



AGENDA

Late Reports

Ordinary Council Meeting

Thursday, 24 September 2026

A handwritten signature in black ink, appearing to read 'Garry Adams', is positioned above the printed name.

Garry Adams

Chief Executive Officer

Date: 18 September 2026

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ITEM 0 CEO'S OFFICE**L.1 Execution of Documents - Use of Common Seal****File Ref****Responsible Officer** Garry Adams, Chief Executive Officer**Reporting Officer** Krystle Durbin, Executive Assistant

Attachments

1. AG 200711 (under separate cover)
2. Decision email from WAPC (under separate cover)
3. DP431357_v1_DESIGN_311225_0949 (under separate cover)
4. 95 Easement (Emergency Access) (under separate cover)
5. Section 70A (under separate cover)

Voting Requirements Simple Majority

Disclosure of Interest Reporting Officer: Nil
 Responsible Officer: Nil

OFFICER RECOMMENDATION

That Council, pursuant to section 9.49A of the *Local Government Act 1995*, and in accordance with The Shire of Bridgetown-Greenbushes Standing Orders Local Law Clause 19.1, authorises the Shire President and Chief Executive Officer to execute, and affix the Common Seal of the Shire of Bridgetown-Greenbushes to:

1. The Deed of Grant of Easement (Emergency Access), as per Confidential Attachment 1; and
2. The Section 70A Notification giving effect to a change of subdivision conditions approved by the Western Australian Planning Commission, as per Confidential Attachment 5.

IN BRIEF

This report seeks Council's authorisation to execute and affix the Common Seal to two unrelated documents:

- a Deed of Grant of Easement providing emergency access over a property subject to subdivision; and
- a Section 70A Notification required as a result of a WAPC-approved change of subdivision conditions for a separate property.

Property and landowner details are contained in the confidential attachments.

MATTER FOR CONSIDERATION

Council is requested to authorise the execution and sealing of the documents listed in the Officer Recommendation.

BACKGROUND

In accordance with Clause 19.1 of the *Shire of Bridgetown-Greenbushes Standing Orders Local Law*, Council authorisation is required prior to executing documents under the Common Seal. There is currently no delegation in place that allows the CEO to administer the Common Seal without Council authorisation. There is no Council decision required in relation to the content of the documents as both relate to the finalisation of a statutory process that does not require a Council decision.

Deed of Grant of Easement (Emergency Access)

As part of a subdivision within the Shire, an emergency access easement is required. The Shire must execute the deed. Once executed, the deed will be lodged with Landgate for registration. Details of the property and parties are provided in Confidential Attachments 1-3.

Section 70A Notification (Change of Conditions of Subdivision)

The WAPC has approved a change to the conditions of a subdivision within the Shire (Confidential Attachment 4). The Shire must execute the notification before it can be lodged with Landgate. Details are provided in Confidential Attachment 5.

Nil

Nil

STATUTORY ENVIRONMENT

Nil

Local Government Act 1995, section 9.49A - A document is duly executed by the local government when the Common Seal is affixed in the presence of the Shire President and CEO, each of whom

signs to attest that it was affixed. The Common Seal may only be affixed as authorised by the local government.

The Shire of Bridgetown-Greenbushes Standing Orders Local Law clause 19.1 requires that a decision of Council is required prior to the Common Seal being used.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COUNCIL PLAN

10 Proactive, visionary leadership and effective governance.

LONG TERM FINANCIAL PLAN

Nil

ASSET MANAGEMENT PLANS

Nil

WORKFORCE PLAN

Nil

RISK MANAGEMENT

Medium. If the documents are not executed, the applicants will be unable to satisfy the WAPC conditions and the subdivision will be delayed, creating reputational risk for the Shire and potential financial loss for the applicant.