affixing of the Common Seal of the Shire to the original copy of the Shire Bush Fire Brigade Local Law 2025; and*
5. *In accordance with section 3.12 of the Local Government Act 1995, authorise the CEO to submit a copy of the gazetted local law, together with a duly completed Explanatory Memorandum signed by the Shire President and Chief Executive Officer, be forwarded to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation for review within 10 working days of gazettal.*

and

- 16 December 2025 (MIN 8106/25).

That Council:

1. *Resolves to receive the late response and feedback on the Shire of Narembeen Bush Fire Brigades Local Law 2025 provided by the Department of Local Government, Industry Regulation and Safety.*
2. *In accordance with section 3.12(4) of the Local Government Act 1995, adopts the Shire of Narembeen Bush Fire Brigades Local Law, subject to minor amendments shown 'marked' on the copy attached to the agenda*

- of the meeting, deletion of text boxes, page numbers in the index and notes in the version to be officially Gazetted.*
3. *In accordance with s3.12(5) of the Local Government Act 1995, authorise the local law to be published in the Government Gazette and a copy sent to the Ministers for Local Government and Emergency Services.*
 4. *In accordance with s3.12(6) of the Local Government Act 1995, after formal Gazettal, give local public notice:*
 - a) *Stating the title of the local law*
 - b) *Summarising the purpose and effect of the local law and specifying the day on which it comes into operation, and*
 - c) *Advising that copies of the local law may be inspected or obtained from the Shire office.*
 5. *Authorise the affixing of the Common Seal of the Shire to the original copy of the Shire Bush Fire Brigade Local Law 2025; and*
 6. *In accordance with section 3.12 of the Local Government Act 1995, authorise the CEO to submit a copy of the Gazetted local law, together with a duly completed Explanatory Memorandum signed by the Shire President and Chief Executive Officer, to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation for review within 10 working days of Gazettal*

MIN 8126/26

MOTION - Moved Cr. Stirrat

Seconded Cr. Hardham

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

13.3 Proposed Shire of Narembeen Bush Fire Brigades Local Law

Date:	10 February 2026
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Darren Mollenoyux, 150 Square
File Reference	Law and Enforcement\Local Laws
Previous Meeting Reference	
Disclosure of Interest:	Nil
Attachments:	13.3A Original proposed Shire of Narembeen Bush Fire Brigades Local Law (advertised August 2025) 13.3B Shire of Narembeen Bush Fire Brigades Local Law 2026 (clean version) to be adopted.

Purpose of Report

- Executive Decision Legislative Requirement

Summary

Council is requested to adopt the Shire of Narembeen Bush Fire Brigades Local Law 2025. The draft local law, required under section 43 of the Bush Fires Act 1954, was advertised for public comment and reviewed by the Department of Local Government, Sport and Cultural Industries (now the Department of Local Government, Industry Regulation and Safety – referred to as LGIRS going forward) and the Department of Fire and Emergency Services (DFES).

Subject to minor amendments, the local law may now be made in accordance with section 3.12(5) of the Local Government Act 1995 and will take effect 14 days after publication in the Government Gazette.

Background

The Shire of Narembeen has established volunteer bush fire brigades but currently does not have a corresponding local law in place.

Section 43 of the *Bush Fires Act 1954* (the Act) provides that a local government which establishes a bush fire brigade shall, by its local laws:

“provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade and prescribe their respective duties.”

The Act also contains several other provisions enabling local governments to make local laws relating to bush fire brigades. These provisions were outlined in the report presented to Council at its meeting held on 19 August 2025.

At that meeting, Council resolved to adopt a draft Shire of Narembeen Bush Fire Brigades Local Law, which was based on a model developed by WALGA.

In accordance with statutory requirements, copies of the draft local law were provided to the Director General of LGIRS and the Commissioner of DFES. The draft local law was also advertised for public comment.

Following the public comment period and responses from the Director General of LGIRS and the Commissioner of DFES, the Local Laws were updated to incorporate minor edits and feedback.

Comment

Subject to several minor amendments from LGIRS and DFES, shown as *marked* on the attached copy, the Shire of Narembeen Bush Fire Brigades Local Law 2026 may now be made under section 3.12(5) of the *Local Government Act 1995* (the Act).

In accordance with the Act, if the local law to be adopted is significantly different from the version originally proposed, the process must recommence. However, it is the opinion of the reporting officer that the changes made are **not** significantly different from what was previously advertised and do not alter the overall intent or effect of the law.

Once adopted, the local law will be published in the Government Gazette in accordance with section 3.12(5) of the Act. In accordance with section 3.12 of the Local Government Act 1995 and the National Competition Policy (NCP) Review requirements, a copy of the local law, together with a duly completed Explanatory Memorandum signed by the Shire President and Chief Executive Officer, is to be forwarded to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation for review within 10 working days of gazettal.

It is a requirement per Section 3.12(2) of the *Local Government Act 1995* that: *"At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner."*

It is therefore recommended that the Presiding Person read out the following:

Bush Fire Brigades Local Law

1. Pursuant to section 3.12 of the Local Government Act 1995 and Section 62 of the Bush Fires Act 1954, the Shire of Narembeen resolves its intent to adopt the Shire of Narembeen Bush Fire Brigades Local Law 2025:
 - a) The **purpose** of this local law is to provide for the establishment, organisation and maintenance, administration, and funding of bush fire brigades in the Shire of Narembeen.
 - b) The **effect** of the local law is to ensure the bush fire brigades are established and managed in accordance with the Bush Fires Act 1954.
 - c) The **justification** of which is that it will provide rules to a bush fire brigade governing the operation of a bush fire brigade pursuant to the Bush Fires Act 1954 and the provisions of its subsidiary legislation.

Consultation

Executive Manager Corporate Services
Darren Mollenoyux, 150Square
WALGA Governance Team

Legislative Requirements for Consultation

Section 62 of the Bush Fires Act 1954 provides that a local government may make local laws using the process set out in section 3.12 of the *Local Government Act 1995*. Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarised in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the proposed Shire of Narembeen Bush Fire Brigades Local Law is:

Purpose

The purpose of this local law is to provide for the establishment, organisation and maintenance, administration, and funding of bush fire brigades in the Shire of Narembeen.

Effect

The effect of the local law is to ensure the bush fire brigades are established and managed in accordance with the *Bush Fires Act 1954*.

The draft local law was therefore advertised in the West Australian, placed on public notice board, via the Shire website and copies sent to the Director General for the Department of Local Government and the DFES Commissioner. The comment period closed on 10 October 2025.

DFES Commissioner Darren Klemm AFSM provided a formal response on 9 September 2025:

Comment	Response
<i>While unable to provide legal advice, I make the following further general comments for the Shire's consideration, and recommend that the Shire obtain its own independent legal advice as it determines necessary.</i>	Noted, standard response.
<i>Clause 1.3 makes reference to "district"; the Shire may wish to include this term within the 'Definitions' section (cl 1.2).</i>	The term "district" has been included in the definitions to provide consistency.
<i>Check the consistency of formatting and terminology throughout the document - for example, the term "Chief Bush Fire Control Officer" is used throughout, except in clause 4.6 ('Notification of Membership') where the term "Chief Fire Control Officer" is used.</i>	This has been amended to provide consistency and reviewed other references to " <i>Chief Bush Fire Control Officer</i> " for consistency.
<i>Section 43 of the Bush Fires Act 1954 (WA) provides: "A local government that establishes a bush fire brigade shall, by its local laws, provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary ... and prescribe their respective duties." (emphasis added). DFES notes that while the duties of the Captain are provided for in clause 3.2 of the Rules, these relate only to brigade meetings and there are no further duties of the Captain or other officers provided for otherwise.</i>	<p>Noted, the local law is a model developed by WALGA. The WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) which reviews local laws on behalf of Parliament has advised that it will not consider any BFB local laws other than WALGA models as satisfactory.</p> <p>Comment - Upon review of six other recently gazetted local laws made under the Bush Fires Act 1954, it is noted that these local laws similarly do not specify the detailed duties of brigade officers and are consistent in their wording with sections 3.1 and 3.2 of the Shire's proposed local law.</p> <p>The duties of brigade officers may vary over time and are guided by the provisions of the Bush Fires Act 1954 and associated regulations. It is therefore considered more appropriate for such operational responsibilities to be defined and updated as required within the Shire's Bush Fire Management Framework or associated policy documents, rather than being prescribed in the local law itself.</p>

<p><i>Attach the form for the application for membership referred to in clause 2.4 of the Rules.</i></p>	<p>The option to include the membership form at the appendix or other LGs gazetted Local Laws are worded as already stated in 2.4 or an alternative</p> <p><i>“An application for membership is to be in writing and is to be accompanied with a completed Emergency Services Volunteer Membership Application Form and submitted to the Shire.”</i></p>
<p><i>Clause 2.10 of the Rules provides for procedural fairness whereby members are afforded the opportunity to meet with the Committee to answer any charges prior to being dismissed from the brigade. The Shire may wish to consider extending this opportunity to members who are facing suspension under clause 2.8.</i></p>	<p>Upon review of six recently gazetted local laws from other local governments, it is noted that the wording of clause 2.10 is consistent across those local laws. Accordingly, the Shire has retained the same wording in its proposed local law to ensure consistency with current local government practice and the model local law format.</p>

Director General, Lannie Chopping from LGIRS made the following comments on the 26th August 2025:

Comment	Response
<p>Response provided</p> <p><i>Thank you for your letter dated 26 August 2025 regarding the Shire of Narembeen’s (Shire’s) proposed Bush Fire Brigades Amendment Local Law 2025.</i></p> <p><i>Copies of the draft local law have been provided to the Department of Local Government, Industry Regulations and Safety (LGIRS) local government legislation team. If there are any concerns in relation to the local law, LGIRS will provide these comments to the Shire prior to the closure of the public submission period on 10 October 2025.</i></p> <p><i>If you have any further questions regarding this process, please contact Ms Jadranka Strbac, Legislation Officer via the contact details above.</i></p>	<p>The Department of Local Government, Industry Regulation and Safety provided no further comments or submissions by the close of submissions on 10 October 2025.</p>

The Legislation Team at LGIRS provided the following late response on the 25th November 2025:

Comment from Department	Response
<p>These comments are minor and do not have any direct legal effect in themselves.</p> <p>The following minor edits are suggested:</p>	
<p>Clause 1.2</p> <ul style="list-style-type: none"> ○ Defined terms should be bold and italics without quote marks. ○ <i>bushfire control officer</i> should be defined, either specifically or by reference to legislation as appropriate. ○ <i>Chief Bush Fire Control Officer</i> should be defined by reference to the <i>Bushfires Act 1954</i> 	<p><i>Noted and amended</i></p> <p><i>Noted, however not included in WALGA Pro Forma or other recent Gazetted Shire Local Laws</i></p>

<ul style="list-style-type: none"> ○ Insert a definition for Bush Fire Advisory Committee. ○ Insert a definition for District – provide definition of District. Suggested wording : “<i>District</i> means the district of the Shire of Narembeen;” 	<p><i>Noted, however not included in WALGA Pro Forma or other recent Gazetted Shire Local Laws</i></p> <p><i>Noted, however not included in WALGA Pro Forma or other recent Gazetted Shire Local Laws</i></p> <p><i>Noted and amended, as per previous feedback from DFES</i></p>
<p>Spacing: Make sure spacing between paragraphs and headings of the paragraphs is consistent throughout the document.</p>	<p><i>Noted – will be reviewed again prior to document being provided for Gazetted</i></p>
<p>Clause 2.3(1) - This clause contains multiple statements. It is suggested that statements be moved into its own subclauses for clarity.</p>	<p><i>No real requirement to change. However, have amended in line with feedback for ease of reading.</i></p>
<p>Clause 4.2 – after paragraph separate statements in 2 subclauses. Subclause (1) to list members and subclause (2) to deal with eligibility. When referring to regulation 159C – make sure it states “regulation 159C of the Fire Brigades Regulation 1943...”</p>	<p><i>Noted and amendment made to include the regulation reference.</i></p>
<p>In Clause 4.4 (d) – It is suggested to replace wording : “as defined by paragraphs (c), (d), (e), (f) and (g) of section 35A of the Act” with: “as defined in s 35A (c), (d), (e), (f) and (g) of the Act.”</p> <p>Suggested wording: “ (d) to be supervised by a firefighting member when undertaking normal brigade activities as defined in section 35A (c), (d), (e), (f) and (g) of the Act.”</p>	<p><i>Noted and moved “35A” to align with suggested rewording.</i></p>
<p>Clause 6.3 – suggested to maybe separate to 2 subclauses for clarity. It may be simpler to redraft as follows:</p> <p>(1) To be considered in the subsequent local government budget, any request from a bush fire brigade for funding related to protective clothing, equipment, or appliances must be received by the local government no later than 31 May.</p> <p>(2) Each request must be accompanied by:</p> <ul style="list-style-type: none"> (a) the brigade’s most recent audited financial statement, and (b) current statement of assets and liabilities. 	<p><i>No real requirement to change and is in line with WALGA Prof Forma – have left as original.</i></p>

<p>In the First Schedule:</p> <ul style="list-style-type: none"> • Clause 2.4 - add space under the main heading • In Interpretation clause 1.1 (2) - definition of the “Committee” – maybe include reference to Part 4 (Clause 4.1 and 4.2 - if that is intended Committee) Suggested wording: “Committee – means Committee of the bush fire brigade appointed under Part 4 • Clause 8.2(1) and (6) – suggested to rewrite for clarity. Instead of having long sentence break it up to a few shorter sentences. 	<p><i>Noted and amended</i></p> <p><i>Noted and amended</i></p> <p><i>No real requirement to change and is in line with the WALGA Pro Foma – have left as original.</i></p>
<p>The Shire should also ensure that all references and cross references are checked for accuracy, particularly if any further changes are made to the draft.</p>	<p><i>This was previously undertaken from feedback from DFES and reviewing by staff and consultant.</i></p>
<p>Please note that my comments:</p> <ul style="list-style-type: none"> • have been provided to assist the Shire with drafting matters in relation to the local law; • do not constitute legal advice; • have been provided in good faith for the Shire’s consideration; and • should not be taken as an approval of content. <p>The Shire should ensure that a detailed editorial analysis of the proposed local law has been undertaken and that the content of the local law is in accordance with the Shire’s policies and objectives.</p>	<p><i>Noted</i></p>

Statutory Implications

Section 3.12 Procedure for making local laws of the Local Government Act 1995.
Section 62. Local government may make local laws of the Bush Fires Act 1954.

Policy Implications

- Shire of Narembeen Bush Fire Advisory Committee – Terms of Reference September 2024
- Shire of Narembeen DRAFT Bushfire Framework 2025
- Shire of Narembeen Management of Bushfire Brigades Policy

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications	
Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Framework, Legislative Compliance Chek
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Gazettal of the proposed local law will incur drafting and advertising expenses, which are accommodated within the 2026 budget.

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 13.3

That Council:

1. Resolves to receive the response and feedback on the *Shire of Narembreen Bush Fire Brigades Local Law 2026* provided by the Department of Fire and Emergency Services and the responses (including late responses) provided by the Department of Local Government, Industry Regulation and Safety.
2. In accordance with section 3.12(4) of the *Local Government Act 1995*, adopts the *Shire of Narembreen Bush Fire Brigades Local Law 2026*, subject to minor amendments on the copy attached to the agenda of the meeting including deletion of text boxes, page numbers in the index and notes in the version to be officially Gazetted.
3. In accordance with s3.12(5) of the *Local Government Act 1995*, authorise the local law to be published in the Government Gazette and a copy sent to the Ministers for Local Government and Emergency Services.
4. Authorise the affixing of the Common Seal of the Shire to the original copy of the *Shire of Narembreen Bush Fire Brigade Local Law 2026*; and
5. In accordance with section 3.12 of the *Local Government Act 1995*, authorise the CEO to submit a copy of the Gazetted local law, together with a duly completed Explanatory Memorandum signed by the Shire President and Chief Executive Officer, to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation for review within 10 working days of Gazettal.

MIN 8127/26

MOTION - Moved Cr. Currie

Seconded Cr. Hardham

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

13.4 Reviewed Housing Strategy 2024-2034

Date:	9 February 2026
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	CORPORATE MANAGEMENT/PLANNING/Housing Strategy
Previous Meeting Reference	MIN 7812/24
Disclosure of Interest:	Nil
Attachments:	13.4A Housing Strategy – Final Review – January 2026

Purpose of Report

- Executive Decision Legislative Requirement

Summary

For Council to consider and endorse the reviewed Shire of Narembeen Housing Strategy 2024-2034.

Background

The Shire of Narembeen Housing Strategy 2024–2034 was adopted by Council in June 2024. In accordance with the Strategy’s monitoring and evaluation framework, a review has been undertaken to ensure the document remains current, effective and aligned with emerging housing pressures, project progress and funding opportunities.

The review was informed by internal progress reporting and discussion through the Housing Working Group, which has an ongoing role in monitoring implementation, identifying emerging issues and recommending refinements to Council.

The reviewed Housing Strategy (finalised January 2026) retains the original strategic direction and priorities while updating implementation status, project timing and contextual information. The Strategy continues to focus on addressing staff housing, workforce accommodation, aged housing, community housing advocacy and residential land development.

Comment

The reviewed Housing Strategy confirms that housing availability remains a critical constraint to workforce attraction, service delivery and long-term townsite sustainability. Immediate staff and workforce housing needs continue to be prioritised to support Shire operations and essential services.

The review process confirmed that the Strategy remains aligned with Council’s Strategic Community Plan and Corporate Business Plan, with no material changes required to its overarching objectives. Updates primarily reflect progress against actions, refinements to delivery timeframes and improved clarity around advocacy, partnerships and funding pathways.

Ongoing monitoring will continue through the Housing Working Group, with progress against actions reviewed regularly and reported to Council. This ensures the Strategy remains responsive to changing circumstances and emerging opportunities over its ten-year lifespan.

Consultation

Housing Working Group

Statutory Implications

Nil

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 5. Economy

Objective: Retain and grow existing businesses, employment and attract new industry

Strategy: 2.4 Retain and grow our local skill base

Asset Management Plan

Future maintenance and lifecycle costs associated with Shire-owned housing assets will continue to be considered through asset planning processes.

Long Term Financial Plan

Housing projects identified in the Strategy are reflected in the current Long-Term Financial Plan model.

Risk Implications

Risk Profiling Theme	Business continuity disruption
Risk Category	Service Interruption
Consequence Description	Indeterminate prolonged interruption of services - non-performance >1 month
Consequence Rating	Major (4)
Likelihood Rating	Likely (4)
Risk Matrix Rating	High (12)
Key Controls in Place	Asset Management Plan; Long Term Financial Plan
Action / Treatment	Adoption and execution of Housing Strategy
Risk Rating After Treatment	Adequate

Financial Implications

Endorsement of the reviewed Housing Strategy reaffirms Council's in-principle commitment to capital expenditure over the life of the Strategy. All future projects remain subject to Council approval through the annual budgeting and Long-Term Financial Planning processes.

Voting Requirements

Simple Majority

Absolute Majority

Officers Recommendation / Council Resolution – Item 13.4

That Council endorses the reviewed Shire of Narembeen the Housing Strategy 2024-2034, as attached.

MIN 8128/26

MOTION - Moved Cr. Smoker

Seconded Cr. Bray

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

13.5 Tender Review – RFT 2025-08 Housing – Design and Construction of One (1) 3x2 Dwelling No. 49 Cheetham Way

Date:	10 February 2026
Location:	49 Cheetham Way, Narembeen WA 6369
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Garrick Yandle, Haddeo Infrastructure Agriculture
File Reference	CORPORATE MANAGEMENT\TENDERING\2025\RFT 2025-08 - Design and Construction of Dwelling - Lot 2 - 61 Cheetham Way (READVERTISED)
Previous Meeting Reference	8116/25 Ordinary Council Meeting, 16 December 2025
Disclosure of Interest:	Nil
Attachments:	13.5A RFT 2025-07 Housing - Design and Construction of One (1) 3x2 Dwelling No. 49 Cheetham Way. 13.5B RFT 2025-08 Tender Submissions Evaluation

Purpose of Report

- Executive Decision Legislative Requirement

Summary

For Council to consider the award of tender RFT (request for tender) 2025/08 Housing - Design and Construction of One (1) 3x2 Dwelling No. 49 Cheetham Way.

Background

Originally advertised as RFT 2025/07 via an open public tender process rather than via the WALGA Preferred Supplier Panel via eQuotes, only a limited number of submissions were received for the project, which were beyond the recommended scope and pricing. It was therefore recommended that Council reject the previous tenders received and that the project be re-advertised to WALGA's preferred supplier panel.

On Friday 19th December 2025, 'RFT 2025/08 Housing - Design and Construction of One (1) 3x2 Dwelling No. 49 Cheetham Way', was issued via WALGA eQuotes with a closing date of Friday 6th February 2026 at 4pm.

The dwelling was requested to be prefabricated and located at 49 Cheetham Way (Lot 2 Brown Street as per WAPC Reference Number: 200861), Narembeen, with the lot being subdivided by the Shire concurrently. The dwelling is proposed to be located on one of the newly sub-divided lots on Lot 2 Brown Street, which will be approximately 462m²

As part of the response criteria, each prospective Tenderer was to submit a detailed concept design consisting of:

- Indicative plan view showing the floor layout
- Indicative side elevations
- A detailed cost for the project in accordance with the pricing schedule.
- Equipment list
- Indicative schedule of finishes.

Tenderers were not restricted to a specific layout or componentry, but the preferred layout is “open floor plan” for living and dining areas. The final design had to be a 3x2 house, as outlined in the above Specification Guidelines and include (but not be limited to) the following works:

Area	This Tender
Site Works	Preparatory siteworks and construction of compacted foundations relevant to site conditions for the dwelling and any retaining wall/s that may be required.
Carport	Double covered with Colourbond roof sheeting at a minimum height of 2.4m with cement flooring.
Electrical	Connection from Western Power supply dome to the dwelling electrical switchboard
Electrical Connections	Connection of internal wiring across the splits, connection of mains power, connection and commissioning of air-conditioning units onsite, connection & re-commissioning of sweep fans, earthing of home, and checking all connections & appliances.
Water	Connection from Water Corporation meter valve to water pipes at ground level on outside of the dwelling.
Plumbing	Connections including connection of pipes across the splits, connection of drainage to sewer junction or septic system, connection to water mains and flush & test pipes and appliances.
Sewer	Connection to mains sewer inclusive of works outside of the building line.

Comment

All Tenders were assessed against the Compliance and Selection Criteria.

A summary of the assessment against the Selection Criteria and Price is included in the following table:

Criteria	Weighting %	Evoke Living Homes	Summit Homes	Modular WA Option 1	Modular WA Option 2
Relevant Experience	20	19.0	18.0	19.0	19.0
Demonstrated Understanding	20	16.0	16.0	17.0	16.0
Timeframe	20	17.0	16.0	16.0	16.0
Price	40	34.0	25.0	30.0	35.0
Grand Total	100	86.0	75.0	82.0	86.0

A detailed breakdown against the assessment against the selection criteria has been attached.

The submissions provided were scored similarly close with regard to the specification criteria and budget. The officer’s recommendation was therefore determined based on the most suitable floor plan, overall design and price.

Consultation

Executive Manager Infrastructure Services
 Executive Manager Corporate Services
 Consultants

Local Government Act 1995

3.57 Tenders for providing goods and services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and services.
- (2) Regulations may make provision about tenders.

Local Government (Functions and General) 1996

11. When tenders have to be publicly invited

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if:
 - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or
 - (aa) the supply of the goods or services is associated with a state of emergency or a COVID-19 declaration; or
 - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or
 - (c) within the last 6 months –
 - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment, or

14. Publicly inviting tenders, requirements for

- (1) When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, Statewide public notice of the invitation is to be given.
- (2) If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving Statewide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.
 - (2A) If a local government —
 - a. is required to invite a tender; or
 - b. not being required to invite a tender, decides to invite a tender,the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.
- (3) The notice, whether under subregulation (1) or (2), is required to include —
 - a. a brief description of the goods or services required; and
 - b. particulars identifying a person from whom more detailed information as to tendering may be obtained
 - c. information as to where and how tenders may be submitted; and
 - d. the date and time after which tenders cannot be submitted.

18. Rejecting and accepting tenders

- (1) A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.
- (2) A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.
- (3) If, under regulation 23(4), the CEO has prepared a list of acceptable tenderers for the supply of goods or services, a tender submitted by a person who is not listed as an acceptable tenderer is to be rejected.
- (4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.
- (4a) To assist the local government in deciding which tender would be the most advantageous to it to accept, a tenderer may be requested to clarify the information provided in the tender.
- (5) The local government may decline to accept any tender

Policy Implications

Procurement Framework
Housing Strategy
Long-term financial plan

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Progress towards achievement of the Corporate Business Plan
Strategy: 4.1 Forward planning and implementation of plans to achieve strategic priorities

Asset Management Plan

Constructing another house will commit Council to further lifecycle costings for the maintenance of the asset throughout Council's ownership.
Construction of a new dwelling has been considered in accordance with Council's endorsed Asset Management Plan

Long Term Financial Plan

The additional dwelling will incur lifecycle costings for the following 10 years. These costs have not accurately been predicted, though have been roughly modelled in Council's current long-term financial plan.

Risk Implications

Risk Profiling Theme	Indequate Asset Sustainability Practices
Risk Category	Financial Impact
Consequence Description	\$50,001 - \$500,000
Consequence Rating	Major (4)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Moderate (8)

Key Controls in Place	Proper management of projects and Standardised contracts for delivery of goods and services
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

The 2026 budget has an allocation for the construction of one 3x2 dwelling which includes nominal provisions for:

- Preparatory earthworks
- Design and construction of dwelling
- Carport and alfresco
- Driveways and concrete paths
- Storage shed
- Service connection
- Fencing
- Landscaping

Separate costs associated with the Sub-division process are not included in this Budget. These include:

- Subdivision approval
- Survey
- Design and construction of Service Headworks (water, power, sewer).

Voting Requirements

- Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 13.5

That Council award tender for RFT2025/08 Housing - Design and Construction of One (1) 3x2 Dwelling No. 49 Cheetham Way to Modular WA (Option 2).

MIN 8129/26

MOTION - Moved Cr. Bray

Seconded Cr. Stirrat

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

14. Officers Reports - Corporate Services

14.1 Council Policy Review

Date:	10 February 2026
Location:	Nil
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Kathryn Conopo, Executive Governance Officer
File Reference	CORPORATE MANAGEMENT\POLICY\Policy Register
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	14.1A Policies for Review

Purpose of Report

- Executive Decision Legislative Requirement

Summary

For Council to consider and adopt the attached new and amended policies.

Background

Council maintains a suite of policies covering a range of matters, which are subject to regular review to ensure they remain current, effective, and aligned with legislative and operational requirements.

Comment

The following policies have been reviewed by management, with amendments proposed where required, and include the introduction of new policies. A summary of the nature of the changes for each policy is provided below.

Policy	Summary of Changes
Financial Contributions for Sporting and Recreation Infrastructure Projects	A new policy to establish a consistent and transparent framework for financial contributions toward sporting and recreational infrastructure
Consideration of New Sporting and Recreational Infrastructure Projects	A new policy providing guidance to Council on the transparent and equitable process for assessing new sporting and recreational infrastructure ideas.
Human Resource Management	Reviewed as part of a comprehensive review of the HR Suite of policies. This policy now incorporates governance, Councillor liaison with the CEO and other employees, determining 'Senior Employees', set parameters for Temporary and Acting CEO appointments and criteria for aspects of employee remuneration.

Gratuity Payments to Finishing Employees	Reviewed as part of a comprehensive review of the HR Suite of policies. The gratuity payment amounts and eligibility have been updated.
Legal representation	Minor editing and inclusion of prohibition of financial or in-kind assistance to Councillors fined or penalised under the <i>Local Government Act 1995</i> .

Consultation

Chief Executive Officer
 Executive Manager Corporate Services
 Executive Manager Infrastructure Services
 Councillors –December 2025 Discussion Forum

Statutory Implications

Local Government Act 1995

Section 2.7 Role of council

- (1) The council —
 - (a) governs the local government’s affairs; and
 - (b) is responsible for the performance of the local government’s functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government’s finances and resources; and
 - (b) determine the local government’s policies.

[Section 2.7 amended: No. 17 of 2009 s. 4.]

Section 5.41 Functions of CEO

The CEO’s functions are to —

- a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- b) ensure that advice and information is available to the council so that informed decisions can be made; and
- c) cause council decisions to be implemented; and
- d) manage the day-to-day operations of the local government; and
- e) liaise with the mayor or president on the local government’s affairs and the performance of the local government’s functions; and
- f) speak on behalf of the local government if the mayor or president agrees; and
- g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Policy Implications

Council has adopted Strategic Policy Framework which guides the format, content, nature and review date for each policy. The Strategic Policy Framework also differentiates between Council Policies, Executive Policies and Procedures/Manuals.

It is considered good corporate governance to review policies as they fall due and to consider if any new policies should be added in line with legislative changes.

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar, Financial Management Framework and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation – Item 14.1

That Council adopt the amended policies and the new policies, as attached.

Council Resolution – Item 14.1

That Council adopt the amended policies and the new policies, as attached, subject to minor typographical corrections.

MIN 8130/26

MOTION - Moved Cr. Smoker

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

UNCONFIRMED

14.2 Budget Review

Date:	9 February 2026
Location:	Not applicable
Responsible Officer:	Ben Forbes, Executive Manager Corporate Services
Author:	Ben Forbes, Executive Manager Corporate Services
File Reference	FINANCIAL MANAGEMENT\BUDGETS\Review\2025
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	14.2A Shire of Narembeen – Budget review for the period ended 31 January 2026

Purpose of Report

- Executive Decision Legislative Requirement

Summary

For Council to review, consider and adopt the attached budget review for the period ended 31 January 2026.

Background

Local governments are required to conduct a review of their budget against the year-to-date actual accounts. This review is typically done as of the end of a chosen month and must be presented to and endorsed by Council between 1 January and 31 March each year. The budget review is to consider where the estimates included in the annual budget were either overstated or understated and include further estimates for developments and events since the adoption of the annual budget that either have, or are likely to have, a financial impact in the current financial year.

After being endorsed by Council, a copy of the budget review is to be provided to the Department of Local Government, Industry Regulation and Safety.

Comment

Council's annual budget, like any budget, is based on estimates using the best and most accurate information available at the time. It is good practice in determining a budget for a complex organisation to build in a margin of error, particularly for capital projects, to ensure that costs can be managed across the organisation to aim for or exceed the predetermined overall expenditure target.

The attached budget review for the year-to-date period ended 31 January 2026 includes several proposed budget amendments. Operational costs are projected to be materially lower than budgeted due to a combination of decreased employee costs and over-estimates for materials and contracts. These savings are offset by a decrease in the opening surplus following significant accounting movements from the end of financial year reconciliation process.

Completed capital projects have been under-budget overall, though there are several new projects requested for 2026 that offset these savings. Lastly, several large capital projects are being deferred to 2027 or later financial years, which has no impact on Council's long-term projections.

Consultation

Chief Executive Officer
Executive Manager Infrastructure Services

Statutory Implications

Local Government (Financial Management) Regulations 1996

33A. Review of budget

- 1) Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.
- 2A) The review of an annual budget for a financial year must —
 - a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - b) consider the local government's financial position as at the date of the review; and
 - c) review the outcomes for the end of that financial year that are forecast in the budget
 - d) include the following –
 - i. the annual budget adopted by the local government
 - ii. an update of each of the estimates included in the annual budget
 - iii. the actual amounts of expenditure, revenue and income as at the date of the review
 - iv. adjacent to each item in the annual budget adopted by the local government that states an amount, the estimate end-of-year amount for the item.
- 2) The review of an annual budget for a financial year must be submitted to the council on or before 3 March in that financial year
- 3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
- 4) Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

*Absolute majority required.

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Each budget amendment endorsed by Council (if any) will have an impact on the long-term financial plan equal to the amount of the budget amendment.

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Financial Impact
Consequence Description	\$50,001 - \$500,000
Consequence Rating	Major (4)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Moderate (8)
Key Controls in Place	Continual review of long-term financial projections to contextualise all adopted annual budgets.
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Council's endorsement of the officer's recommendation will result in total changes to the estimated closing surplus as at 30 June 2026 of \$149,100, which are summarised as follows:

Annual budget surplus/(deficit) estimated	\$0.00
Add: permanent operating variances	\$95,432
Add: deferred operating variances	\$100,000
Add: permanent capital income/expense variances	\$72,694
Add: deferred capital income/expense variances	\$475,936
Less: variance in brought forward surplus	(\$559,804)
Less: reversal of non-cash adjustments	(\$44,158)
Net estimated surplus from budget review	\$139,100

Voting Requirements

- Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 14.2

That Council, by absolute majority:

1. Endorse the Budget Review for the period ended 31 January 2026, as attached.
2. Endorse the budget amendments as itemised in Note 3 of the attached Budget Review.

MIN 8131/26 **MOTION** - Moved Cr. Bray

Seconded Cr. Stirrat

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

14.3 Financial Statements for the Month Ended 31 December 2025 and 31 January 2026

Date:	9 February 2026
Location:	Not applicable
Responsible Officer:	Ben Forbes, Executive Manager Corporate Services
Author:	Ben Forbes, Executive Manager Corporate Services
File Reference	FINANCIAL MANAGEMENT\ACCOUNTING\End of month
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	14.3A Shire of Narembeen - Financial statements for month ended 31 December 2025 14.3B Shire of Narembeen - Financial statements for month ended 31 January 2026

Purpose of Report

- Executive Decision Legislative Requirement

Summary

For Council to review and the financial statements for the months ended 31 December 2025 and 31 January 2026.

Background

The monthly financial reports are presented in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

Comment

Council's closing funding surplus for the two months:

- as at 31 December 2025 is \$2,041,072 with cash on hand of \$8,190,594 including \$6,001,233 of restricted reserves
- as at 31 January 2026 is \$2,003,426 with cash on hand of \$8,043,799 including \$6,001,233 of restricted reserves.

Consultation

Nil

Statutory Implications

Local Government Act 1995, Section 6.4

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare each month a statement of financial activity.

Regulation 34(2) requires the statement of financial activity to report on the sources and applications of funds, as set out in the annual budget.

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar, Financial Management Framework and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 14.3

That Council receive the monthly financial statements for the months ended 31 December 2025 and 31 January 2026.

MIN 8132/26

MOTION - Moved Cr. Bald

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

14.4 Schedule of Accounts for the Month Ended 31 December 2025 and 31 January 2026

Date:	11 November 2025
Location:	Not applicable
Responsible Officer:	Ben Forbes, Executive Manager Corporate Services
Author:	Ben Forbes, Executive Manager Corporate Services
File Reference	FINANCIAL MANAGEMENT\ACCOUNTING\End of month
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	14.4A Schedule of Accounts paid for the month ended 31 December 2025 14.4B Credit card payments, December 2025 14.4C Schedule of Accounts paid for the month ended 31 January 2026 14.4D Credit card payments, January 2026

Purpose of Report

- Executive Decision Legislative Requirement

Summary

For Council to receive the list of payments made by the Shire of Narembeen for the months ended 31 December 2025 and 31 January 2026.

Background

The Shire's schedule of accounts paid is to be provided to Council each month, pursuant to the requirements of *Local Government (Financial Management) Regulation 1996*.

Comment

As per the attached schedules, total payments from Municipal funds were:

- for the month ended 31 December 2025, \$1,136,776.31, including \$9,868.33 on corporate credit cards, and
- for the month ended 31 January 2026 total \$486,121.38, including \$2,908.23 on corporate credit cards.

Consultation

Nil

Statutory Implications

Local Government (Financial Management) Regulations 1996

Reg. 13 List of Accounts

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;
 - b. The amount of the payment;
 - c. The date of the payments; and
 - d. Sufficient information to identify the transaction.
3. A list prepared under sub regulation (1) or (2) is to be:
- a. Presented to the council at the next ordinary meeting of council after the list is prepared; and
 - b. Recorded in the minutes of that meeting.

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
 Objective: Well governed and efficiently managed Local Government
 Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar, Financial Management Framework and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 14.4

That Council receive and endorse the schedule of accounts paid for the months ended 31 December 2025 and 31 January 2026.

MIN 8133/26

MOTION - Moved Cr. Bald

Seconded Cr. Smoker

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

UNCONFIRMED

15. Officers Reports - Development and Regulatory Services

Nil

16. Officers Reports - Infrastructure Services

16.1 Draft Transport Road Hierarchy and Service Level Plan

Date:	11 February 2026
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	ROADS/PLANNING/Transport Levels of Service
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	16.1A Transport Road Hierarchy and Service Level Plan

Purpose of Report

Executive Decision Legislative Requirement

Summary

Council is requested to consider the adoption of the Transport Road Hierarchy and Service Level Plan, which establishes a consistent, risk-based framework for managing the Shire's road network. This document defines minimum Levels of Service based on road function, supports transparent prioritisation of maintenance and capital works, and aligns with the Asset Management Plan and Long-Term Financial Plan.

Background

The Shire manages an extensive rural road network with finite financial and operational resources. It is not practical nor affordable to maintain all roads to the same standard.

The Transport Road Hierarchy and Service Level Plan has been developed to define minimum service standards for the inspection, maintenance, renewal, and upgrade of roads based on their functional importance. The Plan aligns with Main Roads WA functional classifications and the Roads 2040 Regional Road Development Strategy, ensuring consistency with State and regional transport planning frameworks.

The Transport Road Hierarchy and Service Level Plan is intended to operate as a supporting document to the Shire's Transport Asset Management Plan and Long-Term Financial Plan, guiding annual works programs and funding submissions.

Comment

The adoption of the Plan provides a defensible and risk-based approach to road management by:

- clearly defining service expectations across different road hierarchy categories
- prioritising safety-related defects and strategic freight and school bus routes
- balancing community expectations with affordability, and
- supporting the transparent allocation of maintenance and capital resources.

While the Transport Road Hierarchy and Service Level Plan establishes minimum Levels of Service, actual service delivery will remain subject to available funding, asset condition, risk assessment, and operational capacity. Emergency response and safety-critical works will continue to override routine Levels of Service where required.

Consultation

Plant and Works Committee
Executive Manager Infrastructure Services

Statutory Implications

Nil

Policy Implications

This item aligns with the Shire of Narembeen Road Strategy and supports the implementation of the Transport Asset Management Plan and Long-Term Financial Plan by establishing clear road hierarchy classifications and minimum Levels of Service for the management of the Shire's road network.

Strategic Implications

Strategic Community Plan

Strategic Priority: 5. Economy
Objective: Retain and grow existing businesses, employment and attract new industry
Strategy: 2.2 Safe and efficient transport network enables economic growth

Asset Management Plan

The Transport Road Hierarchy and Service Level Plan directly supports and informs the Asset Management Plan by:

- defining how transport services are delivered
- informing inspection regimes, intervention thresholds, and renewal priorities; and
- supporting lifecycle planning and risk management across the road network.

The Transport Road Hierarchy and Service Level Plan strengthens the link between asset condition, service levels, and investment decisions.

Long Term Financial Plan

The Transport Road Hierarchy and Service Level Plan aligns with the Long-Term Financial Plan by establishing service levels that are achievable within forecast financial capacity. It supports sustainable financial planning by:

- prioritising expenditure on higher-order and strategic roads;
- providing a basis for staging renewal and upgrade works; and
- supporting external funding and grant submissions.

Risk Implications

Risk Profiling Theme	Inadequate Asset Management Practices
Risk Category	Financial Impact
Consequence Description	Indeterminate prolonged interruption of services - non-performance >1 month
Consequence Rating	Moderate (3)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Moderate (9)
Key Controls in Place	Road Strategy, 5-Year Road Program
Action / Treatment	Adoption and execution of Transport Road Hierarchy and Service Level Plan
Risk Rating After Treatment	Adequate

Financial Implications

There are no immediate additional financial implications associated with the adoption of the Plan. Immediate implementation will be managed within existing budget allocation, noting that service delivery remains subject to annual budget decisions.

Adoption of the Plan may assist in attracting external funding through improved justification and prioritisation and will shape the proposed or planned allocation of future resources.

Voting Requirements

- Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 16.1

That Council adopts the Transport Road Hierarchy and Service Level Plan, as attached.

MIN 8134/26

MOTION - Moved Cr. Bray

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Cusack, Cr Bald, Cr Bray, Cr Currie, Cr Hardham, Cr Smoker, Cr Stirrat. Against: Nil

17. Officers Reports - Community Services

Nil

18. Elected Member Motions of which Previous Notice has been Given

Nil

19. Elected Member Motions Without Notice

Nil

20. New Business of an Urgent Nature Approved by the Presiding Person or Decision

Nil

21. Closure of Meeting

The next meeting will be held on Tuesday 17 March 2026 commencing at 5.00pm

There being no further business, the chair declared the meeting closed at 5.28pm