



AGENDA

Special Meeting of Council
2 October 2026





NOTICE OF MEETING

Dear Elected Members,

In accordance with the provisions of Section 5.5(2) of the *Local Government Act* and Regulation 12(4) of the Local Government (Administration) Regulations 1996, you are hereby notified that a Special Meeting of Council has been convened for:

Date: Friday 2 October 2026

At: Shire of Narembeen Council Chambers
1 Longhurst Street, Narembeen

Commencing: 8.00am

Purpose: For Council to consider the appointment of a successful tenderer for the Supply and Delivery of Sealing Aggregates.

Rebecca McCall
Chief Executive Officer

30 September 2026

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1. Official Opening and Welcome

2. Record of Attendance / Apologies

Councillors:

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

Staff:

Ms R McCall	Chief Executive Officer
Mrs K Markham	Executive Manager Infrastructure Services

Member of Public:

Apologies:

Cr SW Stirrat

3. Public Question Time

4. Disclosure of Interest

5. Officers Reports

5.1 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 – Item 5.1

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.

5.2 Pricing Information – RFT2027-02 Supply and Delivery of Sealing Aggregates

Date:	25 September 2026
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Ken Markham, Executive Manager Infrastructure Services
File Reference	CORPORATE MANAGEMENT\TENDERING\2027\RFT2027-02
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report

☒ Executive Decision

☐ Legislative Requirement

Summary

For Council to receive the pricing information contained in the submissions to RFT2027-02 – Supply and Delivery of Sealing Aggregates.

Officer's Recommendation – Item 5.2

That Council receive the pricing information contained in the submission received in response to Tender RFT2027-02 – Supply and Delivery of Sealing Aggregates.

5.3 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 – Item 5.3

That Council re-open the meeting to public.

The Presiding Person advised that the timing of RFT 2027-02 did not align with the scheduled October Ordinary Council Meeting. To support the timely delivery of the road construction program and maintain the scheduled completion date of April 2027, orders for sealing aggregates must be placed before the end of October 2026 to allow sufficient lead time for supply and delivery.

5.4 Review of Tender RFT2027-02 – Supply and Delivery of Sealing Aggregates

Date:	24 September 2026
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Ken Markham, Executive Manager Infrastructure Services
File Reference	CORPORATE MANAGEMENT\TERNDERING\2027\2027-02
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report

☒ Executive Decision

☒ Legislative Requirement

Summary

For Council to consider the award of Tender RFT 2027-02 Supply and Delivery of Sealing Aggregates.

Background

Due to the quantity of sealing aggregates required for the 2026/27 financial year road program, tenders were invited for the supply and delivery of various sealing aggregates through public tender.

Tenders were advertised on 5 September 2026 in the *West Australian*, and locally via the Councils website and The Fencepost, with a closing date of 21 September 2026 at 2:00pm.

At the closing of submissions, one tender had been received from Mineral Crushing Services (WA) Pty Ltd.

A second tender was received at 3:22pm Tuesday 22 September from Swan Materials. However, due to the tender being received after the closing date, it was deemed non-conforming and cannot be considered.

Comment

The conforming tender was assessed against the compliance and selection criteria outlined in the Request for Tender documentation. A summary of the assessment against the selection criteria and price is provided below.

Criteria	Weighting %	Mineral Crushing Services
Relevant Experience	10%	8
Workplace Safety Management Procedures	10%	7
Demonstrated Capacity and Flexibility	10%	10
Price	70%	65
Grand Total	100%	90

Consultation

Chief Executive Officer

Statutory Implications

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

Strategic Implications

Council Plan 2036

Strategic Priority:	5. Courageous Leadership and Shared Responsibility
Key Focus Area	Governance and Accountability
Strategic Action:	Maintain high standards of governance, stewardship and organisational accountability.

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

Risk Profiling Theme	Inadequate Project/Change Management
Risk Category	Financial Impact
Consequence Description	\$50,001-\$500,000
Consequence Rating	Minor (2)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (4)
Key Controls in Place	Approved budget; Project management
Action / Treatment	Execution of contract and ongoing project monitoring
Risk Rating After Treatment	Adequate

Financial Implications

The Road Program funding was adopted in the 2026/27 Budget.

Voting Requirements

☐ Simple Majority ☒ Absolute Majority

Officers Recommendation – Item 5.4

That Council:

- (1) accepts the tender submitted by Mineral Crushing Services– Supply and Delivery of Sealing Aggregates, at the submitted tender price of \$308,857.50 exclusive of GST (\$338,948.25 inclusive of GST), noting that a discounted contract price of \$301,087.50 exclusive of GST (\$331,196.25 inclusive of GST) applies where invoices are paid within 14 days, and
- (2) authorises the Chief Executive Officer to finalise and execute the contract documentation and undertake all necessary actions to give effect to Council's decision.

6. Closure of Meeting

The next ordinary council meeting will be held on Tuesday 20 October 2026 commencing at 5.00pm

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