



# MINUTES

Ordinary Council Meeting  
19 May 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 May Ordinary Council Meeting has been convened for:

**Date:** Tuesday 19 May 2026  
**At:** Shire of Narembeen Council Chambers  
1 Longhurst Street, Narembeen  
**Commencing:** 5.00pm

**Rebecca McCall**  
**Chief Executive Officer**

14 May 2026

### DISCLAIMER

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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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## 1. Official Opening and Welcome

The Presiding person welcomed everyone and opened the meeting at 5.02pm

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

### Member of Public:

### Apologies:

## 3. Public Question Time

Nil

## 11. Announcements by Presiding Member without Discussion

The Presiding Member advised a change in order of business to accommodate a late item and a corresponding confidential attachment.

### 11.1 Late items be received out of normal order of business

#### Recommendation / Council Resolution– 11.1

That Council receive a late confidential item at section 12 and receive a late item at section 20.

**MIN 8172/26**

**MOTION** - Moved Cr. Currie

Seconded Cr. Bald

**CARRIED 7 / 0**

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

*The Presiding Person thanked Executive Manager Corporate Services, Ben Forbes:*

*"I would also like to thank Ben for his last nearly three years, years with us. Your time and effort are greatly appreciated, and we wish you all the best for your role as the CEO for Yilgarn".*

#### 4. Disclosure of Interest

Nil

#### 5. Application for Leave of Absence

##### 5.1 Cr Bray Application for attendance via electronic means

Cr Bray requests to attend the June Ordinary Council Meeting via electronic means following surgery. Cr Bray advised that he will be able to maintain confidentiality.

#### Statutory Implications

##### 14C. Attendance at meetings by electronic means may be authorised (Act s. 5.25(1)(ba))

- (2) A member of a council or committee may attend a meeting by electronic means —
- (b) if the member is otherwise authorised to attend the meeting by electronic means by the mayor, president or council.

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation / Council Resolution– 5.1

That Council approve Cr Bray's request to attend the 16 June Ordinary Council Meeting via electronic means.

**MIN 8173/26**      **MOTION** - Moved Cr. Smoker      Seconded Cr. Hardham

**CARRIED 7 / 0**

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

##### 5.2 Cr Stirrat Application for leave of absence

Cr Stirrat requests a leave of absence for the June Ordinary Council Meeting.

#### Statutory Implications

##### 2.25. Disqualification for failure to attend meetings (Act s. 5.25(1))

- (1) A council may, by resolution, grant leave of absence, to a member.

#### Voting Requirements

- Simple Majority  Absolute Majority

**Officer's Recommendation Council Resolution– 5.2**

That Council approve Cr Stirratt's request for a leave of absence for the 16 June Ordinary Council Meeting.

**MIN 8174/26**

**MOTION** - Moved Cr. Smoker

Seconded Cr. Hardham

**CARRIED 7 / 0**

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

**6. Deputations/ Petitions/ Presentations/ Submissions**

Nil

## 7. Delegates' Reports

### 7.1 Cr Cusack

Date	Meeting/Event
23/04/26	GEZ Meeting
25/04/26	Anzac Day
28/04/26	Special Meeting
01/05/26	Northam Futures Forum Event
04/05/26	CEACA Meeting
08/05/26	State Budget Meeting with Sabine Winton
12/05/26	Aged Care – CRC Coordinator

### 7.2 Cr Bald

Date	Meeting/Event
23/04/26	Great Eastern Country Zone Meeting - Cunderdin
25/04/26	ANZAC Day Service
28/04/26	Special Meeting
1/05/26	Wheatbelt Futures Forum
4/05/26	Streets Alive Meeting - Preferred Suppliers
4/05/26	Main Roads Streets Alive Project Meeting
5/05/26	Community Wellbeing Plan Workshop
7/05/26	Town Teams Meeting
7/05/26	Ramelius Campsite Tour
7/05/26	Audit Entrance Meeting
8/05/26	Wheatbelt State Budget Breakfast
11/05/26	ROE Tourism Meeting
12/05/26	Aged Care Working Group Meeting
12/05/26	CEO, President, Deputy Catchup
19/05/26	Cash for Containers Meeting
19/05/26	Plant and Works Committee Workshop

### Cr Bray

Date	Meeting/Event
	Historical Society Meeting
25/04/26	ANZAC Day Service
28/04/26	Special Meeting
7/05/26	Ramelius Campsite Tour
7/05/26	Audit Entrance Meeting
19/05/26	Cash for Containers Meeting
19/05/26	Plant and Works Committee Workshop

### 7.3 Cr Currie

Date	Meeting/Event
28/04/26	Special Meeting
19/05/26	Plant and Works Committee Workshop

### 7.4 Cr Hardham

Date	Meeting/Event
------	---------------

28/04/26	Special Meeting
1/05/26	Wheatbelt Futures Forum in Northam
7/05/26	Ramelius Work camp meeting
11/05/26	Roe Tourism Meeting

7.5 Cr Smoker

Date	Meeting/Event
	Nil to report

7.6 Cr Stirrat

Date	Meeting/Event
	Nil to report

## 8. Confirmation of Previous Meetings

### 8.1 Ordinary Council Meeting 21 April 2026 Attachment 8.1A

#### Voting Requirements

Simple Majority  Absolute Majority

#### Officer's Recommendation / Council Resolution– 8.1

That the minutes of the Shire of Narembeen Ordinary Council Meeting held on Tuesday 21 April 2026, as presented, be confirmed as a true and correct record of proceedings.

**MIN 8175/26**      **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*

## 9. Minutes of Committee Meetings to be Received

*Items 9.1 – 9.4 were moved en bloc*

### 9.1 Plant and Works Committee Meeting 21 April 2026 Attachment 9.1A

#### Voting Requirements

Simple Majority  Absolute Majority

#### Officer's Recommendation / Council Resolution – 9.1

That the minutes of the Plant and Works Committee Meeting held on Tuesday 21 April 2026, as presented, be received.

**9.2 Great Eastern Country Zone Meeting 23 April 2026  
Attachment 9.2A**

**Voting Requirements**

- Simple Majority  Absolute Majority

**Officer's Recommendation / Council Resolution – 9.2**

That the minutes of the GECZ Meeting held on Thursday 23 April 2026, as presented, be received.

**9.3 Special Council Meeting 28 April 2026  
Attachment 9.3A**

**Voting Requirements**

- Simple Majority  Absolute Majority

**Officer's Recommendation / Council Resolution – 9.3**

That the minutes of the Special Council Meeting held on Tuesday 28 April 2026, as presented, be received.

**9.4 CEACA Management Committee Meeting 4 May 2026  
Attachment 9.4A**

**Voting Requirements**

- Simple Majority  Absolute Majority

**Officer's Recommendation / Council Resolution – 9.4**

That the minutes of the CEACA Management Meeting held on Monday 4 May 2026, as presented, be received.

**MIN 8176/26**      **MOTION** - Moved Cr. Stirrat      Seconded Cr. Currie

**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

## 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 —

(g) prescribed information

#### Local Government (Administration) Regulations

#### 4A. Information that may be treated on confidential basis at meeting (Act s. 5.23(4)(g))

For the purposes of section 5.23(4)(g), the following information is prescribed —

- (a) the price, or potential price, for the sale or purchase of property by the local government and any information relating to the price or potential 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)(g) of the *Local Government Act 1995*, so that it can receive the price, or potential price, for the sale or purchase of property by the local government and any information relating to the price or potential price.

**MIN 8177/26**

**MOTION** - Moved Cr. Smoker

Seconded Cr. Hardham

**CARRIED 7 / 0**

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

Meeting was closed to the public at 5.09

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

## 12.2 Expression of Interest for Lot 64 (43) Cheetham Way, Narembeen

<b>Date:</b>	11 May 2026
<b>Location:</b>	Lot 64 (43) Cheetham Way, Narembeen
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Kathryn Conopo, Executive Governance Officer
<b>File Reference</b>	LAND USE AND PLANNING\SUBDIVISION\Cheetham Way - Land Sales
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	12.2A Expression of Interest – Lot 64 (43) Cheetham Way

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

For Council to receive the price contained in the Expression of Interest for the proposed sale of Shire-owned land being Lot 64 (43) Cheetham Way, Narembeen.

### Voting Requirements

- Simple Majority  Absolute Majority

### Officers' Recommendation / Council Resolution – Item 12.2

That Council receive the pricing information from the Expression of Interest for the proposed sale of Lot 64 (43) Cheetham Way, Narembeen.

**MIN 8178/26**      **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*

### 12.3 Expression of Interest for Lot 71 (28) Cheetham Way, Narembeen

<b>Date:</b>	11 May 2026
<b>Location:</b>	Lot 71 (28) Cheetham Way, Narembeen
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Kathryn Conopo, Executive Governance Officer
<b>File Reference</b>	LAND USE AND PLANNING\SUBDIVISION\Cheetham Way - Land Sales
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	12.3A Expression of Interest – Lot 71 (28) Cheetham Way

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

For Council to receive the price contained in the Expression of Interest for the proposed sale of Shire-owned land being Lot 71 (28) Cheetham Way, Narembeen.

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officers' Recommendation / Council Resolution – Item 12.3

That Council receive the pricing information from the Expression of Interest for the proposed sale of Lot 71 (28) Cheetham Way, Narembeen.

**MIN 8179/26**

**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*

## 12.4 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 12.4

That Council re-open the meeting to public.

**MIN 8180/26**      **MOTION** - Moved Cr. Bray      Seconded Cr. Currie

**CARRIED 7 / 0**

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

The meeting was reopened to the public at 5.20

The confidential recording ceased and the public recording was recommenced

*Steps taken to minimise the length of time that the meeting was closed to the public;*

- *the pricing information from the expressions of interest was received by Council as a Confidential Attachment*
- *Deliberation on the issue will be held at item 14.2 and 20.1*

## 13. Officers Reports - Office of the Chief Executive Officer

### 13.1 Delegation Register Review 2026

<b>Date:</b>	6 May 2026
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>File Reference</b>	GOVERNANCE\AUTHORISATIONS\Delegations
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.1A Delegation Register 2025

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

Council to review and endorse the 2026 Delegations Register.

#### Background

Delegations are intended to improve the efficiency of administrative processes. They achieve this by devolving authority and accountability to appropriate staff or council committees.

Delegations made under the *Local Government Act 1995* can only be made to the Chief Executive Officer or Committees. Where appropriate, the Chief Executive Officer may sub-delegate to other officers.

Delegations under other legislation are made directly to the officer concerned.

Under legislation, Council is to review delegations on an annual basis and the last review was conducted in May 2025.

The Chief Executive Officer exercises the delegated authority in accordance with the Delegated Authority Register and Council policies.

#### Comment

The 2026 review maintains the proactive approach to optimising organisational processes, enhanced efficiency across all departments, minimising delays in decision-making and empowering individuals to act decisively within their delegated authority.

A review of the current Register has been undertaken by Senior Management resulting in two delegations being removed due to changes in legislation and in line with the WALGA Model. Additionally, one new delegation has been identified and included at 1.2.26 – Disposing of Assets, which allows the CEO delegation to dispose of assets below the agreed threshold.

## Consultation

Executive Manager Corporate Services  
Executive Manager Infrastructure Services

## Statutory Implications

*Local Government Act 1995*, sections 5.42, 5.43, 5.44 & 5.46.

### 5.42. Delegation of some powers and duties to CEO

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

\* *Absolute majority required.*

### 5.43. Limits on delegations to CEO<sup>28</sup>

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority of the council;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed

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

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.

### 5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator

## Policy Implications

Where a policy exists for an activity and/or function that has been delegated, the Chief Executive Officer is to adhere to that 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

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

## Financial Implications

There are no financial implications associated with the annual review of delegations, however the exercise of the delegations does incur some administration costs and potential legal costs if any legal action is taken.

## Voting Requirements

Simple Majority  Absolute Majority

## Officers Recommendation / Council Resolution – Item 13.1

That Council adopt the reviewed Delegation Register.

**MIN 8181/26**

**MOTION** - Moved Cr. Hardham

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 Central East Accommodation and Care Alliance – Development Approvals Fee Waiver

<b>Date:</b>	11 May 2026
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>File Reference</b>	CORPORATE MANAGEMENT / CEACA / Housing Expansion Project
<b>Previous Meeting Reference</b>	MIN 8110/25
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

Council is asked to waive Central East Accommodation and Care Alliance (CEACA) development application fee(s) for the housing expansion project.

### Background

The Central East Accommodation and Care Alliance (CEACA) is progressing the expansion project to deliver additional residential accommodation in Narembeen. The project funding arrangements with the Department of Housing and Works and Housing Australia include a condition precedent requiring relevant planning/development approvals to be in place by 30 June 2026.

The CEACA Management Committee has requested that this matter be brought to the May 2026 Ordinary Council Meeting to ensure adequate time for assessment and for development approvals to be issued during June 2026.

CEACA has agreed to pay Modular WA to prepare and lodge the required development application(s) and supporting documentation. The payment will include necessary design and engineering inputs and fees required to satisfy service authority requirements (including Western Power and the Water Corporation). CEACA will treat the payment as early works and as a deposit under the building contract. Modular WA's standard contract arrangements require the Shire to waive the relevant development application fee(s), with the waived amount recognised as part of the Shire's contribution to the project.

### Comment

The request seeks to ensure the Shire's administrative processes support timely issue of development approvals by 30 June 2026, noting the approvals are a condition precedent to external funding.

- CEACA will fund the preparation and lodgement of the development application(s) via Modular WA (including necessary design/engineering and service authority requirements).

- The payment is treated by CEACA as early works and a deposit against the building contract with Modular WA.
- The Shire is requested to waive the relevant development application fee(s) and recognise the waived value as part of the Shire's contribution to the project.

### Consultation

CEACA Management Committee

### Statutory Implications

Development approval(s) are to be assessed and determined in accordance with the applicable planning framework (including the Shire's Local Planning Scheme and relevant planning legislation). Council may resolve to waive development application fees where permitted under the Shire's adopted fees and charges/administrative arrangements.

### 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

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

### Financial Implications

Waiving the relevant development application fee will result in foregone fee revenue to the Shire. If supported, the waived value will be recognised as part of the Shire's contribution to the CEACA expansion project (approximate fee amount: \$5,507.) There will also be a cost to the Shire for engagement of its planning consultant to assess the development application.

## Voting Requirements

Simple Majority

Absolute Majority

## Officer's Recommendation / Council Resolution – Item 13.2

That Council:

1. Notes the request from the CEACA Management Committee that development approvals for the CEACA expansion project are required by 30 June 2026 to satisfy a condition precedent in the funding arrangements with the Department of Housing and Works and Housing Australia;
2. Notes that CEACA has agreed to engage Modular WA to undertake the development approval process, including necessary design and engineering inputs and service authority requirements (including Western Power and the Water Corporation), with the payment treated as early works and a deposit under the building contract;
3. Agrees to waive the relevant development application fee associated with the CEACA expansion project, and to recognise the waived value as part of the Shire's contribution to the project.

**MIN 8182/26**

**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*

### 13.3 Fair Works Commission Contractual Chain Order

<b>Date:</b>	12 May 2026
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>File Reference</b>	LEGAL SERVICES / FWC CONTRACTUAL CHAIN ORDER
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.3A Road Transport Contractual Chain Order Fuel Cost Recovery 2026 (Fair Work Commission) 13.3B Letter to Suppliers Fuel price increases (CEO correspondence dated 8 May 2026) 13.1A Delegation 1.2.11

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

For Council to note the Fair Work Commissions Road Transport Contractual Chain Order Fuel Cost Recovery 2026 (the Order), which commenced on 21 April 2026. The Order imposes a fuel-related rate to contractual payments between parties to a 'Road transport contractual chain' each fortnight (or twice per calendar month), with obligations ceasing when the weekly average national terminal gate diesel price falls below \$2.00 per litre.

The CEO has written to the relevant suppliers advising of the Shire's intended rise and fall mechanism and documentation requirements. To affect any subsequent adjustments to the contracts with these suppliers Council is asked to expand its delegated authority to the CEO, allowing them to continually make the relevant changes to the tender agreements as required by the Order.

#### Background

On 21 April 2026, the Fair Work Commission made the Order in response to fuel supply chain disruption and resulting diesel price increases. The Order applies broadly to work in the road transport industry and imposes obligations on and between the primary (principle) and secondary parties to all road transport contractual chains. Summarily, the order forces bilateral responsibility into the terms of private contracts to:

1. Adjust the compensation payable under the agreement for the increase in fuel costs
2. Ensure that the adjusted compensation paid from one principal party to another is disbursed along to all secondary suppliers to similarly compensate them for their increased fuel costs.

The Order imposes these requirements through the imposition of an additional rate 'rate', with the mandate of a mutually agreed method for continual adjustment for the rise and fall in fuel prices every fortnight (or twice per month) from 21 April 2026. There is no prescribed mechanism for adjusting the rate, so this may be complied with through an existing rise and fall formula, cost model, cost benchmark or other agreed methodology. The obligations cease to apply if the weekly average national terminal gate diesel price (as reported weekly by the Australian Institute of Petroleum) falls

below \$2.00 per litre. Importantly, the Order mandates that the rate is only to cover the increased cost of fuel and may offer no other benefit, relief, compensation or profit.

The Shire engages a small number of contractors and suppliers whose service delivery includes road transport activities and therefore may be captured within relevant contractual chains.

On 8 May 2026, the CEO wrote to key suppliers advising of the Order, foreshadowing contract variation(s) to implement a fuel cost recovery mechanism and requesting supporting documentation where suppliers must pass through the adjustment to secondary parties.

### **Comment**

The Order is time-sensitive – it is prescribed that the rate and the ongoing review mechanism apply **from** 21 April 2026. The affected contracts intentionally do not include a rise and fall mechanism to offer pricing surety to Council, requiring each contract to be amended.

The proposed delegation to the CEO will allow compliance with the Order to be efficient and timely. The intended contract variations that will be implemented with this delegation will:

1. require suppliers to first provide a breakdown of their input costs to identify the proportion of remuneration relating to fuel, and
2. where applicable, provide evidence that any fuel recovery component is appropriately distributed throughout their supply chain
3. incorporate a mechanism for ongoing rate adjustments based on the published weekly diesel price for the relevant fortnight by the Australian Institute of Petroleum.

Ongoing reports will be provided to Council as to the rate movements associated with this delegation and when the provisions of the order (and therefore the relevant changes to the contracts) are ended.

### **Consultation**

Executive Manager Corporate Services

### **Statutory Implications**

The Fair Work Commissions Road Transport Contractual Chain Order Fuel Cost Recovery 2026 imposes legally enforceable obligations on parties within road transport contractual chains to adjust rates within each fortnight (or twice per calendar month) to ensure recovery of the increased cost of fuel. A person must not contravene a term of a road transport contractual chain order and contraventions may attract civil remedies.

### **Policy Implications**

Procurement Framework

### **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

<b>Risk Profiling Theme</b>	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
<b>Risk Category</b>	Compliance
<b>Consequence Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Moderate (3)
<b>Likelihood Rating</b>	Unlikely (2)
<b>Risk Matrix Rating</b>	Moderate (5)
<b>Key Controls in Place</b>	Financial Management Framework, Legislation, the Order
<b>Action / Treatment</b>	Nil
<b>Risk Rating After Treatment</b>	Adequate

### Financial Implications

The financial impact of compliance with the Order will vary depending on the fuel price movements, supplier fuel components, secondary supplier costs, and the volume of eligible works/services. An estimate cannot be reliably provided at this time.

Regular reporting will be provided to Council when these costs can be more accurately quantified, with updated projections being provided when available.

### Voting Requirements

- Simple Majority  Absolute Majority

### Officer's Recommendation / Council Resolution – Item 13.3

That Council:

1. Amends delegation 1.2.11 to insert clause #10 to Functions as follows:
  10. As an exception to clause #8, authority to vary a tendered contract, after it has been entered into, provided the variation(s) are necessary to maintain compliance with the Fair Work Commission's "Road Transport Contractual Chain Order – Fuel Cost Recovery - 2026" (MS900102). This delegation will cease when the Fair Work Commission's Order ceases under its own mechanisms and does not extend to future variations of the Order or any subsequent Orders.
2. Notes that the Chief Executive Officer's exercise of the above delegation may result in retrospective adjustments to compensation payable to suppliers.
3. Authorise the Chief Executive Officer to make any payment associated with the exercise of the above delegation where that payment may materially affect a budgeted amount or otherwise constitute unbudgeted expenditure (as the case may be).

**MIN 8183/26**

**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

## 14. Officers Reports - Corporate Services

### 14.1 Councillor Fees and Allowances for the Year Ended 30 June 2027

<b>Date:</b>	13 May 2026
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	GOVERNANCE\COUNCILLORS\Councillor Fees
<b>Previous Meeting Reference</b>	Not applicable
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil

#### Purpose of Report

Executive Decision  Legislative Requirement

#### Summary

For Council to endorse the Councillor's fees and allowances for the year ended 30 June 2027.

#### Background

The recommended fees and allowances follow from decisions in recent years to opt for a fixed annual fee for Councillors as opposed to a 'per meeting' fee structure.

It should be noted that there are additional fees being introduced to remunerate the newly mandated independent committee Chair and Deputy Chairpersons.

It is a requirement that Councillor fees and allowances be considered and formally adopted each year prior to the adoption of the budget, and that the estimated fees and allowances for Councillors be explicitly detailed per Councillor in the annual budget.

Further, following amendments introduced by the *Local Government Amendment Act 2024* to section 7.1A and related provisions of the *Local Government Act 1995*, local governments are required to appoint independent persons as the presiding member and deputy of the presiding member of the Audit, Risk and Improvement Committee (ARIC). Separate remuneration is proposed for these independent appointments on a per meeting basis.

#### Comment

Following the Salaries and Allowances Tribunal's (SAT) annual determination, Councillor remuneration caps have been increased by 3.5% for the 2027 financial year, except for the ICT allowance which remains capped at \$1,500 per annum.

After preliminary discussions with Council, the recommended Councillor fees have been increased in-line with SAT's 3.5% adjustment, rounded to the nearest hundred. The ICT allowance will change to an initial instalment of \$1,500 upon commencement as a Councillor, and/or at the beginning of each

new Term, and a \$500 per annum payment for maintenance of subscriptions, payable annually in December.

## Consultation

Chief Executive Officer  
Council – April 2026 discussion forum

## Statutory Implications

Local Government Act 1995

### 5.98. Fees etc. for council members

- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
- (a) the annual local government allowance determined for mayors or presidents; or
  - (b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.

### 5.98A. Allowance for deputy mayor or deputy president

- (1) A local government may decide\* to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).
- (2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

\* *Absolute majority required.*

### 5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide\* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

- (a) the annual fee determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B; or
- (b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.

\* *Absolute majority required.*

### 5.99A. Allowances for council members in lieu of reimbursement of expenses

- (1) A local government may decide\* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all eligible council members —
  - (a) the annual allowance determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B for that type of expense; or
  - (b) where the local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B for annual allowances for that type of expense, an allowance of that amount,

and only reimburse the member for expenses of that type in excess of the amount of the allowance.

\* *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

Councillor remuneration is a relatively immaterial cost to Council. Councillor fees have been factored into the current long-term modelling.

### Risk Implications

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

### Financial Implications

Total remuneration paid to Councillors and independent committee members is projected to be roughly \$48,500 in the 2027 financial year, based on the figures in the Officer's recommendation.

### Voting Requirements

Simple Majority  Absolute Majority

## Officer's Recommendation / Council Resolution – Item 14.1

That Council adopt the following fees allowances for the year ended 30 June 2027:

1. In accordance with the *Local Government Act 1995* s5.99 an annual attendance (meeting) fee for Councillors of \$4,100 and for the President of \$5,600.
2. In accordance with the *Local Government Act 1995* s5.98 a President's Allowance of \$8,400 per annum.
3. In accordance with the *Local Government Act* s5.98A(1) a Deputy President's Allowance of \$2,100 per annum, being 25% of the President's Allowance,
4. In accordance with the *Local Government Act 1995* s5.98A(1) an ICT Allowance of \$500 per annum for each Councillor, with a \$1,500 payment at the beginning of each term.
5. In accordance with the *Local Government Act 1995* s5.100(2) a meeting allowance for committee members that are not Councillors of \$360 per meeting.
6. Determine that Councillor allowances and committee member meeting fees are to be paid twice a year in December and June.
7. In accordance with *Local Government Act 1995* s5.100(2)(b) an Independent Committee Chairperson attendance fee of \$360 per meeting.
8. Determine that travel expenses for Councillors and committee members be paid at a rate commensurate with the Local Government Officers (Western Australia) Award 2021 and any subsequent amendments or regulations.

**MIN 8184/26**

**MOTION** - Moved Cr. Bray

Seconded Cr. Smoker

**CARRIED 7 / 0**

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

## 14.2 Proposed Disposal of Lot 64 (43) Cheetham Way, Narembeen

<b>Date:</b>	11 May 2026
<b>Location:</b>	Lot 64 (43) Cheetham Way, Narembeen
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Kathryn Conopo, Executive Governance Officer
<b>File Reference</b>	LAND USE AND PLANNING\SUBDIVISION\Cheetham Way - Land Sales
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil

### Purpose of Report

- Executive Decision
  Legislative Requirement

### Summary

Council is requested to consider the proposed sale of Shire-owned land being Lot 64 (43) Cheetham Way, Narembeen.

### Background

An offer has been received to purchase Lot 64 (43) Cheetham Way, Narembeen. The Expression of Interest and associated pricing information is to be received separately by Council



The Water Corporation has expanded the sewerage mains, and Lot 64 (43) Cheetham Way can now connect to the sewer system, as shown on the map below:



### Comment

The 2022 Land and Buildings Valuation Report prepared by Griffin Valuation Advisory assessed the value of Lot 64 (43) Cheetham Way as follows:

Address	Type	R Code	Size	Value
Lot 64 (43) Cheetham Way	Land	12.5	840m <sup>2</sup>	\$16,800

In accordance with section 3.58(4)(c)(ii) of the *Local Government Act 1995*, where a valuation was carried out more than six months before the proposed disposition, Council must resolve that it believes the valuation remains a true indication of the property's value at the time of the proposed disposition.

### Consultation

Nil

### Statutory Implications

*Local Government Act 1995, section 5.37*

#### 3.58. Disposing of property

(1) In this section —

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

- (a) it gives local public notice of the proposed disposition —
  - (i) describing the property concerned; and
  - (ii) giving details of the proposed disposition; and
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

And,

- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
  - (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

### Policy Implications

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

<b>Risk Profiling Theme</b>	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
<b>Risk Category</b>	Compliance
<b>Consequence Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Minor (2)
<b>Likelihood Rating</b>	Possible (3)
<b>Risk Matrix Rating</b>	Moderate (6)
<b>Key Controls in Place</b>	Land and Building Valuation Report 2022, Legislation
<b>Action / Treatment</b>	Council to establish reserve prices for Cheetham Way lots
<b>Risk Rating After Treatment</b>	Adequate

## Financial Implications

Proceeds from the proposed sale of Lot 64 (43) Cheetham Way are not included in the 2025/2026 Budget.

## Voting Requirements

- Simple Majority  Absolute Majority

## Officers' Recommendation / Council Resolution – Item 14.2

That Council resolves to:

1. In accordance with section 3.58(4)(c)(ii) of the *Local Government Act 1995*, declare that Council believes the valuation of Lot 64 (43) Cheetham Way, Narembeen at \$16,800.00 to be a true indication of its value at the time of the proposed disposition.
2. In accordance with section 3.58(3) of the *Local Government Act 1995*, give local public notice of its intention to dispose of Lot 64 (43) Cheetham Way, Narembeen to the purchaser and invite submissions in accordance with the Act.
3. Subject to consideration of any submissions received and there being no materially adverse matters arising from the public notice process (resolution 2), accept the offer to dispose of Lot 64 (43) Cheetham Way, Narembeen to the purchaser in accordance with the Act.
4. Subject to resolution 3, and in accordance with section 9.49(2) of the *Local Government Act 1995*, authorise the Chief Executive Officer and Shire President to execute all necessary documentation (including affixing the Shire's common seal) to complete the transfer of the land to the purchaser.
5. Include a condition of sale requiring construction to commence within two (2) years of the settlement date.

**MIN 8185/26**

**MOTION** - Moved Cr. Bray

Seconded Cr. Hardham

**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 30 April 2026

<b>Date:</b>	9 February 2026
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	FINANCIAL MANAGEMENT\ACCOUNTING\End of month
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	14.3A Shire of Narembeen - Financial statements for month ended 30 April 2026

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

For Council to review and the financial statements for the months ended 30 April 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 month ended 30 April 2026 is \$2,007,155 with cash on hand of \$7,799,753 including \$5,343,774 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

<b>Risk Profiling Theme</b>	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
<b>Risk Category</b>	Compliance
<b>Consequence Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls in Place</b>	Governance Calendar, Financial Management Framework and Legislation
<b>Action / Treatment</b>	Nil
<b>Risk Rating After Treatment</b>	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 month 30 April 2026.

**MIN 8186/26**

**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*

## 14.4 Schedule of Accounts for the Month Ended 30 April 2026

<b>Date:</b>	10 March 2026
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	FINANCIAL MANAGEMENT\ACCOUNTING\End of month
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	14.4A Schedule of accounts paid – April 2026 14.4B Credit Card Payment list – April 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 month ended 30 April 2026.

### Background

The Shire's schedule of accounts paid is to be provided to Council each month, pursuant to the requirements of Regulation 13 of *Local Government (Financial Management) Regulations 1996*.

### Comment

Per the attached schedule, total payments from Municipal funds for the month ended 30 April 2026 were \$1,003,617.32

Total expenditure incurred on corporate cards for the same period was \$9,313.85, however due to the monthly billing timings, this expense was debited from Council's municipal funds in May 2026.

### Consultation

Nil

### Statutory Implications

*Local Government (Financial Management) Regulations 1996*

#### Regulation 13

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**

<b>Risk Profiling Theme</b>	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
<b>Risk Category</b>	Compliance
<b>Consequence Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls in Place</b>	Governance Calendar, Financial Management Framework and Legislation
<b>Action / Treatment</b>	Nil
<b>Risk Rating After Treatment</b>	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 month ended 30 April 2026, as attached.

**MIN 8187/26**

**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*

UNCONFIRMED

**15. Officers Reports - Development and Regulatory Services**

Nil

**16. Officers Reports - Infrastructure Services**

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

UNCONFIRMED

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

### 20.1 Proposed Disposal of Lot 71 (28) Cheetham Way, Naremben

<b>Date:</b>	18 May 2026
<b>Location:</b>	Lot 71 (28) Cheetham Way, Naremben
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Kathryn Conopo, Executive Governance Officer
<b>File Reference</b>	LAND USE AND PLANNING\SUBDIVISION\Cheetham Way - Land Sales
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

Council is requested to consider the proposed sale of Shire-owned land being Lot 71 (28) Cheetham Way, Naremben.

#### Background

An offer has been received to purchase Lot 71 (28) Cheetham Way, Naremben. The Expression of Interest and associated pricing information is to be received separately by Council



The Water Corporation has expanded the sewerage mains, and Lot 71 (28) Cheetham Way can now connect to the sewer system, as shown on the map below:



### Comment

The 2022 Land and Buildings Valuation Report prepared by Griffin Valuation Advisory assessed the value of Lot 71 (28) Cheetham Way as follows:

Address	Type	R Code	Size	Value
Lot 71 (28) Cheetham Way	Land	12.5	1102m <sup>2</sup>	\$30,000

In accordance with section 3.58(4)(c)(ii) of the *Local Government Act 1995*, where a valuation was carried out more than six months before the proposed disposition, Council must resolve that it believes the valuation remains a true indication of the property's value at the time of the proposed disposition.

### Consultation

Nil

### Statutory Implications

*Local Government Act 1995, section 5.37*

#### 3.58. Disposing of property

(1) In this section —

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

- (a) it gives local public notice of the proposed disposition —
  - (i) describing the property concerned; and
  - (ii) giving details of the proposed disposition; and
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

And,

- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
  - (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

### Policy Implications

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

<b>Risk Profiling Theme</b>	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
<b>Risk Category</b>	Compliance
<b>Consequence Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Minor (2)
<b>Likelihood Rating</b>	Possible (3)
<b>Risk Matrix Rating</b>	Moderate (6)
<b>Key Controls in Place</b>	Land and Building Valuation Report 2022, Legislation
<b>Action / Treatment</b>	Council to establish reserve prices for Cheetham Way lots
<b>Risk Rating After Treatment</b>	Adequate

## Financial Implications

Proceeds from the proposed sale of Lot 71 (28) Cheetham Way are not included in the 2025/2026 Budget.

## Voting Requirements

- Simple Majority  Absolute Majority

## Officers' Recommendation / Council Resolution – Item 20.1

That Council resolves to:

1. In accordance with section 3.58(4)(c)(ii) of the *Local Government Act 1995*, declare that Council believes the valuation of Lot 71 (28) Cheetham Way, Narembeen at \$30,000 to be a true indication of its value at the time of the proposed disposition.
2. In accordance with section 3.58(3) of the *Local Government Act 1995*, give local public notice of its intention to dispose of Lot 71 (28) Cheetham Way, Narembeen to the purchaser and invite submissions in accordance with the Act.
3. Subject to consideration of any submissions received and there being no materially adverse matters arising from the public notice process (resolution 2), accept the offer to dispose of Lot 71 (28) Cheetham Way, Narembeen to the purchaser in accordance with the *Local Government Act 1995*.
4. Subject to resolution 3, and in accordance with section 9.49(2) of the *Local Government Act 1995*, authorise the Chief Executive Officer and Shire President to execute all necessary documentation (including affixing the Shire's common seal) to complete the transfer of the land to the purchaser.
5. Include a condition of sale requiring construction to commence within two (2) years of the settlement date.

**MIN 8188/26**

**MOTION - Moved Cr. Bray**

**Seconded Cr. Smoker**

**CARRIED 7 / 0**

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

## 21. Closure of Meeting

The next meeting will be held on Tuesday 16 June 2026 commencing at 5.00pm

There being no further business, the Chair declared the meeting closed at 5.35pm.

UNCONFIRMED