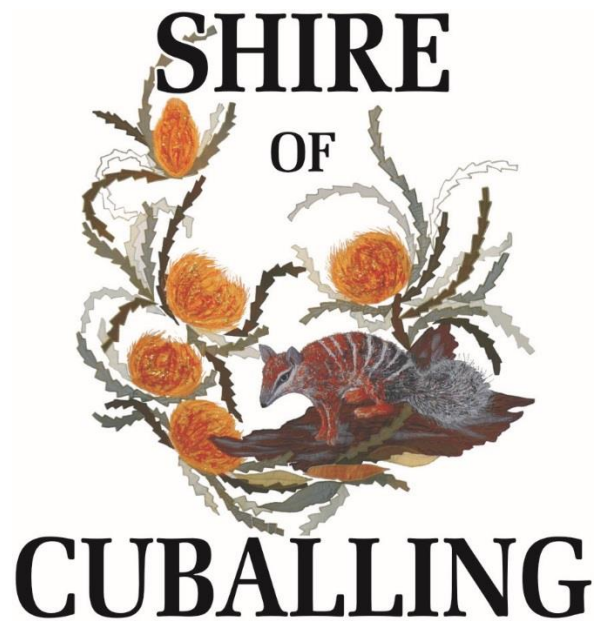




*A progressive, diverse and caring community,
with access to modern services and infrastructure,
in a unique part of the world*

MINUTES

of the

Special Meeting of Council

held

3.00pm TUESDAY 2nd SEPTEMBER 2025

Shire of Cuballing
Council Chambers / CWA Hall
Campbell Street, Cuballing

COUNCIL MEETING PROCEDURES

1. All Council meetings are open to the public, except for matters raised by Council under “Confidential Matters”.
2. Members of the public may ask a question at an ordinary Council meeting at “Public Question Time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the Presiding Member announces Public Question Time.
4. All other arrangements are in accordance with the Council’s standing orders, policies and decisions of the town.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Cuballing for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Cuballing disclaims any liability for any loss whatsoever and howsoever 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 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 a licence, any statement or limitation of approval made by a member or officer of the Shire of Cuballing during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Cuballing. The Shire of Cuballing warns that anyone who has an application lodged with the Shire of Cuballing must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of that application and any conditions attaching to the decision made by the Shire of Cuballing in respect of the application.

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1. **DECLARATION OF OPENING**

Deputy President Councillor Rob Harris took the chair and opened the meeting at 3.11pm.

2. **ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

2.1.1 Attendance

Cr Robert Harris	Deputy President
Cr Adrian Kowald	
Cr Dawson Bradford	
Cr Steven Sexton	
Mr Chris Paget	Chief Executive Officer
Mr Bruce Brennan	Manager Works & Services

2.1.2 Apologies

Cr Eliza Dowling	President
Cr Scott Ballantyne	
Ms Narelle Rowe	Deputy CEO

2.1.3 Leave of Absence

Nil

3. **STANDING ORDERS**

COUNCIL RESOLUTION 2025/65:

That Standing Orders be suspended for the duration of the meeting to allow for greater debate on items.

Moved Cr Kowald Seconded Cr Sexton CARRIED 4/0

For: Crs Harris, Kowald, Bradford and Sexton
Against: Nil

4. **PUBLIC QUESTION TIME**

Nil

5. DISCLOSURE OF FINANCIAL INTEREST

DISCLOSURE OF FINANCIAL INTEREST AND PROXIMITY INTEREST

Members must disclose the nature of their interest in matters to be discussed at the meeting.

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting.

DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the Member or employee has given or will give advice.

There were no declarations of interest.

6. REPORTS OF OFFICERS

6.1 RFQ 01/2025-26 Supply of Bitumen Surfacing Works

Applicant: Internal report
File Ref. No:
Disclosure of Interest: Nil
Date: 1 September 2025
Author: Bruce Brennan – Manager Works & Services
Senior Officer: Chris Paget – Chief Executive Officer
Attachments: Evaluation Matrix (*separate - Commercial in Confidence*)

Summary

Council is requested to consider awarding the Request for Quote (RFQ 01/2025-26) Supply of Bituminous Seals, to Bitutek Pty Ltd, for the sum of \$439,245.00 excluding GST, to undertake various road sealing projects as contained within the 2025/26 Budget and as listed in the attached evaluation matrix.

Background

The 2025/26 Budget lists road sealing works which are part of ongoing upgrade, maintenance and preservation of road assets within the Shire and in accordance with the Council's Ten-Year Road Program.

The Manager Works and Services and the Consulting Engineer have conducted a visual inspection of the Shire's road network to confirm that no other roads need to take priority over the listed roads in this financial year.

The proposed road seal works need to be completed by contractors with specialised machinery and expertise. The cost of such works was estimated to exceed the \$250,000 expenditure threshold and therefore it was necessary to go to tender or alternatively for it to be facilitated through a WALGA RFQ process.

The Road Seal RFQ was facilitated through the WALGA Panel of Preferred Suppliers PSP009-006 *Bitumen & Sprayed Bituminous Surfacing* which satisfies the Local Government statutory requirements and Council's Purchasing Policy.

Comment

The Bitumen Surfacing Works RFQ document was circulated to four suppliers listed in the WALGA Panel noted above and was open to responses from 2 July 2025 to 18 July 2025. These companies were:

- Bitutek Pty Ltd
- Fulton Hogan
- Boral Resources (WA) Ltd

Out of the four companies requested to quote, three provided formal submissions. Colas Western Australia Pty Ltd chose not to provide a quotation as they had no capacity to take on extra works for the year.

All the companies that provided a quote are prequalified WALGA preferred suppliers and

have relevant experience for these works; all submissions received were deemed to be compliant based on the specifications contained within the RFQ.

The RFQ was evaluated using the non-weighted cost method and assessed on the information and documentation provided in the suppliers' submissions as requested in the selection criteria and based on predetermined bitumen application rates for each road listed in the RFQ document, so that suppliers were quoting on an equal basis. The predetermined bitumen application rates for these roads are estimates based on the Consultant Engineer's experience and judgement, however these may vary slightly from a compliant seal design that would be conducted by the preferred contractor.

An evaluation panel was formed that consisted of the Manager Works and Services and the independent Consulting Engineer.

The Combined Assessment Rankings for the four compliant submissions are illustrated below:

Contractor	Ranking
Bitutek Pty Ltd	1
Fulton Hogan	2
Boral	3

Bitutek's submission was scored the highest and is the best value submission from this procurement process.

Bitutek have previously been successful with the Shire's road sealing RFQs/tenders and have provided good quality workmanship, along with being able to meet all criteria as set out in the current RFQ specifications including works delivery timelines.

Statutory Environment

Local Government Act 1995 section 3.57 – Tenders for providing goods or services
Local Government (Functions and General) Regulations 1996 Part 4 – Provisions of Goods and Services, Division 2 – Tenders for Providing Goods and Services (section 3.57).

Policy Implications

RFQ 01/2025-26 complies with the requirements of Council's Purchasing Policy 2.2.

It is noted that the procurement was facilitated through the WALGA Preferred Supplier Program and not as a public tender, consistent with the Local Government (Functions and General) Regulations 1996, Regulation 11A.

Financial Implications

This contract amount is wholly contained within the materials and contracts component of the various capital road projects within the adopted 2025/26 Budget and an indicative 10% contingency which will be reviewed in the middle of the financial year.

Consultation

Internal Executive management team
Rod Munns, Engineering Consultant

Strategic Implications

Shire of Cuballing Strategic Community Plan 2023-2033:

Governance

- Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.
- Enhancing community information and engagement.

Built Environment

- People and goods can move easily in and around the Shire, which is well planned for community needs, respecting the past and building the future.

Voting Requirements

Simple majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION 2025/66:

That Council:

- 1) Award the works under RFQ 01/2025-26 to Bitutek Pty Ltd for the sum of \$439,245.00 excluding GST; and**
- 2) Authorise the CEO to execute and manage the contract, including any variations, providing these variations do not exceed the total allocated bitumen sealing provisions within the 2025/26 Annual Budget.**

Moved Cr Bradford

Seconded Cr Kowald

CARRIED 4/0

For: Crs Harris, Kowald, Bradford and Sexton

Against: Nil

6.2	RFQ 02/2025-26 Supply of Stabilisation and Wet Mixing Services
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Applicant:	Internal report
File Ref. No:	
Disclosure of Interest:	Nil
Date:	1 September 2025
Author:	Bruce Brennan – Manager Works & Services
Senior Officer:	Chris Paget – Chief Executive Officer
Attachments:	Evaluation Matrix (<i>separate - Commercial in Confidence</i>)

Summary

Council is requested to consider awarding the Request for Quote (RFQ 02/2025-26) Supply of Stabilisation and Wet Mixing Services to Western Stabilisers for the sum of \$413,821.92 excluding GST, to undertake various road stabilisation projects as contained within the 2025/26 Budget.

Background

The 2025/26 Budget lists road stabilisation works which are part of ongoing maintenance and preservation of road assets within the Shire and in accordance with the Council's Ten-Year Road Program.

The Manager Works and Services and the Consulting Engineer have conducted a visual inspection of the Shire's road network to confirm that no other roads need to take priority over the listed roads in this financial year.

These works need to be completed by contractors with specialised machinery and expertise. The cost of such works was estimated to exceed the \$250,000 expenditure threshold and therefore it was necessary to go to tender or for it to be facilitated through a WALGA RFQ process.

The Supply of Materials Stabilisation and Wet Mixing Services RFQ was facilitated through the WALGA Panel of Preferred Suppliers PSP009-016 *Road Profiling and Stabilisation Works*, which satisfies the Local Government statutory requirements and Council's Purchasing Policy.

Comment

The Materials Stabilisation and Wet Mixing RFQ document was circulated to three suppliers listed in the WALGA Panel noted above and was open to responses from 2 July 2025 to 18 July 2025. These companies were:

- West Coast Stabilisers
- Western Stabilisers
- Downer Edi Works Pty Ltd.

All three companies that provide a quote are prequalified WALGA preferred suppliers and have relevant experience for these works. All submissions received were deemed to be compliant based on the specifications contained within the RFQ.

The RFQ was evaluated using the non-weighted cost method and assessed on the information and documentation provided in the suppliers' submissions as requested in the

selection criteria and based on predetermined treatment and works rates for each road listed in the RFQ document, so that suppliers were quoting on an equal basis. The predetermined rates for these roads are estimates based on the Consultant Engineer's experience and judgement, however these may vary slightly from a compliant works design that would be conducted by the preferred contractor.

An evaluation panel was formed that consisted of the Manager Works and Services and the independent Consulting Engineer.

The Combined Assessment Rankings for the three compliant submissions are illustrated below:

Contractor	Ranking
West Coast Stabilisers	3
Western Stabilisers	1
Downer EDI Works	2

Western Stabiliser's submission was scored the highest and is the best value submission from this procurement process.

Western Stabilisers have previously provided the Shire with roads stabilising and wet mixing services and have provided consistent good quality workmanship meeting all criteria as set out in the RFQ specifications including works delivery timelines.

Statutory Environment

Local Government Act 1995 section 3.57 – Tenders for providing goods or services; and Local Government (Functions and General) Regulations 1996 Part 4 – Provisions of Goods and Services, Division 2 – Tenders for Providing Goods and Services (section 3.57).

Policy Implications

RFQ 02/2025-26 complies with the requirements of Council's Purchasing Policy 2.2.

It is noted that the procurement was facilitated through the WALGA Preferred Supplier Program and not as a public tender, consistent with the Local Government (Functions and General) Regulations 1996, Regulation 11A.

Financial Implications

This contract amount is wholly contained within the materials and contracts component of the various capital road projects within the adopted 2025/26 Budget and an indicative 10% contingency which will be reviewed in the middle of the financial year.

Consultation

Internal Executive management team
Rod Munns, Engineering Consultant

Strategic Implications

Shire of Cuballing Strategic Community Plan 2023-2033:

Governance

- Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.
- Enhancing community information and engagement.

Built Environment

- People and goods can move easily in and around the Shire, which is well planned for community needs, respecting the past and building the future.

Voting Requirements

Simple majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION 2025/67:

That Council:

- 1) Award the works required under RFQ 02/2025-26 to Western Stabilisers Pty Ltd for the sum of \$413,821.92 excluding GST; and
- 2) Authorise the CEO to execute and manage the contract, including any variations, providing these variations do not exceed the total allocated stabilising and wet mixing provisions within the 2025/26 Annual Budget.

Moved Cr Sexton

Seconded Cr Kowald

CARRIED 4/0

For: Crs Harris, Kowald, Bradford and Sexton

Against: Nil

6.3	RFQ 03/2025-26 Supply & Delivery of Aggregate
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Applicant: Internal report
File Ref. No:
Disclosure of Interest: Nil
Date: 1 September 2025
Author: Bruce Brennan – Manager Works & Services
Senior Officer: Chris Paget – Chief Executive Officer
Attachments: Quotation submissions – Holcim (Australia) Pty Ltd and Heidelberg Materials (*separate - Commercial in Confidence*)

Summary

Council is requested to consider awarding the Request for Quote (RFQ 03/2025-26) Supply of Aggregate to Heidelberg Materials for various road projects as contained within the 2025/26 Budget.

Background

The 2025/26 Budget lists road project works which are part of ongoing maintenance and preservation of road assets within the Shire and in accordance with the Council's Ten-Year Road Program.

The Manager Works and Services and the Consulting Engineer have conducted a visual inspection of the Shire's road network to confirm that no other roads need to take priority over the listed roads in this financial year.

The costs of supply and delivery of aggregate materials for these road projects has been estimated to exceed the \$250,000 expenditure threshold and therefore it was necessary to go to tender or for it to be facilitated through a WALGA RFQ process.

The Supply and Delivery of Aggregate RFQ was facilitated through the WALGA Panel of Preferred Suppliers PSP009-004 *Aggregate, Cement and Concrete Products* which satisfies the Local Government statutory requirements and Council's Purchasing Policy.

Comment

The Supply and Delivery of Aggregate RFQ document was circulated to suppliers listed in the WALGA Panel noted above as well as external suppliers and was open to responses from 7 July 2025 to 25 July 2025. The only companies that responded were:

- Holcim (Australia) Pty Ltd
- Heidelberg Materials

Both companies have relevant experience for these works, and the submissions received were deemed to be compliant based on the specifications contained within the RFQ.

The RFQ was evaluated using the non-weighted cost method and assessed on the information and documentation provided in the suppliers' submissions as requested in the selection criteria and based on predetermined treatment and works rates for each road listed in the RFQ document, so that suppliers were quoting on an equal basis. The predetermined rates for these roads are estimates based on the Consultant Engineer's experience and judgement, however these may vary slightly from a compliant works design that would be conducted by the preferred contractor.

An evaluation panel was formed that consisted of the Manager Works and Services and the independent Consulting Engineer.

The Combined Assessment Rankings for the two compliant submissions are below:

Contractor	Ranking
Holcim (Australia) Pty Ltd	2
Heidelberg Materials	1

Heidelberg Materials' submission was scored the highest and is the best value submission from this procurement process. The company (formerly known as Hanson Australia) has previously been a supplier of aggregate to the Shire of Cuballing and have provided good quality product meeting all criteria as set out in the RFQ specifications including works delivery timelines.

Statutory Environment

Local Government Act 1995 section 3.57 – Tenders for providing goods or services; and Local Government (Functions and General) Regulations 1996 Part 4 – Provisions of Goods and Services, Division 2 – Tenders for Providing Goods and Services (section 3.57).

Policy Implications

RFQ 03/2025-26 complies with the requirements of Council's Purchasing Policy 2.2.

It is noted that the procurement was facilitated through the WALGA Preferred Supplier Program and not as a public tender, consistent with the Local Government (Functions and General) Regulations 1996, Regulation 11A.

Financial Implications

This contract amount is wholly contained within the materials and contracts component of the various capital road projects within the adopted 2025/26 Budget and an indicative 10% contingency which will be reviewed in the middle of the financial year.

Consultation

Internal Executive management team
Rod Munns, Engineering Consultant

Strategic Implications

Shire of Cuballing Strategic Community Plan 2023-2033:

Governance

- Forward thinking leadership, which listens and responds to community needs, with transparent and accountable decision-making.
- Enhancing community information and engagement.

Built Environment

- People and goods can move easily in and around the Shire, which is well planned for community needs, respecting the past and building the future.

Voting Requirements

Simple majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION 2025/68:

That Council:

- 1) Award the contract for supply and delivery of aggregate under RFQ 03/2025-26 to Heidelberg Materials; and**
- 2) Authorise the CEO to execute and manage the contract, including any variations, providing these variations do not exceed the total allocated provisions for road aggregate material within the 2025/26 Annual Budget.**

Moved Cr Kowald

Seconded Cr Sexton

CARRIED 4/0

For: Crs Harris, Kowald, Bradford and Sexton

Against: Nil

7. CLOSURE OF MEETING

There being no further business, Councillor Harris declared the meeting closed at 3.24pm.